COUNCIL OF THE CITY OF PHILADELPHIA COMMITTEE OF THE WHOLE

Room 400, City Hall Philadelphia, Pennsylvania Wednesday, April 10, 2019 10:48 a.m.

PRESENT:

COUNCIL PRESIDENT DARRELL L. CLARKE
COUNCILWOMAN CINDY BASS
COUNCILWOMAN JANNIE L. BLACKWELL
COUNCILMAN DEREK S. GREEN
COUNCILMAN WILLIAM K. GREENLEE
COUNCILWOMAN HELEN GYM
COUNCILMAN BOBBY HENON
COUNCILMAN KENYATTA JOHNSON
COUNCILMAN BRIAN J. O'NEILL
COUNCILWOMAN CHERELLE L. PARKER
COUNCILWOMAN MARIA D. QUINONES-SANCHEZ
COUNCILWOMAN BLONDELL REYNOLDS BROWN

BILLS: 190152, 190153, 190154

RESOLUTIONS: 190164

- 1 - -
- 2 COUNCIL PRESIDENT CLARKE: Good morning.
- 3 We are going to start.
- 4 This is the Public Hearing of the
- 5 Committee of the Whole regarding Bills No.
- 6 190152, 190153, 190154 and Resolution No.
- 7 190164.
- 8 Mr. Stitt, please read the titles of the
- 9 bills and resolution.
- 10 THE CLERK: Bill No. 190152: Ar
- 11 Ordinance to adopt a Capital Program for the six
- 12 Fiscal Years 2020-2025, inclusive.
- Bill No. 190153: An Ordinance to adopt
- 14 a Fiscal 2020 Capital Budget.
- 15 Bill No. 190154: An Ordinance adopting
- 16 the Operating Budget for Fiscal Year 2020.
- 17 Resolution No. 190164: Resolution
- 18 providing for the approval by the Council of the
- 19 City of Philadelphia of a Revised Five Year
- 20 Financial Plan for the City of Philadelphia
- 21 covering Fiscal Years 2020 through 2024, and
- 22 incorporating proposed changes with respect to
- 23 Fiscal Year 2019, which is to be submitted by
- 24 the Mayor to the Pennsylvania Intergovernmental
- 25 Cooperation Authority (the "Authority") pursuant

- 1 to the Intergovernmental Cooperation Agreement,
- 2 authorized by an ordinance of this Council
- 3 approved by the Mayor on January 3, 1992 (Bill
- 4 No. 1563-A), by and between the City and the
- 5 Authority.
- 6 COUNCIL PRESIDENT CLARKE: Thank you.
- 7 Today we continue the Public Hearing of
- 8 the Committee of the Whole to consider the bills
- 9 read by the Clerk that constitute proposed
- 10 operating and Capital spending measures for
- 11 Fiscal 2020, a Capital program and a forward
- 12 looking Capital plan for Fiscal 2020 through
- 13 Fiscal 2025. Today we will hear testimony from
- 14 the following City departments: Planning and
- 15 Development and License and Inspection.
- Mr. Stitt, the first person to testify
- 17 is?
- 18 THE CLERK: Anne Fadullon.
- 19 (Panel approaches Witness Table.)
- 20 COUNCIL PRESIDENT CLARKE: Thank you
- 21 very much. Ms. Fadullon, how are you?
- There will probably be questions for
- 23 PRA -- going to say RA -- PRA and maybe
- 24 Planning, I don't know. Want to have -- save us
- 25 from the long walk -- Land Bank, might as well

- 1 all come, you know.
- 2 MS. FADULLON: Okay. Good.
- 3 COUNCIL PRESIDENT CLARKE: So the walk
- 4 won't be as long. Thank you.
- 5 MS. FADULLON: We submitted written
- 6 testimony, so I'm not going to read the whole
- 7 thing. I'm just going to cover --
- 8 COUNCIL PRESIDENT CLARKE: We really
- 9 appreciate that.
- 10 MS. FADULLON: -- some of the
- 11 highlights. Thought you might go for that.
- 12 Good morning, President Clarke and
- 13 Members of City Council. I'm Anne Fadullon,
- 14 Director of Planning and Development. Joining
- 15 me today are several members of the Senior Staff
- of the Department of Planning and Development.
- 17 The mission of the Department of
- 18 Planning and Development is to coordinate
- 19 Philadelphia's planning, zoning, preservation
- 20 and housing functions to promote the economic
- 21 health of all neighborhoods in the City.
- 22 Department includes the Division of Housing
- 23 Community Development, Division of Planning and
- 24 Zoning, and the Division of Development
- 25 Services. And additionally, we worked very

- 1 closely with our sister agencies the Land Bank,
- 2 the Philadelphia Housing Corporation and the
- 3 Philadelphia Redevelopment Authority.
- 4 Our plans for the Fiscal Year 20 ahead
- 5 are to continue to promote equitable growth of
- 6 Philadelphia, continue with further
- 7 implementation of the 2035 plan, support the
- 8 strategies identified in the Mayor's Historic
- 9 Preservation Task Force Report, implement the
- 10 Housing Action Plan and implement the City's
- 11 Comprehensive Plan.
- 12 As a lot of you are aware in Fiscal Year
- 13 19, we successfully produced the City's first
- 14 Housing Action Plan which covers the housing
- 15 spectrum from homeless all the way through
- 16 market rate. And in connection with this, we
- 17 are grateful that the Administration and City
- 18 Council had expanded resources to address the
- 19 critical need for affordable housing in
- 20 Philadelphia. Mayor Kenney's five year
- 21 commitment of \$80 million in local funding will
- leverage an additional \$170 million or more in
- 23 federal, state and private funding.
- In addition, the \$60 million approved by
- 25 City Council in prior years has been successful

- 1 in greatly reducing our home repair backlog.
- 2 And the recently announced \$40 million for
- 3 Restore, Repair, Renew will mean increased
- 4 opportunities for Philadelphia households to
- 5 remain in their homes and quality of living
- 6 conditions.
- 7 Our Development Services Team is playing
- 8 a critical role in supporting projects through
- 9 the City's review processes, and will continue
- 10 to advocate for reforms to improve transparency
- 11 and predictability for development project
- 12 seeking City approvals.
- The Division of Planning and Zoning
- 14 responsibilities include maintaining the
- 15 quardrails for our historic assets, crafting the
- 16 vision of our City for the future, providing
- 17 guidance for development to ensure our built
- 18 environment meets the needs of our residents and
- 19 engaging residents through outreach and
- 20 education to support neighborhood improvements.
- 21 The Philadelphia City Planning
- 22 Commission completed the City's Comprehensive
- 23 Plan Philadelphia 2035 in Fiscal Year 19. In
- 24 the fall of 2018, the last in the series of the
- 25 18 district plans was completed. And now

- 1 those -- and those district plans address
- 2 specific land use zoning, urban design, capital
- 3 facilities and other physical infrastructure
- 4 issues throughout the City. And staff is now
- 5 focused on working with City departments and
- 6 external departments on implementing the
- 7 recommendation from all district plans.
- 8 The Fiscal Year 20 Budget for DPD
- 9 approves additional funding for staff in support
- 10 of the Zoning Board of Adjustments. There has
- 11 been a significant increase in permit
- 12 application and variance appeals filed over the
- 13 last several years, compromising the ability of
- 14 staff to deliver services effectively and
- 15 efficiently. This increase in staff will allow
- 16 ZBA to operate more effectively to deliver
- 17 services to residents and developers more
- 18 efficiently. Staff will now be able to cover
- 19 multiple roles.
- In ending, we are committed to building
- 21 an inclusive environment that understands and
- 22 responds to the diversity on our team and
- 23 utilizes this knowledge to better serve the
- 24 public.
- Thank you for your time and attention.

- 1 We are happy to answer any questions you may
- 2 have about our budget or plans for Fiscal Year
- 3 20. Thank you.
- 4 COUNCIL PRESIDENT CLARKE: Thank you
- 5 very much. Let me ask you a question. I guess
- 6 this would be from the RDA. Not sure if any of
- 7 you all were here in the capacity that you are
- 8 at this point in time.
- 9 So years ago during the course of the
- 10 development process, the Redevelopment Authority
- 11 in particular -- and I know, I think you still
- 12 have some certain designations. But they used
- 13 to have what they call the project managers.
- 14 And they were done by geographical area. And
- 15 essentially, the Councilperson or an interested
- 16 party would call that one person and pretty much
- 17 everything from acquisition through ribbon
- 18 cutting would go through that person. And it
- 19 was actually a process that, you know, was
- 20 pretty successful, at least from my perspective
- 21 as a District Councilperson.
- But since then, we seem to have gotten
- 23 away from that approach. Frankly speaking, you
- 24 find ourselves -- and I know myself, I am
- 25 speaking for myself, but I am sure that there

- 1 are other District Councilpeople that have
- 2 similar challenges -- getting more involved in
- 3 the development process than, frankly, we would
- 4 like to be. So much so, that you actually have
- 5 people -- and I am not going to talk about the
- 6 media today -- but you have people that complain
- 7 that Councilmembers are too deeply involved in
- 8 the development process and prerogatives and all
- 9 these other things. But the simple reality is,
- 10 is that if we don't get involved, the likelihood
- 11 that things will move efficiently and swiftly is
- 12 limited if at all.
- 13 And I -- frankly, I'd like to be back in
- 14 the old days, right, when you call me when you
- 15 say who got the award. And the next time you
- 16 call me you say, okay, it's time to break the
- 17 ground, then you call me and say it's time to
- 18 cut the ribbon. I was real good with that. We
- 19 have, like, a lot of other things that we need
- 20 to do.
- 21 So can you kind of tell me, and again, I
- 22 understand most of you all were not here in
- 23 those days and years. But I am sure you have
- 24 some historical perspective on that. Why can't
- 25 we go back to that? When the project manager

- 1 for that area understood everything about that,
- 2 and I didn't have to call this agency, the
- 3 alphabet agencies, didn't have to call all the
- 4 different people, you know. It was, like, just
- 5 so much easier for us.
- 6 MS. FADULLON: So --
- 7 COUNCIL PRESIDENT CLARKE: I know I set
- 8 the table.
- 9 MS. FADULLON: You know that -- that you
- 10 and I have that historic knowledge together.
- 11 COUNCIL PRESIDENT CLARKE: Exactly.
- MS. FADULLON: Because back in the day,
- 13 the project managers that used to call on your
- 14 area was me. So actually --
- 15 COUNCIL PRESIDENT CLARKE: I think
- 16 before you was Mike Koontz.
- 17 MS. FADULLON: Actually, after me was
- 18 Mike Koontz, yeah. So, we have actually been
- 19 having exactly those discussions. Not just in
- 20 the Redevelopment Authority but across the
- 21 Philadelphia Housing Development Corporation,
- 22 Land Bank and the Redevelopment Authority as we
- 23 work to combine into one employment entity. We
- 24 have talked about re -- assigning folks so it
- 25 will be more like that where people are assigned

- 1 a certain area, so that it will be more one-stop
- 2 shopping. And then, sort of to take that a step
- 3 further then where it was back in the day. We
- 4 are always working in conjunction and having the
- 5 Planning Commission and those roles also, so
- 6 that we are really looking to get to the point
- 7 where we almost have sort of a community
- 8 development team that can be assigned to an area
- 9 with a point person to cover everything from
- 10 planning all the way through to project
- 11 completion.
- 12 So, that's definitely something that we
- 13 are working on. And actually, a lot of these
- 14 folks are probably pretty tired of myself and
- 15 Melissa Long who have been here a long time
- 16 saying, you know what we used to and we used
- 17 to -- and it's not that we don't want to look at
- 18 things gong -- be forward thinking, but yeah,
- 19 that is something that we are really trying to
- 20 get us back to that.
- 21 COUNCIL PRESIDENT CLARKE: Yeah. I mean
- in addition to which, I don't want to belabor
- 23 the point. But back in the "good old days" we
- 24 actually had a lot of -- lot more strong
- 25 community development corporations that had

- 1 resources and the capacity to actually work with
- 2 developers for profit/non-profit whatever. And
- 3 they kind of, like, did all that work. And
- 4 again, we got called in when it was time to cut
- 5 the ribbon and take credit.
- 6 So, I'm glad to see that you are
- 7 thinking in a similar way. Because in all
- 8 honesty, we do have a lot of things that we need
- 9 to do. Tired of calling Mike Koontz up and
- 10 asking Mike, find out what's going because the
- 11 people in the neighborhood want to know what's
- 12 going to happen, the whole nine yards.
- 13 That's great.
- MS. FADULLON: And I think it's
- 15 expounded because, you know, it was one thing
- 16 back in the day. But now we have got
- 17 exponential more development happening.
- 18 COUNCIL PRESIDENT CLARKE: Exactly.
- 19 MS. FADULLON: The need is great.
- 20 COUNCIL PRESIDENT CLARKE: All right.
- 21 Great. I look forward to that.
- 22 Can you give me some sense of a
- 23 timeline?
- MS. FADULLON: So, we are in the process
- of consolidating the Redevelopment Authority,

- 1 the Land Bank and PHDC under one employment
- 2 entity. We anticipate a lot of that will occur
- 3 on or about July 1. And then the -- so after
- 4 that sort of technical piece is done, the work
- 5 going forward is going to be about creating
- 6 these teams. So, we are hoping we have
- 7 advancement on that by the end of this calendar
- 8 year. But we're probably by the end of this
- 9 Fiscal Year be much more aligned under that kind
- 10 of format.
- 11 COUNCIL PRESIDENT CLARKE: And that's
- 12 basically the entire consolidation?
- MS. FADULLON: Yes.
- 14 COUNCIL PRESIDENT CLARKE: And the final
- 15 form of the Planning and Development?
- MS. FADULLON: Yes.
- 17 COUNCIL PRESIDENT CLARKE: Further
- 18 charter change requirement?
- MS. FADULLON: Yes.
- 20 COUNCIL PRESIDENT CLARKE: Great.
- 21 One quick question. So every year --
- it's probably comes from the bean counters and
- 23 not you guys over in the 1234/1515 Market shop.
- 24 For the last several years we get our
- 25 budget. It's like \$500,000 gets cut out of PHS

- 1 budget. And then we come in and negotiate the
- 2 last two weeks, and we sit around the table when
- 3 the Councilmembers want to see. And we end up
- 4 negotiating against ourselves for the same
- 5 500,000. I suspect this year, there will be
- 6 minimal pushback we should push the \$500,000
- 7 back in for PHS. Everybody say it's a great
- 8 program.
- 9 Why do we have to get keep going through
- 10 that? I mean, is it a part of the dance or -- I
- 11 am okay because I been here for a lot of dances.
- 12 And if it is, particular a program that has
- 13 proven to work.
- 14 As a matter of fact, I don't know if you
- 15 are familiar with this, that quietly have to
- 16 listen to some of my colleagues, particularly my
- 17 colleague Councilman Johnson, about having a
- 18 specific land management team for, again,
- 19 geographical area. Every area has different
- 20 needs. Some might need to work with
- 21 organization for community gardens or some might
- 22 just need vacant lots clean, you know, all these
- 23 different type of thins.
- So, we founded this grouper. We quietly
- 25 put in an ordinance about two weeks ago -- I

- 1 don't know if anybody paid attention -- for
- 2 \$2 million to go to PHS for a program and expand
- 3 it way beyond the 500,000 that should already be
- 4 in there.
- 5 So, what's your perspective on that?
- 6 Should we be expanding that?
- 7 MS. FADULLON: My perspective is that
- 8 the PHS program is a great program. It's very
- 9 effective. It employs returning citizens. It
- 10 helps to improve our communities. It's a great
- 11 program.
- 12 COUNCIL PRESIDENT CLARKE: All right.
- 13 So, and I know you work for the Administration
- 14 and it has to go through the process. When
- 15 talking about, you know, reducing poverty and
- 16 any other day, I think yesterday with Commerce
- 17 we were talking about whole entrepreneurial
- 18 spirit. You know, in that -- I think this
- 19 Friday we have a program Roots To Reentry where
- 20 individuals or returning citizens are going
- 21 through the program. They are learning life
- 22 skills, the whole nine yours and management,
- 23 land management and actually business skills. I
- 24 think that's the quickest way can get people to
- 25 work.

- 1 My Council colleague over here was
- 2 talking about commercial corridors the other
- 3 day. How do we clean commercial corridors with
- 4 neighborhood organizations. I think that's a
- 5 way that we can solve one of the issues with
- 6 respect to land management, land care, but also
- 7 putting people to work, people from
- 8 neighborhoods and not through this long arduous
- 9 process and funding CLIP, which I love CLIP, but
- 10 they cost a little bit more because they are
- 11 City employees.
- But yet, the ability to get people in
- 13 the neighborhoods opportunities and teach them
- 14 life skills and teach them skills so they can
- 15 create their own companies. Get one of them
- 16 Fred Sanford trucks. I know I am dating myself.
- 17 That they can actually do -- cut grass and
- 18 maintain land during the summer months, and then
- 19 they can -- winter time, throw a plow on the
- 20 front and clear snow out. I mean, those are the
- 21 type of entrepreneurial opportunities we need to
- 22 keep.
- 23 So, I look forward to your support when
- 24 we discuss the \$2 million additional funding
- 25 budget. All right. Okay. Thank you.

- I got a lot of questions, but I'm going
- 2 to turn it over to my colleagues.
- 3 Chair recognizes Councilman Greenlee.
- 4 COUNCILMAN GREENLEE: Thank you,
- 5 Mr. President.
- 6 Good morning.
- 7 MS. FADULLON: Morning.
- 8 COUNCILMAN GREENLEE: Still morning.
- 9 MS. FADULLON: Yes.
- 10 COUNCILMAN GREENLEE: Actually, thinking
- 11 back on what the Council President was just
- 12 asking last thing, I was going to ask about land
- 13 care. Also, you mentioned in budget overview, a
- 14 cut in the Philadelphia Land Bank.
- 15 What does that entail and the reason for
- 16 that; do you know?
- 17 MS. FADULLON: I'm sorry. Say that
- 18 again.
- 19 COUNCILMAN GREENLEE: You say the
- 20 decrease -- I am looking at the proposed --
- MS. FADULLON: So, the decrease in land
- 22 care and the decrease in the Land Bank Budget?
- 23 COUNCILMAN GREENLEE: Yeah.
- 24 MS. FADULLON: The decrease in the Land
- 25 Bank Budget is about the funding for

- 1 acquisitions. And I think that is
- 2 something that the Administration just wants to
- 3 have a conversation about, about how much is
- 4 going to be really needed to do acquisitions in
- 5 the coming fiscal year. But it's my
- 6 understanding, the Administration is open to
- 7 having that conversation.
- 8 COUNCILMAN GREENLEE: Okay. All right.
- 9 Okay. The -- as far as the issue of affordable
- 10 housing, can you just go over briefly,
- 11 particularly with, like, folks come out of
- 12 homelessness, things like that. Briefly, kind
- of what the focus will be in trying to help with
- 14 homelessness, rental housing, that kind of --
- 15 MS. FADULLON: Right. So as part of our
- 16 work doing the housing action plan, one of the
- 17 things that really came to the forefront is that
- 18 we -- there are -- and I am sure the Office of
- 19 Homeless Services can provide more details about
- 20 the efforts around the homeless population and
- 21 the impact of the opioid issue on that. And we
- 22 have a lot of very robust, very progressive
- 23 programs around homeownership and supporting our
- 24 homeowners.
- 25 Where we really saw that there was some

- 1 gaps was with protecting our renters and taking
- 2 care of our renter population.
- 3 COUNCILMAN GREENLEE: Right.
- 4 MS. FADULLON: So, a couple of the
- 5 things we are coming out with is, I want to say
- 6 a year or so ago, the Redevelopment Authority in
- 7 cooperation with the Health Department and --
- 8 who else was it -- and L&I made an application
- 9 to the State Fair Program to get some dollars to
- 10 pilot a small landlord loan program.
- 11 That RFP to get a funder, because the
- 12 way the fair money, we matched it with some
- 13 Redevelopment Authority money, will go out is
- 14 that it -- or how it will be used is really to
- 15 be a, like, a credit enhancement or a loan
- 16 guarantee piece. So, the RFP to get a funder or
- 17 commercial lander on board is going out shortly.
- 18 And we hope that that will be able to pilot a
- 19 loan program for landlords that have up to ten
- 20 units, a loan up to 24,999. And so, that will
- 21 help to provide some support to landlords who
- 22 rent to tenant at an affordable rate but may
- 23 have had difficulty doing improvements to those
- 24 units.
- 25 The other thing that we are working on

- 1 rolling out is a shallow rent program.
- 2 COUNCILMAN GREENLEE: A what? I'm
- 3 sorry.
- 4 MS. FADULLON: A shallow rent program.
- 5 That would provide rent support up to \$300 a
- 6 month for tenants to help them pay their rent.
- 7 I mean, because even though there has been a lot
- 8 of conversation about eviction and protections
- 9 around that, it -- all the data shows that
- 10 upwards of 90 percent of the reason why tenants
- 11 are subject to eviction is because they can't
- 12 pay their rent.
- So we thought, well, let's figure out
- 14 then if we can help people pay their rent. So
- 15 also, I just want to mention that there was a
- 16 Federal Reserve report that recently came out
- 17 that shows for very low income folks, which are
- 18 people at 50 percent of median or below, the
- 19 difference in their gap between not affording
- 20 the rent and affording the rent is \$303.
- 21 So again, we designed a program where we
- 22 are trying to support with \$300 --
- 23 COUNCILMAN GREENLEE: Three hundred
- 24 dollars a month.
- MS. FADULLON: That should be able to

- 1 get, you know, at people at 50 percent and
- 2 above. It's hard to get to the extremely low
- 3 income folks. But we think that that -- again,
- 4 we are going to pilot that. We think that goes
- 5 a long way in starting to really support our
- 6 tenants.
- 7 COUNCILMAN GREENLEE: Okay. No. Those
- 8 programs sound good. And then finally, with the
- 9 Housing Trust Fund, I see a significant increase
- in, which I know people have been asking for.
- 11 Again, briefly, could you say kind of
- 12 what that increase will go for?
- 13 MS. FADULLON: Sure. I think we have a
- 14 hearing coming up in another couple weeks about
- 15 that. But so, the first traunch of that is \$19
- 16 million in this next year. The bulk of that,
- 17 10 million, is for production and preservation
- 18 of affordable housing. There is another traunch
- 19 that's going into housing counseling, tangle
- 20 title assistance, that kind of thing.
- 21 COUNCILMAN GREENLEE: Okay.
- 22 MS. FADULLON: And then there is a
- 23 traunch that's going into settlement assistance.
- 24 So, the City historically had run a program
- 25 where we did settlement grants at \$500. Which

- 1 as you can imagine, was not -- you know, didn't
- 2 make a significant dent in the cost of
- 3 purchasing a house. We were able to
- 4 successfully get some dollars, additional
- 5 dollars from JP Morgan Chase that allowed us to
- 6 bump that up a little bit. But with these new
- 7 trust fund dollars, we are going up to \$10,000.
- 8 COUNCILMAN GREENLEE: Okay. Great.
- 9 MS. FADULLON: So, we are in the process
- 10 of finalizing that. The parameters around that
- 11 program, we have a couple different sources of
- 12 funding going into that program. So, we are
- 13 trying to line up all the different
- 14 requirements. But we should be able to rule
- 15 that out in the next couple weeks.
- 16 COUNCILMAN GREENLEE: Okay. Sounds
- 17 good. Thank you. Thank you very much.
- 18 Thank you, Mr. President.
- 19 COUNCIL PRESIDENT CLARKE: Thank you,
- 20 Councilman.
- 21 Chair recognizes Councilman Johnson.
- 22 COUNCILMAN JOHNSON: Thank you, Council
- 23 President. Want to thank you, Anne, and your
- 24 team for being here today. And just had a
- 25 couple questions regarding the organizational

- 1 structure on how we go about doing land
- 2 disposition.
- And so, there was recently an MLU with
- 4 the Land Bank that was recently assigned on
- 5 Monday that provided support between the Vacant
- 6 Property Review Committee as well as with the
- 7 Land Bank. Can you give me an overview of the
- 8 MLU?
- 9 And then, walk me through the process of
- 10 when an individual or an organization has an
- 11 interest in acquiring City-owned property, what
- 12 that process looks like.
- And also, when there are expressions of
- interest in one agency versus another agency,
- 15 how are we making sure that all of that
- 16 information is housed in one specific area so
- 17 that when Councilmembers have to make decisions,
- 18 right, we have all of the information that is
- 19 needed in front of us so we can make the best
- 20 decisions based upon what we are being asked to
- 21 do as relates to land disposition?
- MS. FADULLON: Right. So, the first
- 23 question is about the MLU.
- So essentially, the MLU between the Land
- 25 Bank and Public Property -- and if I start to

- 1 speak out of turn, I will have Angel come up --
- 2 is to allow the Land Bank -- to allow staff to
- 3 work in coordination with each other to ensure
- 4 that if there is an application that comes in,
- 5 that that application has been reviewed for
- 6 thoroughness and feasibility.
- 7 And then also, would require that
- 8 properties that come out through VPRC, that
- 9 there is a development agreement that goes along
- 10 that shows what folks are going to do, you know,
- 11 what are the plans, what's the -- that provides
- 12 a little more teeth, I would say, than the
- 13 existing agreement to ensure that folks do what
- 14 they say they are going to do and that there is
- 15 -- there are clauses in there that allows the --
- 16 the agencies to recapture that property or to
- 17 renegotiate that if -- if -- if the developer,
- 18 the applicant does not do what they say they are
- 19 going to do.
- I mean, essentially, that is what it
- 21 says in a nutshell.
- The second question you asked me was?
- 23 COUNCILMAN JOHNSON: Tracking
- 24 expressions of interest from one agency to
- 25 another agency. What does that process look

- 1 like moving forward?
- MS. FADULLON: Right. So, one of the
- 3 things that's is going to happen when doing this
- 4 consolidation is there will not be land staff at
- 5 several different agencies, right. There will
- 6 be land staff at one entity. They will roll up
- 7 under Angel.
- 8 COUNCILMAN JOHNSON: All land staff will
- 9 now be housed under the Land Bank?
- 10 MS. FADULLON: Well, by housed in the
- 11 PHDC, right? The Land Bank Board exists, the
- 12 Redevelopment Authority. But the employment
- 13 entity is now PHDC. Which means, that anybody
- 14 that is doing land management will be reporting
- 15 up into the same accountability structure.
- So when an EOI comes in for any property
- 17 that's publicly owned, it's going to land in the
- 18 same place. The language that will go out when
- 19 someone submits an EOI, if it's for a type of
- 20 use that's allowed as a non-competitive sale, so
- 21 a side yard, affordable housing, those kind of
- 22 things, they will get a response that says we
- 23 will respond to your request within 30 days.
- In that 30 days, really what happens is
- 25 just kind of some initial compliance. Make sure

- 1 they don't have outstanding, like, tax
- 2 violations or violation. And then within 30
- days, they will be sent a full application
- 4 package. If an EOI comes in for something that
- 5 is not allowed under the non-competitive sale
- 6 clause, they will get a message that says thank
- 7 you for your interests in property. When the
- 8 property comes available for sale, we would
- 9 notify you.
- 10 And one of the other things we are
- 11 working on is a transparent kind of tracking
- 12 database that everybody would -- that you would
- 13 have access to say --
- 14 COUNCILMAN JOHNSON: You are working on
- 15 a database?
- 16 MS. FADULLON: -- exactly what's going
- 17 on. Yes.
- 18 COUNCILMAN JOHNSON: Will the public
- 19 have access to that database?
- MS. FADULLON: The public will have
- 21 access to a database that will sit, that would
- 22 show the property address, whether it's been
- 23 bundled as a competitive sale. Our bid, it
- 24 says -- and it will show what the use is, what
- 25 the disposition price and where the status of it

- 1 is in the process.
- 2 COUNCILMAN JOHNSON: So -- and I am
- 3 going where Council President Clarke talked
- 4 about briefly. A lot of times, people think we
- 5 have this considerable amount of great influence
- 6 over the development process. And as District
- 7 Councilmembers, we do probably know what is best
- 8 or the issues and concerns of constituents
- 9 because we are pretty much on the ground.
- 10 Nevertheless, the Vacant Property Review
- 11 Committee as well as the Land Bank is composed
- of Administration appointees, correct?
- MS. FADULLON: Correct.
- 14 COUNCILMAN JOHNSON: As well as Council
- 15 appointees, correct?
- MS. FADULLON: Correct.
- 17 COUNCILMAN JOHNSON: So prior to a
- 18 resolution coming to City Council, I mean, and
- 19 the media will call it a direct sale, there is
- 20 some type of conversation with Council
- 21 appointees and the Administration prior to us
- 22 receiving a resolution for us to introduce in
- 23 City Council, correct?
- MS. FADULLON: Correct.
- 25 COUNCILMAN JOHNSON: I just want to get

- 1 that on the record just for clarity. Because
- 2 you know, oftentimes when there is
- 3 misinformation and we are working on behalf of
- 4 our constituents, I remember a couple articles,
- 5 the Administration took a posture as if the work
- 6 that we were doing as District Councilperson, at
- 7 least in my particular case is that, I don't
- 8 know what's going on. We don't know what's
- 9 happening over there. We need to do these
- 10 reforms and so forth, which I just felt was
- 11 somewhat disingenuous.
- Because on that board, on both boards,
- 13 sits Council appointees as well as people from
- 14 the Administration. So if there is something
- 15 really eye opening that goes beyond ethics and
- 16 that's really a red flag, then there should be a
- 17 conversation or, you know, the proper individual
- 18 should be brought to the table and say, wait, a
- 19 minute. Before we move forward on this
- 20 particular resolution, you know, we have some
- 21 concerns. At least, that's been my experience
- 22 thus forward.
- Now we have this new MLU with the Land
- 24 Bank. I want to make sure as we move forward,
- 25 that, one, that process is thoroughly explained

- 1 to the public but as well as how that process
- 2 works where everyone can know that it's a
- 3 transparent process and here is how land is
- 4 disposed here in the City of Philadelphia.
- 5 Now when I go out to community groups,
- 6 the typical individual wants to know how do I go
- 7 about obtaining land from the City of
- 8 Philadelphia. And I want to have a fair shot at
- 9 actually doing it.
- 10 And so, that's my time. I will wait
- 11 until the next round to ask my additional
- 12 questions. That's it.
- 13 COUNCIL PRESIDENT CLARKE: Thank you.
- 14 Excuse me. Thank you, Councilman.
- 15 Chair recognizes Councilwoman Parker.
- 16 COUNCILWOMAN PARKER: Thank you,
- 17 Mr. President. And good morning to each of you.
- 18 I want to just start by giving a few shout-outs
- 19 over to Planning Commission Andrew Maloney and
- 20 Marissa Kleven for prioritizing the
- 21 opportunities zones near Adams Avenue and
- 22 marketing them as ideal development locations.
- 23 Because you know, again, you know, the further
- 24 you are away from, you know, Center City, I
- 25 don't think we get the same looks as other

- 1 regions. And so, I want to thank them for that.
- I also want to say a special thanks to
- 3 Ian Hegarty and the Planning Commission for
- 4 their support for the 9th District study of
- 5 commercial corridors. It is the tool that we
- 6 are using as an effort to solicit private sector
- 7 support. So you know, we using the data to
- 8 drive our ask and to seek investment into those
- 9 corridors. And so, I want to thank them for
- 10 that.
- 11 Let me start by asking you about the
- 12 basic systems home repair backlog. How much of
- the \$60 million bond issuance has been spent
- 14 down?
- MS. FADULLON: (Inquires of staff.)
- 16 Do we have that number?
- 17 COUNCILWOMAN PARKER: While you are
- 18 searching for that information, we want to know
- 19 the percentage of the backlog that has actually
- 20 been cleared.
- MS. FADULLON: Yes. I don't have the
- 22 percentage. I think we started around 8,000
- 23 cases of backlog. And I think we are down
- 24 around, I want to say, 15/1600. So if you can
- 25 do that math in your head, knock it out. But

- 1 it's been a substantial decrease in the back.
- 2 COUNCILWOMAN PARKER: Of the cases
- 3 cleared -- and again, you may not have this
- 4 information now, but if you can just forward it
- 5 to the President for the circulation to all
- 6 members -- the percentage of individuals who
- 7 have received repairs, you know, the percent who
- 8 were, like, ultimately deemed ineligible.
- 9 MS. FADULLON: Sure.
- 10 COUNCILWOMAN PARKER: Those who you
- 11 weren't able to track down, and those who were
- 12 no longer interested in the program. And the
- 13 reason why this data, I think, is extremely
- important for us to have is because when we go
- out into the community, it's important to know
- 16 how many people in our district are benefiting
- 17 from the programs being offered. So when we
- 18 talk about BSRP, I want from a GIS perspective
- 19 be able to tell me people, oh, no 3,000 people
- 20 from the 9th District applied; 1500, you know,
- 21 were able to get the supports.
- Let me ask you, do you think that we are
- 23 getting to -- that we can sort of a get to a
- 24 place where we will be able to process the
- 25 demands for BSRP without creating another

- 1 backlog?
- 2 MS. FADULLON: I think we are getting
- 3 there.
- 4 COUNCILWOMAN PARKER: Okay.
- 5 MS. FADULLON: I do think we are making
- 6 improvements. I think one of the key thing is
- 7 we are finally updating our database system that
- 8 is sort of beyond dinosaur. And so, that will
- 9 allow us to track a lot of information in a lot
- 10 more different ways and have much more accurate
- 11 data that I think will really help you along
- 12 those lines.
- 13 COUNCILWOMAN PARKER: Also, I just want
- 14 to note for the record that PHDC does and
- 15 outstanding job in delivering the services. And
- 16 Council President Clarke, I am always impressed
- 17 with the number of minority-owned firms who are
- 18 actually getting access to the opportunity to do
- 19 that work.
- 20 Let me -- yesterday, this is another
- 21 issue. Project information forms. As of
- 22 yesterday April 9, one year into the Project
- 23 Information Forms being officially required, if
- 24 a project is residential with four or more units
- or non-residential and it's resulting in more

- 1 than \$2,500 square feet of floor area, excluding
- 2 the signage. When my team checked yesterday
- 3 about 3:45, it appeared that there have been
- 4 about 1760 entries over the past year.
- 5 Have you all done any sort of analysis
- 6 of the entries to find out if there are any
- 7 common themes or trends?
- 8 MS. SHARPE: We have not yet.
- 9 COUNCILWOMAN PARKER: Okay. Have you
- 10 surveyed any of the RCOs to see if it has, in
- 11 fact, been a useful tool for them and/or if
- 12 they, you know, sort of are making any
- 13 recommendations on how it should be improved.
- 14 MS. SHARPE: Councilwoman, we have not
- 15 yet, no.
- 16 COUNCILWOMAN PARKER: Okay. I just want
- 17 to note for the record, that that is something
- 18 that my office would like to work with you on
- 19 because I think it dovetails on Councilman
- 20 Johnson's line of questioning about transparency
- 21 relative to the development process.
- 22 And so, we want it to be a valuable
- 23 tool. And if we need to make adjustments to it,
- 24 we want to be able to do so.
- 25 Also, it was brought to my attention

- 1 that you used to attach the Project Information
- 2 Forms along with the address list. And that's
- 3 the list of affected RCOs, like, Near Neighbors
- 4 to the RCO notification email. And I have a
- 5 copy of one here.
- 6 Now instead, you direct people to
- 7 general online links that adds a few more steps
- 8 or clicks in the process. I get that you are
- 9 trying to streamline the process and reduce the
- 10 workload on your end. But is there a way to
- 11 further streamline the process on our end?
- 12 Should we be doing anything different?
- MS. SHARPE: I think we launched that
- 14 maybe a month or two ago.
- 15 COUNCILWOMAN PARKER: The new
- 16 notification?
- 17 MS. SHARPE: Yeah. There isn't enough
- 18 time yet to see how it's working. So, we are
- 19 still there supporting anyone who isn't using
- 20 that system, but we are trying to be more
- 21 efficient and streamline. And it allows
- 22 developers even earlier access to get a lot of
- 23 the information that they would normally be
- 24 waiting for us to push out to them.
- 25 But we can always talk about making it

- 1 more efficient. And your input would be greatly
- 2 valued.
- 3 COUNCILWOMAN PARKER: Great. So please,
- 4 make sure you keep us updated on that in real
- 5 time.
- 6 Next my question is relative to
- 7 resources and assistance to residents or
- 8 businesses. And I don't know if this is a
- 9 challenge in other Council districts. But in
- 10 selecting -- helping residents or businesses in
- 11 selecting code compliant fencing and greenery,
- 12 that is aesthetically pleasing and it fits into
- 13 the character of the neighborhood.
- And so, the reason why I say this is
- 15 because sometimes a business and/or even a
- 16 private resident, they can -- they go directly
- 17 to a firm because they want to put in a new
- 18 fence or they want to do some greening, some
- 19 different shrubbery. But we have codes
- 20 regarding the height and, you know, sort of the,
- 21 you know, the type.
- Do we have any kind of tools that, like,
- 23 serve as a guide so that when, you know,
- 24 Cherelle Parker wants to put up a fence, you
- 25 know, look at this height, this size?

- 1 MS. FADULLON: Right. So that is
- 2 administered by L&I. But that is something we
- 3 could probably maybe have our development
- 4 services folks look at is to just -- and work
- 5 with maybe the Commerce Department. It sounds
- 6 like its around maybe corridors.
- 7 COUNCILWOMAN PARKER: All three of them.
- 8 MS. FADULLON: About things that are
- 9 just, you know, the building code allows for.
- 10 And I can't remember whether it's 3 feet or
- 11 4 feet -- a 3 or 4-foot fence. And that's what
- 12 you can get at Home Depot or Lowe's or whatever.
- 13 And shrubbery, you know, shouldn't be any
- 14 higher -- we can probably put together some kind
- 15 of a fact sheet.
- 16 COUNCILWOMAN PARKER: Got it. Thank
- 17 you.
- 18 Mr. President, I will get to the next
- 19 round of questions.
- 20 COUNCIL PRESIDENT CLARKE: Thank you,
- 21 Councilwoman.
- 22 Chair recognizes Councilwoman Gym.
- 23 COUNCILWOMAN GYM: Thank you very much.
- 24 Hello. Good morning. I wanted to
- 25 follow up on a few of the questions that

- 1 Councilman Greenlee had asked earlier. As you
- 2 know, we are very excited that we have for the
- 3 first time in our housing work, a Shallow Rent
- 4 Subsidy Program. And I wanted to ask a little
- 5 bit more -- a few more questions to clarify the
- 6 program a little bit.
- 7 So, could you talk, you know -- first of
- 8 all, I think this is a program that will have,
- 9 you know, significant beneficial impact. I am
- 10 very interested that we track it, make sure that
- 11 we are seeing how effective it is. And I am
- 12 just very excited to see it going forward. I
- 13 want to thank your whole team first and foremost
- 14 for making that possible.
- 15 Could you talk a little bit about -- I
- 16 know the Councilman had mentioned that you're
- 17 looking at subsidies potentially up to \$300.
- 18 What is the total amount devoted to it? And how
- 19 many families do you think that you might be
- 20 able to serve?
- 21 MS. FADULLON: Right. So, I think what
- 22 we are in the conversations, haven't finalized
- 23 exact dollar amount because that's got to go
- 24 through City Council. But there is a couple
- 25 million that we proposed in the new trust fund

- 1 money. And I think we are having a conversation
- 2 with the existing trust funds folks about a
- 3 couple million from there. So we are looking
- 4 at, hopefully, we have a pot of about 3 to
- 5 4 million we think.
- 6 And there is conversation about some of
- 7 that money going to deepen the affordability of
- 8 tax credit deals. Because I don't know if
- 9 any -- if you guys are keeping up to speed with
- 10 this. But there is now an allowance in tax
- 11 break deals where you can do this income
- 12 averaging thing, which means that actually there
- 13 will be more probably tax credit units that are
- 14 at a higher median income. And so, that we
- 15 think that those projects maybe of assistance to
- 16 really be able to serve the lower income folks.
- 17 And then the kind of other thing we are
- 18 looking at is providing the assistance to
- 19 families that are -- or households that are in
- 20 what's considered naturally occurring affordable
- 21 housing. Which means, it's not got any kind of
- 22 federal or local or any kind of state subsidy or
- 23 public subsidy dollars in it. But it's
- 24 available on the open market at what is
- 25 considered kind of a reasonable rent. But it's

- 1 sort of just a little bit out of the reach of a
- 2 lot of our households. And as I mentioned in
- 3 the study by the Federal Reserve, it turns out
- 4 that that differential is about \$300.
- 5 So, there is going to be a combination.
- 6 We are still trying to work through the program.
- 7 We don't have a program. It's not like we can
- 8 just expand on what we have. We are trying to
- 9 figure this out and how it will roll out. But
- 10 that's kind of the parameters. We had talked
- 11 about trying to provide it for a year, but we
- don't want to be in a situation where somebody
- has it for a year, and then we say, oh, we got
- 14 to take it back. And that displaces a person.
- So, we are trying to work through some
- 16 of those issues.
- 17 COUNCILWOMAN GYM: And for clarity, you
- 18 know, for folks who aren't familiar with or that
- 19 may be watching, this is some of the work that
- 20 came out of our Anti-Eviction Task Force
- 21 discussing. It's a new program; is that right?
- MS. FADULLON: Yes.
- 23 COUNCILWOMAN GYM: Okay. So, it's a new
- 24 program of -- that will help families
- 25 potentially, depending on income and we have to

- 1 do a lot more work around it, meet rent.
- 2 Because it would be easier and potentially
- 3 cheaper for the City to help them meet -- figure
- 4 out a subsidy program where we can help them
- 5 meet rent rather than see them evicted and then
- 6 go into a \$40,000 a year shelter system.
- 7 MS. FADULLON: Exactly.
- 8 COUNCILWOMAN GYM: Is that an accurate
- 9 prediction?
- MS. FADULLON: Do the math. \$300 a
- 11 month times twelve months is \$3,600. It's going
- 12 to be very difficult to find a more cost
- 13 effective way to keep people in their homes than
- 14 \$3,600.
- 15 COUNCILWOMAN GYM: Yeah. Exactly right.
- 16 And do you know how many cities around the
- 17 country have some form of this program?
- MS. FADULLON: I don't know the number.
- 19 COUNCILWOMAN GYM: Do you know which
- 20 models that you looked at.
- 21 MS. FADULLON: I know there are a
- 22 handful. That is within the best practice
- 23 research that the consultant team did that we
- 24 used on the Housing Action Plans. We have that
- 25 information. I don't have it memorized enough

- off the top of my head, but we do have access.
- 2 COUNCILWOMAN GYM: No problem. And that
- 3 is something we certainly championed on the
- 4 Anti-Eviction Task Force. Again, I am really
- 5 excited to see.
- 6 MS. FADULLON: I should mention the
- 7 Office of Supportive Housing has run what they
- 8 call a Shallow Rent Program for a while. But
- 9 it's a much deeper rent. I think it's upwards
- 10 of \$600. We are not looking to duplicate that
- 11 or kind of usurp that. We are really trying to
- 12 figure out how we meld those and be able to
- 13 provide continuum of assistance.
- 14 COUNCILWOMAN GYM: And have you thought
- 15 about how the resources target particular
- 16 populations?
- So for example, one of the things we are
- 18 concerned about are families who might be
- 19 separating. You know, like children from their
- 20 parents because or barriers to reunification due
- 21 to housing. We certainly don't want children
- 22 removed from their families because their
- 23 families don't have permanent housing. But we
- 24 know that that's an issue that's been moving
- 25 through DHS.

1 Has there been some thought about whether there is targeting towards families like 2. 3 that or youth aging out of foster care, which is one of our highest populations of young people, 4 of individuals who might be extremely vulnerable 5 to homelessness in our City. 6 MS. FADULLON: Yeah. We are certainly open to having those discussions as we put our 8 9 program together. COUNCILWOMAN GYM: And you said that 10 some of this work is being coordinated with the 11 rental assistance programs that are operating 12 through OHS. So not to be duplicative, but to 13 14 be complimentary or to reach a broader swath of 15 people? 16 MS. FADULLON: Exactly. 17 COUNCILWOMAN GYM: Is that right? 18 MS. FADULLON: Exactly. COUNCILWOMAN GYM: And then, I think you 19 mentioned this a little bit. Are you still --20 21 what is the current thinking about the eligibility for this program? 22 23 MS. FADULLON: So we -- I think we are 24 looking at that. Again, you know, what we are

seeing in the numbers is this would help

25

- 1 families at around 50 percent. So I think, you
- 2 know, that would be probably the natural
- 3 reoccurring piece that we try to look at. And
- 4 then, as far as the kind of deeper assistance to
- 5 folks that may be an existing tax credit unit or
- 6 something like that, we are hoping to get to a
- 7 little bit deeper affordability than that. We
- 8 are also having conversations with PHA about
- 9 potentially matching this with their ACCs, as
- 10 well.
- 11 So, I think exact income levels is sort
- 12 of still to be determined. But particularly in
- 13 that subsidized realm, we are trying to get as
- 14 deep into that income affordability as we can.
- 15 COUNCILWOMAN GYM: And do you have a
- 16 sense of the numbers? How many people are we
- 17 taking about?
- MS. FADULLON: So you know, sort of if
- 19 you take \$4 million and you divide it by, let's
- 20 say, 400.
- 21 COUNCILWOMAN GYM: I mean in terms of
- 22 eligibility. What numbers are we talking about
- 23 in terms of eliqibility? Not those that we can
- 24 actually pay for, but in terms of like who --
- 25 what is the population that might -- the scale

- 1 of it.
- MS. FADULLON: The population, we know
- 3 that we have probably -- I do know this. Give
- 4 me second. I have it here.
- 5 So, where we are, we have a deficit of
- 6 affordable rental units for those making at 50
- 7 percent of median or below of about 41,000
- 8 units. And for those at 30 percent or below,
- 9 it's about 70,000. So, we will make a little
- 10 bit of a dent. But I think what that really
- 11 points out is that it's going to be very hard.
- 12 COUNCILWOMAN GYM: That's right.
- MS. FADULLON: Any locality, anywhere,
- 14 to take this issue on their own.
- 15 COUNCILWOMAN GYM: Yeah. By ourselves.
- 16 I agree with you. I mean, I think that this is
- 17 an important step forward. Again, like a lot of
- 18 the work that we are trying to do from the Legal
- 19 Defense Fund to piloting this -- you know, and
- 20 it is an investment. It's not a small
- 21 insufficient sum. But this piloting of
- 22 investments, helping us understand the scale of
- 23 so that as we go out and talk to other entities
- 24 including corporate, our businesses, corporate
- 25 actors, you know, some of our universities and

- 1 others, that we are clear what the scale of need
- 2 is. And that we as a City cannot do it alone.
- 3 And that we need state level resources.
- 4 We need Federal Government involved.
- 5 And we need our corporate actors. Because if it
- 6 is true that housing almost more than anything
- 7 else defines poverty, ensures poverty.
- If there is not a roof over somebody's
- 9 head, it's going to be hard to hang onto a job.
- 10 It's going to be hard to hang onto a family.
- 11 It's going to be hard to put food on the table
- or guarantee any of that stuff. Then we have to
- 13 centralize it. We have to get a sense of what
- 14 the scale is and then we have to drive folks
- 15 together to build a coalition that can help.
- 16 MS. FADULLON: Yeah. Well, I also think
- 17 it's an interesting point out in the study that
- 18 really the disparity between what people pay and
- 19 what they can afford is 3 to 600 dollars. So,
- 20 that points to -- it's a plug for something
- 21 totally different, but why we need to support a
- 22 higher minimum wage.
- 23 COUNCILWOMAN GYM: Yeah. Exactly.
- 24 Thank you very much.
- 25 COUNCIL PRESIDENT CLARKE: Thank you,

- 1 Councilwoman.
- 2 Chair recognizes Councilwoman Bass.
- 3 COUNCILWOMAN BASS: Thank you,
- 4 Mr. President.
- 5 COUNCIL PRESIDENT CLARKE: You're
- 6 welcome.
- 7 COUNCILWOMAN BASS: Good morning.
- 8 MS. FADULLON: Good morning.
- 9 COUNCILWOMAN BASS: How are you?
- 10 MS. FADULLON: I'm okay.
- 11 COUNCILWOMAN BASS: Good. Good.
- So, I just had a few questions for you.
- 13 And let me just start by saying that it's
- 14 really -- you know, we have good relationships
- 15 with all of our different City agencies, but we
- 16 have a great relationship with yours, as well.
- 17 And I just wanted to acknowledge that. I know I
- 18 have called you a number of times in a panic
- 19 about a number of different things. And every
- 20 time, you know, Planning has really come through
- 21 strongly for the 8th District.
- 22 And so, I just really wanted to say to
- 23 you and all out of your staff and Greg and Mary
- 24 Frances -- is Mary Frances here -- Mary Frances
- 25 Fogg and to everyone, you know, thank you for

- 1 working with us and for the work that you do.
- 2 MS. FADULLON: Thank you.
- 3 COUNCILWOMAN BASS: We really do
- 4 appreciate it. And Greg is usually on the -- on
- 5 hot seat in the firing lot all at one time
- 6 particularly around Germantown settlement
- 7 properties. So, I'm wondering if you can start
- 8 there and just give me an update as to what's
- 9 happening to this very complicated transaction.
- 10 If you can, just give an update for
- 11 anyone who may be at home listening and also
- 12 for -- for my information, as well.
- 13 MR. HELLER: Sure. Thank you,
- 14 Councilwoman. Sure. Greg Heller, Director of
- 15 the Redevelopment Authority.
- So as you know, the Redevelopment
- 17 Authority put these loans in default. And we
- 18 are seeking to take possession of about 45
- 19 buildings that were under these loans and
- 20 mortgages through foreclosure. We also recently
- 21 started pursuing a second route to obtain
- 22 possession through the Bankruptcy Court.
- It's too early to tell which approach
- 24 will be faster, so that's why we are taking both
- 25 approaches at the same time. And whichever one

- 1 seems to be faster, that is the one we are going
- 2 to go with. But as you know, it's a long and
- 3 complicated process to take possession through
- 4 either of those routes.
- 5 COUNCILWOMAN BASS: Yes.
- 6 MR. HELLER: And we are doing everything
- 7 we can in spending a lot of time and resources
- 8 to get those properties back into our possession
- 9 as quickly as possible while doing everything we
- 10 can to protect the tenants. As you know, the
- 11 court-appointed PHA as the receiver --
- 12 COUNCILWOMAN BASS: Yes.
- 13 MR. HELLER: -- to serve as the property
- 14 manager. And we are working closely with PHA to
- 15 make sure that they are keeping those units in
- 16 good repair and taking care of those tenants any
- 17 way we can.
- 18 COUNCILWOMAN BASS: Okay.
- MR. HELLER: We would like to get this
- 20 resolved as quickly as I am sure you would, as
- 21 well.
- 22 COUNCILWOMAN BASS: Oh, absolutely. And
- 23 as you know, the residents are very interested
- 24 in all things that are happening with those
- 25 properties because it's been such -- you know,

- 1 we didn't get here yesterday. There has been a
- 2 lot of things that have happened much to the,
- 3 you know, disagreement of -- disagreement to the
- 4 public who have been fighting to, you know, get
- 5 these properties well maintained. That there is
- 6 no misspending that's been allowed. That these
- 7 are properties that will house people who are in
- 8 desperate need of housing in a section of
- 9 Germa -- in some section of Germantown that are
- 10 possibly on the verge of gentrification.
- And so, it's very important that these
- 12 units stay in the community. It's my opinion
- 13 that they should stay as affordable or
- 14 low-income housing units because we need to, you
- 15 know, stake that claim for the community. It's
- 16 very, very important that we do so.
- 17 So again, I thank you all for the work
- 18 that you've been doing on that.
- 19 MR. HELLER: Thank you.
- 20 COUNCILWOMAN BASS: You're welcome.
- 21 Just a couple other things.
- 22 Civic Design Review. So, we have seen a
- 23 number of instances where there are community
- 24 meetings, Civic Design Review, community
- 25 meetings that are required by the code, but they

- 1 don't go very well because the neighbors think
- 2 that these are projects that are requiring
- 3 variances and -- when it's actually a by-right
- 4 project. And it's an opportunity to bring the
- 5 community in. But I think because there -- it's
- 6 not really clear as to the purpose of the
- 7 meeting or what is expected out of the meeting,
- 8 you know, folks come in thinking they can have
- 9 an opportunity to change something that they do
- 10 not have an opportunity to change.
- 11 And so, are there any plans to revamp
- 12 civic design review's process to ease the
- 13 confusion by neighbors who think that CDR
- 14 community meetings are actually zoning meetings
- 15 when the votes are taking place?
- Is there any, you know, thought to that?
- 17 Is this just something that is happening in my
- 18 neck of the woods or is this something City
- 19 wide?
- 20 MS. FADULLON: So you know, the Planning
- 21 Commission, I think CDR has been in effect to
- 22 about five years. They are taking a look at
- 23 that. There was some preliminary information
- 24 released. We are taking a deeper dive into that
- 25 about why some of the things that came out in

- 1 the preliminary report are actually happening to
- 2 get a better understanding of it. And I think
- 3 as part of that process, a piece of it will be
- 4 about how things are communicated around what
- 5 CDR is, what it isn't.
- 6 And so, I think -- I mean, the answer to
- 7 your question is yes. That's going to be part
- 8 of looking at the whole CDR process.
- 9 COUNCILWOMAN BASS: I think it could be
- 10 as simply as developing, like, a flyer or
- 11 something that as soon as folks are entering
- 12 into the room, that they get this piece of
- 13 information that says, this is the purpose of a
- 14 Civic Design Review meeting. This is what can
- 15 happen and not what will not happen just to, you
- 16 know, lay the expectations out as soon as people
- 17 enter just so there is no expectation, oh, I'm
- 18 going to vote this project down.
- 19 MS. FADULLON: Yeah. I think we are
- 20 looking at that kind of across the board as to
- 21 how do we communicate things in a simpler
- 22 accessible way.
- 23 COUNCILWOMAN BASS: Right.
- MS. FADULLON: Because reading code is
- 25 not a simple and accessible.

1 COUNCILWOMAN BASS: I would agree. Ι 2. would agree. Another question, Contracts. I don't know that you have this information readily available. But just looking at your 4 5 budget summary and, in Class 200, the purchase of services. 6 One of the things I've been looking at is contracts with the City of Philadelphia and 8 9 how we are delegating contracts, where they are going. And if we are serious about addressing 10 11 poverty in the City of Philadelphia, you know, 12 we have this anti-poverty agenda. feeling that we can't keep talking about 13 14 poverty. And then when it comes to wealth 15 building, which a lot of these contracts have an 16 opportunity to do or at least maintaining some 17 level of wealth here in the City of Philadelphia or in the region, we cannot continue to allow so 18 many of our contracts to be held far and away 19 20 outside of the City of Philadelphia. 21 And I also notice that, you know, in talking to small business folks who say that 22 23 they are unable to get contracts here in the City of Philadelphia. 24 That they are doing work 25 in Boston and New Jersey and Florida and DC and

- 1 Maryland and every place else except for their
- 2 own hometown. That for whatever reason, they
- 3 are just kind of X'd out. These are minority
- 4 contracts. These are women-owned businesses
- 5 contracts. And so, I would like to get a sense
- 6 of, you know, what those contracts are in your
- 7 Class 200 and where the entity is based so we
- 8 can take a look at that. And in the future, you
- 9 know, hope to be helpful as these contracts and
- 10 things come up for renewal.
- 11 You know, I have had an opportunity to
- 12 just recently see a contract that was relatively
- 13 small by the City of Philadelphia, about a half
- 14 a million dollars. And you know, it was going
- 15 to an outfit based in Chicago. And I just
- 16 couldn't understand why that was. Why is it
- 17 something -- you know, all of the, you know,
- 18 companies that we have here that could do this
- 19 type of work, we're not consulted.
- 20 And rather than doing a new RFP, it
- 21 was -- well, this is -- it seemed to me that the
- 22 department was saying, well, this is easier.
- 23 And you have to do what's not so easy if we are
- 24 going to have a change and an impact overall on
- 25 what happens here in the City's economy. Easy

- 1 is short term. The hard stuff, harder stuff,
- 2 changing those contracts to locally-based
- 3 providers is longer term. And for the longer
- 4 term, benefit of the City of Philadelphia, I
- 5 think it's something that we have to do.
- 6 MS. FADULLON: Yeah. We don't have a
- 7 lot of Class 200 contracts to be honest with
- 8 you. But we will certainly look at the ones we
- 9 have.
- 10 COUNCILWOMAN BASS: Okay.
- MS. FADULLON: Because we agree on
- 12 minority and local hiring, as well. And I
- 13 think, you know, where we do most of our -- the
- 14 predominant amount of contracting is through our
- 15 home repair programs where we do a really
- 16 substantial job around small minority local
- 17 contractors.
- 18 COUNCILWOMAN BASS: Okay. If you can
- 19 get that information to the -- Mr. President,
- 20 that would be great.
- MS. FADULLON: Yes.
- 22 COUNCILWOMAN BASS: Thank you.
- 23 COUNCIL PRESIDENT CLARKE: Thank you,
- 24 Councilwoman.
- 25 Chair recognizes Councilman Johnson.

COUNCILMAN JOHNSON: Thank you, Council 2. President. So, I just want to follow up on my 3 question regarding land disposition as we move 4 forward, City of Philadelphia, making sure that 5 this process is great for everyone and is 6 transparent and we are doing what we need to do 7 to be efficient on behalf of the people which we 8 represent. 9 So moving forward, for sales to private developers, the default process will be 10 competitive bidding, correct? 11 12 MS. FADULLON: Competitive sales. Competitive sales can either take the form of a 13 14 bid or could be RFO or RFP. 15 COUNCILMAN JOHNSON: So, let's just talk

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25

16 about the appraisal process, right. Explain it to me. And then give me an idea of is the 17 appraisal value going to be at the start of the 18 expression of interest or when the transaction 19 20 is approved before the legislation is introduced 21 or when the person actually goes to settlement with the City of Philadelphia? All this is to 22 23 try to help the public understand. It's very complex. And the public will get a story that 24

says developer receives property way under land

- 1 value, School District of Philadelphia is robbed
- 2 out of their money when the public doesn't know
- 3 that this person might have applied two, three
- 4 years ago and just, for reasons not of their
- 5 own, finally go through the process and actually
- 6 receive the approval and the sales transaction
- 7 to receive the property. That that value of the
- 8 land may have tripled over that time period,
- 9 which a lot -- we know it's not the fault of the
- 10 developer but it's the process.
- 11 Can you explain that just for the
- 12 record, please? And how we are going to fix it
- 13 moving forward?
- MS. FADULLON: Right. We are working on
- 15 clarifying this and making it very clear. So, I
- 16 just -- one thing is, I want to make it clear,
- 17 an expression of interest is not an application
- 18 for a property.
- 19 COUNCILMAN JOHNSON: Say it again for
- 20 the record.
- 21 MS. FADULLON: Expression of interest is
- 22 exactly that. It's I am interested in this
- 23 property. Okay. So, what would happen is, if a
- 24 property is -- we are going to talk about
- 25 competitive sale. So if something goes out for

- 1 competitive sale, either bid or RFP, once
- 2 somebody is selected, they will they have 30
- 3 days, is what we said, we do application. So
- 4 once somebody is selected, there is about 30
- 5 days to complete an application. And then what
- 6 happens, once somebody provides a signed
- 7 completed application, there is then a clock
- 8 starts ticking of 120 days. And that's to give
- 9 the agencies time to put together the formal
- 10 project development or redevelopment agreement.
- 11 Part of that agreement will be an offer
- 12 price that will be determined either by an
- 13 appraiser or an in-house appraiser that we have.
- 14 So, the property -- the value would be
- 15 determined at that point. And so, within 120
- 16 days approved application package, they would
- 17 then get the formal agreement. And in that
- 18 agreement is the offer price. They would then
- 19 have 60 days to sign that. And then, we are
- 20 going to hold that price for a year.
- 21 And so in that year, they have the
- 22 ability to go through all the various boards and
- 23 approval processes and, also, start getting
- 24 their permits in place. Typically, prior to
- 25 settlement, we require the zoning permit to be

- 1 in place. That can be a lengthy process. But
- 2 we are going to make it clear that we are going
- 3 to hold that price for a year. If they can't
- 4 get that settlement within the year, then we
- 5 reserve the right to renegotiate.
- 6 It is really not possible or fair to a
- 7 developer to say that at the -- you know, the
- 8 day before or week before settlement, we are
- 9 going to readjust the price. So, we are going
- 10 to agree to hold it for a year.
- I just want to clarify that for the Land
- 12 Bank, that per the Land Bank legislation, that
- 13 bid or RFPs must include a base price in that
- 14 document that's established by the appraiser or
- 15 the in-house opinion of value. And that opinion
- 16 of value would also be determined by someone who
- 17 is a certified appraiser.
- 18 COUNCILMAN JOHNSON: Thank you. One
- 19 last part, how do you promote the bidding
- 20 opportunity to ensure that all potential bidders
- 21 can participate? Everyone knows this is fair
- 22 game, everybody has an opportunity to
- 23 participate in the bidding process. And also, a
- 24 major concern that I been hearing when I'm on
- 25 community meetings is that in areas that we see

- 1 hyper-gentrification, that you have maybe one or
- 2 two or three key developers who are dominating
- 3 the market through the bidding process. Like,
- 4 they have the wherewithal, they have the trust
- 5 funds, they have the investors, the financial
- 6 backings to win, right? How does the little guy
- 7 participate in that process?
- 8 Like as representatives of government,
- 9 do we let the market just move forward and those
- 10 individuals who have the most investment dollars
- 11 are okay to just run away with dominating the
- 12 market when it comes to just development,
- 13 period? But specifically, issues I deal with
- 14 are around gentrification. How does that get
- 15 balanced in this process, as well, or not at
- 16 all?
- 17 MS. FADULLON: Couple things to unpack
- 18 there. One is, if you submit an expression of
- 19 interest, you would get notified when that
- 20 property comes out for either bid or through
- 21 RFQ/RFP.
- 22 COUNCILMAN JOHNSON: That is one way you
- 23 will get the information.
- MS. FADULLON: The other way is, it will
- 25 be publicly posted on our various -- on our

- 1 websites for 30 days, so that people are aware
- 2 that it's up there.
- 3 COUNCILMAN JOHNSON: What website is
- 4 that?
- 5 MS. FADULLON: Yes. Well, right now
- 6 it's -- it will be posted on PRA, PHDC, Land
- 7 Bank and Department of Planning and Development.
- 8 But again, as we consolidate, it will be the
- 9 website. And then in terms of who can be the
- 10 successful developer applicant, I just want to
- 11 make it clear that bids or the whole competitive
- 12 sale is not just about highest price. There are
- 13 a number of factors looked at, which is
- 14 developer capacity, proposed use, community
- 15 benefit, minority participation. There is a
- 16 host of things. It's not just about price.
- 17 And we can have that conversation,
- 18 particularly in areas that are experiencing
- 19 certain types of development pressures. Do we
- 20 want to put out in the RFP that, you know, we
- 21 are going to have a preference for mixed-income
- 22 housing or something like that. We can have
- 23 those conversations. I just want to make clear
- that competitive sales doesn't mean highest bid.
- 25 COUNCILMAN JOHNSON: I am glad you said

- 1 that for the record. Just one last component.
- When we talk about the sale of land,
- 3 right, what role does the City play in terms
- 4 of -- I know the market, let's say, in
- 5 gentrifying areas such as Point Breeze and Grays
- 6 Ferry, right, a lot may go for \$100,000, right.
- 7 Now, we know how the private market works,
- 8 right. But can we have a -- are we allowed to
- 9 have a say so on maybe capping that value of
- 10 land, right? Or do we have a say so in how much
- 11 that land can be sold for?
- 12 Because when you talk about
- 13 gentrification, if you selling a lot for a
- 14 thousand, right, we are already know you
- 15 building that house for 500. We know you are
- 16 selling it for at least 500 because you got to
- 17 make that money back, right. We talking about
- 18 City-owned land. So, I get challenged in a
- 19 meeting saying, Councilman, if the City is
- 20 selling lots for \$100,000, the City is
- 21 participating in the gentrification process
- 22 because the lots that you are selling are going
- 23 to developers who automatically are going to
- 24 build at a certain price point to make their
- 25 money back.

- 1 So, can you kind of educate me on do we
- 2 have a say so on that process, or the land value
- 3 just automatically has to be significantly
- 4 higher because of the value of the properties
- 5 that are going up in the area -- in a certain
- 6 area.
- 7 MS. FADULLON: Right. I just want to
- 8 clarify the last one, is also the Land Bank
- 9 requires actual posting at the site when
- 10 something is up for competitive sale.
- 11 COUNCILMAN JOHNSON: Thank you.
- MS. FADULLON: In terms of value, so we
- 13 already have a program, the Workforce Housing
- 14 Program, where we offer properties at a
- 15 discounted price if you -- if the developer
- 16 agrees to provide a unit at an affordable price
- 17 for a certain period of years. So again, if we
- 18 are offering something particularly through an
- 19 RFP, we can put those sort of guardrails, if you
- 20 will.
- 21 COUNCILMAN JOHNSON: I have done several
- 22 of those.
- MS. FADULLON: We can those in your
- 24 process. And also, we reserve the right to
- 25 negotiate the value of the property if there is

- 1 a community benefiting component such as
- 2 affordable housing or something like that.
- 3 COUNCILMAN JOHNSON: Okay. Thank you.
- 4 That's my time.
- 5 Thank you, Council President, for the
- 6 latitude.
- 7 COUNCIL PRESIDENT CLARKE: Thank you,
- 8 Councilman.
- 9 Chair recognizes Councilwoman Reynolds
- 10 Brown.
- 11 COUNCILWOMAN REYNOLDS BROWN: Thank you,
- 12 Mr. President.
- Good morning, good morning, good
- 14 morning, good morning.
- 15 MS. FADULLON: Good morning.
- 16 COUNCILWOMAN REYNOLDS BROWN: I am not a
- 17 District Councilperson, but I pay close
- 18 attention to concerns raised by District
- 19 Councilmembers, particularly around this issue
- 20 because I get it, as well, in various spaces.
- 21 And so, Councilman Kenyatta Johnson has
- 22 spoken to the nuance of this issue. Which is
- 23 unfair, quite frankly, to indigenous business
- 24 developers from their local communities who want
- 25 to participate in the growth and development of

- 1 the blocks where they've been born from. And
- 2 so, his premise was, do you agree or disagree
- 3 with Councilman Kenyatta Johnson's premise that
- 4 government may be participating in
- 5 gentrification given the way you currently
- 6 structure the sale of land?
- 7 MS. FADULLON: I disagree.
- 8 COUNCILWOMAN REYNOLDS BROWN: And share
- 9 with us why.
- 10 MS. FADULLON: I disagree as just what I
- 11 mentioned. We offer land for a discounted price
- 12 for people that are doing some kind of
- 13 affordable and mixed-income housing.
- 14 COUNCILWOMAN REYNOLDS BROWN: You say
- 15 for affordable or mixed income?
- MS. FADULLON: So, it would be
- 17 proportional, right? If you are going to do 100
- 18 percent affordable, that is a deeper discount
- 19 than if you say you are only doing 10 percent.
- 20 COUNCILWOMAN REYNOLDS BROWN: Okay.
- MS. FADULLON: Something like that.
- 22 COUNCILWOMAN REYNOLDS BROWN: All right.
- 23 MS. FADULLON: We offer it for business
- 24 expansion. We offer it for side yards,
- 25 community gardens or kind of a community

- 1 benefiting use, which is a little bit more
- 2 expansive, you know, daycare, rec center,
- 3 library, some community center, something like
- 4 that. So we do provide the ability to have
- 5 discounted pricing for things that are of --
- 6 from a community benefit to some extent.
- 7 COUNCILWOMAN REYNOLDS BROWN: Okay.
- 8 MS. FADULLON: As far as if we are
- 9 selling property and it would be for a totally
- 10 market rate use, very rarely is it that the
- 11 property that the City is selling something in
- 12 advance of the market. We may be selling it at
- 13 whatever is the market value, but it's the
- 14 market that is setting that value. It's not the
- 15 City coming in and saying all the market rate
- lots around it are 50,000, and we are going to
- 17 sell ours for twice that.
- 18 COUNCILWOMAN REYNOLDS BROWN: Okay.
- MS. FADULLON: It would be at the
- 20 market. So, I don't think that we necessarily
- 21 promote gentrification. I mean, we are -- our
- 22 policies are really about how do we provide our
- 23 land as a -- at a discount so that we can help
- 24 support other types of development that aren't
- 25 necessarily market rate or pushing that.

1 COUNCILWOMAN REYNOLDS BROWN: How well do you believe we do as a City 2. 3 in informing, educating indigenous -- because I am only concerned about one group here, folks 4 from Mantua, okay, folks from Point Breeze who 5 6 have been born there, stayed there, raised their families there, are business owners there and now want to benefit from what we are discussing. 8 9 How well are we doing at helping them understand that if you are idea of building is 10 11 going to generate subsequent kind of business development, then here is what the City can 12 13 provide? 14 MS. FADULLON: Yeah. I think we have a 15 lot of room for improvement. 16 COUNCILWOMAN REYNOLDS BROWN: 17 MS. FADULLON: I think we are doing things more -- we are trying to, as I said, 18 across the board we are looking at how we get 19 the word about our programs out there, you know, 20 21 how do we do community engagement, how do we get that information out there. And how are we 22 23 getting that information out there in a way that's easily understandable. 24 25 COUNCILWOMAN REYNOLDS BROWN: Sure.

- 1 MS. FADULLON: So, we have been going
- 2 through, you know -- frankly, as part of our
- 3 work with the opportunity zones, we put together
- 4 one-pager for residents that say, these are the
- 5 things that if, you know, can help you stay in
- 6 your community.
- 7 We got a one-pager for businesses. We
- 8 are happy to share this with you. Same thing.
- 9 This is how you can -- these are the things that
- 10 the City provides or their government supports
- 11 that help you stay in your community.
- 12 COUNCILWOMAN REYNOLDS BROWN: Okay.
- 13 MS. FADULLON: I think -- just as a
- 14 total anecdotal thing, I was at a community
- 15 meeting about something completely different.
- 16 And at the end, a bunch of the residents came up
- 17 to me with their property tax bills. And said,
- 18 you know, we can't afford, but we need help.
- 19 And in their tax bill, they brought with them
- 20 that sheet from Revenue that lists, I don't
- 21 know, six programs, eight programs, whatever it
- 22 was. And it was too hard for them to figure out
- 23 which one.
- 24 COUNCILWOMAN REYNOLDS BROWN: I see.
- MS. FADULLON: So, I think we took that

- 1 back to say, you know what, we need to do a
- 2 better job of getting the information out there
- 3 and then making sure that it's easy for folks to
- 4 understand what that is. And that, we are
- 5 providing the backup support so that folks
- 6 can -- you know, so if they have questions, they
- 7 have someone to go to.
- 8 And that's the impetus behind something
- 9 we are doing called, I think it's called Direct
- 10 Benefits now. It started out as one form where
- 11 we are trying to get to a point, and OIT has
- 12 taken this effort over, where residents can go
- online, fill out a list of, like, ten questions
- 14 and it pops up. These are all programs that
- 15 could be of assistance.
- 16 We are hoping at some point that we get
- 17 to a time where you fill out the ten questions
- 18 like Turbo Tax, and all your applications are
- 19 filled out and you're automatically enrolled in
- 20 the programs. We're not there. It's going to
- 21 take us a while to get there.
- 22 COUNCILWOMAN REYNOLDS BROWN: Sure.
- 23 Sure.
- 24 MS. FADULLON: But there is funding in
- 25 next year's budget for us to take that next

- 1 step. Which is, you answer these ten questions,
- 2 or whatever it is, and these are all the
- 3 programs that would be applicable to your
- 4 situation.
- 5 COUNCILWOMAN REYNOLDS BROWN: That's a
- 6 great vision that you have. And I certainly
- 7 appreciate that. Aside from this issue, what I
- 8 am observing across City departments, millennial
- 9 and some baby boomers, but definitely not folks
- in their 80 and 90s get all of what you are
- 11 talking about. And I will say ad nauseam, we
- 12 are leaving seniors behind who end up in
- 13 circumstances as described by Councilman
- 14 Kenyatta Johnson.
- 15 And we as a government have to do better
- 16 in figuring out how we connect with senior
- 17 citizens centers who are up close and personal
- 18 with seniors. CDCs may have a role in this.
- 19 For sure, the Philadelphia Corporation of Aging
- 20 has a role in this. But as seniors who are, you
- 21 know, your heart breaks when you hear them come
- in here and hear them losing their homes because
- 23 of gentrification and the taxes rising, you
- 24 know, above -- and they're drowning because of
- 25 increased taxes.

- 1 That is just an observation I have made.
- 2 Across government, we get an F when it comes to
- 3 looking out for seniors. It's awful.
- 4 MS. FADULLON: I will say that our Home
- 5 Repair Grant predominantly is we serve seniors.
- 6 COUNCILWOMAN REYNOLDS BROWN: Is it?
- 7 MS. FADULLON: Yeah.
- 8 COUNCILWOMAN REYNOLDS BROWN: Okay.
- 9 Back to Councilman Kenyatta Johnson's question.
- 10 Indigenous residents who become business people
- 11 and developers who want to stay there, do you
- 12 know if other municipalities might have, for
- 13 lack of a better word, a tax credit for
- 14 indigenous folks who live there, been born
- 15 there, raised their families there, stayed
- 16 there, now want to do business with our
- 17 government around development?
- I am just asking.
- 19 MS. FADULLON: Yeah. I mean, I am
- 20 thinking. I don't know of one off the top of my
- 21 head. And I don't know exactly what form that
- 22 tax credit would take.
- 23 COUNCILWOMAN REYNOLDS BROWN: Me either.
- 24 MS. FADULLON: I think what you are
- 25 really asking is, could we figure out some sort

- 1 of way to incentivize smaller, local minority --
- 2 COUNCILWOMAN REYNOLDS BROWN: Yes. Yes.
- 3 Yes. Yes. So, I would like us to think about
- 4 that.
- 5 MS. FADULLON: Okay.
- 6 COUNCILWOMAN REYNOLDS BROWN: Because we
- 7 do a disservice to -- actually, we reward those
- 8 who come from New York, quite frankly, and
- 9 benefit on the backs of folks who stayed in
- 10 their communities because they want to see their
- 11 communities thrive.
- MS. FADULLON: Sure.
- 13 COUNCILWOMAN REYNOLDS BROWN: Thank you.
- MS. FADULLON: Good. Thank you.
- 15 COUNCILWOMAN REYNOLDS BROWN: Thank you,
- 16 Mr. President.
- 17 COUNCIL PRESIDENT CLARKE: Thank you,
- 18 Councilwoman. Real quick follow up to the last
- 19 round of questions. I understand that -- well,
- 20 I know that the -- there was an executive order
- 21 on land disposition policy recently put out on
- 22 City-owned properties. And it talked about
- 23 affordability, some of the other aspects of some
- 24 of the exemptions that were put in as relates to
- 25 competitive bidding. And there was, actually, I

- 1 guess an acknowledgment or an inclusion about
- 2 participation rate for disadvantaged employees
- 3 or workers. But there was nothing to talk about
- 4 disadvantaged small business people from the
- 5 local community that give way to the
- 6 disposition.
- 7 And to speak frank, I hear all the time
- 8 small contractors, minority contractors,
- 9 particularly in those areas like the Brewery
- 10 town, the Point Breezes and all those other, you
- 11 know, significantly growth neighborhoods. Their
- 12 ability to purchase publicly-owned land is
- 13 virtually nil because of the price of the land.
- 14 And the only way they can be in a position to
- 15 get a parcel of land is if they agree to do
- 16 affordable housing. And you know, that's a
- 17 challenge in terms of being able to do workforce
- 18 housing. The profit margin is slim.
- 19 So, what can we do to create a level
- 20 playing field? Because the simple reality is,
- 21 as Councilwoman just said, we have people from
- 22 New York. We have people from I don't know
- 23 where they are from, but they are coming in with
- 24 a whole lot of cash. And they are buying up
- 25 property.

- I have one person in my district. I'm
- 2 not going to say his name here. I had no idea.
- 3 This person owns, like, a hundred lots, right in
- 4 the heart of North Philadelphia. They quietly,
- 5 they purchase lots. And the simple reality is,
- 6 it's clear they had the wherewithal to pay
- 7 whatever. And it creates an uneven playing
- 8 field for a number of small contractors who just
- 9 want to buy one lot and build a house, right,
- 10 and be able to take advantage of the market just
- 11 like everything everybody else.
- 12 How do we fix that, you know? How do we
- 13 create even through the "indirect sales" which
- 14 used to be in place. I am understanding now
- that's a problem, but it gave some ability to
- 16 give, you know, sell properties indirectly to
- 17 local contractors. How are we going to level
- 18 the playing field?
- 19 MS. FADULLON: I think that is something
- 20 that we should have a conversation about that,
- 21 about how we could incorporate that into some of
- 22 the scoring criteria or whatever or the criteria
- in the bid package or the RFP or RFQ that we are
- 24 putting out is how we want to incorporate
- 25 something like that.

- 1 COUNCIL PRESIDENT CLARKE: You say we
- 2 are having a conversation about it?
- 3 MS. FADULLON: Yeah. I think let's have
- 4 a conversation about it in terms of trying to
- 5 figure out he we can accomplish that.
- 6 COUNCIL PRESIDENT CLARKE: You realize
- 7 that's a problem?
- 8 MS. FADULLON: Yeah.
- 9 COUNCIL PRESIDENT CLARKE: And when
- 10 there is any attempt to try to create a level
- 11 playing field, there is a significant level of
- 12 criticism because everything should be kept
- 13 competitively bid. And in --
- MS. FADULLON: Again, I think that's --
- 15 COUNCIL PRESIDENT CLARKE: If the real
- 16 world was as simple as that, then you would say
- 17 okay. But the real world is that people's
- 18 ability to get access to capital is just not the
- 19 same. Just not the same for whatever reason.
- 20 I'm not blaming anybody or giving a basis for
- 21 it.
- But I don't understand how people I have
- 23 never seen before can essentially come in and
- 24 come in the office and they say, well, I own all
- 25 these properties. Never saw -- where did this

- 1 person get this money to buy all these
- 2 properties in the neighborhood? And yet, when I
- 3 go out in the neighborhood because I'm always
- 4 out there talking to people, the contractors
- 5 walk up to me and say, Darrell, I love to get
- 6 one of these houses. Guy that's been doing work
- 7 forever in the neighborhood, I just don't have
- 8 \$100,000 to buy the lot and then build the
- 9 house.
- I mean, you know, this is -- something
- 11 needs to be done with this, right, and you know,
- 12 within the bounds of our requirements. But at
- 13 the end of the day, this whole competitive bid
- 14 issue is not competitive. Because the playing
- 15 field is never competitive as long as people
- 16 with external capital can continue to access
- 17 that capital. And those who have not been in
- 18 the position to do it will never be able to do
- 19 it. So, never level that playing field.
- I am glad to hear that you all
- 21 acknowledge it's a problem. And we are going to
- 22 figure out a way to work on that, all right?
- MS. FADULLON: Yes.
- 24 COUNCIL PRESIDENT CLARKE: Thank you.
- 25 And not on the Councilwoman's time, but I know

- 1 Councilwoman Parker had asked a question about
- 2 Basic Systems Repair Program. I understand we
- 3 now have a representative from PHDC here. The
- 4 status of that, if we can briefly speak to the
- 5 specifics of where we are. This won't go on
- 6 your time, Councilwoman. You are up next.
- 7 (Approaches Witness Table.)
- 8 COUNCIL PRESIDENT CLARKE: There was a
- 9 question about the status of the Basic Systems
- 10 Repair Program, grant program where we were,
- 11 where we started with the backlog, and how many
- 12 people are in the backlog have been finished.
- 13 And then, will we be in a position once this
- 14 backlog is cleared? Will we be able to sustain
- 15 the pace as it relates to the new entries into
- 16 the process? Because I know we will get around,
- 17 what, \$11 million a year on the block grant
- 18 dollars?
- 19 MR. THOMAS: Yes.
- 20 COUNCIL PRESIDENT CLARKE: Yeah. So,
- 21 can you just speak to that real quickly, respond
- 22 to Councilwoman's.
- 23 MR. THOMAS: For the record, David
- 24 Thomas, Executive Director, Philadelphia Housing
- 25 Development Corporation.

- 1 First question related to bond spend
- 2 down in the backlog. As of February 2019, our
- 3 numbers are at approximately 1,500 folks
- 4 remaining in some phase to be completed. And we
- 5 have completed roughly 2,300 over the beginning
- 6 period to now. So, that's a total of a little
- 7 over 4,000 folks for the backlog, which is what
- 8 we anticipated the numbers were in the
- 9 beginning.
- In terms of proceeding forward and being
- 11 able to keep up with the 11 million I believe is
- 12 what you asked me, correct? And --
- 13 COUNCIL PRESIDENT CLARKE: That's your
- 14 job.
- 15 MR. THOMAS: The regular funding, right.
- 16 I would say that demand will suggest that \$11
- 17 million will probably not be enough to keep up
- 18 with the demand as it's been in the past.
- 19 COUNCIL PRESIDENT CLARKE: Okay. We may
- 20 fall --
- MR. THOMAS: \$60 million spend down, we
- 22 are a little under \$30 million spent to date. I
- 23 haven't seen my numbers this week, so. And we
- 24 anticipate, we have about -- I have roughly
- 25 12 million in the pipeline right now in the

- 1 various stages. And at least 10 million people
- 2 or \$10 million worth of expressions that we have
- 3 not necessarily moved on net.
- 4 COUNCIL PRESIDENT CLARKE: All right.
- 5 And there was a -- real quick, there was a --
- 6 actually at a community meeting last night. Was
- 7 a question about timeline in terms of inquiry
- 8 from the recipient to when work actually gets
- 9 done. And the representative from your office
- 10 said was about a year. People, like, it's a
- 11 long time.
- 12 And the statement was that there was
- 13 some concerns about contractors being able to
- 14 access -- have enough contractors to keep up
- 15 with the pace because there was a lot of money
- 16 put on the street which wasn't anticipated.
- 17 Is that an issue?
- 18 MR. THOMAS: So, the biggest challenge
- 19 that we have is with the plumbers. And most of
- 20 my work that we have out here on the street is
- 21 related to plumbing.
- 22 COUNCIL PRESIDENT CLARKE: Okay
- 23 MR. THOMAS: So, that is part of the
- 24 delay that you are making reference to in terms
- of twelve months. My other trades are much

- 1 quicker than the plumbers at the moment because
- 2 they have the capacity to keep up with the
- 3 demand. The plumbing is the most challenging
- 4 for me right now.
- 5 COUNCIL PRESIDENT CLARKE: Do we have a
- 6 game plan for that?
- 7 MR. THOMAS: I do some game plans.
- 8 Certainly, have I RFP out there today trying to
- 9 solicit additional contractors. I actually had
- 10 situation where I introduced the plumbers to
- 11 certain vocational schools to try to see if we
- 12 can create a feeder system to provide some
- 13 support for capacity. And that was received
- 14 very well.
- 15 COUNCIL PRESIDENT CLARKE: You had
- 16 something up in the northeast last week?
- 17 MR. THOMAS: That was the first one.
- 18 I've been working with multiple vocational
- 19 schools.
- 20 COUNCIL PRESIDENT CLARKE: Going to have
- 21 one down in west and north and other areas,
- 22 south?
- 23 MR. THOMAS: I am going to have
- 24 conversations with all the vocational schools to
- 25 see where capacity could possibly be addressed.

- 1 Absolutely.
- 2 COUNCIL PRESIDENT CLARKE: Okay. All
- 3 right. Thank you.
- 4 Councilwoman, you good on your -- you
- 5 good? Okay. Thank you. Thank you, Mr. Thomas.
- 6 Chair recognizes Councilwoman Parker.
- 7 COUNCILWOMAN PARKER: Before you go, I
- 8 just -- you weren't here when I started with the
- 9 questioning. But I noted for the record the
- 10 outstanding job that you do with BSRP, and also
- 11 with assuring that minority contractors get
- 12 access to the opportunity to do that work.
- 13 When we kicked off the program,
- 14 Mr. President, if you remember, we kicked off
- 15 the program in the 9th District in Olney near
- 16 where Congressman Boyle grew up. And in the
- 17 backdrop, it was the firm actually doing the
- 18 work. And let me tell you, it was a breath of
- 19 fresh air to see African-American men who grew
- 20 up in Olney back in Olney doing work.
- 21 And so, I just wanted to commend you on
- 22 the record for that.
- 23 MR. THOMAS: I appreciate it. Thank
- 24 you.
- 25 COUNCILWOMAN PARKER: Sure. My next

- 1 question, and this is a very brief one. I want
- 2 to go back. You had mentioned this, the federal
- 3 opportunities zone.
- 4 Can you give us an update relative to
- 5 your progress on creating a website that
- 6 essentially pitches opportunity zones in
- 7 Philadelphia to developers and investors? And
- 8 give us an update on the status of the federal
- 9 regs for opportunities zones. And I know it's
- 10 pretty crazy down there right now.
- Just do the best you can.
- 12 MS. FADULLON: So, I will take the
- 13 easier one of those. The website.
- 14 So if folks go to
- 15 PhiladelphiaDelivers.com, which is the City's
- 16 general website around business attraction,
- 17 there is a tab on the right-hand side that says
- 18 Opportunity Zones. If you click on that, it
- 19 will take you to our effort to market the
- 20 opportunity zones. On that is a map that shows
- 21 City at -- City of Philadelphia as a whole that
- 22 shows where all the opportunity zones are.
- 23 If you click on any of those census
- 24 tracks and basic demographic information pops
- 25 up, there is then another piece, if you scroll

- 1 down, that's about incentives. So, you can type
- 2 in an address. It would say whether that
- 3 location is eligible for -- we have the ten-year
- 4 tax abatement, KOZ. Some of the bigger ones are
- 5 on the front page. If you type in an address,
- 6 it will say it's in a community investment
- 7 neighborhood or it's in a new market tax credit
- 8 eligible neighborhood. It would say all the
- 9 other things that an investor or developer may
- 10 be able to take advantage of.
- 11 And then if you continue to scroll down,
- 12 there is something about highlight areas. And
- 13 the areas that we highlighted are dispersed
- 14 around the City. And we tried to target areas
- that developers/investors may not identify on
- 16 their own as areas of Philadelphia that would be
- 17 right for development or where development or
- 18 capital could have an impact.
- 19 And then in addition -- and so for
- 20 example, you pointed out the Adams Avenue one.
- 21 We have one there. And so, there is a kind of a
- 22 map that you scroll down and shows what the
- 23 potential is. On the left-hand side, we also
- 24 identified what the goals are for investment
- 25 that we would like to see achieved in those

- 1 areas. And again, they range from affordable
- 2 housing, mixed-income housing, low-moderate
- 3 income job creation. In some areas, there is a
- 4 specific focus on daycare. Because there is a
- 5 derth of early childhood opportunities there,
- 6 fresh food access, those kinds of thing.
- We are in the process of working with
- 8 developers and investors to populate a map that
- 9 would identify projects. That someone would
- 10 click on the data on the map, and the
- information about the project and who to contact
- 12 if you are interested. It would pop up.
- We are hoping that should the federal
- 14 regulations come out any time soon, we are
- 15 hearing that Treasury is reviewing something.
- 16 So that usually means we are about 30 days away.
- 17 We hope that's true, but we don't have a
- 18 definite that those regs will clarify things
- 19 around small business investment. And that when
- 20 that becomes clear, we can also provide
- 21 information about opportunities to invest in
- 22 small businesses, as well.
- 23 COUNCILWOMAN PARKER: Got it. Thank
- 24 you.
- Thank you, Mr. President.

- 1 COUNCIL PRESIDENT CLARKE: Thank you.
- 2 Chair recognizes Councilwoman
- 3 Quinones-Sanchez. Sorry about that,
- 4 Councilwoman.
- 5 COUNCILWOMAN QUINONES-SANCHEZ: Thank
- 6 you. Thank you, Mr. President.
- 7 I was happy to hear while I was late
- 8 that Anne has agreed they are ready for the
- 9 total consolidation of land disposition; is that
- 10 right?
- 11 MS. FADULLON: We are getting there,
- 12 yes.
- 13 COUNCILWOMAN QUINONES-SANCHEZ: Okay.
- 14 Awesome. I have a couple of items that we have
- 15 talked about. And inasmuch as, you know, the
- 16 executive order tries to parcel out side lots,
- 17 which you know are my priority, one of the
- 18 questions that still remains for me is
- 19 particularly now as we move to responding to
- 20 people on time is, what is the resistance of the
- 21 Administration to allow folks to buy this land
- that now may be worth a lot more money at the
- 23 rate which they would have bought it at the time
- 24 they applied when the system worked?
- 25 Like there is -- we keep having this

- 1 discussion. Because I think one of the
- 2 discrepancies between people feeling they have
- 3 access is, I've been waiting for ten years. Why
- 4 can't we just give those long term residents the
- 5 land at the value of, if the system worked, they
- 6 would have acquired it?
- What is the resistance?
- 8 MS. FADULLON: So, I wouldn't say there
- 9 is resistance. I would say that that's
- 10 something that we are in conversations with your
- 11 office about. Is particularly in communities
- 12 where property values have risen and the
- 13 community or the adjacent owner has been taking
- 14 care of the property for a long time, how we
- 15 facilitate the transfer of that property to them
- 16 at a reasonable rate but then also ensure that
- 17 that continues to be used as a side yard or rear
- 18 yard as opposed to then sold to the New York
- developer who comes down and can pay \$100,000.
- So, I think that's the conversation we
- 21 are having. I feel like we are pretty close.
- 22 In that, hopefully, we can sort of dot the eyes
- 23 and cross the T's and get it under way shortly
- 24 because we recognize that that's an issue. And
- 25 I think, you know, any time we try to do sort of

- 1 those holistic policy fixes, there is always
- 2 something that pops and says, it doesn't work
- 3 here. It doesn't work here. And so, I think
- 4 that's what we are working through. Is how do
- 5 we make this as workable as possible for as many
- 6 areas as possible. But understand when those
- 7 specific cases pop up, that we need to be nimble
- 8 enough to address those.
- 9 COUNCILWOMAN QUINONES-SANCHEZ: I think
- 10 that that would send a huge message to this
- 11 issue about who has access, right? And you know
- 12 how strongly I feel about it because you know
- 13 how strongly I am against this competitive bid.
- 14 We can be transparent and not create the
- 15 scenario of competitive bidding for folks who
- 16 have not been in the neighborhood waiting for a
- 17 long time.
- 18 And so, being able to clarify all of the
- 19 waiting lists, people who have been processed,
- 20 all of those things and sending a message that
- 21 you've been taking care of it for ten years. We
- 22 messed up. OPA said ten years ago this is the
- 23 value, deed restricted. I don't think we need
- 24 to overthink this. I think sometimes we really
- 25 overthink things.

- 1 Deed restricted and period. Let's move
- 2 on and let's like -- there is like -- I have 400
- 3 on the waiting list of this stuff of people who
- 4 have been waiting since before I got elected.
- 5 So, how close do you think -- when you
- 6 say we are close, because I've been hearing that
- 7 for a minute. How close are we to doing --
- 8 MS. FADULLON: We are very close. Very,
- 9 very, very close.
- 10 COUNCILWOMAN QUINONES-SANCHEZ: Before
- 11 the end of the Budget?
- MS. FADULLON: I think we got another
- 13 meeting set up in, I want to say, the end of
- 14 this month, two weeks. I think we should be
- 15 pretty much ready to go after that.
- 16 COUNCILWOMAN QUINONES-SANCHEZ: The
- 17 other issue, as you know, and I know we are
- 18 getting closer to really having a conversation
- 19 about U.S. Bank and the 5,000 encumbered
- 20 properties all over the City. The 1,358 of them
- 21 in my district.
- 22 One of the other issues that has arisen
- 23 with this new executive order is the issue of
- 24 people needing to have 75 percent of the land
- 25 assembled before we move the parcels. You know,

- 1 we sent a message to folks that if they were
- 2 acquiring parcels and the City had parcels, that
- 3 we were going to put them out the door, right?
- 4 And in some cases, there is PHA properties that
- 5 have a whole other different issue.
- 6 Who came up with the 75 percent? And if
- 7 someone just has an adjacent parcel -- I have a
- 8 long time resident on the 4200 block of 9th
- 9 Street that went to sheriff sale, acquired some
- 10 properties. And now I am being told that
- 11 because he doesn't have 75 percent of the
- 12 parcels, he has to go to competitive bidding.
- Who comes up with this stuff?
- MS. FADULLON: That was, I would say, a
- 15 decision by committee.
- 16 COUNCILWOMAN QUINONES-SANCHEZ: Is this
- 17 an outside committee? Did you guys set up a
- 18 committee I'm unaware of?
- 19 MS. FADULLON: As we talked about with
- 20 the side yard issue, this is another thing that
- 21 is getting rectified. And it is on that
- 22 two-week time frame.
- 23 COUNCILWOMAN QUINONES-SANCHEZ: Is on
- 24 that two-week time frame? I think, again,
- 25 that's another place where we have told people,

- 1 go acquire on sheriff sale. And we have tried
- 2 to push the sheriff sale as much as possible.
- 3 But this notion of 75 percent, like, who comes
- 4 up with those numbers? Where do they --
- 5 MS. FADULLON: Yeah. I think we
- 6 acknowledge that we can have much more
- 7 functional disposition policies. And that is
- 8 what we are working with a few -- the Council
- 9 offices towards.
- 10 COUNCILWOMAN QUINONES-SANCHEZ: Okay.
- 11 Two weeks. All right.
- 12 Quickly, what has been the utilization
- 13 so far around the mixed-income housing bonus?
- 14 And how do you see us in addition to the
- 15 mixed-income housing and the new money on with
- 16 shallow rents and others, how do you see us
- 17 getting to the deeper level subsidy for folks.
- MS. FADULLON: Yeah. Couple things on
- 19 that. So, we have under the old mixed-income
- 20 policy, we have three developers that had taken
- 21 advantage of that. One paid them money. One
- 22 did the units. And one is about to start
- 23 construction. And they will be putting the
- 24 units onsite. Under the revised policy, I think
- 25 we are having a conversation with six

- 1 developers. They are not all quite far along.
- 2 But I think it's a combination of the money and
- 3 the units onsite. So, but we have more
- 4 information. We can get you an actual table
- 5 that talks about that.
- 6 As far as the deeper affordability, we
- 7 talked a little bit about we think kind of the
- 8 best bang for our buck around that, particularly
- 9 around rental housing, is the shallow rent
- 10 piece. How do we make existing subsidized units
- 11 maybe a little deeper affordability? And how do
- 12 we make sure that folks that are just shy of
- 13 being able to afford sort of naturally occurring
- 14 affordable housing can be able to afford that?
- 15 And so, I think that is where we are
- 16 targeting right now. But again, we are happy to
- 17 continue a conversation to -- we are interested
- 18 in leaving no stone unturned.
- 19 COUNCILWOMAN QUINONES-SANCHEZ: Okay.
- 20 And then finally, as you know, I have an
- 21 interest and we have something pending around
- 22 trying to create some sort of committee on
- 23 opportunity zone. I really, really believe.
- 24 And I was in a workshop a couple of weeks ago
- 25 with Bisnow. And was really concerned about how

- 1 folks think that Council is the stumbling block
- 2 with some of this development, particularly as
- 3 it relates around land use and other things.
- 4 Can we get to a place where there is a
- 5 Council Administration and maybe some folks from
- 6 the outside sitting around the table and looking
- 7 at what are the benefits as the regulations
- 8 evolve? And then, what are some of the
- 9 challenges so that there is more clarity around
- 10 our role?
- 11 You know, going into a panel where
- 12 people, like, we are the problem. I think I did
- 13 a pretty good job of saying we are not the
- 14 problem.
- 15 MS. FADULLON: Maybe we should sit next
- 16 to each other sometimes so we can both be the
- 17 problem.
- 18 COUNCILWOMAN QUINONES-SANCHEZ: I think
- 19 the issue of, you know -- I'm not bashful in
- 20 saying to folks, you know, if you make smart
- 21 investments that the community needs, people are
- 22 welcoming you. If you are going to come in here
- 23 and just park money and make money, you are
- 24 going to have a problem. I don't see a problem
- 25 with that. They do, right?

1 But how close are we to, like, the need to kind of put people around the table? Because 2. I really would want to set up some sort of work 3 I think the Council President's tech 4 staff and some of the data sets they did are 5 6 important. But really figuring out what are the 7 opportunities outside of the Schuylkill Farms and the Naval Yards, what are some real 8 9 opportunities where we can tell folks this is what we want to see in here. 10 11 I keep telling folks, communities have There is great community plans about 12 what the amenities they would like to see in 13 14 their district. How do we get that information 15 out to this business community so we link it up 16 better and they stop looking at it us as the 17 obstacle? My fear is that they are setting up all these structures independent of us and 18 saying, we are going to do what we need to do 19 20 and really not engage community folks. 21 And that's a problem. Because that's where the them versus us kind of --22 23 Right. I mean, look, I MS. FADULLON: 24 think we are open to having that. I think as

25

far as the timing question is, it's probably

- 1 pretty soon. Even though we don't have regs, we
- 2 know that investments happening. And we know
- 3 that this is a little bit tricky program because
- 4 it's not really a program. It's a tax break for
- 5 private capital equity investment.
- 6 And so, there is -- and right now, there
- 7 is no reporting or anything required. So, this
- 8 could be going on and we would have no idea that
- 9 it's technically an opportunity zone investment,
- 10 which is why we probably -- we try to put out
- 11 these are the things we are looking for. If you
- 12 are coming to us for some kind of relief on
- 13 something, we are going to ask you about what
- 14 are you doing about this and what are you doing
- 15 about that.
- 16 But how we kind of visualize what is
- 17 exactly the things we are looking for, I think
- 18 that would have a good exercise. We have sat
- 19 around the table with the CDC kind of
- 20 development practitioners. I think, again, this
- 21 isn't a program, per se. It's a tax break for
- 22 private equity. And so, what this doesn't do is
- 23 it doesn't -- it's not subsidy. It doesn't take
- 24 a project that needs a significant amount of
- 25 subsidy and make it work. What it does is it

- 1 takes either a project that might have been on
- 2 the edge it now may be on the works side. And
- 3 it takes a project that was pretty good, and
- 4 makes it better. And so, I think that we should
- 5 be having those conversations.
- 6 COUNCILWOMAN QUINONES-SANCHEZ: Thank
- 7 you. Thank you, Mr. President. I used up more
- 8 than my time.
- 9 COUNCIL PRESIDENT CLARKE: Thank you,
- 10 Council Lady.
- 11 Chair recognizes Councilman Gym.
- 12 COUNCILWOMAN GYM: Thank you very much
- 13 Council President.
- So, the School District of Philadelphia
- is embarking on probably for, in a long time,
- 16 its most robust effort to revitalize public
- 17 schools to get real abatements going in for
- 18 lead, asbestos and mold. There has got to be a
- 19 good conversation not only about school
- 20 modernization but school construction.
- 21 Are you -- in your discussions with the
- 22 Opportunity Zone Development Work, are you
- 23 talking -- is the School District part of all of
- 24 that? And how are they aligning some of their
- investments to make sure that, you know, as we

- 1 develop out these opportunity zones that, in
- 2 fact, the local public school is seeing a
- 3 significant investment for the families we are
- 4 trying to anchor there for the communities
- 5 benefit, as well.
- 6 MS. FADULLON: I think that is some of
- 7 the conversation going on through the Mayor's
- 8 Office. I think, again, what is tricky is it's
- 9 not subsidy money. And in order for the project
- 10 or investment to qualify, you have to give up
- 11 ownership. And so, I don't know -- I think they
- 12 are trying to talk through is there a structure
- 13 whereby basically the School District would have
- 14 to cede ownership for a portion of the time.
- So, it is complicated. There is a
- 16 discussion going on. I think it's complicated.
- 17 COUNCILWOMAN GYM: I mean, corporations
- 18 can get tax credits, right, for --
- 19 MS. FADULLON: Well, again, no. Well --
- 20 so good what happens is --
- 21 COUNCILWOMAN GYM: I think --
- MS. FADULLON: What happens is a
- 23 corporation, right, could recognize a capital
- 24 gain. And then they have a certain amount of
- 25 time to take that gain and put it into a fund.

- 1 Then that fund has a certain amount of time to
- 2 invest it in a project. But that project has to
- 3 have been acquired within a certain time frame.
- 4 And I want to say it's either the end of, like,
- 5 December of 2017 or something like that.
- 6 Which means, so let's say -- let's say
- 7 Dave and I owned a property together. In order
- 8 to qualify, we then can't transfer it to, say,
- 9 Anne Fadullon and Dave Thomas owned it together
- 10 in a joint venture. We can't transfer it to
- 11 Anne Dave, LLC, right. And say, well, we
- 12 created a new entity. We transferred it. That
- 13 doesn't qualify. We would have to transfer it
- 14 and give up 51 percent of our ownership interest
- 15 in order for it to quality.
- So, I think that's a little bit
- 17 complicating. Not saying that there is not a
- 18 way for that property transfer to happen. But
- 19 it's a lit -- with this -- it's complicated.
- 20 And then somehow at the back end, the School
- 21 District would have to get the property back.
- 22 And I think one of the really thing -- one thing
- 23 that's not clear under the current state of the
- 24 regulations is what is at exit at the back end.
- 25 COUNCILWOMAN GYM: Sure. And I don't

- 1 know that it has to be a formal alignment in
- 2 that way where, you know, the property
- 3 transfers. I mean, we are certainly talking to
- 4 folks in DC about how they manage to do some of
- 5 the work. But that there is some understanding
- 6 of where the School District's investments are
- 7 going so that whatever the broader work of the
- 8 opportunity zone is that families can be assured
- 9 and the community can be assured there is a
- 10 complementary investment around the local
- 11 schools in that particular field.
- 12 MS. FADULLON: Yeah. I think there is a
- 13 broader conversation going on with the School
- 14 District around their facilities. And our --
- 15 the City's facilities and how do we --
- 16 COUNCILWOMAN GYM: Right.
- 17 MS. FADULLON: -- connect.
- 18 COUNCILWOMAN GYM: So, one of the other
- 19 questions has a lot to do with the Mayor's
- 20 Housing for Equity Report, which shows that, you
- 21 know, at least half of our housing needs,
- 22 including like preservation of affordable rent
- and the need to support families making less
- than \$42,000 a year, is targeted towards that
- 25 group.

- 1 And so, could you talk about the ways in
- 2 which the work ahead is really supporting some
- 3 of our most vulnerable residents? The ones in
- 4 the below 30 percent area median income and how
- 5 the breakdown is proportionately for the
- 6 services going towards them? Because they are
- 7 the ones most likely to slip into, you know, OHS
- 8 and other places.
- 9 MS. FADULLON: Right. I don't have the
- 10 proportional numbers. But I will say, I think
- 11 as far as the 30 percent or below, the way we
- 12 are trying to target that is we talked shallow
- 13 rent. You know, we actually have a lot of our
- 14 homeowners kind of fall into that Surprisingly
- 15 enough. So, our home repair grant programs and
- 16 those kind of things really help to do those
- 17 folks.
- 18 We support the creation of subsidized
- 19 units, new units through rehabilitation or
- 20 preservation of these units through the tax
- 21 credit program. We also partnered with the
- 22 Housing Authority to provide those units. But I
- 23 have been pretty vocal, and I will say it again
- 24 here. It's very hard for a locality to be the
- 25 entity that deals with people at 30 percent of

- 1 income or below. I mean, it just -- we talked a
- 2 little bit about even if we had -- those people
- 3 have a \$600 essentially a month disparity,
- 4 right? So, we look at that 7,200 but you
- 5 multiply that by 70,000 people. That's \$480
- 6 million a year. We get 10 percent of that in
- 7 federal dollars to deal with every issue that we
- 8 have.
- 9 And so, I feel strongly that that is
- 10 really about advocacy across the country to say
- 11 that we need -- those folks need housing choice
- 12 vouchers. The way to deal with people at
- 13 30 percent of median or below is housing choice
- 14 vouchers. And they should be available the same
- 15 way that food stamps are available. If you
- 16 qualify, you get it. That's where we need to
- 17 get in this country.
- 18 COUNCILWOMAN GYM: I appreciate that. I
- 19 think part of it is, also, that in order for
- 20 advocacy to happen, we need to have a sense of
- 21 the scale of it. The more -- one of the
- 22 strongest things that we can do as a
- 23 governmental body is be able to inform our
- 24 advocates. Like, this is the actual need that
- 25 we got. This is the population that is

- 1 represented. This are the areas and
- 2 neighborhoods in which they exist. And then, we
- 3 give them the tools to go out and advocate.
- 4 Do you agree?
- 5 MS. FADULLON: I completely agree with
- 6 that.
- 7 COUNCILWOMAN GYM: To the extent that --
- 8 you can maybe help us get a breakdown. I agree
- 9 with you. We cannot do it on our own. There is
- 10 absolutely no way. And it is an abomination in
- 11 fact. That fact that the Federal Government
- does not have a conversation about housing both
- in terms of development, you know, investment
- 14 and the fundamental complement with the
- 15 infrastructure plan that is being discussed, but
- 16 also that we don't do housing vouchers through
- 17 HUD. I mean, we have to bring that in.
- But we can't ourselves -- like, we can't
- 19 just say that that's what we need. The best
- 20 thing we can do is tell and keep telling the
- 21 story how big the scale is of the need, how much
- 22 can the City go, too, because we are maximizing
- 23 out our capacity. And we don't have -- and help
- 24 people get to the advocacy that they need to get
- 25 to. And we have to drive some of that, to be

- 1 perfectly honest. We got to let them know --
- 2 MS. FADULLON: I totally agree with you.
- 3 COUNCILWOMAN GYM: -- that the housing
- 4 vouchers are where we got to go to. And if we
- 5 don't make noise here as a body, then we are not
- 6 going to get it elsewhere.
- 7 One quick last questions is, you know,
- 8 we are hearing -- health insurance companies are
- 9 starting to talk about investments in housing
- 10 assistance. This is an area that we flagged in
- 11 the Housing Action Plan.
- 12 So, can you talk a bit about there's --
- 13 are there are any current planned efforts with
- 14 some of the health insurance companies to help
- 15 fund some of the housing interventions for our
- 16 most vulnerable Philadelphians.
- 17 MS. FADULLON: Yes. We do have an
- 18 existing partnership with our Basic System
- 19 Repair Program and the Children's Hospital of
- 20 Pennsylvania. They agreed to do a pilot
- 21 initially where they would come in conjunction
- 22 with our housing inspectors and have a health
- 23 inspector come through. And it's particularly
- 24 focused on triggers for asthma. And then also
- 25 put in a little bit amount of money through

- 1 their cap program to support to come in with
- 2 basic system repair and support doing the
- 3 repairs that would alleviate those health
- 4 triggers such as mold and moisture and dust and
- 5 doors and windows, sealants and things like
- 6 that.
- 7 They were very pleased with that. And
- 8 have since increased their ten unit pilot to a
- 9 hundred units over the first year. But they
- 10 have agreed to a five year -- to a five-year
- 11 commitment. And believe that they will continue
- 12 to work with the Basic System Repair Program and
- 13 the delivery system, I should say, to figure out
- 14 how to expand. So, we continue to have
- 15 conversations with them around that.
- In addition, we have had somebody
- 17 working on to look at all the efforts across the
- 18 City around housing and health. And they are
- 19 numerous, but everybody is doing their own
- 20 thing. So, the first step was to try to figure
- 21 out what's everybody got going on. And now that
- 22 we are getting a handle on that, the next step
- is to figure out who is the stakeholder group so
- 24 that we can have a united effort. And we are
- 25 talking in one regard. And we are having these

- 1 conversations. And I think there is a lot of
- 2 willingness on all sides of the table to have
- 3 the conversation.
- 4 COUNCILWOMAN GYM: And for clarity, can
- 5 you just clarify who "they" are when you say
- 6 they are developing into the 500-unit expansion
- 7 for --
- 8 MS. FADULLON: The Children's Hospital
- 9 of Pennsylvania.
- 10 COUNCILWOMAN GYM: Thank you for
- 11 clarifying.
- MS. FADULLON: The Children's Hospital
- 13 of Pennsylvania. Should I say it again?
- 14 COUNCILWOMAN GYM: Thank you.
- 15 (Councilman Henon sitting in as Chair.)
- 16 COUNCILMAN HENON: Thank you,
- 17 Councilwoman. Chair recognizes Councilwoman
- 18 Bass.
- 19 COUNCILWOMAN BASS: Thank you,
- 20 Mr. Chairman.
- 21 Just a couple more questions for you.
- MS. FADULLON: No problem.
- 23 COUNCILWOMAN BASS: So, Basic Systems
- 24 Repair and Quality Control. So, Dave, you and I
- 25 had spoken about that some time ago with a case.

- 1 I'm not going to go into the details of it, but
- 2 a case where there was a contractor who was
- doing work for Basic Systems Repair. And the
- 4 work was, I will just say it was unacceptable.
- 5 I don't know if you remember which one I am
- 6 talking about offhand.
- 7 You want me to give you some details?
- 8 MR. THOMAS: No.
- 9 COUNCILWOMAN BASS: Okay. You will
- 10 figure it out. I will tell you later.
- 11 Anyway, I have some concerns about the
- 12 quality of the work that's done and making sure
- 13 that the taxpayer's dollars are not wasted. And
- 14 if you can talk a little bit about the quality
- 15 control process. When a repair is done and when
- 16 somebody comes out to inspect, to ensure that
- 17 the work is done according to the highest
- 18 standards, how do we ensure that people are
- 19 properly being taken care of when they are
- 20 having this work done?
- 21 You know, you don't want to put a --
- 22 point a finger or lay blame on someone who
- 23 really has done a good job and maybe a
- 24 particular homeowner just might not be happy for
- 25 a number of different reasons. You know, they

- 1 might not be happy for a number of different
- 2 reasons. But at same time, how do we make sure
- 3 that they are getting their money's worth as
- 4 taxpayers, that we are getting our money's worth
- 5 as City of Philadelphia and owner of the job.
- 6 Can you speak to that?
- 7 MR. THOMAS: Yes. So, you're absolutely
- 8 correct. I believe that the constituents should
- 9 be receiving quality services. We do come
- 10 across situations where we have some concerns
- 11 about some of the work that is being performed.
- 12 As we have always done, we inspect the property
- 13 before and after for quality assurance.
- 14 If I have challenges with a particular
- 15 contractor, that contractor is, if you will, put
- 16 on probation. Hopefully -- hoping that that
- 17 contractor can improve their performances. We
- 18 give them an opportunity. And quite honestly,
- 19 be very direct, if they are not meeting those
- 20 standards that we expect or that I expect, they
- 21 get dismissed. I remove contractors just as
- 22 much as I am looking for contractors.
- 23 At the end of the day, folks need to
- 24 recognize even though it's free, that these
- 25 folks expect quality services and I expect

- 1 quality delivery. So at the end of day, we have
- 2 to continuously monitor folks, especially when
- 3 I'm bringing in new contractors. Because new
- 4 contractors, we have less familiarity with. And
- 5 unfortunately, we do have some bad performers.
- 6 And bad performs get dismissed.
- 7 COUNCILWOMAN BASS: And so, can you
- 8 speak a little bit about contractors who are --
- 9 who are dismissed, who have been banned? How
- 10 many have we dismissed in the last year? How
- 11 many have we banned in the last year?
- 12 And also, I think that the presumption
- 13 that the services are free, because they are
- 14 really not free. Somebody is paying for them.
- 15 The taxpayers are paying for it. As a
- 16 homeowner, the senior citizen or a person who is
- 17 getting the service, they are paying for it.
- 18 And the City of the Philadelphia, obviously, is
- 19 paying the contractor.
- 20 But can you talk about how these
- 21 contractors are removed from jobs, how they are
- 22 possibly banned from jobs, how many have we done
- 23 over the last year or two years? And in
- 24 contrast, how many contractors do we work with
- 25 in general?

1 I can tell you that, you know, we had a bill that we had passed -- I think it was early 2. 3 last year -- in which we caught a contractor dumping. They were a contractor working with 4 the City of Philadelphia. And when we found 5 6 out, we pushed a bill that was passed that said 7 that if you are a contractor from the City of Philadelphia and you are caught dumping, you are 8 9 banned from ever doing business with the City of Philadelphia again. There is some people in the 10 11 Administration that felt it was too harsher. 12 don't think it was harsh enough. I think if you are caught dumping in our 13 14 neighborhoods, you should be banned and go to 15 jail and pay fines and all kinds of other 16 things. 17 (Applause.) 18 You know, because our neighborhoods, all of our neighborhoods are important. And we have 19 20 a trash problem and so forth, so 21 But if you can just talk about the possibility of having some of these contractors 22 23 completely removed from the system if we find they are trying to game the system and not doing 24

25

the work that is being for by the taxpayers.

- 1 MR. THOMAS: Yeah. So, couple questions
- 2 that you put out. The stable right now, I have
- 3 approximately 100 contractors in the stable,
- 4 various different trades: Plumbing, carpentry,
- 5 roofing, electrical, as well as general
- 6 contractors and heating and air conditioning.
- 7 Last year, I want to say, that my memory
- 8 would say that, I believe, I removed four last
- 9 year. And the reason being was the quality of
- 10 the work. And one was removed for their
- 11 behavior, if you will, with the client.
- So, I don't have it often. But I do
- 13 have it. And to extent that I -- when I remove
- 14 them, I have not done anything to turn them over
- 15 to the City because the work that I am removing
- 16 them for really is quality assurance.
- 17 COUNCILWOMAN BASS: Okay.
- 18 MR. THOMAS: And I don't know that I can
- 19 really assess their work with the City because
- 20 I'm not involved in that, so. And I do have
- 21 contractors that, obviously, will plead to come
- 22 back in. So what I have come across is that,
- 23 many of the contractors because they are small,
- 24 they have employees. The employees are the ones
- 25 that are the bad performer, not the owner.

- 1 Unfortunately, the owner is not paying attention
- 2 to what the employee is doing. So you know, I
- 3 have contractors who replace employees and try
- 4 to get back in the process. I give them at
- 5 least two to three years away from the program
- 6 before I give any consideration to renewing
- 7 their opportunities.
- 8 COUNCILWOMAN BASS: Okay. All right.
- 9 Thank you. And one other question is about an
- 10 article. Anne, this is for you about an article
- 11 that appeared in early March of this year on a
- 12 new site that talked about an app that was used
- 13 that was through the Department of Planning for
- 14 the acquisition of properties.
- 15 Are you familiar with this? Looking at
- 16 me like you don't know. No?
- MS. FADULLON: I am not aware. It's an
- 18 app that would be and you can acquire
- 19 properties?
- 20 COUNCILWOMAN BASS: That there was an
- 21 app to -- hold on, let me see. An app for
- 22 selling blighted land. And the City has an app
- 23 for selling off thousands of unused
- 24 publicly-owned lots, a website that resembles
- 25 popular real estate search tools Trulio or

- 1 Zillow with an interactive map of lots for sale.
- 2 And there was one particular developer
- 3 who is based in my district who was trying to
- 4 purchase a piece of property. It said, you
- 5 know, this was at least five years. And the
- 6 developer is still waiting for a response. And
- 7 the developer referred to it as a black hole.
- 8 Of course, I got blamed for it. I'm the
- 9 one who got blamed for this particular piece.
- 10 MS. FADULLON: Okay. I was not aware of
- 11 this. What is getting whispered to me is I
- 12 quess there is a shadow website --
- 13 COUNCILWOMAN BASS: Okay. This is not
- 14 the City of Philadelphia.
- 15 MS. FADULLON: -- that appears to be the
- 16 Land Bank's website or City website, but it is
- 17 not.
- 18 COUNCILWOMAN BASS: Oh. Very good
- 19 information to know. Well, I am certainly glad
- 20 that you alerted us of that. And also, we need
- 21 to make sure that we let this particular
- 22 reporter know and the developer so that they
- 23 understand that this is not a City-affiliated
- 24 website app, you know, land, you know,
- 25 development tool.

- 1 MS. FADULLON: Yeah.
- 2 COUNCILWOMAN BASS: That's why.
- 3 MS. FADULLON: I mean, this is sort of
- 4 under the no good deed goes unpunished. As we
- 5 make our information more public, it's easier
- 6 for other people to take that information and
- 7 use it how they will. And so, this seems to be
- 8 kind of what happened in this case.
- 9 But yes, we will, in short, do our best
- 10 to ensure that if folks are on this, that
- 11 somehow they realize it's not actually a City's
- 12 website.
- 13 COUNCILWOMAN BASS: Okay.
- MS. FADULLON: If you have more to add,
- 15 go ahead.
- 16 MR. RODRIGUEZ: Hello. Angel Rodriguez,
- 17 Director of the Philadelphia Land Back.
- 18 Early on, we would get calls from
- 19 constituents saying they had put in or submitted
- 20 something. And we would ask them what website
- 21 did they go to because we would have no record
- 22 of an expression of interest. What we found is
- 23 that there is another website that uses, you
- 24 know, similar terminology. And not going to
- 25 bore you with how the website search engines

- 1 work. But they would get a fair amount of
- 2 traffic. And then there are third parties that
- 3 deal in information as information brokerages.
- 4 So, as we post any property that is a
- 5 publicly-owned property, they will use that.
- 6 And then, I'm not going to say deliberately, but
- 7 it's kind of questionable as to whether they are
- 8 affiliated with City owned -- City agencies.
- 9 At the current time, we do not use any
- 10 third party to list or host or process any of
- 11 the City-owned parcels.
- 12 COUNCILWOMAN BASS: Okay. Well, I'm
- 13 really glad to hear that. And I'm glad that,
- 14 you know, the City's been cleared on this. It
- just goes to show that even, you know, we have
- 16 some reporters and folks who, you know, follow
- 17 these issues who do their due diligence.
- 18 Others, maybe not so much. Because I think that
- 19 is something that a simple phone call to your
- 20 office really could have clarified and have
- 21 addressed.
- 22 And you know, it's important to be
- 23 accurate, especially when the public believes so
- 24 much of what they say because it's a reputable
- 25 news organization. So, I thank you for

- 1 clarifying that. Thank you very much.
- 2 MS. FADULLON: Thank you for bringing it
- 3 to my attention.
- 4 COUNCILWOMAN BASS: Absolutely.
- 5 Thank you, Mr. President.
- 6 COUNCIL PRESIDENT CLARKE: Thank you
- 7 Councilwoman.
- 8 Chair recognizes Councilman Johnson.
- 9 COUNCILMAN JOHNSON: Thank you, Council
- 10 President.
- I just want to be brief as I wrap up my
- 12 line of questioning. So, it's twofold.
- One, I want to go over enforcement now.
- 14 Because I am like the poster child for folks who
- 15 come and say they may do one thing and then flip
- 16 property. Let's talk about moving forward in
- 17 the future, and how we are going to address the
- 18 issue of who is going to do the enforcement,
- 19 what does that process look like when the
- 20 individual says that this is what I am going to
- 21 do as it relates to my development plan.
- Just for the record, I always say this.
- 23 Councilmembers do not participate in the
- 24 assessment of land value. We do not -- we are
- 25 not involved with the settlement of actual

- 1 transaction between the developer and the City
- 2 of Philadelphia land agency. If a developer
- decides to not build affordable unit or if a
- 4 developer decides to say they want to -- does
- 5 not take advantage of the height bonus, right,
- 6 that doesn't have anything to do with the
- 7 Councilperson. We don't follow up on deed
- 8 restrictions.
- 9 But nevertheless, just for clarity, so
- 10 we can clean up this process moving forward for
- 11 the future, how will we enforce to make sure
- 12 that developers do not flip.
- Two, if they do flip a property or do
- 14 not follow the agreement that they have set with
- 15 the City of Philadelphia land agencies, what is
- 16 the recourse and action from our land agency
- 17 reps from the City of Philadelphia to recoup
- 18 costs that the developers have taken advantage
- 19 of as it relates to the transaction with the
- 20 City of Philadelphia?
- 21 And my last question is, in terms of
- 22 gentrification, can we take into consideration
- 23 in going back to dollar lots?
- MS. FADULLON: We have --
- 25 COUNCILMAN JOHNSON: Just to help --

1 MS. FADULLON: Let me tell you, we 2. have --3 COUNCILMAN JOHNSON: Just to help some 4 people who --5 If you look at our MS. FADULLON: 6 dispositions, there are several dollar 7 dispositions. 8 COUNCILMAN JOHNSON: Okay. All right. 9 MS. FADULLON: But to answer your question others about the -- as we mentioned, 10 11 particularly with the MLU being signed, any disposition that, you know, does require Council 12 approval. But it will also now have some kind 13 14 of either a purchase development agreement or a 15 redevelopment agreement that is, as I would say, 16 much more stringent then what had been happening 17 in the past, particularly with properties coming 18 through the Vacant Property Review Committee. 19 And so, that will again have the plans attached. All that. But there will also be 20 21 recorded deed restrictions. We are finding that sometimes when a property is sold to someone who 22 23 purchased it from a public entity and they subsequently transferred, that sometimes the 2.4 25 title companies aren't always picking up on

- 1 those deed restrictions. But that does not mean
- 2 that we do not have the ability to go back in
- and revert that deed. And so, we are actively
- 4 engaged in doing that on -- on a few cases where
- 5 the property just hasn't been developed.
- In addition, we do have a certain amount
- 7 of inspection staff. That it's their job to go
- 8 out and make sure that --
- 9 COUNCILMAN JOHNSON: That's what I
- 10 wanted to know.
- 11 MS. FADULLON: -- the developer
- 12 applicant is in compliance with their agreement.
- 13 COUNCILMAN JOHNSON: Do we have
- 14 relationships with the reputable deed companies
- 15 to let them know that this is the correct --
- 16 this is the action we are taking moving forward?
- 17 And they are working in partnership with us just
- 18 to be aware.
- 19 MS. FADULLON: So, the deeds are
- 20 prepared by our agencies. And they are recorded
- 21 with the Records Department. And you know, the
- 22 Records Department has been great about
- 23 recording them on a timely basis and all of
- 24 that. It's really about the title companies.
- 25 And I do think they are informed about that.

- 1 And we are trying to get more information out
- 2 there really about buyers, too. To ensure that
- 3 if you are buying something, it's worth it to
- 4 get the title report to make sure that you
- 5 understand when you are buying something, what
- 6 are all the encumbrances that may come with
- 7 those properties. And what are the
- 8 jurisdictions on those properties.
- 9 COUNCILMAN JOHNSON: Okay. That's good
- 10 information. Just again, want to state for the
- 11 record, Councilmembers have no role in assessing
- 12 land value or the closing settlement agreement
- 13 between developers and the City of Philadelphia.
- 14 I think it's good information to note.
- Because again, there is so much
- 16 misinformation about this process. And it's so
- 17 technical, that a story could just be written
- 18 with the headlines as if the Councilperson walks
- 19 a developer through the whole process, and there
- 20 is no checks and balances. And there is a
- 21 narrative there is some type of, to be frank
- 22 with you, backroom deal transactions. But
- 23 nevertheless, there is a process that all
- 24 individuals must partake in if they want to do
- 25 with business with the City of Philadelphia.

- 1 And so, there are checks and balances.
- 2 As we move forward, we will continuously working
- 3 with yourself. And I know the work that Andrew
- 4 is doing in working with me to make sure we get
- 5 RFPs out in Point Breeze and Grays Ferry to make
- 6 sure houses remain equitable for long term
- 7 residents and making sure that everybody has a
- 8 chance to live in a 2nd Councilmanic District
- 9 regardless of their checkbook and their
- 10 pocketbook.
- 11 Andrew, just for the record, I want to
- 12 thank you for stepping up to the plate when you
- 13 took this position. And really kind of
- 14 right-sizing the ship and making sure that we
- 15 begin taking the Land Bank to the next level
- 16 with the intent and purposes of why it was
- 17 created through the hard work of my colleague,
- 18 Councilwoman Maria Quinones-Sanchez. And so,
- 19 thank you very much and appreciate your time
- 20 today.
- 21 And, Dave, you keep up the good work
- 22 with Basic Systems Repair and making sure that
- 23 we have people of color and diversity
- 24 participating in those contract opportunities,
- 25 as well. Thank you very much.

- 1 MS. FADULLON: Thank you.
- 2 COUNCIL PRESIDENT CLARKE: Thank you,
- 3 Councilman.
- 4 Chair recognizes Councilwoman Reynolds
- 5 Brown.
- 6 COUNCILWOMAN REYNOLDS BROWN: Thank you,
- 7 Mr. President.
- I don't want to miss the opportunity to
- 9 thank you both. I have watched your work from
- 10 afar because I don't have to be intimately
- involved with the nuance of your departments.
- 12 And I do want to salute you for recognizing
- 13 Council's continued anguish in how we have not
- 14 been successful in ensuring that local people
- 15 get opportunity do to business with this agency
- 16 that gets so much of its funding from both the
- 17 fed, the state and us. That should not go
- 18 unnoticed.
- 19 And secondly, as it again relates to
- 20 seniors, I know it's a broken record. But if we
- 21 don't speak up for them, no one will. The Major
- 22 Systems Repair Program, I can personally testify
- 23 to instances where I, myself, called your office
- 24 and appealed to you about a senior who was in a
- 25 desperate situation. And the response was quick

- 1 and compassionate. And I need to say that for
- 2 the record and thank the leadership for
- 3 recognizing that part of our role as elected
- 4 officials, is to speak up for the least of
- 5 these. We thank you for the work that you do.
- 6 MS. FADULLON: Thank you.
- 7 COUNCIL PRESIDENT CLARKE: Thank you
- 8 Councilwoman. Going to conclude shortly. And
- 9 the stenographer is going to need a break.
- 10 Real quick, Historical Commission,
- 11 who -- what's the makeup of the Board? I have a
- 12 number of people in particularly older parts of
- 13 my Council District that have a significant
- 14 interest in historical properties and the
- 15 designation as such.
- 16 Can you first tell me who is on the
- 17 Historical Commission Board?
- 18 MS. FADULLON: Yeah. So, I will be
- 19 honest, I don't know the names off the top of my
- 20 head. There is some ex-officio people. There
- 21 are some government people. I think it's five
- 22 or six. And then there is several -- there is a
- 23 historian and an architect. But we can get you
- 24 a list of everybody that's on it. And I know
- 25 you recently filled your position that was on

- 1 the Historical Commission. So, we thank you for
- 2 that.
- 3 COUNCIL PRESIDENT CLARKE: I couldn't
- 4 believe how many people were interested in being
- 5 on there. They were beating me over the head.
- 6 And I, finally, had to make a decision. And I
- 7 think Jessica will be a great addition to the
- 8 Historical Board.
- 9 There was a question about the
- 10 demographics of that board, if you can include
- 11 all that, also.
- MS. FADULLON: We can definitely get you
- 13 that information.
- 14 COUNCIL PRESIDENT CLARKE: And then,
- 15 there was also concerns about the lack of
- 16 response to the general citizen from that board.
- 17 So you can -- can you inquire about that?
- 18 My understanding that there being a
- 19 number of inquiries about historical -- I am
- 20 just passing it on.
- 21 MS. FADULLON: Yeah. We can get you a
- 22 list of who is on the commission.
- 23 COUNCIL PRESIDENT CLARKE: Okay
- Real quick, just wanted to follow up on,
- 25 I guess, Councilman Johnson's on the record

- 1 conversation. The properties that -- is my
- 2 understanding that most of the properties that
- 3 are in the City of Philadelphia's inventories
- 4 were purchased under sheriff sale for taxes.
- 5 MS. FADULLON: Yeah. Probably. It
- 6 could be. I honestly don't know.
- 7 COUNCIL PRESIDENT CLARKE: The
- 8 properties that were in the Redevelopment
- 9 Authority inventory were properties that were
- 10 probably condemned?
- 11 MS. FADULLON: Yeah. It's probably
- 12 likely they were either condemned or purchased
- 13 with dollars through the NTI Program. But I
- 14 would say the bulk of them are probably from
- 15 condemnation.
- 16 COUNCIL PRESIDENT CLARKE: And those
- 17 properties were probably purchased with
- 18 Community Development Block Grant dollars?
- 19 MS. FADULLON: So, the condemnations
- 20 were probably --
- 21 COUNCIL PRESIDENT CLARKE: Federal or
- 22 City or what?
- MS. FADULLON: Yeah. So, the
- 24 condemnations at some point were probably funded
- 25 with Community Development Block Grant dollars.

- 1 But there could have been even older
- 2 condemnations that were funded through federal
- 3 program like Model Cities or there was actually
- 4 an Urban Renewal actual program. So, could
- 5 probably some kind of combination of local and
- 6 federal dollars.
- 7 COUNCIL PRESIDENT CLARKE: All right.
- 8 My point is with respect to that is, those
- 9 properties were purchased through either
- 10 condemnation or direct acquisition for some sort
- 11 of low to moderate --
- MS. FADULLON: Community benefit.
- 13 COUNCIL PRESIDENT CLARKE: -- community
- 14 benefits. This issue around competitive sales,
- 15 do we sale RDA properties through competitive
- 16 sales?
- 17 MS. FADULLON: Well, again, competitive
- 18 sales aren't necessarily to the highest bidder.
- 19 Part of the component to community benefit, as
- 20 well.
- 21 COUNCIL PRESIDENT CLARKE: What's the
- 22 community benefit to a --
- MS. FADULLON: I think it depends on
- 24 what somebody proposes.
- 25 COUNCIL PRESIDENT CLARKE: Give me an

- 1 example. It's competitive sale, you paying --
- MS. FADULLON: All right. It's an RFP,
- 3 and it's out on the street and community benefit
- 4 is part of it, there may be a requirement for a
- 5 certain amount of affordable housing. There may
- 6 be a requirement.
- 7 COUNCIL PRESIDENT CLARKE: So --
- 8 MS. FADULLON: For example, 8th and
- 9 Vine, there's affordable housing. There is
- 10 non-profit office space. And there is public
- 11 open space. And I believe -- I'm not a hundred
- 12 percent sure. I think, is there early -- I want
- 13 to make sure.
- 14 COUNCIL PRESIDENT CLARKE: You want to
- 15 come up here?
- So, you are telling me -- just want to
- 17 make sure. Want to get on the record. You're
- 18 telling me that every property that's
- 19 competitively bid and sold through the
- 20 Redevelopment Authority, has attached to it a
- 21 community benefit. So if it's market rate
- 22 somewhere in there, it's community benefit?
- 23 MR. HELLER: Right. So, competitive bid
- 24 doesn't mean it's sold to the high bidder. It's
- 25 sold to the project --

- 1 COUNCIL PRESIDENT CLARKE: It doesn't
- 2 mean --
- 3 MR. HELLER: It doesn't mean that. It's
- 4 sold to the project that scores the best among
- 5 amongst several different factors. And one of
- 6 those factors is called community impact.
- 7 Another is called economic inclusion. So,
- 8 community impact could be a whole bunch of
- 9 different things. And residential projects,
- 10 usually it's affordable or workforce housing.
- 11 COUNCIL PRESIDENT CLARKE: I'm not
- 12 talking about workforce housing. I'm talking
- 13 about competitively bid. Workforce housing is
- 14 for the sole purpose of providing --
- 15 MR. HELLER: Yes.
- 16 COUNCIL PRESIDENT CLARKE: -- affordable
- 17 units. I'm talking about properties that are
- 18 just competitive bid.
- 19 MR. HELLER: That's what I'm talking
- 20 about.
- 21 COUNCIL PRESIDENT CLARKE: And you're
- 22 saying you don't necessarily accept the highest
- 23 bidder?
- 24 MR. HELLER: That's correct. Council
- 25 President, for example, we just closed a whole

- 1 round of about 25 competitive bids. And out of
- 2 those, probably about half of the market rate
- 3 competitive bidders said I want to build
- 4 workforce housing and asked for a price that was
- 5 below fair market value in order for workforce
- 6 housing project to pencil. And that was just of
- 7 their own volition in order to score the points
- 8 for social impact as part of that competitive
- 9 bid process.
- 10 So, by requiring social impact as one of
- 11 the scoring factors, developers responding to
- 12 competitive bids know if they want to win the
- 13 property, they want to win the bid, they have to
- 14 have a project that has social impact and they
- 15 have to have that impact be as strong as
- 16 possible.
- 17 COUNCIL PRESIDENT CLARKE: What about
- 18 the other half? You said half of them. What
- 19 about the other half?
- 20 MR. HELLER: There were -- yeah. There
- 21 were some in there that were straight market
- 22 rate projects.
- 23 COUNCIL PRESIDENT CLARKE: So, is it
- 24 flexibility in requirements? I mean, if half of
- 25 you -- I am just quoting what you just said.

- 1 You said half of the properties had some
- 2 community benefits or some social impact. That
- 3 meant the other half probably didn't. So, I am
- 4 saying, do you get to pick and choose which ones
- 5 do -- are required to have the social impact or?
- 6 MR. HELLER: Yeah. That's exactly
- 7 right. So, the scoring committee, the reviewing
- 8 committee goes through and scores the project.
- 9 And if other factors are equal, you know, the
- 10 economic inclusion is about the same, the
- 11 developers have a good track record, the project
- is good and it's a good design, and it comes
- down to the social impact, the one that has the
- 14 social impact is going to win over the one that
- 15 doesn't. And that --
- 16 COUNCIL PRESIDENT CLARKE: I am asking
- 17 you about the ones -- that half that didn't.
- 18 MR. HELLER: Right. My point is that
- 19 those don't get selected if there is another
- 20 project that is just as good that doesn't have
- 21 the social impact. So in other words --
- 22 COUNCIL PRESIDENT CLARKE: It's not
- 23 requirement then?
- 24 MR. HELLER: Right. In other words,
- 25 it's working. We are selecting the workforce

- 1 housing project over another development project
- 2 for the same competitive bid that had a higher
- 3 price.
- 4 COUNCIL PRESIDENT CLARKE: All right.
- 5 So in other words, you're all over the place.
- 6 MS. FADULLON: I think --
- 7 COUNCIL PRESIDENT CLARKE: You know what
- 8 I'm trying to get at?
- 9 MS. FADULLON: I know what you are
- 10 getting at. So, twenty properties went out.
- 11 Ten of them were able to go to somebody who may
- 12 have bid a lower value because they were doing
- 13 stronger social impact.
- 14 COUNCIL PRESIDENT CLARKE: Okay
- 15 MS. FADULLON: But ten of those
- 16 properties did not go out for lower bid value
- 17 because of social impact. They went out for
- 18 full market value, for example.
- 19 I think what the Council President is
- 20 asking, and I don't want to put words in your
- 21 mouth is what about those ten that went out for
- 22 fair market value? Is that because nobody,
- 23 like, why did they go out at full fair market
- 24 value with the whole social impact piece?
- 25 COUNCIL PRESIDENT CLARKE: Yeah. I'm

- 1 just -- you know -- you know I'm asking. I
- 2 mean, Councilman started this down this road.
- 3 And my issue is that this flexibility -- any
- 4 Councilmembers on the review board?
- 5 MR. HELLER: No. We never put
- 6 Councilmembers on the review committee.
- 7 COUNCIL PRESIDENT CLARKE: It's all over
- 8 there then at 1234 Market.
- 9 MR. HELLER: And other City departments.
- 10 So, we typically have Planning or Land Bank.
- 11 COUNCIL PRESIDENT CLARKE: All right.
- MS. FADULLON: But a recommendation then
- is provided to Council office.
- 14 COUNCIL PRESIDENT CLARKE: All right.
- 15 Okay. I just wanted it for the record.
- 16 All right. Thank you.
- 17 COUNCILWOMAN REYNOLDS BROWN: Point of
- 18 information. This circles back to questions
- 19 raised by Councilman Kenyatta Johnson and myself
- 20 and Sanchez.
- 21 So, there is no Council membership
- 22 participation appointment to the body that
- 23 ultimately renders these decisions in the way
- 24 they've just been described?
- MS. FADULLON: Let me just clarify that.

- 1 There is no Council involvement on the scoring
- 2 review committee. That scoring review committee
- 3 does provide a recommendation to the District
- 4 Councilperson.
- 5 COUNCILWOMAN REYNOLDS BROWN: Okay.
- 6 MS. FADULLON: And there is an action of
- 7 Council that is required to dispose of any
- 8 publicly held property.
- 9 COUNCIL PRESIDENT CLARKE: Through a
- 10 resolution, right?
- MS. FADULLON: Yeah.
- 12 COUNCIL PRESIDENT CLARKE: Okay.
- 13 COUNCILWOMAN REYNOLDS BROWN: Thank you.
- 14 COUNCIL PRESIDENT CLARKE: Thank you.
- 15 Just want to get on the record.
- 16 Thank you.
- 17 MS. FADULLON: Thank you.
- 18 COUNCIL PRESIDENT CLARKE: I think
- 19 that's it. Thank you very much.
- We are going to take a ten minute
- 21 recess. Thank you. And then we will have L&I
- 22 next.
- 23 - -
- 24 (Brief break taken.)
- 25 - -

- 1 (Budget Hearing resumes.)
- 2 (Councilman Greenlee sitting in as Chair.)
- 3 COUNCILMAN GREENLEE: Why don't we
- 4 resume our hearings here.
- 5 The next department while other members
- 6 be coming in. Next department is Department of
- 7 License and Inspections.
- 8 (Panel approaches Witness Table.)
- 9 COUNCILMAN GREENLEE: Good afternoon
- 10 Commissioners and Folks. As you know, we have
- 11 your written testimony. So whatever you have to
- 12 say, and then we can get to questions.
- MR. PERRI: Good afternoon.
- 14 COUNCILMAN GREENLEE: Yeah, please.
- 15 Start.
- 16 MR. PERRI: Good afternoon, Council
- 17 President Clarke, Councilman Greenlee and
- 18 Members of Council. I am David Perri. I am
- 19 Commissioner of the Department of Licenses and
- 20 Inspections. Joining me today is Kirk
- 21 McClarren, our Administrative Services Director.
- 22 You already have our formal written testimony.
- So, I am just going to take a few moments to
- talk about some of our accomplishments and
- 25 highlights over the past year and our plans for

- 1 the upcoming here.
- 2 Building construction continues to boom
- 3 in the City. About in 2018 we issued a record
- 4 28,206 construction permits which represents an
- 5 8.2 percent increase over the previous years.
- 6 Our revenue increased 10.5 percent to a record
- 7 \$66.2 million. Looking into the future a bit,
- 8 this calendar year is off to a good start with
- 9 construction permit issuance up 15 percent and
- 10 zoning permit activity for the fiscal year up a
- 11 whopping 32 percent. And as you know, zoning
- 12 permit activity is a leading indicator of future
- 13 construction activity.
- 14 Through an aggressive enforcement
- program, a well funded public demolition program
- and an uptick in private demolitions, the number
- of unsaved buildings has now decreased since the
- 18 start of the Kenney Administration by 22
- 19 percent. And the number of imminently dangerous
- 20 buildings has decreased 61 percent to an even
- 21 100 properties.
- 22 We continue to build a better building
- 23 department as we opened a new district office on
- 24 Cecil B. Moore Avenue last year. And we will
- 25 finish our expansion plans this year by opening

a new district office to better serve the 1 residents of Southwest Philly. The total headcount in the department increased over the past year from 375 employees to a current 405 5 employees. In the upcoming year, we look forward to our role in the Mayor's Roadmap to 6 Safer Communities Initiative by using blight removal as a violence reduction tool. 8 9 We are asking for funds to hire and equip an additional clean and seal crew, 10 11 increase building demolitions and cleaning green 12 vacant lots. Those new resources will be dedicated to this highest crime areas of the 13 14 City. We also look forward to an expansion of 15 our audits and investigations unit that will 16 focus on inspecting contractor or business 17 practices to determine whether they are using 18 City license subcontractors, employing workers who are qualified and have OSHA certifications, 19 20 making sure to keep in their insurance policies 2.1 current and working when in the scope of their issued construction permits. 22 Thank you for the opportunity to present 23 our budget today. My staff and I are available 2.4 25 to answer any questions at this time.

1 COUNCILMAN GREENLEE: Thank you, Commissioner. Let me relay a couple of the 2. 3 Council President's questions here. 4 Right at the end of your testimony you 5 talked about, excuse me, the plan to reduce 6 blight by cleaning greening lots. Now in -when Planning and Development was in here, we talked about PHS's land care program that's 8 9 being reduced. Is what you are doing making up for that, if you know? Is it separate or --10 11 MR. PERRI: Yeah. Our initiative is 12 separate from that. We have a \$1.75 million A piece of that will be to hire and equip 13 14 the new clean and seal crew. They will clean 15 and seal up vacant buildings within the targeted 16 The cleaning and greening, we are sending 17 money over to CLIP. And our plan is to have CLIP do the majority of the cleaning and 18 greening of the vacant lots and putting up the 19 20 wooden fence. CLIP in their ongoing maintenance 2.1 of these lots will be utilizing and hiring community members as part of that effort. 22 23 The third part is that we have some additional demolition money to also target 2.4 25 unsafe imminently dangerous buildings within

- 1 those targeted areas.
- 2 COUNCILMAN GREENLEE: Okay. So, the
- 3 hiring people from the community, that sounds
- 4 like part of Land Care Program. So, I guess we
- 5 just have to work out that's what -- you say
- 6 it's separate, but sounds like some of it is the
- 7 same things, you know.
- 8 MR. PERRI: Yeah. It's a similar
- 9 program. I'm unaware of any cuts or what the
- 10 program is for.
- 11 COUNCILMAN GREENLEE: I know that's not
- 12 your world. Okay.
- In the budget detail, you show
- 14 approximately 54 departmental vacancies. Are
- 15 these in particular areas? Are there plans to
- 16 fill some of those vacancies.
- 17 MR. PERRI: Yeah. I am going to ask our
- 18 Administrative Services Director Kirk McClarren
- 19 to speak specifically on that.
- 20 COUNCILMAN GREENLEE: Thank you. Could
- just state your name for the record, please.
- MR. McCLARREN: Good afternoon. Kirk
- 23 McClarren, Administrative Services Director for
- 24 the Licenses and Inspections.
- In the increment run noted in the budget

- detail, it showed 376 filled positions. We are
- 2 happy to report since that time we are now at
- 3 405. And what helped us get there was the
- 4 recent hiring of 14 additional building
- 5 inspectors two weeks ago.
- 6 COUNCILMAN GREENLEE: What contract? I
- 7 am sorry, I didn't hear.
- 8 MR. McCLARREN: Building inspectors.
- 9 COUNCILMAN GREENLEE: Building
- 10 inspectors. Okay. I'm sorry.
- 11 MR. McCLARREN: In addition to the 14
- 12 new building inspectors, we actually started 10
- 13 new code enforcement inspectors this week on
- Monday. So, we are now at 405. We have some
- more vacancies to fill that will be coming later
- this fiscal year. And we are looking forward to
- 17 that, as well.
- 18 COUNCILMAN GREENLEE: All right. Thank
- 19 you. Lastly for me, at the bottom of your
- written testimony you talk about coordination
- 21 with the Law Department's Code and Public
- 22 Nuisance Litigation Unit. And you say as a
- 23 result, judgments and -- obtained and settlement
- 24 monies collected continue to increase. We
- 25 always like to hear about more money.

approximate figure or how much more will come in 2. 3 because of that operation? 4 MR. PERRI: I can give you some of the 5 historical numbers. 6 COUNCILMAN GREENLEE: Okay. MR. PERRI: Back in 2015, the amount collected was \$949,000. And in 2018, it 8 9 expanded to \$10,004,000. So, it was better than a tenfold increase over four years. 10 11 COUNCILMAN GREENLEE: Okay. You say you 12 work in partnership. The Law Department works 13 in partnership with L&I. Does that mean, like,

Do you have a figure on that or

17 MR. PERRI: Yeah. That's exactly right.

you are trying to get maybe things to court

faster, that kind of thing? Is that what you

- 18 We have a former high level Law Department
- 19 attorney now working for Licenses and
- 20 Inspections --

mean --

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- 21 COUNCILMAN GREENLEE: Okay.
- 22 MR. PERRI: -- running our code
- 23 enforcement unit and the communication. And the
- 24 flow of work from one department to the other
- 25 has improved.

- 1 COUNCILMAN GREENLEE: Okay.
- 2 MR. PERRI: The number of case that are
- 3 now being heard through the court system has
- 4 increased from 5,961 back in 2015 to 8,009 in
- 5 2018.
- 6 COUNCILMAN GREENLEE: Significant
- 7 increase.
- 8 MR. PERRI: We are getting efficiences
- 9 out of the effort.
- 10 COUNCILMAN GREENLEE: It's a shame that
- 11 many violations out there. But maybe as people
- 12 find out that you're taking them to court
- faster, maybe some people will pay more
- 14 attention to the law we hope.
- MR. PERRI: From your lips to God's
- 16 ears.
- 17 COUNCILMAN GREENLEE: I got you. Thank
- 18 you, Commissioner.
- 19 Councilwoman Parker, please.
- 20 COUNCILWOMAN PARKER: Thank you,
- 21 Mr. Chairman. And hello to each of you.
- Let me start Commissioner Perri, for
- one, publicly commending you for your
- 24 responsiveness when we've called on you for
- 25 issues in the 9th Councilmanic District. And

1 you know, I have said in those meetings and I want to say it publicly on the record, you come 2. 3 yourself personally to those meetings. And you can definitely just send a member of your team. So, we want you to know that we appreciate that. 5 6 I also want to give a special thanks to Sarah Kaiser who has hit the ground running. She transitioned this year. She's been very 8 9 patient and responsive. And she's already attended some meetings. Betsy Baldwin, Maureen 10 11 Blaney and Sean Faulkner, he's attending most of 12 our budget briefings and town hall meetings. 13 And the reason why it's important for me to get 14 that on the record is, Commissioner, if they 15 were not responsive, we would be letting you 16 know that, too. So, I think it's important for 17 us to acknowledge when we get it right. 18 I want to start where I left off during last year's budget hearings. And ask you, how 19 20 are we relative to the unpermitted construction 21 activity, illegal car washing locations and 22 night clubs? And as it relates to the illegal 23 conversion of single family dwellings into 2.4 multi-family units, how are we measuring there? 25 MR. PERRI: Yeah. We have our Nuisance

- 1 Property Unit headed by Tracy Ruffin that leads
- 2 up the efforts on illegal nightclubs and other
- 3 illegal occupancies. It's a constant struggle.
- 4 Because we find one today and issue a cease
- 5 operations, and they pop up somewhere else, you
- 6 know, a few weeks later. It's an ongoing effort
- 7 and ongoing commitment to find illegal
- 8 occupancies. And to -- we work closely with the
- 9 police department and shut them down as we find
- 10 them.
- I don't have specific numbers to offer
- 12 to you today. But I can get you a breakdown of
- 13 activities of the Nuisance Property Unit so you
- 14 can see their productivity over the past year.
- 15 COUNCILWOMAN PARKER: I ask that because
- 16 you, members of your team were in the 9th
- 17 District where we had definitely what was a
- 18 tragedy on Walnut Park Drive when plumbing work
- 19 was being done by private contractor who had
- 20 failed to get all of the permitting required by
- 21 L&I. And it did end in a tragedy.
- 22 I know both Councilman Henon and
- 23 Councilwoman Bass have both introduced some
- 24 legislative prescriptions that can hopefully
- 25 move us forward. But for me, I am sounding the

1 alarm to my constituents that skilled labor 2. isn't cheap and cheap labor isn't skilled. when people are making you a offer that you can't refuse, you need to figure out how and why they are able to offer you labor for such a low 5 6 price. With that being said, I want to know how are we working -- when we find unpermitted 8 9 construction activity, are we working with our Labor Department here in the City of 10 11 Philadelphia to sort of make a connection 12 between the misclassification of employees in 13 wage theft? 14 So when L&I goes out and you realize 15 that there is unpermitted construction activity 16 going on, do we then report that information to 17 our Labor Standards Board? 18 MR. PERRI: Yeah. When we find unpermitted work, our reaction is to issue a 19 20 stop work order. When we find through our 21 Audits and Investigations Unit that there is

STREHLOW & ASSOCIATES, INC. (215) 504-4622

If there is folks there that don't have a

unlicensed contractors, we also can shut the job

basic Philadelphia Business license, we make

referrals over to the Revenue Department.

22

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2.4

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1 But our main authority is to do code 2. enforcement as opposed to working with the -with labor to get into the specifics of the -of whether they are getting a living wage or That is really outside of our 5 6 jurisdiction. COUNCILWOMAN PARKER: I want to humbly request, Commissioner, that we potentially look 8 9 into when we find that there is a unpermitted construction activity taking place, that our 10 11 Department of Labor Standards -- and I know that's paper sort of intense. But it ultimately 12 13 costs the City much needed tax revenue. 14 in my district in the 9th, I represent the Olney 15 community, one of the most diverse in the City. 16 And most times, those workers who are 17 misclassified as independent contractors, they 18 often are immigrants who live in the 9th Councilmanic District. And they are being taken 19 20 advantage of. And it's also theft from the 21 City. So, that would be something I would like 22 to see if we can find a way for the departments 23 to just communicate with each other on that 2.4 issue. 25 The next question is that last spring, I

- 1 was pleased that my office worked with you on a
- 2 Bill 180348. That's Mike Fink for your help on
- 3 this one. And it requires dumpsters on private
- 4 property to be enclosed in order to help to
- 5 combat a short dumping.
- 6 How is the enforcement of the bill
- 7 coming along? And in order for it to work, the
- 8 enforcement is key.
- 9 MR. PERRI: Yeah. The way we are
- 10 enforcing that bill is that if we get complaints
- of a dumpster on private property that is a
- 12 constant nuisance that is visible from the
- 13 street and causing a problem, we will issue that
- 14 specific violation.
- 15 We are not going across the City and
- 16 making every dumpster have to be enclosed
- 17 because the vast majority of businesses out
- 18 there are responsible. They do the right thing.
- 19 It's the ones that can't seem to get their act
- 20 together that really need to have to put the
- 21 screening in front of the dumpster in order to
- 22 contain the litter and the debris that comes out
- 23 of them.
- So, we are handling it from a complaint
- 25 basis and from an individual basis depending on

- 1 the severity of the problem.
- 2 COUNCILWOMAN PARKER: Finally,
- 3 Commissioner, talk to us about eCLIPSE. When
- 4 will it be sort of completely up and running?
- 5 MR. PERRI: Okay, eCLIPSE, Project
- 6 eCLIPSE has four phases. The first two phases
- 7 are up and fully operational. The Phase One was
- 8 for business licenses. Phase Two is for trade
- 9 licenses. So anyone in the City of Philadelphia
- 10 that needs to obtain any type of business
- 11 license, can do so online. It's helped us
- 12 reduce the renewal time for key licenses down to
- about five days. It's made it a lot easier.
- 14 We have had about a --
- 15 COUNCILWOMAN PARKER: How long did it
- 16 normally take? You said we are down to five
- 17 days. Prior to this Commissioner, how long did
- 18 it take us?
- 19 MR. PERRI: In some of them, it took
- 20 over two months because we would get a huge
- 21 backlog of mail that would come in because
- 22 people can only renew through the mail or
- 23 waiting in line. And when you get those types
- of backlogs, it takes time to process them. So,
- 25 we are now down to five days for even our

- 1 most -- for even our largest licenses.
- 2 So to answer your question, there is two
- 3 other phases. Phase Three deals with permit
- 4 issuance. Phase Four is for the Inspections and
- 5 Code Enforcement. We are happy to report that
- 6 we are in the final testing phase for the permit
- 7 piece. We expect to be able to issue permits
- 8 before the summer is out. And to, basically,
- 9 wrap up this project by the end of the summer.
- 10 COUNCILWOMAN PARKER: Thank you.
- 11 Thank you, Mr. Chairman.
- 12 COUNCILMAN GREENLEE: Thank you
- 13 Councilwoman.
- 14 Councilwoman Bass.
- 15 COUNCILWOMAN BASS: Thank you,
- 16 Mr. Chairman. Good afternoon.
- 17 MR. PERRI: Afternoon.
- 18 COUNCILWOMAN BASS: I just had a couple
- 19 L&I questions. And I did want to start -- first
- 20 start out by saying, thank you so much for all
- of your hard work, for always being available
- and accessible when we reach out to you and your
- office. It really is a pleasure to be able to
- 24 work with L&I. I worked with a few L&I
- 25 commissioners since I've been here. I think --

- 1 I am trying to think -- probably about three.
- 2 And you know, you've just really done a great
- 3 job as the Commissioner. I just want to say
- 4 that.
- 5 MR. PERRI: Thank you very much,
- 6 Councilwoman.
- 7 COUNCILWOMAN BASS: You're very welcome.
- 8 And now for the questions.
- 9 Can you talk to me about the number of
- 10 building collapses here in the City of
- 11 Philadelphia? And we had introduced a bill that
- 12 would support increase funding for more
- inspectors to inspect active job sites, and also
- to do, you know, to enforce stop work orders.
- 15 And we had talked a little bit about this. And
- 16 I am just trying to get your perspective on how
- 17 this could potentially affect construction here
- in the City of Philadelphia.
- 19 I think that the number of building
- 20 collapses that we are seeing is of great
- 21 concern. And I know that you all are working
- 22 hard to address it. But I do think that we have
- 23 to put more money in for inspectors, for the
- 24 stop work orders, you know, for enforcement.
- 25 And if you could just speak to that a little, I

- 1 know you did make some remarks about it in your
- 2 opening comments. But anything additional that
- 3 you would like to say on that?
- 4 MR. PERRI: Yeah. So in terms of the
- 5 overall staffing for the department, we
- 6 increased from the start of this Administration
- 7 to where we are now from 42 to 74 building
- 8 inspectors to do the construction inspections.
- 9 It's a 76 percent increase. The -- we are
- 10 concerned about the recent collapses that have
- 11 occurred.
- 12 COUNCILWOMAN BASS: Right.
- 13 MR. PERRI: In any given year, our
- 14 Emergency Services Unit, they respond to about a
- 15 thousand complaints that we get or a thousand
- 16 service requests for a wide variety of
- 17 structural issues. A relatively common one,
- 18 believe it or not, is a vehicle driving into a
- 19 building. But we also respond to full collapses
- or materials falling from a building. So, the
- 21 total population is about a thousand.
- 22 COUNCILWOMAN BASS: Okay.
- 23 MR. PERRI: What we found interesting
- 24 with what we are seeing now is basically related
- 25 to excavation failures. And this has been

- 1 trending upward over, I would say, about the
- 2 last 15 months. And to give you the basic
- 3 background, what we think is behind this is the
- 4 parts of the City have experienced record
- 5 amounts of rainfall over the past 15 months.
- 6 And what that does is it saturates the soil. So
- 7 if you're excavating, if you are digging a
- 8 trench, if you are digging out a basement to
- 9 create additional living space, when the soil is
- in a saturated condition, that type of operation
- is far more dangerous than it otherwise would be
- if those conditions are dry.
- So, the recent collapses that we have
- 14 seen -- and there were two pairs of houses that
- 15 had -- that collapsed and to be demolished,
- 16 Fishtown and Kensington. Both of those were
- 17 related to the developer digging out the
- 18 basement. So, they weren't demo jobs. These
- 19 were jobs in which developers went and dug out
- 20 the basement. And what they did, they did not
- 21 underpin the seller, the basement wall.
- 22 COUNCILWOMAN BASS: So, can I ask you a
- 23 question.
- MR. PERRI: Basically, caused the
- 25 collapses to occur.

1 COUNCILWOMAN BASS: When we have heavy amounts of rainfall, do we do anything on the 2. permits that are issued, say, from this time 3 period until this time period because of the 4 saturation. We should not, you know -- is that 5 a part of the thought process at L&I that maybe 6 we should not issue the permits to allow that type of construction? 8 9 MR. PERRI: Well, it's the kind of thing 10 that if you had a competent engineer on the job and we require that, when you are doing 11 12 underpinning work --13 COUNCILWOMAN BASS: Right. Then it 14 would make a difference. 15 MR. PERRI: -- they can recognize and 16 understand what need to do. 17 COUNCILWOMAN BASS: Okay. 18 MR. PERRI: The problem comes up when the contractor -- the developer looking to --19 looking to save a buck, cut corners. And they 20 21 go and do this work because it's a lot cheaper 22 to do it without engineering oversight than it 23 is to do it the right way. So for instance, if you're digging out a 2.4 25 basement, basically you got to do it -- you have

1 to do it in three separate stages. So, you're 2. digging out a piece below the wall, you have to pour concrete. You dig out another piece, you 3 pour the concrete, and then you go onto a third 4 section. 5 6 So, it's basically causing -- if you are to do it right, it will be about three times the cost of some of these excavations --8 9 COUNCILWOMAN BASS: Okay. MR. PERRI: -- that we are seeing in 10 11 which the contractors, out of greed and 12 ignorance, are taking shortcuts and putting the public at risk. 13 14 COUNCILWOMAN BASS: Let me ask you 15 another question. So, one of the situations 16 that happens in my district on Johnson Street, I 17 think the 500 block of East Johnson Street. Your office was right on the scene when we 18 realized that the collapse was happening. 19 But it seems as if the contractor or the 20 21 developer through the contractor may have, you 22 know, exceeded the scope of services that was 23 supposed to be performed on the site based on the permit. So, they said that they were going 2.4

to do one, and they went beyond that. And that

25

- 1 caused the collapse. And again, when you don't
- 2 have the level of experience that you need on
- 3 the job, that that's actually what happened.
- 4 And so, how do we prevent those sorts of things?
- 5 I know you can't have an inspector on every site
- 6 at every time at every moment.
- 7 But how do we get in front of folks who
- 8 are, you know, well, L&I is not here. They
- 9 won't know that I did X, Y and Z. And the next
- 10 thing you know, the whole dog on thing came
- down.
- MR. PERRI: Yeah. That's a great
- 13 question, Councilwoman. So what our strategy
- is, it's multifaceted is what we are trying to
- 15 do.
- 16 First of all, when a -- when a builder
- or developer causes a collapse, we have to treat
- that as more than just a building code
- 19 violation. So, we have reached out to the
- 20 District Attorney's Office.
- 21 COUNCILWOMAN BASS: Okay.
- MR. PERRI: And they are interested in
- 23 these type of failures because if there were
- 24 injury or death that would have occurred, there
- 25 certainly would be a criminal investigation.

1 Just because the developer or contractor got 2. lucky and didn't kill or harm anyone, doesn't make his intent any less egregious. So, we have developed a relationship with District Attorney 4 Larry Krasner. We sent two recent cases over 5 6 there for criminal investigation. So, we need to really raise the bar. That if you are going to make -- you're going to willfully knowingly 8 9 try to beat the process by doing work outside of the scope of permit, you got to realize that 10 11 there is really extreme implications for that. 12 We are also revoking the contractor's 13 license. And in our budget request for 14 additional personnel and resources for our 15 audits and investigations, they will be doing 16 audits of contractors' business practices. 17 what we believe happens out there, there is a correlation between how a contractor runs his or 18 her business and the competency of the job site 19 and the safety of the job site. 20 21 So, we have contractors that are hiring unlicensed subs, that are hiring day laborer, 22 23 that are not hiring folks that are OSHA certified, that aren't keeping up with their 2.4 25 insurance. We are trying to approach it from

- 1 that perspective. And those kind of activities,
- 2 those type audits are not something that the
- 3 normal building inspector who is out there to
- 4 look at the physical structure can do.
- 5 So, we are greatly beefing up what our
- 6 Audits and Investigations Unit does.
- 7 COUNCILWOMAN BASS: Okay.
- 8 MR. PERRI: And we are hoping that that
- 9 method will lead to better compliance throughout
- 10 the industry.
- 11 COUNCILWOMAN BASS: Now, when you say
- 12 you are beefing up the audits and
- investigations, that was actually my next
- question was around, you know, inspectors who
- 15 are out in the neighborhood. When I am driving
- through my district, as you know, I can be on
- 17 the phone with you for, like, the entire time
- 18 just kind of reporting and checking in about
- things that don't look right, that probably
- 20 shouldn't be. Nine times out of ten, we are
- 21 accurate in that assessment.
- And so, when you're doing your audits,
- 23 how does that happen? And are there inspectors
- that basically walk a beat or how do they go out
- and recognize the illegal construction that's

- 1 happening. There is just so much of it.
- 2 And I think that one of the problems
- 3 that we have is as a City, you know, prior to
- 4 you or the last Commissioner, there just has not
- 5 been the level of enforcement, you know, for the
- 6 last few decades here in the City of
- 7 Philadelphia. It's not just L&I. It's across
- 8 the board and so many different departments.
- 9 You know, we just don't have the ability to
- 10 enforce all of the rules and regulations. And
- 11 so, people feel like they can just kind of do
- 12 what they want to do.
- 13 So, can you talk a little bit about
- 14 that?
- 15 MR. PERRI: Yes. A typical -- our
- 16 regular building inspectors, their job, their
- 17 typical work day is involved in getting calls
- 18 from the permitted jobs to do code required,
- 19 legally mandated inspections. So, most of their
- 20 day is taken up with appointments. They need to
- 21 be somewhere at a certain time. They need to
- 22 perform certain inspection. They have very
- 23 little time in their regular day to do
- 24 patrol-type inspections.
- 25 But what we have reestablished in the

1 department was patrol inspections on weekends to look for unpermitted work. The Audits and Investigation Unit, they weren't originally charged with looking at the scope of work that's 5 occurring, but we have added that to their list 6 of duties that they are going to do. The other key thing out there is regardless of how many people we put out on the 8 9 street, there is 2500 miles of roadway in Philadelphia. We can't see it all. 10 So, what we 11 are trying to do -- and part of this idea came 12 out of working with your office -- is to develop 13 better relationships with community leadership 14 who can give us information on where shady 15 construction is occurring or where work is 16 occurring and no permits are posted. 17 COUNCILWOMAN BASS: Right. 18 MR. PERRI: And we've been very 19 successful recently in an area and a group 20 called the River Wards Coalition. They've been 21 giving us some really good information that has led us to us finding basement digouts without 22 23 permits and other unlicensed or unpermitted 2.4 activity. And when the time comes, we would 25 like to try to replicate that type of effort,

- 1 that type of relationship with community
- 2 leadership up in Northwest Philadelphia because
- 3 that's an area of the City that we are starting
- 4 to see an increase in construction activity.
- 5 So, the same issues that occur in Fishtown and
- 6 Point Breeze are going to occur in other areas.
- 7 The time we want to be ready for and forge those
- 8 relationships.
- 9 So, we have a -- we have a methodology
- 10 that we are working with the community groups up
- in Fishtown. We need to also do the same thing
- down in the Point Breeze area. And the third
- one, the next one to go would be up in Northwest
- 14 Philadelphia.
- 15 COUNCILWOMAN BASS: I really appreciate
- 16 that, and I appreciate your approach to, you
- 17 know, making sure you reach out to folks in the
- 18 community, and that they are a part of reporting
- what is happening in the neighborhood because
- 20 they know best.
- 21 And you know, we -- I called you
- 22 recently about something that was just really
- 23 strange and odd. There was, you know, somebody
- 24 who, you know, in a single family house, it was
- 25 like a twin on the side. They put in, like,

- 1 kind of carved out a door and made out another
- 2 apartment. Like, all kind of crazy things. It
- 3 looked like a homemade fire escape of some sort.
- 4 It's like, did no one in the neighborhood see
- 5 this happening, you know, when it was happening,
- 6 when it was being constructed? Of course people
- 7 did, but nobody said anything.
- 8 So, I really do applaud you for making
- 9 sure you reach out and connect with the folks in
- 10 the neighborhood who are paying attention by
- 11 going to community meetings and letting folks
- 12 know, you know, kind of like if you see
- 13 something, say something even on these kind of
- 14 projects. We need to know what is happening.
- But I thank you for your work.
- MR. PERRI: You're welcome.
- 17 COUNCIL PRESIDENT CLARKE: Thank you.
- 18 MR. PERRI: Like I said, the idea to
- 19 forge these kinds of we are calling it,
- 20 Community Code Enforcement Initiatives really
- 21 came out of working with you and the interns
- that you put together.
- 23 COUNCILWOMAN BASS: Oh, great.
- 24 MR. PERRI: We did some business
- 25 surveys. Said hey, you know what, we can do

- 1 forced multiplication by establishing strategic
- 2 relationships with community leaders, so.
- 3 COUNCILWOMAN BASS: Great.
- 4 MR. PERRI: That gives us eyes on the
- 5 street. The people in the neighborhood are
- 6 there 24/7. Our building inspector, if he gets
- 7 down the street for a five-minute look once
- 8 every week, is certainly not going to see what
- 9 the community sees on a regular basis.
- 10 COUNCILWOMAN BASS: That's right.
- 11 COUNCIL PRESIDENT CLARKE: Thank you.
- 12 COUNCILWOMAN BASS: Thank you,
- 13 Commissioner.
- 14 COUNCIL PRESIDENT CLARKE: Thank you.
- 15 Thank you, Councilwoman. Thank you,
- 16 Commissioner.
- 17 Chair recognizes Councilman Henon.
- 18 COUNCILMAN HENON: Thank you,
- 19 Mr. Chairman and President.
- 20 Commissioner, thank you for your
- 21 testimony. And I, too, want to echo a lot of
- 22 what my colleagues had said about the job that
- 23 you chose to take as a high level public servant
- the City of Philadelphia for many years. The
- 25 daunting task of reforming our L&I department

- and making the processes work for the people in
- 2 a safe and productive manner.
- 3 That being said, I just wanted to --
- 4 said I think we are in the right direction. I
- 5 want to state that in 2013, Mayor Kenney who
- 6 then was Councilman Kenney and myself and this
- 7 body passed a law that made certain
- 8 requirements. And it made the distinction clear
- 9 in writing what was -- who was legally allowed
- 10 to be on the job site performing work. You were
- 11 either a licensed contractor or an employee of a
- 12 licensed contractor. So, 1099 is out of the
- 13 equation.
- So, you are a licensed contractor.
- Which means you have to have all your business
- licenses, tax ID number, insurance and many
- 17 other requirements; is that correct?
- 18 MR. PERRI: That's correct, yes.
- 19 COUNCILMAN HENON: And what is required
- of an employee of a licensed contractor? Can
- 21 you -- can you explain that?
- MR. PERRI: Yeah. We don't go
- 23 specifically into what the employees
- 24 relationship is. But if you are on the job
- site, you have to be shown as an employee of the

contractor. You have to have an OSHA 10 1 certificate. If you are doing specific skilled work, you need to be licensed or certified in that specific area. We don't get into looking 4 at whether or not the employee has paid taxes. 5 6 That would come under another department. But we do make sure, and exactly as you said, there are no 1099s. You are either a direct employee 8 9 or you are a contractor yourself. COUNCILMAN HENON: And this is in 10 11 efforts to crack down on the independent 12 contractor scams that's been going on that's been defrauding -- defrauding our City in tens 13 14 of millions of dollars yearly on what we are calling now over the past several years the 15 16 underground economy. 17 Is -- would that be a fair assessment? MR. PERRI: Yeah. I don't have an 18 estimate on how much money is left uncollected 19 20 by contractors that are unlicensed that pay 21 their employees in cash, that don't pay the 22 City's wage tax. That would not be a number 23 that I would be privy. So in that 2013 2.4 COUNCILMAN HENON:

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legislation, it also states that somebody who

1 pulls a permit cannot sell that permit to 2. somebody who is not licensed and doesn't pay taxes and is not OSHA trained and doesn't have any employees. There -- it's the cash business 4 that we are calling the underground economy. 5 6 So, would that be a fair -- fair 7 Third party permits are illegal? statement. MR. PERRI: Yeah. We detest that type 8 9 of relationship. If we give you -- if you receive the privilege of a contractor's license, 10 11 you have to act like a contractor. You can't go 12 and sell it to a third party and abuse the 13 system. 14 COUNCILMAN HENON: Right. 15 MR. PERRI: And that's one of the prime 16 focuses of our audit and investigations unit is 17 they will look for contractors that get licensed 18 and show that they have no employees. And then, those jobs come up to the top of the list of the 19 ones that need to be audited. Because if you 20 don't have any employees and you're not doing 21 the job yourself, then who are these subs? 22 23 are these people on the job site? COUNCILMAN HENON: So with that 2.4 25 legislation in 2013, there is also some other

1 requirements by law and -- including posting the signs of licensed contractors, whether they are a general contractor and prime contractors and subcontractors on the job site in visible view of the general public. 5 6 Is that, to your understanding, correct? MR. PERRI: Yeah, that is correct. COUNCILMAN HENON: And so, what is the 8 9 checklist of an inspector when they go out to a What do they -- what do they look for? 10 11 This is law. Do they look for these 12 points of interests or these -- are they looking 13 to -- can they write violations for laws that 14 are on the books that need to be enforced when 15 they visit a job site. 16 MR. PERRI: Well, building inspectors 17 that are there to do the permit inspection, their primary focus is to look at the finished 18 19 product, to look at the product that's being 20 built. They really do not have the time or the skill set to go look at what the relationships 21 22 are in terms of the subcontractors on the job. 23 That's why we created this Audits and 2.4 Investigations Unit who will go out separately

and can look at the business practices.

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1 So, we have tried to clearly separate 2. the construction inspection from the review of the business practice. 3 COUNCILMAN HENON: So, let me fast 4 forward. And I am going to go back and forth 5 6 and start to put things into context, all right, on what I call us leaving a whole lot of money on the table where we are being defrauded as a 8 9 City of its revenue that we deserve. Earlier this year, I introduced a bill 10 11 and a resolution to have hearings on increasing 12 the amount of inspectors. Now, it's a mandatory 13 minimum, all right. That is negotiable. 14 it's a ridiculously high number of 800. understand that. I understand that. But it 15 16 also -- it also creates a contractor review 17 board, which is something similar to your Audits and Investigation Department. But I feel we 18 don't have enough inspectors. As you are just 19 20 indicated, you don't have enough time. 2.1 Do you know how many properties are in 22 the OPA address for the City of Philadelphia, 23 roughly? 2.4 MR. PERRI: It's around 550,000.

COUNCILMAN HENON:

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That's correct.

Like

- 1 570,000-some OPA addresses in the City of
- 2 Philadelphia. And we just had an increase of
- 3 74 percent in our inspectors to 74 on the
- 4 commercial side; is that correct?
- 5 MR. PERRI: That's on the building
- 6 construction inspection.
- 7 COUNCILMAN HENON: That's 74. And you
- 8 get a thousand complaints on properties. My
- 9 point is, you have almost 600,000 properties
- 10 addresses in the City of Philadelphia. You have
- 11 a very competent, overworked, understaffed
- 12 enforcement in L&I and not enough time to even
- look and ask if there's a sign, to write a
- 14 violation, to report a violation or the
- technology to do so and turn it back into
- 16 revenue so we can capture this revenue.
- 17 So, I'm very concerned with that. In
- 18 your budget, in your conversation here, you say
- 19 that you collect \$66.2 million; is that correct?
- 20 MR. PERRI: That's correct. That's for
- 21 last year.
- 22 COUNCILMAN HENON: \$66.2 million. What
- is your operational budget? Is that, like,
- 24 around 28, 27 million dollars?
- 25 MR. McCLARREN: Good afternoon,

- 1 Councilman. Kirk McClarren, Administrative
- 2 Services Director. The proposed FY20 budget is
- 3 approximately 40.6 million.
- 4 COUNCILMAN HENON: Okay. Great. Of
- 5 that, what is demolition?
- 6 MR. McCLARREN: Demolition is just under
- 7 11 million.
- 8 COUNCILMAN HENON: Okay. So, just under
- 9 11 million. So, take 46. Now you are just
- 10 under 30, you are around there, you know, give
- or take. Almost 600,000 properties, calls, not
- 12 enough time, overworked. Where do your
- inspectors -- do you have remote satellite
- 14 offices?
- MR. McCLARREN: Yes, we do.
- 16 COUNCILMAN HENON: Where is your main
- 17 touch down for inspectors? MSB building?
- 18 MR. PERRI: Talking about where the
- 19 busiest district is or --
- 20 COUNCILMAN HENON: Just where do they
- 21 go?
- MR. PERRI: They -- they -- they go to
- 23 their respective district.
- 24 COUNCILMAN HENON: Okay. Point is, I'm
- 25 just trying to say, we are over-congested with

1 traffic and construction in the City of 2. Philadelphia. I can probably get down from the northeast twice in a day if necessary, and that's just me with a lot of things. I can't 5 imagine the caseload that each inspector has 6 trying to do the thing. Because I consider them first responders at the highest level, keeping our public safe and the general public property. 8 9 And human lives at, you know, at the forefront of their responsibility. And they 10 11 really do the yeoman's work, I mean, job of the 12 City of Philadelphia. They don't get enough credit. I don't think we have enough. I do 13 14 think more inspectors, much more than 10. I 15 know you are talking about a 10 specialty for 16 investigations and audits, which I think is 17 totally necessary. Because somebody who is up in age who has a license and applies for a 18 permit and has no employees is being paid off 19 20 somewhere, right? Now, not -- I am talking about third 21 22 party permits. I'm talking about the 23 underground economy. I'm talking about people 2.4 who, you know, who just come into our City who

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want to deprive our City of revenue. Who want

- 1 to deprive our City of registration. Who want
- 2 to deprive our City of public safety. We are
- 3 leaving money on the table in millions when we
- 4 have to foot the bill for those and penalize
- 5 people who are doing the right thing. So, all
- 6 the permits -- you talk about permits going up.
- 7 How many permits have been pulled in the
- 8 City of Philadelphia? Or do you anticipate in
- 9 FY -- this up -- FY20.
- 10 MR. PERRI: How many permits we expect
- 11 in FY20?
- 12 COUNCILMAN HENON: Increase of
- 13 30 percent?
- MR. PERRI: I would say we will probably
- do about 60,000 permits.
- 16 COUNCILMAN HENON: Okay. So, you have
- 17 an increase this year. A 10 percent increase
- 18 last year. And a 6 percent increase the year
- 19 before. That's gradually going up in permit.
- They are all people who maybe not all truthful
- on, you know, the dollar amount on the permits.
- 22 But they are abiding by the law by pulling it,
- 23 the permit. And that increase is trending with
- the total economy.
- 25 Would that be a fair statement?

1 MR. PERRI: That sounds reasonable. 2. COUNCILMAN HENON: So, we're having this 3 increase of construction. You are generating \$66.2 million. How many of that revenue that 4 5 you generate is from permits, licenses or any 6 other kind of revenue, like, fines or fees? MR. PERRI: I can give you a full break I don't -- we don't have it available 8 down. 9 I would say roughly 50/50 between permits here. and licenses. But we will be happy to give you 10 11 that breakdown. 12 So, your budget COUNCILMAN HENON: 13 operational for understaffed inspectors is --14 and other complimentary and professional staff 15 is just under \$30 million. What happens to the 16 other \$30 million? 17 MR. PERRI: All the money that the 18 department collects goes into the General Fund. But we also, we had talked about our 19 20 relationship with the Law Department. 21 fund employees out of other departments that aren't included in our headcount for L&I. 22 23 COUNCILMAN HENON: So, speaking of Law Department, did you -- how many violations, how 2.4

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many cases? Do you get a report from Law on

- 1 violations that go to court?
- 2 MR. PERRI: Yeah. I just got a report
- 3 with total number of cases and the amount of
- 4 fines collected and judgments obtained, money
- 5 collected in municipal court. It's a pretty
- 6 comprehensive breakdown which I will package up
- 7 and provide your office.
- 8 COUNCILMAN HENON: Would you provide
- 9 that for the Chair.
- MR. PERRI: Sure.
- 11 COUNCILMAN HENON: In the 2013
- 12 legislation that is trying to cut down on
- illegal and unscrupulous activity and holding
- 14 people accountable for work safety and for taxes
- and revenues and so forth, another part or
- 16 companion piece of legislation is the private
- 17 right of action.
- 18 MR. PERRI: Correct.
- 19 COUNCILMAN HENON: So, has our
- 20 Solicitor's Office exercised the tool as a
- 21 private right of action for founded -- as you
- 22 were talking to, having a conversation with
- 23 Councilwoman Bass, you know, how successful the
- 24 River Wards have been? And taking it up to in
- 25 Mt. Airy or other jurisdictions in the City, has

1 the Law Department made a decision in, you know, 2. taking people or utilizing the private right of 3 action tool that we have that you are aware of? MR. PERRI: I haven't had those 5 discussions with the Law Department about using 6 private right of action. I couldn't comment on that. COUNCILMAN HENON: This is a 8 9 six-year-old bill that has a tool that will help L&I and help the people and save. So, we have 10 had an increase, I think, as you have people, 11 12 other members have been talking about, on articles on studies on collections of the 13 14 underground economy and how much cash and 15 unscrupulous work that's being performed and 16 putting people in unsafe conditions have. 17 know, we have them here. 18 So we have enough. We have enough 19 evidence. We have enough data. We just -- I 20 think, we need to make it a priority to utilize 21 the tools that we do have. Somebody goes on the 22 job site, take a look for the sign, see who the 23 contractors are. See if somebody is paying, see if somebody is licensed or not licensed, they 2.4

have OSHA. Are we utilizing our private right

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of action that was created back in 2013 and fast 1 forward now with the amount of inspections. have a stabilized budget for the first time in a long time. And as some of the colleagues are saying, one of the first things that go when we 5 have a downtown in the economy is staff and the 6 workforce in departments in the City of Philadelphia. 8 9 So, we have always cut in departments. 10 We can't cut anymore. We have a stabilized 11 budget. We have the opportunity to prepare for 12 ramping up our enforcement for our first 13 responders in L&I, overworked, all right, but 14 working hard, extremely vital and critical 15 enforcement in our neighborhoods but not just 16 construction but property maintenance. Average 17 house in our neighborhoods is 82 years old. 18 That's -- that goes to our property maintenance inspection, as well, including some of these 19 20 houses when you are doing these constructions. 21 So, we have an opportunity while over the next five years, \$225 million increase in 22 23 our wage and net profit tax. \$225 million over 2.4 five years. You are collecting 66 million, 30 25 goes back into the General Fund. How about

1 least put back into L&I, right, because that's 2. only keeping us safe. That's only expanding us to, you know, allowing us to grow as a City to lift people out of poverty, make sure that 4 people are getting real sustainable jobs. 5 6 So, I would encourage that, you know, we continue to have a conversation, a dialogue on what is the minimum requirement amount of 8 9 inspectors that we need as a City to sustain the type of growth that we've been seeing. 10 11 I'll wait for the next round. 12 Thank you. 13 COUNCIL PRESIDENT CLARKE: Thank you, 14 Councilman. 15 (Applause.) 16 Thank you. 17 Chair recognizes Councilwoman Blackwell 18 COUNCILWOMAN BLACKWELL: Thank you, Mr. President. 19 20 I, too, wanted to thank the 21 Commissioner, his department. There is always 22 myriad of issues and different seasons bring 23 different problems. Like right now, we are getting a lot of calls on these rooming houses. 2.4

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And we call. And we always get -- we always get

- 1 help from the department, and we are grateful
- 2 for that. And we certainly are supporting that
- 3 your department gets everything it needs. Who
- 4 cannot be in support of that.
- 5 So again, we say thank you very much.
- 6 COUNCIL PRESIDENT CLARKE: Thank you,
- 7 Councilwoman.
- 8 Chair recognizes Councilwoman Reynolds
- 9 Brown.
- 10 COUNCILWOMAN REYNOLDS BROWN: Thank you.
- 11 COUNCIL PRESIDENT CLARKE: Welcome.
- 12 COUNCILWOMAN REYNOLDS BROWN: Good
- 13 afternoon, Commissioner.
- 14 MR. PERRI: Afternoon.
- 15 COUNCILWOMAN REYNOLDS BROWN: My
- 16 personal opinion, you are one of our superstars.
- 17 Just saying.
- 18 MR. PERRI: Thank you.
- 19 COUNCILWOMAN REYNOLDS BROWN: And I need
- 20 you to know that my staff and I appreciate all
- 21 that you do. And we are going to add to your --
- 22 add to the elephants on your back.
- 23 You are aware that we've been working
- 24 hard for the last 18 months looking at this
- 25 issue called lead.

- 1 MR. PERRI: Yes.
- 2 COUNCILWOMAN REYNOLDS BROWN: And you
- 3 also are aware that in Rochester, we learn that
- 4 every rental property is subject to regular
- 5 inspection by the City's department of L&I. In
- 6 fact, officials in Rochester told us that every
- 7 single rental property in the City is at
- 8 least -- every six years they conduct
- 9 inspections in Rochester. Rochester is a far
- 10 smaller city. We know that.
- 11 So given that simply as a backdrop, how
- many violations has your department issued for
- 13 rental properties in the past year that
- 14 specifically relate to lead? And if you can
- 15 tell us, of those --
- 16 MR. PERRI: Councilwoman, what the
- department, our response when we do an
- inspection related to lead, we would report on
- 19 chipped paint and refer that over to the Health
- 20 Department. We don't specifically do the lead
- 21 inspections ourselves.
- 22 COUNCILWOMAN REYNOLDS BROWN: Health is
- 23 responsible for doing the lead inspections?
- 24 MR. PERRI: Right. If we do, our
- inspectors are instructed that should they see

- 1 chip paint, to make that referral over. Then
- 2 the Health Department goes out and would do the
- 3 specific lead inspection.
- 4 COUNCILWOMAN REYNOLDS BROWN: How are
- 5 those violations ordinarily brought to your
- 6 attention, the issue of chip paint? How might
- 7 they come to the attention of you and your
- 8 professionals at your department?
- 9 MR. PERRI: Typically, we operate on a
- 10 complaint basis. So we -- the department has
- 11 never operated to where we have done regular
- inspections of dwelling units. If someone calls
- and says that they have an issue within their
- dwelling unit, we will do the inspection. We
- 15 will look at the specific complaint that comes
- 16 in. But we are driven -- we are on a complaint
- driven process to do our inspection for housing.
- 18 COUNCILWOMAN REYNOLDS BROWN: And are
- 19 you able to track or do you have the capacity to
- 20 track of those complaints, how many are actually
- 21 registered by tenants?
- MR. PERRI: Yes. We -- I believe we can
- 23 do that.
- 24 COUNCILWOMAN REYNOLDS BROWN: If you can
- 25 provide that would be terrific. We have moved

- 1 three lead bills. And we have the more
- 2 controversial one. And we are still trying to
- do our homework. So, that information would be
- 4 useful.
- 5 MR. PERRI: Okay.
- 6 COUNCILWOMAN REYNOLDS BROWN: What is
- 7 the difference between a regular rental license
- 8 and a highrise license? This is related to
- 9 another hearing we had in the Committee on
- 10 Aging.
- 11 MR. PERRI: The highrise license, that's
- 12 a per square foot charge on every highrise
- 13 building in the City of Philadelphia regardless
- of how it is being used. So in order to collect
- that money, and that money is used specifically
- 16 to pay for a full life safety inspection of the
- 17 building in the common areas. That revenue is
- 18 collected through the issuance of what we know
- 19 as a highrise license.
- 20 So, there is always a rental license.
- 21 COUNCILWOMAN REYNOLDS BROWN: Yes
- MR. PERRI: Which is separate and
- 23 different from the highrise license. Which is
- 24 paid if a unit is being rented out by the
- 25 particular unit owner or by the building owner.

1 COUNCILWOMAN REYNOLDS BROWN: And with the highrise license, is there some designation 2. or some threshold by which you all should know that that high rise has as its tenants, seniors, the disabled, those who are vulnerable? 5 6 MR. PERRI: Yeah. We wouldn't. specifically know that. We would not have a database of the -- of a more granular 8 9 description of the building occupants. COUNCILWOMAN REYNOLDS BROWN: Might that 10 11 be useful information? The only reason why I'm 12 asking is that in the crisis that took place in West Philadelphia at 3801 Conshohocken, it was a 13 14 surprise to folk that -- well, to the Office of 15 Councilman Jones and myself, that most of the 16 tenants were actually senior and those who were 17 disabled. Although the building itself, well, 18 we learned later that the building was not in 19 compliance. 20 But so, the discovery was tenants were seniors and those who were disabled. 2.1 MR. PERRI: Yeah. I think it's -- I 22 23 think you have a good there, Councilwoman. perhaps within our highrise license, we can 2.4 25 start pulling out and asking for some

- 1 information about what the occupancy actually
- 2 is. So we can say we have so many that are
- 3 commercial, so many that are residential, so
- 4 many that are -- that cater to certain
- 5 demographics such as age or disability or, you
- 6 know, however other ways --
- 7 COUNCILWOMAN REYNOLDS BROWN: That
- 8 demographic is.
- 9 MR. PERRI: Right.
- 10 COUNCILWOMAN REYNOLDS BROWN: That's a
- 11 helpful affirmation. Because we were thinking
- 12 that therein lies the gap in the system. And
- 13 knowing that would be useful to the Fire
- Department and others who, ultimately, had to
- 15 come onto that site.
- 16 MR. PERRI: Yeah. That is -- that would
- 17 be very helpful. We would -- it would certainly
- 18 raise the level of awareness and need to
- 19 respond --
- 20 COUNCILWOMAN REYNOLDS BROWN: Yes.
- 21 MR. PERRI: -- if we knew we had a
- 22 highrise with elderly people in there that all
- of the sudden was without power. I mean, that's
- 24 a far more critical crisis than if it was an
- 25 office building.

1 COUNCILWOMAN REYNOLDS BROWN: Exactly right. And I might add that we did put on the 2. record that the Office of Emergency Planning, Emergency Service, the Fire Department and L&I 5 really worked like an orchestra and a song to 6 move those residents out of there. It was horrific. My last question related to this, 8 9 because the bell has rung, does your department have a method for flagging a lapsed rental or 10 11 highrise certification? MR. PERRI: Yes. We know which ones are 12 13 current. We know which ones are expired. 14 COUNCILWOMAN REYNOLDS BROWN: Okay. All 15 right. Thank you for that. 16 MR. PERRI: Sure. 17 COUNCILWOMAN REYNOLDS BROWN: Thank you, 18 Mr. President. 19 COUNCIL PRESIDENT CLARKE: Thank you, Councilwoman. 20 2.1 Chair recognizes Councilman Greenlee. 22 COUNCILMAN GREENLEE: Thank you, Mr. President. Good afternoon again. 23 2.4 MR. PERRI: Afternoon.

COUNCILMAN GREENLEE: These questions

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1 are going to ask -- relayed to me by Councilman 2. Domb who couldn't come today. He usually has 3 some questions. I will relay them to you. First, he says the Community Development 5 Fund is proposed to allocate only 490,000 6 towards building inspectors in FY20. He says the total amount granted by the Federal Government to the City is 42.5 million. 8 And his 9 question is, why aren't we allocating more from this grant towards hiring more building 10 11 inspectors. 12 MR. McCLARREN: Good afternoon, 13 Councilman. It's correct that our proposed FY20 14 budget has about 490,000 in CDBG funding that is 15 consistent with recent years. It supports eight 16 building inspector salaries. The reason why that's a -- it's a number that is somewhat 17 18 limited by the requirements of that funding. For example, the building inspector 19 salaries that CDBG funds, those inspectors are 20 in our contractual services unit which 2.1 22 coordinates the demolitions of imminently 23 dangerous properties. If I'm not mistaken, I 2.4 believe there are requirements as to working in

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certain low income census tracks of the City. I

- 1 can't speak to the total amount the City
- 2 receives, but ours has been about half a million
- 3 annually for a while.
- 4 COUNCILMAN GREENLEE: So, it's pretty
- 5 consistent what it's been?
- 6 MR. McCLARREN: Yes.
- 7 COUNCILMAN GREENLEE: Okay. Second
- 8 question -- again, I'm not familiar with this --
- 9 but Chapter 19, Section 3000 of the Philadelphia
- 10 Code he said requires any department that issues
- 11 permits or licenses to file an annual report
- 12 with the Chief Clerk of Council by January 31.
- 13 And he was -- his question is, has the
- 14 department submitted this report?
- 15 Again, I'm not -- just relaying the
- 16 question. I'm not familiar with it.
- 17 MR. PERRI: Yeah. Given the look of
- 18 surprise on both of our faces, I would say we
- 19 haven't submitted that. We will take a look at
- 20 that, Councilman.
- 21 COUNCILMAN GREENLEE: Okay. Maybe I
- 22 will have the Councilman's office get back to
- 23 you and forward whatever that --
- 24 MR. PERRI: We may already be doing
- 25 something similar to that. I will have to check

- 1 the details and see if we are complying. And if
- 2 we are not, will find out why not.
- 3 COUNCILMAN GREENLEE: Okay. All right.
- 4 Thank you. And his final question is, and I am
- 5 sure he knows a lot about this issue.
- 6 He said there are 40,000 unlicensed
- 7 rental properties in Philadelphia. How is L&I
- 8 working to identify these properties -- I know
- 9 the question was brought up already -- and
- 10 bringing them up to code and get them licensed?
- Is there a particular program or has it
- intensified? And is that figure about what you
- 13 understand?
- 14 MR. PERRI: I think that number is on
- 15 the high side. We just ran some numbers. And I
- 16 may have it here. So, if you followed the
- 17 American Community Survey, which is basically
- 18 the Census Bureau analysis of how folks live in
- 19 Philadelphia and live throughout the country,
- 20 they report that there is 282,000 rental units
- 21 in the City of Philadelphia.
- We have issued 251,000 licensed -- we
- have issued licenses that cover 251,000 units.
- 24 So, the gap is about 31,000. Now, it needs to
- 25 be adjusted because our numbers don't include

- 1 PHA. There is about 13,000 PHA numbers, our
- 2 units that are out there. But we also have to
- 3 take out hotels.
- 4 Long story short, we believe that we
- 5 moved the needle from about 79 percent of all
- 6 the rental properties in Philadelphia to most
- 7 recently up to about 85 percent. And part of
- 8 that is, is responding to complaints. Part of
- 9 it is with the make -- with bringing eCLIPSE
- 10 online.
- 11 COUNCILMAN GREENLEE: I was going to
- 12 say.
- 13 MR. PERRI: There is easier way for
- 14 folks to obtain their licenses. Less of a
- 15 built-in disincentive to bypass that process.
- 16 We believe we are heading in the right
- 17 direction. We don't think we can ever get to a
- 18 hundred percent because there is folks out
- 19 there, for a variety of reasons, that can't get
- 20 a rental license for their property.
- 21 For instance, they may be far behind in
- 22 taxes and just can't afford it. You may have --
- 23 we have folks out there that are in entangled
- 24 title situations. They inherited a house but
- 25 they don't have clear title. And they may be

- 1 renting to other folks. And there is no way to
- 2 get for those folks to have a rental license.
- 3 So, we think we are getting closer. We
- 4 think through complaints systems, through
- 5 inspections, through making the process easier,
- 6 that we can get close to that total number
- 7 that's out there.
- 8 COUNCILMAN GREENLEE: Thank you. Thank
- 9 you, Commissioner.
- 10 Thank you, Mr. President.
- 11 COUNCIL PRESIDENT CLARKE: Thank you.
- 12 Thank you, Councilman.
- Got a couple -- actually, one quick
- 14 question.
- 15 Good afternoon.
- MR. PERRI: Good afternoon.
- 17 COUNCIL PRESIDENT CLARKE: Commissioner,
- 18 thank you for being one of the two most
- 19 responsive departments in the City of
- 20 Philadelphia. You are always on the case. And
- 21 I like the fact that you show up personally when
- 22 we either have a community meeting or a walk
- 23 through. And so, again, thank you.
- 24 MR. PERRI: You're welcome. And thank
- 25 you.

1 COUNCIL PRESIDENT CLARKE: And I want to 2. thank Commissioner Carlton Williams from the Streets Department who is also extremely responsive. 4 5 Got a question. It was a -- actually, 6 an old one. I remember early on before I was Council President, you know, we did a bill about windows and doors in these properties that 8 9 essentially boarded up windows with plywood and who knows what else. And one of their earlier 10 ordinances that I did, and I think Councilman 11 12 DiCicco actually did another one relating to boards and windows requiring that property 13 14 owners, commercial property owners put windows 15 in the upper floors up of their structures 16 primarily because of safety hazards. The Fire 17 Department has to respond. And not to mention aesthetically, it looks guite ugly when you have 18 these, you know, whatever in these windows. 19 20 And I think we actually got challenged 2.1 in court. I understand recently that the court overturned that ruling. And the Department how 22 23 has the authority to enforce the doors and windows ordinance that was passed by us. 2.4 25 Can you till us, one, if that is the

1 And two, what we are doing to now inspect particularly along these commercial corridors, 2. 3 inspecting the enforce of the new initiative 4 that we have been given authorization to do. MR. PERRI: Yeah, you are correct, 5 6 Councilman. The bill was passed years ago. then the City was legally challenged on it, and it was tied up for a number of years. 8 But we 9 are happy. We are thrilled, actually, that the court upheld the City in that particular case. 10 11 We had to put the violations back into 12 what we call our violations catalog. So, what we are now reissuing those violations that are 13 14 out there. And we're perfectly capable and 15 willing to issue violations on the appropriate 16 blocks in which the block is otherwise intact 17 except for maybe one or two properties. And 18 those folks can't board their property up. have to put in working doors and windows. 19 20 We are back in that game again and can issue those violations. Now, we don't have 21 specific programs to go check each commercial 22 23 corridor. Generally, if a Councilperson is interested and has a concern about a particular 2.4 25 area, we will do a programmatic inspection

- 1 there. And we also will respond on a compliant
- 2 basis.
- 3 COUNCIL PRESIDENT CLARKE: So, all
- 4 right. I understand. As evidenced during the
- 5 course of this conversation, always lack of
- 6 person power for enforcement. But in these
- 7 retail establishments, because a significant
- 8 number are actually functioning businesses, that
- 9 is why somewhat of a perplexing why you got a
- 10 functioning business and why you don't have
- 11 windows in your buildings on the upper floors.
- 12 Is there -- are they required to get any
- type of annualized license or permit of some
- sort to operate a store?
- 15 MR. PERRI: Well, stores themselves
- 16 are -- if it's a mercantile establishment, there
- is no additional license. But most places sell
- 18 packaged food at least or prepared food. And
- so, there would be a food license they be
- 20 required to obtain. Store mercantile, if they
- 21 have a dumpster, they are required to have a
- 22 dumpster license.
- 23 COUNCIL PRESIDENT CLARKE: Is that a
- 24 one-time license or is it an annual.
- MR. PERRI: I believe the private

- 1 dumpster license was just converted over to a
- one-time issuance. Doesn't need to be renewed.
- 3 But there is no specific license that is
- 4 annually renewable to -- for a mercantile
- 5 establishment.
- 6 COUNCIL PRESIDENT CLARKE: I am only
- 7 asking that question because our ability to
- 8 enforce it if there is already some mechanism
- 9 where on an annual basis, there is requirement
- 10 for the property owner to submit and get a
- 11 license to enhance our ability to monitor or
- 12 enforce a property that is not in compliance
- with the doors and windows bill.
- Would that be driven by 311? Or --
- inquiry from the Councilperson. I am just
- 16 trying to figure it out. We have a lot of these
- 17 stores in the neighborhood.
- 18 MR. PERRI: I will put a directive out
- 19 to the inspectors that if you have any reason to
- 20 be at a particular location, to always check for
- 21 doors and windows, to issue that violation. We
- 22 will talk to the Law Department about making
- 23 sure that those violations get prioritized to
- 24 get into court if the owner doesn't come forth
- and otherwise comply. I am a big believer in

- doors and windows and in preserving block faces.
- 2 And I can support, certainly get behind that
- 3 effort to make sure that we do everything in our
- 4 power to get businesses to comply when they
- 5 should.
- 6 COUNCIL PRESIDENT CLARKE: All right.
- 7 You will inspect to get a significant number of
- 8 inquiries from us. Because I'm -- in my head, I
- 9 am looking at a particular commercial corridor
- 10 right in the heart of my Council District where
- there are a series of functioning businesses.
- 12 And every last one of them has plywood or
- whatever you want to call it up in the upper
- 14 floors. And they are making money. And I don't
- know how much, and they are functioning every
- 16 day. I don't understand why they can't figure
- out a way to comply with that law.
- 18 MR. PERRI: We will figure it out. That
- 19 will be good project for us.
- 20 COUNCIL PRESIDENT CLARKE: Thank you,
- 21 Councilman.
- 22 Chair recognizes Councilman Henon.
- COUNCILMAN HENON: Thank you, Mr. Chair.
- 24 Commissioner, just to continue on -- you
- 25 know, I just want to -- for those who do not

- 1 understand or because it seems to be
- 2 complicated, it's a buzz word, the underground
- 3 economy.
- 4 Is your understanding of the underground
- 5 economy a economy that lies within the overall
- 6 economy that exists in the City of Philadelphia,
- 7 lies in a box, all right, that -- where people
- 8 are not paying taxes, that are unlicensed, that
- 9 don't pull permits, and they are committing
- 10 economic crimes?
- 11 MR. PERRI: I think that's a fair
- 12 assessment, yes.
- 13 COUNCILMAN HENON: Okay. In your -- you
- 14 know, some of the conversations going back and
- 15 forth, you had mentioned that you were going to
- 16 kick some of this over to, I guess, from the
- 17 Investigation and Audit Unit over to either Law
- or the District Attorney. Who makes those
- 19 decisions?
- 20 MR. PERRI: What I talked about with the
- 21 District Attorney would be contractors that
- 22 knowingly, willingly risk a catastrophe by doing
- 23 things that violate the code in which they were
- 24 specifically notified not to do, but they did
- 25 anyway. To me, you have gone beyond just

1 violating the building code. You gone into 2. another --COUNCILMAN HENON: I think anything above your normal 30, 45 day going to court, 4 5 trying to recover, trying to have, you know, NOV, notice of violation cured is putting the 6 public of danger of any kind of catastrophe. guess you can define that. But I do think that 8 9 if somebody keeps doing that, it is certainly falls within a bad behavior that needs to 10 11 change. 12 And I think that, you know, having enough inspectors to take the time -- let me 13 14 strike that. Having enough inspectors with 15 recurring revenue that's collected by the 16 underground economy, all right, that's 17 defrauding not just our City -- by the way, I 18 have an article here. And there is an industry mission to collect the construction industry's 19 20 fraud cost to taxpayers. And they have this up 21 to \$2.6 billion a year. That's a lot of money 22 when we are raising taxes. But that can go back 23 into -- that can go right back into the department, right. Some of that, not all of it. 2.4

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Some of it can go back into enforcement, which

- 1 will prevent economic crimes, will change
- 2 behavior.
- And we do have the tools. Do you think
- 4 we have the tools on the books now to enforce?
- 5 It's just sheer -- I would say a large part of
- 6 it is maybe not enough enforcement on the
- 7 street.
- 8 MR. PERRI: Yeah. I think part of the
- 9 problem has been we just have not had enough
- 10 people to look at that side of the equation.
- Our primary role, L&I was created to be a life
- 12 safety, public safety agency. So, all our
- 13 efforts go into making sure that buildings and
- 14 construction is safe. But there is also the
- 15 part where, and I talked about it, that the
- 16 contractors business practices.
- 17 That is where we haven't done enough.
- 18 And which is why we are asking for the ten
- 19 positions to do more on that side of the
- 20 equation.
- 21 COUNCILMAN HENON: And I agree with you.
- 22 And I am so happy that you are able to put that
- 23 kind of rapid response together. That is what
- 24 it is. It's responding to, you know, a
- 25 complaint-driven industry, right, which has --

- 1 has dangerous consequences. But wouldn't --
- 2 wouldn't enough enforcement to spread out
- 3 throughout the City of Philadelphia to nearly
- 4 600,000 addresses help when it comes to
- 5 identified or preempting some of the actual, you
- 6 know, construction scope of work and
- 7 inspections? Not necessarily getting into the
- 8 revenue part of it, but identifying who is going
- 9 to be performing the work before you have to
- 10 inspect the work?
- 11 MR. PERRI: Yeah. I think the ten folks
- we are asking for will be able to collect data
- on that, and then be able to project what else
- is out there. And as I said to the Budget
- 15 Office when we put the proposal together, was
- that, look, let's give this is try and see what
- 17 the return is. If it works, let's keep doing it
- 18 and make it bigger. If it doesn't work, then we
- 19 put our efforts into other enforcement.
- 20 COUNCILMAN HENON: You are a very smart
- 21 man and you do an incredible job. You
- 22 understand the business. You understand policy.
- 23 I think the rate of return is -- far exceeds the
- 24 upfront investment in, you know, revenues that
- 25 we can capture, that we are not captured. The

- 1 penalties for some of the things that you say
- that, you know, typically and inspector doesn't
- 3 look for when they go out on a job is a thousand
- 4 dollars per day. All right. That's already a
- 5 law on the books. It's a thousand dollars per
- 6 day.
- 7 I would ask if you can go back and take
- 8 a look, if anybody in enforcement of the
- 9 contractor legislation of 2013, has there been
- 10 any -- has any contractor, owner, developer been
- 11 fined or penalized for not adhering to the law
- 12 that exists? It's just strictly enforcement.
- 13 And choosing, you know, whether it was a
- 14 priority or not.
- 15 So if you can go back and take a look at
- 16 that, I think that would be appreciated. And we
- 17 can report that back to the Chair.
- 18 Do your inspectors work nights and
- 19 weekends?
- 20 MR. PERRI: They typically would only
- 21 work at night time if the project was close to
- 22 maybe having to have a certificate of occupancy
- and there is final testing. And it can only be
- done while the building wasn't occupied. So, we
- went don't regularly work in the evenings. Our

1 emergency duty inspectors, however, are 2. available 24/7. We now have our building 3 inspectors, at least some of them, working on Saturdays looking for work without permits, 4 5 illegal construction, double-checking jobs that have excavations. Doing things that at that 6 other times couldn't get to during Monday to Friday. 8 9 COUNCILMAN HENON: You had mentioned that in some of these constructions and some of 10 11 those almost catastrophic but collapses that 12 have taken place, some people, you know, either 13 owner or developer or contractor or whoever is 14 paying cash and not pulling permits on all that and defrauding the City, it's -- they are doing 15 16 it because it would cost three times, possibly, 17 the amount more to do a property. I don't see how a price tag could be put 18 on people's lives when it comes to people who 19 want to do business in the City of Philadelphia. 20 21 And I don't see how that is acceptable -- just

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I don't see how it's acceptable that we

making a statement, right. This is not you or

will continue to allow people to work for cash

the department of the City.

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- and who aren't OSHA trained and don't adhere by
- 2 the law. All we do is enforce the laws that are
- 3 on the books. So, I think we can -- we can
- 4 capture that immensely.
- 5 One of my last questions is, you have
- 6 almost \$11 million in demolition. Why is -- is
- 7 that just like, all right, here is a
- 8 \$11 million. We anticipate demolition, but then
- 9 you subcontract that out, right? L&I hires
- 10 somebody. I just don't understand why that is
- 11 actually in your budget because I think it gets
- 12 held against you as a department when your
- 13 budget is much less than it reflects.
- 14 MR. PERRI: Yeah. I think it was put in
- 15 L&I's budget because the department has
- 16 abatement powers. So, we have the ability to
- 17 use taxpayer's money to go onto private property
- 18 to do whatever it takes to make the property
- 19 safe. So, it's the attachment to the abatement
- 20 powers that moved it into L&I's budget.
- 21 COUNCILMAN HENON: I can understand
- 22 public safety and construction and demolition.
- 23 But I hope that, you know, the Finance
- 24 Department doesn't see that \$11 million or
- 25 someone else sees that \$11 million for

Page 197 1 demolition, while this look at what L&I asks. When we were down 54 vacant -- you know, 54 vacancies in inspectors and you are trying to ramp up. And, you know, we fall awfully short 4 on the amount that we actually need. You know, 5 6 I just want to state for the record that the Department should not be held to that kind of revenue when it's not actually going out in 8 9 enforcement or operations. MR. PERRI: It's outside of the scope of 10 11 what a traditional building department does. 12 Billing department would do building inspections, issue building permits. 13 14 abatement piece is done by Code enforcement 15 agencies and not necessarily by the Building 16 Department. But since we are like a Jack of all 17 trades, it's in our shop. COUNCILMAN HENON: Council President, in 18 our -- is there somebody after me? 19 (Councilwoman Reynolds Brown sitting in as Chair.) 20 21 COUNCILWOMAN REYNOLDS BROWN: Yes. I 22 will certainly bounce it back to you. 23 COUNCILMAN HENON: Go ahead. COUNCIL WOMAN REYNOLDS BROWN: 2.4 25 information, Councilman Henon, where might you

Page 198 1 arque would or should we place the 11 million? 2. Where might be a more appropriate fit for those dollars? 3 COUNCILMAN HENON: My pointing that out 4 5 is that they are -- it's not operational budget. 6 That is not -- that is not -- it's more of a capital with the operational budget, you know, enforcing it and overseeing it maybe. But it's 8 9 not necessarily inspectors or plan reviews or anything else that is maintained the public 10 11 safety and the first responder kind of job 12 description. 13 COUNCILWOMAN REYNOLDS BROWN: 14 COUNCILMAN HENON: There is -- it's 15 imminently dangerous. It's the demolition that 16 L&I has identified that needs to be demo'd. 17 I think over the past couple years, we put in like, I think -- a few years ago, we put in 18 3 million and we put 5 million. Now it's up to 19 11 million. Which just goes to show that there 20 2.1 is increase, a tremendous amount of increase of 22 development that's going on in the City. And 23 how old and aging our housing stock is. COUNCILWOMAN REYNOLDS BROWN: 2.4

taken. Okay. Back to the issue of lead.

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One of our discoveries over the last 18 1 months and in talking with the folks in 2. Rochester and visiting with the folks in Baltimore, we learned that we as a government 4 may not be doing our best when it comes to 5 6 keeping landlords informed about issues like lead. So, speak to us about how often does your office communicate expectations about housing 8 9 quality to new and returning landlords. Because of course, the goal is always to get rid of the 10 11 bad guys. 12 MR. PERRI: Yeah. We -- obviously, we 13 have email addresses and that -- postal 14 addresses of all the folks out there that have 15 rental licenses. When there is a change, we 16 notify them. We also maintain a booklet that 17 has all the L&I requirements around housing 18 called Partners for Good Housing that we make available to all the landlords that are out 19 20 there. And you know, the communication is on an 2.1 as-needed basis. As the rules change --22 COUNCILWOMAN REYNOLDS BROWN: As needed. 23 MR. PERRI: -- we notify folks. COUNCILWOMAN REYNOLDS BROWN: 2.4 25 Might it be fair to say, then, that the training

Page 200 1 is on an as-needed basis, as well? 2. MR. PERRI: Training? COUNCILWOMAN REYNOLDS BROWN: 3 Around lead and it's impact and the devastating 4 impact it has. And why if you have a building 5 6 built before 1978, need to be doing A, B, C, D, 7 E, F, G. MR. PERRI: Yeah. I -- when it comes to 8 9 the lead issue itself, we always considered that to be a health crisis. It's a health issue. 10 Our position is, we're not the experts in being 11 12 able to quantify the risks that are there. 13 So, it's really a Health Department 14 issue to educate, to provide information. 15 COUNCILWOMAN REYNOLDS BROWN: Okav. 16 MR. PERRI: Now, we certainly will allow 17 the Health Department and assist them in using our infrastructure to get the word out. We are 18 there. We work closely with Dr. Farley. But 19 those materials really need to be developed by 20 21 the Health Department. And we will be more than 22 happy to distribute them and send them to our 23 network. 2.4 COUNCILWOMAN REYNOLDS BROWN: 25 instructive. Might you have -- the struggle

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we do?

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with us trying to get to this last bill and meeting with the members of HAPCO and BIA and the Apartment Association is, as you well know, how do we track down, how do we get to -- can we get to the bad guys? Any other ideas you can simply put on the record for this forum on given all that we do already, we still know that there are bad guys out there? Because every year, 1500 children are being poisoned.

And so -- so, do you believe we have exhausted every avenue to date which moves us towards getting to those who are in violation who are not registered who are not licensed?

What are we not doing? What more could

MR. PERRI: Yeah. Beyond just the rental properties, there are folks in a low income situation that are living in a non-rental situation such as a tangled title I'm talking about. So, they run completely under the radar. I don't know how we get to those folks.

I think we really need to have a program where we can have folks straighten out their title problems with their property. Because if you have a tangled title, you are shut out from

Page 202 1 the license process. 2. COUNCILWOMAN REYNOLDS BROWN: MR. PERRI: You are shut out from getting loans to fix your problems. They are 4 basically adrift on their own island. We need 5 6 to help those folks. We need to get them the proper title that they need so that they can then move forward. So, we talk all about 8 9 enforcing on rental properties. What about folks that are in a non-rental situation? 10 11 COUNCILWOMAN REYNOLDS BROWN: That is very, very instructive. And that -- that 12 13 particular community has not come up in the 14 conversations we have had over the past 18 15 months. That's very, very, very helpful. 16 My only last observation is I 17 intentionally do a scope of what departments look like based on what's in the record and 18 whether or not a department looks like the City 19 we live in. 20 2.1 Are all these professionals with you? Yes, they are. 22 MR. PERRI: 23 COUNCILWOMAN REYNOLDS BROWN: Thank you 2.4 for having a department that looks like 25 Philadelphia. Men and women in position of

Page 203 1 leadership responsibility across your 2. department. Thank you. MR. PERRI: Thank you. 3 COUNCILWOMAN REYNOLDS BROWN: Any other 4 5 questions? 6 Councilman Henon. 7 COUNCILMAN HENON: I do. And I am going to close out on my end. 8 9 Commissioner, last year we were able to adopt, you know, with the department, you know, 10 11 hard work over the past nine years, adopt a 2018 12 codes. How does that going? And how is the notification and education part of informing the 13 14 people performing work in the City of 15 Philadelphia in advance, you know, that the 16 codes are finally updated after nine years? 17 MR. PERRI: Yeah. First of all, I want to thank you, Councilman. I know you took a 18 personal interest in this. And was very helpful 19 20 in advising us and getting the legislation 2.1 together. We are now in the 2018 cycle. We have -- the cut off date for getting projects 22 23 reviewed under the old code or the new code is 2.4 now passed. So, everything that we are now 25 doing is under the newer codes.

1 And the transaction was went, I would 2. say, pretty smooth. We didn't get very many complaints. There are a few folks that -- that 3 beat the clock to get in right before the code 4 changed. And so, they could get around some of 5 6 the sustainability requirements. But shame on them. It was a legal way to do it, and that we can't stop. 8 9 But we are fully in now with the 2018 codes, which is where we should be as a first 10 11 class City. It was a disgrace that our codes 12 were nine years out of date. And basically, we 13 were held hostage by the --14 COUNCILMAN HENON: By Harrisburg 15 politics. 16 MR. PERRI: You said it better than I 17 could. COUNCILMAN HENON: It's a shame politics 18 played part in, you know, our public safety 19 20 codes and the ability to adopt them. So, I am 21 glad that's moving forward. 22 I am going to end on, are you aware --23 two things. You were aware, I'm sure, that 2.4 other jurisdictions in not just -- other 25 jurisdictions in the Commonwealth as well as the

1 country, has the building code enforcement and 2. permit construction part separated into its own entity from other departmental responsibilities? 3 MR. PERRI: Yeah. That's typically the 4 5 The Building Department is the Building norm. 6 Department. And the Fire Code Inspection is by the Fire Department. And Code Enforcement and Abatement is by the Code Enforcement Agency. 8 9 And Community Affairs and Business Licensing is by another group. We are a Jack of all trades. 10 11 We do it all. 12 COUNCILMAN HENON: You are. And you 13 know, where you had 7/800 employees since it's 14 far short of that now. And I point that out 15 that -- that we are not the norm. Because 16 Council President lead by Council President 17 leadership of -- and members of this body adopted a reorganization -- housing 18 19 reorganization with our departments in the City 20 of Philadelphia. And I think that it's, you 21 know, the situation and you're structured and 22 the organizational chart that we have with L&I, 23 maybe something that we take a look at over the 2.4 summer. 25 Because it is my intention to make sure

that your employees who are keeping our public and property safe for the City of Philadelphia's first responders have all the tools they need, all right. They have -- you have the staff that is going to take the caseload off of our inspectors, all right, so they don't have to be overworked and overstressed, you know, because they understand that the magnitude of what their responsibility are to enforce the law that we have on the books and the tools that we have at our disposal.

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So, it is my goal to have those conversations. It is my goal to make sure that we have a -- you know, the proper amount and responsible amount of inspectors at a minimum, at a minimum standard. Not 74. Think that's awfully short, all right, for the construction end, not including the property maintenance because of our housing stock. The aging of our housing stock to have a minimum amount of inspectors to do that.

And have a sounding board for complaint-driven industry, whether it's a contractor or licensing board or complaint board, all right. And you know, recurring

1 revenue part. Recurring revenue going back into 2. the department. So you know, we can -everybody, we all, our District Councilmembers 3 and at large, we all want commercial corridor 4 5 enforcements which I think you have the business 6 services back up and running, which I am glad to, you know, commercial corridors. And I think you do a good job at that. But we need to keep, 8 9 you know, pushing forward and reforming and 10 taking a look at other ways to reshape how we, 11 you know, protect and serve the City of 12 Philadelphia.

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So, my goal is to continue to work with you, all right. And I do want to compliment you on all the accomplishments. Because L&I has done tremendous things. And I look forward to eCLIPSE being online. I look forward to using the tools, handhelds which I think will be a part of one of the phases. So our inspectors when, you know, when we add 2/300 more inspectors on the streets, they have handhelds. They don't have to come down in Center City and have to be worried about if they are going to get down here in two hours because of the congestion that we have with our traffic.

Page 208 1 Because I think it's a problem. And ultimately, 2. unless they are inspectors are working in this geographic area in Center City, they should be 3 out in the field. They should be out in the 4 5 field in satellite L&I offices doing the work 6 that they signed up for. And we as a Council and the 7 8 legislatively body working with the Mayor's 9 Office give you -- continue to give the revenue and the tools for the job that you signed up 10 11 for. Thank you so much for all you do. 12 MR. PERRI: Thank you, Councilman. 13 We 14 appreciate the support. 15 COUNCILWOMAN REYNOLDS BROWN: Ditto to Councilman Henon. 16 17 There being no further questions, this 18 Committee will stand in recess until Monday, April 15, 2019 at 10:00 a.m. At which time, we 19 20 will reconvene in Room 400 City hall. 21 Thank you, Commissioner. MR. PERRI: 22 Thank you. 23 (Budget Hearing adjourned at 2:56 p.m.) 2.4 25

CERTIFICATION

I, hereby certify that the proceedings and evidence noted are contained fully and accurately in the stenographic notes taken by me in the foregoing matter, and that this is a correct transcript of the same.

ANGELA M. KING, RPR, Court Reporter, Notary Public

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