

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE OF THE WHOLE

Room 400, City Hall
Philadelphia, Pennsylvania
Tuesday, April 8, 2014
10:25 a.m.

PRESENT:

COUNCIL PRESIDENT DARRELL L. CLARKE
COUNCILWOMAN CINDY BASS
COUNCILWOMAN JANNIE BLACKWELL
COUNCILMAN W. WILSON GOODE, JR.
COUNCILMAN WILLIAM K. GREENLEE
COUNCILMAN KENYATTA JOHNSON
COUNCILMAN CURTIS JONES, JR.
COUNCILMAN JAMES KENNEY
COUNCILMAN DENNIS O'BRIEN
COUNCILMAN DAVID OH
COUNCILMAN BRIAN J. O'NEILL
COUNCILWOMAN MARIA D. QUINONES-SANCHEZ
COUNCILWOMAN BLONDELL REYNOLDS BROWN
COUNCILMAN MARK SQUILLA
COUNCILWOMAN MARIAN B. TASCO

BILLS 140144, 140145, and 140146
RESOLUTION 140159

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COUNCILMAN JONES: Good morning, everyone. This is a public hearing of the Committee of the Whole regarding Bills No. 140144, 140145, 140146, and Resolution No. 140159.

Would you please read the title of the resolution and bills.

MS. LEWIS: Bill No. 140144, an ordinance to adopt a Capital Program for the six Fiscal Years 2015 through 2020 inclusive.

Bill No. 140145, an ordinance to adopt a Fiscal 2015 Capital Budget.

Bill No. 140146, an ordinance adopting the Operating Budget for Fiscal Year 2015.

And Resolution No. 140159, providing for the approval by the Council of the City of Philadelphia of a Revised Five Year Financial Plan for the City of Philadelphia covering Fiscal Years 2015 through 2019, and incorporating proposed changes with respect to Fiscal Year 2014, which is to be submitted by the Mayor to

1 4/8/14 - WHOLE - BILL 140144, etc.
2 the Pennsylvania Intergovernmental
3 Cooperation Authority (the "Authority")
4 pursuant to the Intergovernmental
5 Cooperation Agreement, authorized by an
6 Ordinance of this Council approved by the
7 Mayor on January 3rd, 1992 (Bill No.
8 1563-A) by and between the City and the
9 Authority.

10 COUNCILMAN JONES: Thank you
11 all very much.

12 Will the witnesses please
13 approach the witness table and we can
14 begin.

15 (Witnesses approached witness
16 table.)

17 COUNCILMAN JONES: Controller
18 Butkovitz, good morning.

19 CONTROLLER BUTKOVITZ: Good
20 morning.

21 Good morning, Mr. President and
22 members of City Council. I am Controller
23 Alan Butkovitz. I'm here today to
24 testify on the Controller's Fiscal Year
25 2015 Operating Budget request.

1 4/8/14 - WHOLE - BILL 140144, etc.

2 I am joined today by Deputy
3 City Controllers Bill Rubin, Gerry
4 Micciulla, and John Thomas, as well as
5 our Administrative Services Director,
6 Andrea Rose.

7 The Mayor's proposed Fiscal
8 Year 2015 Operating Budget to the City
9 Controller's Office includes a General
10 Fund appropriation of \$7,696,397.

11 I would like to publicly thank
12 all of my our office's employees who
13 continued to provide quality needed
14 service to the citizens of Philadelphia.
15 I cannot say enough about the hard work,
16 professionalism, and dedication they
17 deliver every day. They continue to
18 sacrifice and do their part to help our
19 City meet our current financial
20 challenges. They are to be commended and
21 congratulated.

22 In spite of a decrease in 26
23 staff positions since 2008, my office
24 continues to issue reports that not only
25 help the City save money, but also

1 4/8/14 - WHOLE - BILL 140144, etc.
2 improve the quality of life in
3 Philadelphia.

4 Our Post Audit Unit audited all
5 43 City departments included in our
6 Annual Auditor's Report issued six
7 performance/special audits, four reports
8 on internal controls related to four
9 opinion audits, three
10 information/technology reviews, and two
11 opinions on the City's Five Year
12 Forecasted Statements. In those reports,
13 we made 203 new recommendations to
14 safeguard City and School District
15 assets, enhance financial management,
16 strengthen internal accounting controls,
17 and improve economies and efficiencies.

18 In all, these audit reports
19 identified financial reporting errors,
20 compliance deficiencies, cost reductions,
21 and increased revenues totalling more
22 than \$443,875,000.

23 Our Post Audit Unit was awarded
24 the 2013 Gold Knighton Award, which
25 recognizes the best performance audits in

1 4/8/14 - WHOLE - BILL 140144, etc.
2 North America. It was awarded by the
3 Association of Local Government Auditors.
4 Our office was recognized with this top
5 national award for our audit of the
6 provisional ballots cast in the City of
7 Philadelphia's 2012 presidential
8 election.

9 Our objective was to determine
10 the reasons for the widespread use of
11 provisional ballots during the election.
12 We found errors occurred because of poll
13 worker mistakes or errors arising in the
14 creation of poll books.

15 This recognition of the highest
16 rated performance audit of any major city
17 in the nation is an outstanding
18 achievement for the Controller's Office
19 and for the citizens of Philadelphia.

20 Our Pre-Audit Division provides
21 oversight of the City's payment and
22 purchasing processes. Pre-Audit
23 monitors, reviews, and approves or
24 disapproves all requisitions for payment
25 of City funds and responds to daily

1 4/8/14 - WHOLE - BILL 140144, etc.
2 requests for information regarding vendor
3 payments. This division processed more
4 than 300,000 payment vouchers
5 representing more than \$4.8 billion in
6 expenditures.

7 Based on recommendations from
8 Pre-Audit, the Procurement Department
9 implemented changes which strengthened
10 its controls over the process for
11 receiving competitive bids. The
12 recommended changes included the
13 following: Establishing a master record
14 for all bid receipts and reconciling the
15 bids on hand to the master record before
16 bid openings, which has decreased
17 Procurement's risk of misplacing bids.

18 The Pre-Audit Division also
19 conducted several important
20 investigations and audits, including
21 follow-up audits on the City's recreation
22 facilities and the Bridge Maintenance
23 Unit's processes and procedures for the
24 approximately 343 City-owned bridges,
25 which carry hundreds of thousands of

1 4/8/14 - WHOLE - BILL 140144, etc.
2 motorists every day.

3 Most recently, our Pre-Audit
4 Division has uncovered severe rutting and
5 a pothole on a taxiway at the airport. I
6 have asked the City Solicitor to take
7 action against the contractor to rectify
8 this situation.

9 Our Fraud and Special
10 Investigations Unit, working in
11 conjunction with Community Affairs,
12 actively worked over 50 cases related to
13 allegations of employee misconduct or
14 fraud and more than 75 citizen complaints
15 related to government services. A few of
16 the more memorable cases are as follows:

17 In a current joint effort with
18 the School District, investigators from
19 the Controller's Office and the School
20 District's Office of Inspector General,
21 we were able to identify public employees
22 taking scrap metal and other materials
23 from their workplace and selling it to
24 scrap recyclers for personal gain;

25 An investigation concerning an

1 4/8/14 - WHOLE - BILL 140144, etc.
2 allegation that food vendors were
3 operating unsafe and illegal sidewalk
4 grills resulted in prompt enforcement
5 action by the Departments of Health and
6 Licensing and Inspections;

7 After a tragic drowning death
8 of a child in a City public pool, the
9 Office immediately mobilized and
10 inspected every pool within days of the
11 tragedy. This office plans to inspect
12 the pools again early this summer,
13 monitor the operations, and work with
14 Parks and Recreation's staff to minimize
15 the occurrence of future tragedies.

16 Our reinvigorated Policy
17 Department added a new dimension to our
18 office's work in Fiscal Year '14.
19 Continuing our success from last year in
20 uncovering flaws in the City's Actual
21 Value Initiative, we released three major
22 policy reports this fiscal year. These
23 included the following:

24 Recommendations to improve real
25 estate tax collections provided

1 4/8/14 - WHOLE - BILL 140144, etc.

2 opportunities to improve collectability
3 and our balance sheet;

4 Anchor procurement initiative,
5 an innovative approach to economic
6 development through our hospitals and
7 universities that could create thousands
8 of new jobs;

9 Analysis of the Keystone
10 Opportunity Zone program. The City
11 awarded \$385 million in tax credits to
12 create fewer than 4,000 jobs. This
13 report also revealed that the City has
14 provided poor record-keeping of the KOZ
15 program.

16 All of these reports were
17 models of data-driven policy analysis
18 that we believe can help our City make
19 better decisions on how to allocate
20 scarce resources and adopt policies that
21 show real results for our local economy.

22 We have accomplished all this
23 despite being short 26 positions since I
24 took office a little over eight years
25 ago.

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2 Although I am proud of all the
3 accomplishments which I have mentioned,
4 the loss of these positions has impacted
5 our ability to conduct more performance
6 and special audits and has limited our
7 ability to conduct ad hoc requests for
8 contract and other audits from City
9 departments that could result in cost
10 recoveries for the City.

11 To address the shortfall in
12 staff, I have hired two auditor trainees
13 and will be hiring ten more from the
14 auditor trainee list that is being
15 created now.

16 In addition, I have spoken to
17 the Budget Director and have been assured
18 we will be able to add five additional
19 employees within this fiscal year to
20 assist with our auditing divisions.
21 Filling these positions will bring our
22 office to a more complete staffing level.
23 These additions will also allow our
24 office to use fewer outside contractors
25 while giving us more flexibility to react

1 4/8/14 - WHOLE - BILL 140144, etc.
2 to financial issues as they arise.

3 My goal for the current year is
4 to continue identifying as much waste,
5 fraud, and inefficiencies in City
6 government as possible in order to save
7 taxpayers' money.

8 Our department is drafting an
9 RFP for a paperless audit engagement work
10 flow system, which will allow us to save
11 not only resources like paper and ink,
12 but it will allow our team to work much
13 more efficiently as they prepare the
14 required audits.

15 I will continue working on
16 issues and solutions to make Philadelphia
17 a better place for those who live and
18 work here. And, most importantly, I will
19 continue to find more revenues that are
20 owed to the City and identify performance
21 and management efficiencies throughout
22 City government so we can have the added
23 resources needed to fund the programs
24 that provide necessary City services.

25 I appreciate this opportunity

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2 to present testimony, and I thank Acting
3 Council President Jones and the members
4 of City Council for your cooperation. I
5 look forward to working with you in the
6 coming year.

7 My staff and I will be happy to
8 answer any questions.

9 COUNCILMAN JONES: Thank you,
10 Mr. Controller. I actually read your
11 reports, because some of it triangulates
12 some of the questions we ask by way of
13 each individual department.

14 One that comes to mind that I'd
15 like you to drill down on, which has
16 ramifications for our entire budget, is
17 the real estate collections process, and
18 if you could give us a little more detail
19 about that particular report. It's 120
20 million lost in real estate taxes.

21 CONTROLLER BUTKOVITZ: Well,
22 essentially we did an analysis that
23 showed about 120 or 150 million out of
24 the 500 million that has been reported as
25 actually recoverable because the other

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2 money is too long ago and the properties
3 are not marketable for the values that
4 are owed.

5 We also did a commentary on the
6 question of the tax lien sales, which
7 provides us a possible opportunity for a
8 quick infusion of cash, but I think we
9 noted that there would be -- that we
10 would also lose control of the
11 foreclosure process. So that the hazard
12 to be safeguarded in that issue is to
13 assure that there's not a gross sale of
14 all the liens in a way that would result
15 in them being cherry-picked for the most
16 valuable liens and that the City would be
17 impeded from getting evictions or
18 possession of the lower valued properties
19 because it no longer retained title.

20 COUNCILMAN JONES: So in your
21 opinion, our real receivable is about, as
22 opposed to half a billion that we cite,
23 about 120 million?

24 CONTROLLER BUTKOVITZ: Yes.

25 COUNCILMAN JONES: All right.

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2 The second report that I'd like you to
3 drill down into the issue of KOZs and
4 what's going on with that. Could you
5 elaborate that. We do have Commerce
6 coming up and we're --

7 CONTROLLER BUTKOVITZ: Yeah.

8 We had the first empirical study of how
9 the KOZ program works, because this is a
10 general tax-free program at certain
11 locations that was sold on the basis that
12 the City would more than make up in wage
13 tax revenue what it lost in business
14 taxes and other City taxes, and the
15 finding was that the City has lost about
16 \$338 million in revenue because of the
17 tax credits and has received about \$38
18 million that it would not otherwise have
19 received in wage tax revenues, and that
20 there is a difference across the type of
21 industry sector that in areas like
22 warehousing and manufacturing, the City
23 does get a very good return for its tax
24 credits. I think we spent about \$10
25 million in tax credits in those sectors,

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2 and we were getting about a \$1.50 in wage
3 tax revenues for every dollar that we
4 spent. So that we could say that there
5 is a very clear cause and effect
6 relationship in those sectors between the
7 tax credits and creating jobs.

8 However, the great bulk of the
9 tax credits went into finance and
10 insurance and real estate transactions,
11 and because the way the state law is
12 structured, they were taken advantage of
13 by these LLCs and partnerships which, for
14 the most part, did not have any
15 employees. So that partnerships were
16 able to be smart businessmen and avail
17 themselves of this available tax credit,
18 but I think in one case we found a \$50
19 million collection of tax credits that
20 resulted in the creation of not one
21 single job.

22 So the recommendations that
23 came out of that were, first of all, the
24 City and actually the State should have a
25 tighter requirement of tracking jobs.

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2 You can't just take the word of people in
3 whose interest it is to have tax credits
4 to come in and say that we will have and
5 we believe we did create X number of jobs
6 in return for these free taxes. And, in
7 fact, the City, I believe, shreds all the
8 documents that would prove that point
9 after three years. So we had to look at
10 the gross changes in wage tax numbers and
11 then use all sorts of formulas and models
12 about the average salary within jobs and
13 certain categories to create the picture
14 of what's actually happening. We think
15 there should be a requirement that
16 recipients of the tax credits provide
17 very specific information about the
18 number of jobs that in fact resulted from
19 the tax credits, and more to the point,
20 we think that it indicates that it makes
21 more sense to target these tax credits to
22 specific industries that have
23 demonstrated that you're going to get
24 jobs created out of it.

25 COUNCILMAN JONES: That would

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2 follow logic, I would think.

3 I'm going to yield and
4 recognize Councilman Goode.

5 COUNCILMAN GOODE: Thank you,
6 Mr. Chairman.

7 My question was actually about
8 KOZs too, but I'll just state it in a
9 different way.

10 Your analysis shows that \$384
11 million was given in tax credits to 617
12 businesses, 243 million in business and
13 income receipts taxes, 15 million in net
14 profits tax, 97 million in real estate
15 taxes, 28 million in use and occupancy
16 taxes. In fact, when you drill down on
17 the analysis, as you stated, we actually
18 gave 148 million in business tax credits
19 and another 12 million in net profits tax
20 credits for a total of 160 million to
21 businesses that didn't even have
22 employees.

23 CONTROLLER BUTKOVITZ: Yes.

24 COUNCILMAN GOODE: So the
25 question is, even though this is a state

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2 program, what implications it has for
3 City tax policy and City tax incentive
4 programs and what do you see as the
5 analysis -- what does the analysis teach
6 us about tax policy and its impact on
7 jobs? But I guess a little bit more
8 specifically, what does it say about tax
9 incentives that are by-right rather than
10 actually needed?

11 CONTROLLER BUTKOVITZ: Well,
12 there's been this mantra in City
13 government for probably at least 20 years
14 now that if we just eliminate business
15 taxes, they will come here and they will
16 create a lot of jobs. So we think, first
17 of all, that proposition, like every
18 proposition, needs to be tested
19 scientifically and empirically. We've
20 had so much experience with these
21 programs that we should have some numbers
22 by now.

23 So we did do the analysis, and
24 it turns out we're spending \$10 in tax
25 revenue for every dollar in wage tax

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2 revenue that we create in that program,
3 and in the areas that you just cited,
4 we're giving away hundreds of millions of
5 dollars in tax credits for zero return in
6 wage taxes.

7 So I think the City needs to
8 reconsider that general philosophy, that
9 tax credits per se are going to generate
10 prosperity or wealth. You know, we've
11 taken other initiatives such as the
12 Anchor Program Initiative. I tend to
13 believe that Keynesianism and creating
14 demand and purchasing power and fixing
15 infrastructure and building things has a
16 greater impact on employment than tax
17 policy. And to the extent that -- we're
18 not suggesting that we do away with tax
19 credits, but we think that there's a
20 burden of proof that if you're getting
21 tax credits, it's got to be good not just
22 for the business that's getting the tax
23 credit, it's got to be good for the City
24 and for the potential of employment.

25 And, finally, we do have

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2 specific numbers on the different impact
3 that these tax credits have on different
4 sectors of the economy. So I think the
5 report, while generally pointing out that
6 the City was not getting a fair return
7 for its investment in tax credits, did
8 show that in the manufacturing sector and
9 in warehousing and those areas that we
10 indicated, the City is getting more than
11 a dollar-for-dollar -- they're get \$1.50
12 for a dollar invested in tax credits so
13 that the Council -- well, this is
14 actually a state law. So it's not a
15 matter of the Council redoing it, but the
16 Legislature, and to the extent the
17 Council, thinks about tax credits, that
18 we think it makes more sense to target
19 them and to make the recipients of them
20 on an ongoing basis prove their case that
21 this is having an impact on average
22 Philadelphians and improving employment.

23 COUNCILMAN GOODE: Clearly, we
24 gave away hundreds of millions of dollars
25 in tax credits that created no jobs and

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2 overall the cost per job was \$100,000.
3 As a member of the Jobs Commission, we've
4 asked the Commerce Department and the
5 economic development agencies to create a
6 measurement tool and to report back on an
7 annual basis. That has not happened yet.

8 In the absence of that, do you
9 plan to do any other analyses with regard
10 to economic development programs that
11 would look at what we are doing and what
12 we should be doing in terms of local tax
13 policy and/or specifically tax incentives
14 and the fact that it should be targeted
15 rather than by-right?

16 CONTROLLER BUTKOVITZ: I think
17 that this study is probably going to be
18 the report that we do at least this year
19 on tax policy, but this idea of jobs and
20 what we can do to use the City's power to
21 create jobs is a central focus of the
22 office. So we've looked at it in the
23 Anchor report. Now we've looked at in
24 terms of the KOZs, and I'm sure we will
25 look at it from every other vantage point

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2 necessary to get policies that make sense
3 to create local jobs. As I say, I
4 think -- I mean, we have tremendous
5 opportunities at the port. We have
6 opportunities in manufacturing, which
7 this Council has begun to take the lead
8 in pointing out that had generally been
9 not focused on by the top leadership of
10 the City, and I think that we think part
11 of our role is to make the case for
12 rational policy by the City that's
13 actually going to create jobs for the
14 people who live in Philadelphia.

15 COUNCILMAN GOODE: Thank you.

16 Thank you, Mr. Chairman.

17 COUNCILMAN JONES: Thank you.

18 Before recognizing Councilwoman
19 Bass, I would ask one question. So I
20 know about -- and, Wilson, your memory is
21 better than mine. I know we have KOZs,
22 Enterprise Zones, Empowerment Zones, and
23 now what's your new designation,
24 Councilwoman Blackwell?

25 COUNCILWOMAN BLACKWELL:

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2 Promise Zones.

3 COUNCILMAN JONES: Promise
4 Zones and TIF areas.

5 So if a company came in and
6 recognized a particular parcel on one of
7 those or sometimes they overlap areas and
8 says, What is the exact benefit I can get
9 for my type of business, could anybody in
10 the City of Philadelphia articulate to
11 the dollar what that company would get?

12 CONTROLLER BUTKOVITZ: No. I
13 think one of the things that the KOZ
14 report demonstrated is that the City
15 isn't set up to even collect that
16 information or ask that question. This
17 has taken on kind of religious
18 proportions. It is an article of faith
19 that if the City proceeds to eliminate
20 business taxes, that there will be a
21 trickle-down effect and it will be good
22 for everybody, and it just keeps getting
23 repeated. And I think it needs to be
24 tested. It needs to be analyzed by
25 the -- we welcome as many people to look

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2 at this issue as possible. Council
3 should have their own staff people
4 analyze it, because we chronically get
5 into these debates that if we could get
6 to a zero point on City taxes or City
7 business taxes, that there would be such
8 a benefit for us that it would make up
9 for itself. It is reminiscent of the
10 Reagan Laffer curve argument, that if
11 they cut taxes to nothing, that it would
12 unleash so much business that we would be
13 drowning in money, and, of course, it
14 produced the greatest deficits in
15 American history. It produced the
16 biggest recession since the Great
17 Depression and I think was generally
18 regarded on a national basis as a
19 colossal failure, and yet in
20 Philadelphia, as a matter of routine,
21 this argument is presented over and over
22 again at a time when we see that the City
23 cannot demolish its own owned buildings
24 which are in danger of collapsing within
25 24 hours, at a time when the City cannot

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2 provide sufficient support for the
3 schools to assure that they're going to
4 have a full school year and that they're
5 going to have the security personnel to
6 prevent serious injury and mayhem in
7 public schools that was forecast. It
8 would result from the withdrawal of those
9 supports. So it's a balancing act, of
10 course.

11 The City has many claims on its
12 revenues to create a safe and a viable
13 environment for the public and for
14 business, which happens to live in the
15 City just like everybody else, and that
16 needs to be balanced against the idea
17 that we can create more employment and
18 more jobs and more prosperity if we do
19 away with taxes, but there's actually a
20 cost to doing away with each of those
21 taxes.

22 So there needs to be a rational
23 way of measuring that. Just covering
24 your eyes and taking it on faith is not a
25 good way to proceed.

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2 COUNCILMAN JONES: So I would
3 concur with you that we need to be able
4 to quantify clearly to prospective
5 businesses but also to the taxpaying
6 public that if you select this particular
7 location based on the type of business
8 you run, the amount of employees, that we
9 could come up with a quantifiable
10 measurement that says, Here's your
11 benefit, and over time here's our
12 benefit. And if we can do that, then
13 it's either worth it or it's not, but --

14 CONTROLLER BUTKOVITZ: I have
15 to take the opportunity to do an ad on
16 one other issue, which is this stormwater
17 fee issue, because on the one hand, the
18 City has made a promise to manufacturers
19 to come in to tax-free zones and has
20 written off taxes which may be relatively
21 small and then hit them with these huge
22 newly crafted stormwater fees, where they
23 may go from a jump of \$700 a month to
24 \$4,000 a month, as a pretty decent
25 example. And we're getting serious

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2 commentary by the auto dealerships in the
3 City that they may be forced by this one
4 thing to move all of the auto dealerships
5 out of the City. Some of these big
6 literally box manufacturing companies are
7 talking about how to pull up stakes and
8 leave the City.

9 So I think there's a broader
10 question of being coherent in the policy,
11 because if a business hears that they're
12 going to get a tax-free deal to locate in
13 the City and that's the reason to come
14 in, they don't expect to get property
15 taxes reduced from \$1,500 to zero and
16 then get water bills increased from 700
17 to \$4,000 a month. They think that's
18 kind of a shell game.

19 Too frequently in this area the
20 left hand doesn't know what the right
21 hand is doing.

22 COUNCILMAN JONES: I think that
23 is the point that we should be able to
24 have a coherent message to businesses.
25 Here's the location, here's your benefit,

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2 here's what we expect at the end of the
3 day, and monitor and keep that commitment
4 true, both sides, from the City's
5 taxation policy saying, We're going to
6 hold true and we're not going to slide a
7 secret fee in on it, but also at the end
8 of that period, that you are held
9 responsible for the benefit of creating
10 jobs. And I think we need to do a better
11 job of that.

12 Having said that, I'll
13 recognize Councilwoman Bass.

14 COUNCILWOMAN BASS: Good
15 morning.

16 COUNCILMAN JONES: Good
17 morning.

18 COUNCILWOMAN BASS: Good
19 morning. And let me start by saying
20 thank you so much for always being so
21 well versed and able to discuss,
22 dialogue, debate your reports, what
23 you've put into them. You know them very
24 well, and they're very well crafted. And
25 I have to say that I read them when they

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2 come out. I was very interested
3 obviously in the one at Parks and Rec as
4 the Chair of the Parks and Recreation
5 Committee. And I also noticed in your
6 testimony that you mentioned the work
7 that your office did in reference to the
8 young man who drowned in a City pool,
9 very unfortunate incident. And I know
10 that Parks and Recreation has made
11 significant changes as a result of the
12 work, I'm sure, that your office did and
13 just in terms of looking at their own
14 policies and what they could do better
15 going forward in the future. So, number
16 one, I just wanted to thank you for that.

17 CONTROLLER BUTKOVITZ: Thank
18 you.

19 COUNCILWOMAN BASS: Also for
20 the work that you did on the zones. I
21 should say the Keystone Opportunity, the
22 this zone or that zone, and just the lack
23 of revenue that we are receiving, how
24 much we're spending versus how much we're
25 getting back. I think that that's very

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2 important information.

3 I like the idea of the concept
4 of the zones and what the idea behind it,
5 the ideology, the promise of what it is
6 that they are supposed to do. So I think
7 I was probably like a lot of people who
8 were shocked and very surprised when I
9 saw your report and saw that it really is
10 not being designed and crafted in a way
11 that's being helpful to us. And so I'm
12 hopeful that part of your work in looking
13 at it is also maybe figuring out ways to
14 help make it work for the City, and I
15 don't know if that's a part of your
16 plans.

17 CONTROLLER BUTKOVITZ: Well,
18 yeah. First of all, we recommended that
19 there be certain information collected
20 and maintained. So that you don't just
21 have the people who are getting the free
22 tax credits say that, Honest to God, we
23 promise we're going to do this and we
24 think that we did do it, that the City
25 actually make it a requirement that

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2 people fill out forms and demonstrate the
3 specific number of jobs that are
4 resulting from this.

5 Secondly, there is this macro
6 information that is clear that under the
7 terms of the law as it's crafted, you
8 don't have to be an employer to qualify
9 for these credits, which are sold on the
10 basis that you're creating jobs. You can
11 be a partnership. You can be a firm that
12 doesn't have employees, just has
13 partners. You can be a high-end real
14 estate firm or financial firm. And, in
15 fact, those are the firms that have
16 gotten the lion's share of these tax
17 credits. So if you craft a program based
18 on a theory that you're doing one thing,
19 then the follow-up work should be done to
20 make sure that that lane is created in
21 that way.

22 I don't think that the
23 policymakers intended this to be a
24 giveaway to people who are just smart
25 businessmen. Really the whole point of

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2 the tax credits is to make sure that we
3 create jobs. So if you're not creating
4 jobs, I think it goes back to the
5 policymakers to say, So what additional
6 kinds of qualifications and
7 information-gathering can we put in here
8 to make sure that when we give up a
9 dollar in tax revenue, we're actually
10 doing something for jobs.

11 COUNCILWOMAN BASS: Is there
12 any recourse? Is there any recourse that
13 the City could possibly have in terms of
14 someone who is blatantly trying to skirt
15 around what the policy and its intent
16 was? And I don't know that there is any
17 recourse, but I'm just, you know...

18 CONTROLLER BUTKOVITZ: First of
19 all, the general framework of the law is
20 a Harrisburg problem, but I believe that
21 the City does have some control over the
22 awarding of these credits to particular
23 employers. So I think you would look in
24 terms of having a very specific
25 application process and you would want to

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2 know -- you would want specific
3 certifications and promises about the
4 kinds of jobs and the number of jobs that
5 are going to be created, and to the
6 extent that the City's approvals are -- I
7 mean, the State of Pennsylvania just
8 doesn't come in here and approve the
9 granting of a credit to a particular
10 business at a certain street in
11 Philadelphia. Philadelphia is involved
12 in that.

13 So you're going to have issues
14 of whether you can put -- it's going to
15 be a tightrope, because you can't change
16 the state law by city fiat, but you can
17 do a much better job of getting these
18 applicants to make very specific
19 verifiable promises about what they're
20 doing and then holding them to it and, as
21 a practical matter, trying to create that
22 incentive so that it really does what
23 it's supposed to, and then you work in
24 Harrisburg to try to get amendments to
25 the law so that this is crafted towards

1 4/8/14 - WHOLE - BILL 140144, etc.
2 job creation.

3 COUNCILWOMAN BASS: And that's
4 I think maybe the direction that we need
5 to go in on this matter, because if it
6 could be helpful, if it could be a tool
7 that's going to help us and do what it
8 was intended, create jobs, then let's try
9 to figure out how to get that aspect of
10 it back on track.

11 CONTROLLER BUTKOVITZ: Right.

12 COUNCILWOMAN BASS: So the
13 other question I had for you is, in
14 looking at the reports that you do,
15 whether it's through the Parks and
16 Recreation Department, also in your
17 testimony you mentioned that you had done
18 some work in reference to the election,
19 the 2012 presidential election, and
20 that's the election in which you
21 received -- well, you received an award
22 for the work that you did.
23 Congratulations on the award.

24 CONTROLLER BUTKOVITZ: Thank
25 you.

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2 COUNCILWOMAN BASS: And so my
3 question is, when you work on particular
4 issues, so whether it's Parks and
5 Recreation or whether it's the work on
6 the elections or any of the other things
7 that you do, do you work directly with
8 the City agencies? Do you have --
9 particularly in terms of addressing some
10 of the deficiencies that you might find
11 through your audit? Is there a mechanism
12 to sort of go back and say, These are
13 things that we found, A, B, C, and D, and
14 these are the things that we recommend
15 to, let's say, Parks and Recreation or
16 whoever?

17 CONTROLLER BUTKOVITZ:
18 Increasingly we have a better
19 relationship with most of the
20 departments. I think most of the
21 departments -- it's very difficult to
22 have an outside auditor come in and you
23 know that they're going coming in to
24 criticize you and that this has -- nobody
25 likes that process, but over the course

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2 of time that we've been there, I think
3 we've developed a more trusting
4 relationship, and many of the
5 departments, even the ones that may feel
6 that they've gotten the kind of tough
7 treatment in our reports, understand that
8 we have a policy of coming back short
9 term to go over serious problems. So
10 that maybe in the early years that I was
11 in, there was a view that this would just
12 pass over and it would be business as
13 usual, and now even departments where we
14 probably have a very difficult
15 relationship, like Licenses and
16 Inspections, who are kind of up to their
17 ears with collapsing things all over the
18 place, are now trying to work to get us
19 answers and trying to figure out what
20 they can do to accomplish the mission of
21 their office when frequently what's
22 coming out of these reports is that the
23 City departments do not have the
24 resources to do what they say they're
25 doing.

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2 COUNCILWOMAN BASS: Right.

3 CONTROLLER BUTKOVITZ: We've
4 had that a couple of times in L&I. We
5 had an incident four or five years ago
6 where a landing collapsed and somebody
7 was killed, and there was a promise made
8 that day that L&I was going to go out and
9 inspect all of the landings in all the
10 private apartment buildings, when we know
11 that they're not inspecting obvious
12 problems on buildings that are in danger
13 of imminent collapse.

14 So there's been, to some
15 extent, there's been a public relations
16 campaign and it kind of put up a wall
17 around these problems and try to deny
18 them in the media. Now that that has
19 broken through in areas like L&I, I think
20 that strategy isn't working anymore and
21 these more pressure to actually produce
22 real results, real answers or real
23 admissions of what the truthful state of
24 affairs are so that things can be triaged
25 and prioritized and we know where we

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2 stand. It's similar to what we talked
3 about in the tax field. For a long time
4 people were talking about a half a
5 billion dollars in taxes as if a button
6 could be pushed and they could be
7 collected, and if it's really \$120
8 million, you can't budget in a half
9 billion dollars in make-pretend money.

10 Similarly, there's no point in
11 giving people assurances that L&I is on
12 top of everything and every unsafe
13 structure is going to be torn down when
14 we read today 260 buildings that the City
15 owns itself would collapse within 24
16 hours and the top people at L&I say that
17 they do not have the money to do anything
18 about it.

19 COUNCILWOMAN BASS: Okay.

20 CONTROLLER BUTKOVITZ: So
21 there's a control mechanism at the very
22 top that doesn't want us to penetrate
23 these problems, and I could give you any
24 number of -- like we had a problem on the
25 police video surveillance cameras. We

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2 put out a report showing that a third of
3 them are not working. I mean, the City
4 is being told that we can get by on lower
5 levels of police manpower because we have
6 these cameras functioning. The Council
7 President and Councilman Jones and I
8 think Councilman Greenlee went to
9 Baltimore and saw a state-of-the-art
10 system --

11 COUNCILWOMAN BASS: And me too.

12 CONTROLLER BUTKOVITZ: Okay.
13 Councilwoman Bass. And very impressed
14 with that system, and they come back and
15 say, "Well, I guess we have a system like
16 that," and we don't have a system like
17 that, and the Administration's initial
18 response was that we didn't count right
19 and they hold a press conference and they
20 show a bunch of SEPTA cameras functioning
21 well and they try to make it look like
22 they're City cameras. Instead of like
23 let's get to the point of what's really
24 happening, because the principal idea
25 wasn't to pillory anybody on it. It was

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2 the frustration that a hundred miles away
3 in Baltimore they can run circles and
4 around us and that Philadelphia is
5 dealing with being in a more primitive
6 technological culture where good money
7 was thrown after bad and we don't have a
8 system that accomplishes it and people
9 are not safe because of the cameras.

10 So that was a big argument that
11 we had in June of 2013. Well, I would
12 say ever since the tragedy at 22nd and
13 Market, that has not -- that's not the
14 principal response anymore. It's obvious
15 that there are real problems, that they
16 have real serious consequences, that the
17 problems have to be addressed in a
18 straightforward way, that there has to be
19 an admission where there's resource
20 failures or there's an inability to do
21 everything that's been promised and what
22 is the best that can be done on the most
23 serious issues. So that's the way I
24 think it's progressing.

25 COUNCILWOMAN BASS: Well,

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2 again, I just wanted to say thank you for
3 the work that you're doing, because it's
4 so important, whether you talk about our
5 education or our educational system or
6 the safety of our citizens or -- I mean,
7 you just touch so many different aspects
8 of what's happening here in Philadelphia,
9 really every aspect, and I think that
10 sometimes it's hard to pry information
11 out of folks, sort of like this
12 territorial concept of it's mine and I
13 don't want to share it and I don't want
14 to get blamed if something is wrong, and
15 I think that that's obviously a mindset
16 that we have to get away from. And some
17 people will get it and will say, Well,
18 we're going to get away from that mindset
19 because it's the right thing to do and
20 because we want to get better, and then
21 some folks might just have to go along
22 kicking and screaming. But the
23 importance of the work, it just has to
24 continue. So I just wanted to say that.
25 Thank you.

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2 COUNCILMAN JONES: Thank you,
3 Councilwoman. And for the record, you
4 were a trailblazer on cameras for
5 recreation centers.

6 COUNCILWOMAN BASS: Well, thank
7 you, Councilman.

8 COUNCILMAN JONES: I just want
9 to make sure people know that.

10 COUNCILWOMAN BASS: Mr. Leader,
11 thank you.

12 COUNCILMAN JONES: The Chair
13 now recognizes Councilwoman Blackwell.

14 COUNCILWOMAN BLACKWELL: Thank
15 you.

16 I only wanted to thank the
17 Controller and his folks, new and old,
18 for what they do. These are difficult
19 times and we all have to be open enough
20 to change, but it takes us a while to get
21 there, but we appreciate all that you do.

22 CONTROLLER BUTKOVITZ: Well,
23 thank you. We appreciate what you all
24 do.

25 COUNCILWOMAN BLACKWELL:

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2 Thanks.

3 COUNCILMAN JONES: Thank you,
4 Councilwoman.

5 The Chair recognizes Councilman
6 Oh.

7 COUNCILMAN OH: Thank you very
8 much, Mr. Chairman.

9 Good morning, Mr. Controller.

10 CONTROLLER BUTKOVITZ: Good
11 morning, Councilman.

12 COUNCILMAN OH: Could you
13 explain for me -- because I know we've
14 had a couple conversations on this; I
15 don't really understand even at this
16 point in time -- the School District. We
17 hear from the School District every
18 budget season, and they need money, and
19 we try to get information from the School
20 District about their finances, what's
21 working, what's not working, and we can
22 never get that information and we end up
23 in a crunch situation having to try to
24 get money, squeezing blood from a stone
25 out of the citizens of this city, to fund

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2 things, and there's real issue about
3 whether, as you said in the other
4 context, we're putting good money after
5 bad.

6 We want to fund the schools, of
7 course, but how do we know what we're
8 funding and what limitations or what
9 challenges has your office faced in
10 coming up with what you would believe is
11 an ideal report or a good report for us
12 and the citizens of this city to
13 understand how to not only fund our
14 schools but to ensure that we are
15 actually providing a quality education to
16 our kids?

17 CONTROLLER BUTKOVITZ: There's
18 a longstanding cultural habit in the
19 School District to hide information and
20 to mask information, and I don't
21 understand it, because sometimes they do
22 it even when it clearly hurts them to do
23 it. The most dramatic example was this
24 year when we had to do the annual audit
25 of the School District and we were on the

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2 verge of issuing an opinion that said
3 that there was a danger that they were
4 not a going concern and they couldn't
5 document the fact that they had made the
6 cuts that they did and so on, and it was
7 simply a matter of them not providing all
8 the documentation that they had. I mean,
9 Matt Stansky got involved, and he was
10 very helpful in getting the appropriate
11 people to provide the documents, and at
12 the last minute what both they thought
13 and what we thought was going to result
14 in that kind of adverse opinion did not,
15 because the information they had was more
16 favorable to what the Administration had
17 at the School District and what they had
18 provided before. So you have to ask
19 yourself, So why are they doing that on a
20 knee-jerk basis and making it difficult
21 for people who are coming at it from a
22 neutral perspective? And the only
23 conclusion we have is that it's the habit
24 of the people who are in the financial
25 control positions in the School District

1 4/8/14 - WHOLE - BILL 140144, etc.
2 to kind of hide their homework and to
3 assume that whatever happens from the
4 outside world is going to be hostile or
5 something to be abated.

6 So now you have Hite and
7 Stansky who come in as a new -- so
8 there's always a change of bosses at the
9 top and then there's a longstanding
10 continuation of people who are in the
11 middle, and there's an issue about
12 whether the people at the top can impose
13 their discipline on the people who
14 believe that they've owned the school
15 system for generations, and I think
16 there's always that kind of tension. I
17 think it's encouraging that the people at
18 the top share that point of view and we
19 just -- I guess you have to get Stansky
20 or you got to get Hite or you got to get
21 them focused on following up on the
22 specific information stream, because they
23 have indicated an openness. But they're
24 dealing with a huge bureaucracy that has
25 been the way it has been for decades, and

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2 I think even they have trouble riding
3 that bureaucracy.

4 COUNCILMAN OH: From what I can
5 tell just impression-wise, it appears
6 that the leadership of the School
7 District does not know what their
8 finances are. That's my impression. I'm
9 not saying that you could say that's true
10 or not, but I guess my concern is that
11 we're talking about what the finances are
12 and if we don't know what the finances
13 are, I'm pretty sure we don't know how to
14 measure the performance of the
15 effectiveness of every dollar spent or
16 where to prioritize the improvements to
17 the School District. I mean, I'm not
18 clear that we even know how much money is
19 spent and what it's for.

20 For example, many of us hear
21 different stories, and I don't really
22 know the truth or whether it's true or
23 not that, for example, pallets of
24 books -- I hear this every year --
25 pallets of books are delivered to the

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2 School District and are not distributed
3 to the schools and are not distributed to
4 the children. I hear from children and
5 parents that they don't get books. I
6 hear that there are pallets of books
7 under contract, paid for, delivered to
8 the School District, but for whatever
9 reason, they are not distributed to the
10 schools, to the children. How much does
11 that cost?

12 I've gone to other schools
13 where they are running a great program
14 and they say, It's better to spend the
15 money on software licenses and devices
16 that will provide a lot more resources to
17 students on an updated basis than the
18 physical books.

19 Have you had any sense or
20 opportunity to do performance audits or
21 to go into the realm of how efficient or
22 effective the strategy of spending money
23 is in the School District?

24 CONTROLLER BUTKOVITZ: Well, as
25 you know, we are barred from doing

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2 performance or management audits in the
3 School District, and that has been the
4 way it's always been. Even when our
5 powers were under the City Charter
6 Education Supplement, we don't have the
7 kind of auditing powers with the School
8 District that we have with the City.
9 With the City we can burrow in on
10 something like K0Zs or how L&I is doing
11 their job, and that results in very
12 detailed kinds of recommendations and in
13 a collective problem-solving process that
14 causes improvements. For some reason,
15 the Legislature is always -- and you had
16 the takeover in 2002 and the state law
17 specifically did not give us a role in
18 auditing, and we've had that problem with
19 charter schools.

20 The Legislature has viewed the
21 school system as something that should
22 report to itself or report to the
23 Legislature, or the Auditor General is
24 the guy that can audit them, but they are
25 burdened by the requirement that audit

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2 503 school districts every year. So they
3 become virtually impenetrable.

4 I mean, we have, I think,
5 exhibited an enthusiasm for getting into
6 the schools and to getting into issues,
7 like no bid contracts and like some of
8 the performance issues that you're
9 identifying, and I'm not sure that this
10 Council could do anything about it,
11 because right now the governance of the
12 schools is under the State Takeover Act,
13 and certainly the Legislature -- and
14 we've encouraged them in the charter
15 school area to grant authority to the
16 City Controller's Office, because we're
17 the local people who are interested in
18 this issue. So what we're getting is the
19 State Auditor General will come in and he
20 will look at issues like the charter
21 schools and so on if they get on his
22 radar screen, but he doesn't have the
23 staff. Philadelphia is maybe 12 percent
24 of the total population of the state. He
25 doesn't have the capacity to put the

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2 level of attention in that we would.

3 But we could certainly use
4 Council and policymakers echoing the
5 claim that auditing and performance
6 auditing would improve practices in the
7 School District. And I don't understand
8 what the argument is for making it
9 impenetrable.

10 COUNCILMAN OH: Thank you very
11 much.

12 COUNCILMAN JONES: Thank you,
13 Councilman.

14 I'm going to let you go. We
15 have an ambitious agenda today, but,
16 again, we do read your reports. We do
17 use them as basis, if nothing more, than
18 to ask questions of departments and say
19 what about this issue or the other. So
20 we thank you.

21 CONTROLLER BUTKOVITZ: Thank
22 you. It's been a very stimulating
23 relationship with Council. We've often
24 received requests for projects. We early
25 on did a review of NTI. I mean, we were

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2 very happy to the extent we can be
3 technically eyes and ears to help the
4 Councilpeople get more information on
5 these subjects. We are very enthusiastic
6 about fulfilling that role. So we
7 appreciate the relationship.

8 COUNCILMAN JONES: Thank you,
9 Mr. Controller, and to your staff.

10 Next up will be the Sheriff's
11 Department for the City of Philadelphia.

12 (Witness approached witness
13 table.)

14 COUNCILMAN JONES: Good
15 morning, Mr. Sheriff. How are you?

16 Mr. Sheriff, you can begin your
17 testimony when you're ready.

18 SHERIFF WILLIAMS: Good
19 morning, Mr. Chairman and members of the
20 Committee of the Whole and --

21 COUNCILMAN JONES: You're going
22 to need to pull the mic a little closer
23 to you.

24 SHERIFF WILLIAMS: Good
25 morning, Mr. Chairman and members of the

1 4/8/14 - WHOLE - BILL 140144, etc.
2 Committee of the Whole. I'm Sheriff
3 Jewell Williams in the City and County of
4 Philadelphia and we're glad to be here
5 today. As you know, the Philadelphia
6 Sheriff's Office has been going through
7 what we call a change of the guard and we
8 have been, over the last year or so,
9 making a lot of new creative and
10 innovative things in the Sheriff's
11 Office. We have recently hired over a
12 hundred -- I'm sorry; over 58 new people
13 over the last year, which has helped us
14 with our numbers over in the Criminal
15 Justice Center.

16 Let me walk through what we do
17 on a daily basis.

18 The Philadelphia Sheriff's
19 Office, we transport folks from the
20 county jail to the courthouses. We have
21 nine court facilities that we actually
22 service. Now, over the last year -- I'll
23 speak on the criminal division side -- we
24 have increased our activism -- when we
25 say "activism," on the side of witness

1 4/8/14 - WHOLE - BILL 140144, etc.
2 protection -- by having six new K9 -- I'm
3 sorry; three new K9 dogs and six bicycle
4 patrols, which helps us with witness
5 intimidation. We have had a lot of
6 problems in and around the Criminal
7 Justice Center and some of the
8 courthouses where people are being
9 intimidated. By having the bicycle
10 patrol as well as K9 patrol, that helps
11 us alleviate problems that we have been
12 having in and around the criminal
13 courthouses.

14 We are now approaching a new
15 facility that we have to staff with 127
16 new deputies. That will be the new
17 Juvenile Criminal Justice Center. And
18 we've been working very hard to
19 accumulate those numbers. Right to this
20 day, we have 58 people that we have --
21 we're intending on bringing into the
22 Sheriff's Office. We have eight
23 positions that was approved in October
24 2012. We have another ten positions
25 which was approved in December. We had

1 4/8/14 - WHOLE - BILL 140144, etc.
2 an additional ten that was approved June
3 of 2013, and we have in this year's
4 budget 30 deputies to be approved in this
5 year's budget. And that will bring us to
6 somewhere near the numbers that we need
7 to fill the new Criminal Justice Center,
8 the Juvenile Criminal Justice Center.

9 Now, between the hirees, the
10 new hirees, and the retirement, between
11 the folks who may go out on disability,
12 we still need to maintain a number to
13 make sure that we can supply the courts
14 with adequate staffing. For example,
15 every time there is someone who is
16 retired, it takes us about three to six
17 weeks before that person, that position,
18 could be replaced. Well, that means that
19 the courtrooms will be down from three to
20 six weeks. Every time we send someone to
21 train in Penn State, it takes 26 weeks
22 for us to train our deputy sheriffs.

23 Our deputy sheriffs are not
24 security guards, because our training is
25 a real professional training service.

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2 They learn how to serve warrants. They
3 learn how the Civil Rules of Procedure.
4 They learn how to secure a courtroom. So
5 a lot of things that the Sheriff's Office
6 does.

7 So, again, we are constantly in
8 need of more deputies, and hopefully --
9 this building here is a courthouse.
10 Hopefully we should be able to man this
11 courthouse also, but, again, we would
12 need more deputies in order to service
13 this building also.

14 We have on the civil side, we
15 have a new computer system, which in the
16 past we were dealing with an antiquated
17 system, and now we have a website where
18 you can go to the website and hear more
19 and see more about the foreclosure sales,
20 the tax sales. We've increased the
21 actual sales by one day. Mind you, we
22 have not missed one sale since we've been
23 elected. In the previous
24 administrations, they have missed -- I
25 think they missed three sales. And we're

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2 the only office that is mandated by the
3 court to stick to a specific date, and we
4 have met that quota by having Sheriff
5 Sales.

6 I believe we've had -- the
7 sheriffs has collected almost -- over
8 rather \$32 million in delinquent City
9 taxes last year. We handle about 10,000
10 properties a year. We have actually
11 given back over \$2 million to people who
12 was owed money after a sale was settled.
13 To this year, we've given back over
14 \$250,000 to people who were owed money.

15 So, again, the Sheriff's Office
16 is going through our changes. You know
17 when we took this office over, we took
18 this office over in a cloud. We began to
19 clean it up. We began to change the
20 environment, the culture of the Sheriff's
21 Office. We have -- our office is more
22 transparent, more open than it's ever
23 been, even though we were still going
24 through the process of the investigations
25 and people looking into our office and

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2 how we run our office. And along with
3 our own internal investigations, we are
4 continuing to do that also.

5 Again, we are seeking -- well,
6 there's some issues that we've been
7 having over in the civil division on the
8 Sheriff Sale side. On the Sheriff Sale
9 day, we have to close the office because
10 we don't have adequate staffing to do the
11 Sheriff Sales and keep the Sheriff Sale
12 Real Estate Division open. So we have to
13 close it for a few hours until the sale
14 is over with. I mean, we actually need
15 additional people so that we can man the
16 Sheriff Sale Office to be open when the
17 sales are going on and as well as -- as
18 you've heard, there's been problems, the
19 newspaper has been reporting about
20 phones. Well, we're now -- it's been
21 approved for us to get a new phone
22 system, and there's monies needed to pay
23 for that, which is \$24,600 for the new
24 telephone system. And, again, in order
25 to keep the office open and people to man

1 4/8/14 - WHOLE - BILL 140144, etc.
2 the phones, we're going to need
3 additional fundings to hire clerical
4 people who can answer the phones after we
5 train them on how to give people the
6 proper information on Sheriff Sales and
7 tax sales.

8 The Sheriff's Office, again,
9 has two parts. We have a criminal side
10 and we have a civil side. To this day we
11 have had zero incidents where people have
12 escaped from the criminal division side.
13 We do a very good job with the manpower
14 that we have. We do thank this
15 Administration, Council, as well as the
16 Mayor's Office for supporting us in
17 getting the hirees that we did get hired.
18 But the Sheriff's Office continually
19 tries to make our changes and try to run
20 our operation, but manpower, womanpower
21 is needed in the Philadelphia Sheriff's
22 Office so we can continue our job.

23 Thank you.

24 COUNCILMAN JONES: Thank you,
25 Mr. Sheriff. And let me thank you on

1 4/8/14 - WHOLE - BILL 140144, etc.
2 behalf of Council for the presence of
3 Sheriff officers on our day of session.
4 They have been a welcomed addition. It's
5 good that we don't necessarily need them,
6 but if we need them, it's good to know
7 that they are there. So we appreciate
8 you making us just a little bit more
9 secure on the fourth floor of City Hall.
10 So I extend that thank you on behalf of
11 all of Council.

12 A couple of quick questions
13 that I have and then we'll go to
14 Councilman Greenlee, who is keyed up.

15 By way of -- and these can be
16 rapid fire.

17 Why do we train in Penn State
18 as opposed to the Police Academy? And I
19 understand the difference between state
20 authorization that the sheriff is, but
21 it's my understanding we have one of the
22 better training facilities for law
23 enforcement. And is that something that
24 you would want state officials to
25 negotiate an exception for cities of the

1 4/8/14 - WHOLE - BILL 140144, etc.
2 first class like Philadelphia where we
3 could get your guys not to have to travel
4 as far and possibly even save some costs
5 in that training?

6 SHERIFF WILLIAMS: Well, I
7 certainly recommend that we do the
8 Philadelphia training at the Police
9 Academy. As a graduate of the
10 Philadelphia Police Academy, I know that
11 we can adequately train our folks. But
12 Inspector Washington is our training
13 officer. We'll let him respond to the
14 policy and the procedure that we have
15 with our sheriff deputies being trained
16 in Penn State.

17 INSPECTOR WASHINGTON: Good
18 afternoon. I'm Staff Inspector Paris
19 Washington, Director of Training for the
20 Philadelphia County Sheriff's Office.

21 Currently, under state
22 legislation, when we serve work, writs,
23 things of that nature, there's a portion
24 of that funds that are submitted to the
25 state through the PCCD, the Pennsylvania

1 4/8/14 - WHOLE - BILL 140144, etc.
2 Commission on Crime and Delinquency, that
3 pays for our training. That PCCD
4 Committee determines where we go, where
5 we stay, and what our training is. So
6 currently Philadelphia County places a
7 large amount of money into that budget,
8 but we have no say where our deputies go.

9 Those classes are given three
10 to four times a year statewide. So at
11 this present time, sir, all deputy
12 sheriffs within the Commonwealth of
13 Pennsylvania must attend Penn State up in
14 the western part of Pennsylvania. As the
15 Sheriff has said, there is a little
16 clause in there, and that clause is if
17 our deputies receive the Act 120
18 training, which is the municipal police
19 training, we would only have to lose them
20 for two weeks. The only difference
21 between the Act 120 training and the Act
22 2 training is that they are provided
23 civil, where the Police Department is
24 not.

25 So if we were able to train our

1 4/8/14 - WHOLE - BILL 140144, etc.
2 officers at the Police Academy, receive
3 the Act 120 training, we would have to
4 send them less time to the state. And,
5 again, of course, that money that's being
6 sent to the state, then there would have
7 to be some type of provisions.

8 COUNCILMAN JONES: I just would
9 be curious to know what the cost
10 comparisons would be from the Penn State
11 quality of training and location versus a
12 Philadelphia Police Academy training.
13 And I don't need to --

14 SHERIFF WILLIAMS: Well, we can
15 get that information to you, but I want
16 you to know that we have people in
17 Harrisburg, lobbyists, who is working on
18 trying to get that legislation changed.
19 Certainly if we can get it changed, it
20 would be easier for us and it will be
21 less stress on families.

22 When we hire -- there are a lot
23 of people that we have to turn down
24 because they can't afford to go away for
25 the 26 weeks or the 19-week required

1 4/8/14 - WHOLE - BILL 140144, etc.
2 training.

3 COUNCILMAN JONES: Okay. I
4 mean, I just noted that in my role as
5 Chair of Public Safety, we've had an
6 opportunity to work closely with the folk
7 up at the training academy, and arguably
8 it's one of the best in the nation.

9 SHERIFF WILLIAMS: Oh, yes.

10 COUNCILMAN JONES: So I was
11 thinking about that.

12 Very quickly, protection --
13 let's go this way. By way of
14 transportation and with the advent of
15 technology and the arraignments by way of
16 teleconferencing, has that impacted your
17 manpower deployment in any way?

18 SHERIFF WILLIAMS: Not really,
19 because when you -- I mean, technology
20 helps us as far as cutting down on the
21 paperwork as far as cutting down on the
22 paperwork and the red tape dealing with a
23 judge, a clerk if we're getting orders to
24 bring people from the jails to the courts
25 or release people from the courts.

1 4/8/14 - WHOLE - BILL 140144, etc.

2 There's times that paperwork stops people
3 from actually being released from the
4 court that day after they have been
5 released. We've been working on with a
6 dedicated phone line and making sure that
7 we get that information in short order
8 from a judge. We make sure that we have
9 that information before we release a
10 person, because there have been instances
11 where people may have been released from
12 a particular courtroom but maybe wanted
13 somewhere else. So we have to make sure
14 that we put our safeguards in there.

15 But there are times where
16 people can be released from the courtroom
17 after their case is over with. With
18 modern technology, that helps us do that.
19 But, again, we have to make sure that
20 we're releasing the people and everything
21 is --

22 COUNCILMAN JONES: I want you
23 to go through all your due diligence to
24 make sure that the folk that are hitting
25 the streets are the ones that deserve to

1 4/8/14 - WHOLE - BILL 140144, etc.
2 be on the streets. But I was wondering
3 if that technology can be utilized to cut
4 down on the travel. It's not a question
5 for today, but something you might want
6 to take a look at, because they're using
7 it more and more for arraignments, and I
8 thought that that might impact your
9 department.

10 SHERIFF WILLIAMS: But mainly
11 we deal with people, bringing them to
12 court when the people must have the
13 opportunity to face their accuser. So
14 that gives us more of a hands-on from the
15 jail to the courthouse.

16 COUNCILMAN JONES: Well, a
17 couple of quick ones and then I'm going
18 to turn it over to Councilman Greenlee.

19 The \$450,000 allocation for IT,
20 what is that for specifically?

21 SHERIFF WILLIAMS: It says here
22 we're requesting it for management
23 software and related accounting services.

24 And my finance person.

25 (Witness approached witness

1 4/8/14 - WHOLE - BILL 140144, etc.
2 table.)

3 DEPUTY SHERIFF HAYLLAR: Ben
4 Hayllar. I'm the Chief Deputy Sheriff
5 for Finance.

6 That is to cover the
7 installation of the computer data system
8 that handles both the treasurer's -- or
9 excuse me; the foreclosure and tax sales
10 as well as the second phase which will
11 handle writ management that does not
12 pertain to foreclosure and tax sale. We
13 also need the assistance of outside
14 accountants to help us install this. We
15 do not have accountants on staff. We
16 will eventually, but until that happens,
17 we're going to have a need for outside
18 accounting.

19 Finally, because of the
20 investigation of previous
21 administrations, we have a forensic
22 accountant to help us and the federal
23 authorities go through the data that
24 they're interested in.

25 COUNCILMAN JONES: Thank you.

1 4/8/14 - WHOLE - BILL 140144, etc.

2 I'm interested to find out how our row
3 offices interact with our IT department
4 here. That's going to be an ongoing
5 issue for us to make sure that that
6 interface is efficient, but I'm going
7 to -- when I come back around and give
8 other members the time, I want to talk
9 about your process for protection orders
10 and things like that. So whoever is
11 responsible for that should key up.

12 The Chair recognizes Councilman
13 Greenlee.

14 COUNCILMAN GREENLEE: Thank
15 you, Mr. Chairman.

16 Good morning.

17 SHERIFF WILLIAMS: Good
18 morning.

19 COUNCILMAN GREENLEE: Just two
20 quick questions. In your written
21 testimony, Sheriff Williams, you talk
22 about the increase in deputy sheriff
23 officers from 170 in 2013 to 246 by the
24 end of the fiscal year, but then you add
25 while this still is not adequate, it's a

1 4/8/14 - WHOLE - BILL 140144, etc.
2 huge step forward. Do you have a number
3 that you would define as adequate? If
4 not exact, around.

5 SHERIFF WILLIAMS: Well, I
6 would envision -- with Year '15 budget we
7 have 30 people coming in. We now have
8 to, as Inspector Washington says, we now
9 have to seek people who have Act 2,
10 people who have 120 training, and people
11 who are retired or have State Police
12 certification, which will cut down on the
13 time that we're sending people away for
14 training. Once we send those folks away
15 for training, that takes away from a
16 deputy being in the courtroom.

17 So factually we would need an
18 additional 75 people in order to -- after
19 we do the 30 people, after we get those
20 30 people trained, we would need an
21 additional 75 people in order to have
22 trained people and ready for the
23 courthouses. Again, our major problem is
24 sending people away, because they're away
25 from the courthouse for training. So

1 4/8/14 - WHOLE - BILL 140144, etc.

2 those additional people are going to be
3 needed. And I would imagine at the next
4 Administration, we would be asking for at
5 least 50 to 75 additional people.

6 COUNCILMAN GREENLEE: So 50 to
7 75 on top of the 246?

8 SHERIFF WILLIAMS: Yes.

9 COUNCILMAN GREENLEE: And on
10 that same vein, in your verbal testimony
11 you said because of the shortages and the
12 retirements and things like that, that
13 sometimes courtrooms have to be closed
14 down. Is that almost an ongoing thing or
15 is that just happens now and then?

16 SHERIFF WILLIAMS: Well, it
17 happens now and then, but when you look
18 at our numbers, every time there's a
19 person out sick, every time there's a
20 person injured on duty, every time
21 there's a person retired, the retirees
22 take almost six to eight weeks for us to
23 bring those folks on board, because you
24 now have the hiring board and hiring
25 panel that this Administration have now,

1 4/8/14 - WHOLE - BILL 140144, etc.
2 which was not in previous
3 Administrations. So it takes a little
4 longer to bring a person on. So if I
5 replace that person with a retired
6 person, that means that that courtroom
7 will be down if we're dealing with per
8 deputy per courtroom. So that's not an
9 ongoing basis, but it happens and it
10 happens on a daily basis. I mean --

11 COUNCILMAN GREENLEE: You say
12 it happens on a daily basis?

13 SHERIFF WILLIAMS: It happens
14 on a daily basis, because if -- we need
15 156 people in order to staff the Criminal
16 Justice Center. Well, if you have 20
17 people out sick, that's courtrooms may be
18 down for a while. And if you have
19 vacation. So that's why we need to
20 continuously hire people. I mean, under
21 the past administrations, what happened
22 was they never hired more people. They
23 were hiring more exempt people than they
24 were hiring Civil Service workers, and so
25 as the courtrooms grow, they were not

1 4/8/14 - WHOLE - BILL 140144, etc.
2 replacing the deputies. Since I've been
3 there, we've grown the Sheriff's Office
4 about 58 deputies, and additional 30
5 would help us. And we have 22 people now
6 in Penn State waiting to come down. We
7 have an additional 10 people, as I was
8 reading the numbers when we bringing
9 these folks on. So we're going through a
10 transition to make it more service
11 friendly, but the manpower, the training
12 is the hindrance that I have.

13 COUNCILMAN GREENLEE: And that
14 obviously leads to case backlog, which
15 is --

16 SHERIFF WILLIAMS: Look,
17 they're going to open up the new Juvenile
18 Criminal Justice Center sometime in
19 October. I need 127 deputies. I'm about
20 75 percent there. But I have to make
21 sure I'm working my numbers. Knock on
22 wood, we haven't had any incidents over
23 the Criminal Justice Center or any other
24 facility, 1801 Vine, 34 South 11th
25 Street. We haven't had any incidents

1 4/8/14 - WHOLE - BILL 140144, etc.

2 where prisoners escape or any melees or
3 anything like that, and that's only
4 because of the dedication of the men and
5 women of the Philadelphia Sheriff's
6 Office. And I believe that we can
7 maintain it as long as we continually
8 hire people until we at least get to a
9 number which is comfortable for the
10 courts.

11 COUNCILMAN GREENLEE: As long
12 as those numbers keep ramping up as time
13 goes on.

14 SHERIFF WILLIAMS: Yes.

15 COUNCILMAN GREENLEE: I got
16 you. Well, thank you for all you do.

17 SHERIFF WILLIAMS: Thank you.

18 COUNCILMAN GREENLEE: Thank
19 you, Mr. Chairman.

20 COUNCILMAN JONES: Thank you,
21 Councilman.

22 The Chair recognizes
23 Councilwoman Sanchez and then
24 Councilwoman Blackwell.

25 COUNCILWOMAN SANCHEZ: Good

1 4/8/14 - WHOLE - BILL 140144, etc.
2 morning.

3 SHERIFF WILLIAMS: Good
4 morning.

5 COUNCILWOMAN SANCHEZ: For the
6 record, I noticed you didn't submit it,
7 although last year you did, a little bit
8 of the demographic breakdown of your
9 department and then in light of your new
10 hiring. And I said this because I know
11 you've been working really hard in
12 diversifying your workforce, so you
13 should submit it since I know you're
14 working on it. But I'd like to know the
15 demographic breakdown and the language
16 breakdown in your office, and then do you
17 have a goal with these new hires of where
18 you'd like to be in light of what your
19 numbers are?

20 SHERIFF WILLIAMS: Well, as you
21 know, we continue to hire people as fast
22 as we get the appropriations or the
23 approval. We have -- right now our
24 numbers are we have 202 males, 65
25 females, 143 African Americans, 94

1 4/8/14 - WHOLE - BILL 140144, etc.
2 whites, 28 Latinos, one Asian, and we say
3 one other. I think that's -- we have one
4 Haitian person. We just promoted the
5 first Latino lieutenant, Lieutenant
6 Bastone. My staff inspector is Inspector
7 Algarin, who is Latino. We've hired four
8 under this new -- the ten new hirees that
9 I just talked about, which is the ten
10 positions approved for 6/27/2013. That
11 is four additional white, four women, and
12 two Hispanics.

13 So, again, we continue to bring
14 the numbers in to try to diversify the
15 Philadelphia Sheriff's Office.

16 COUNCILWOMAN SANCHEZ: So do
17 you have a goal with these new hires,
18 with this 120?

19 SHERIFF WILLIAMS: Well, I
20 don't actually have a goal because it's
21 based on our hirees, but I would love to
22 have our office as fair and as equal as
23 the hiring will permit.

24 COUNCILWOMAN SANCHEZ: Well,
25 let me encourage you to kind of try to

1 4/8/14 - WHOLE - BILL 140144, etc.
2 establish a goal.

3 Are you using the police list,
4 the corrections office list or did you
5 ask HR to create your own list?

6 SHERIFF WILLIAMS: We use the
7 police, the correctional officers, the
8 list that we created in order to bring
9 people in who have experience, training
10 experience. Now, as I said before this
11 committee, my major problem is bringing
12 people in the Sheriff's Office and I
13 don't have to send them away for 26
14 weeks, because every time we send people
15 away for training, I'm sending them away
16 from a courthouse. So I'd rather bring
17 people in now who has training and
18 experience. And believe it or not, the
19 folks that's coming in are multicultural
20 folks who are coming in.

21 COUNCILWOMAN SANCHEZ: Okay.
22 In your budget details, you talk about an
23 additional quarter of a million dollars
24 for real estate foreclosures and writ
25 management system. Can you tell me how

1 4/8/14 - WHOLE - BILL 140144, etc.
2 this new line item is going to help
3 improve in light of the fact some of the
4 issues that you mentioned have been made
5 public?

6 DEPUTY SHERIFF HAYLLAR: When
7 Reach Communications was terminated in
8 2011, they basically took the Sheriff's
9 Office computer system with them. We do
10 have a very antiquated City system, but
11 it keeps crashing. We needed to rebuild
12 the system that manages and records the
13 data for all facets of the Sheriff's
14 Office, and that is to pay for that.
15 It's not a reoccurring item, but it is
16 something that is desperately needed.

17 COUNCILWOMAN SANCHEZ: In terms
18 of some of the items that were publicized
19 in terms of the real estate and some of
20 the issues, can you give me one, two,
21 three things that you've done to improve
22 on the items? I mean, they talked about
23 the phone system. I noticed you have
24 \$25,000 for a phone number. What other
25 systems changes have you made?

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2 SHERIFF WILLIAMS: The
3 electronic deed filing is one new facet
4 for the Philadelphia Sheriff's Office.
5 In our seminars, we have seminars between
6 two and three times a month. One of the
7 seminars has been -- is being cheered by
8 our Community Relations Officer, Ann
9 Sostre, who does a Latino seminar, and
10 then we have a non-Latino seminar and
11 then we have a seminar with the Asian
12 community where we have Asian volunteers
13 who come from the Asian newspapers who
14 come in and talk to people in the
15 community, from their community, on how
16 to purchase from the Sheriff Sale. So we
17 have a lot of seminars and a lot of
18 community outreach, which has never been
19 done or hasn't been done in a while with
20 the Philadelphia Sheriff's Office.

21 COUNCILWOMAN SANCHEZ: In terms
22 of the office per se, what are some of
23 the improvements in terms -- because you
24 talked a little bit about the seminars,
25 and I think they're great. Folks need

1 4/8/14 - WHOLE - BILL 140144, etc.
2 them, and we got to continue to support
3 that.

4 When someone comes to your
5 office, tell me how you've improved those
6 systems when they come in, want to put a
7 deposit or put something on Sheriff Sale,
8 they pay their deposit. How long -- what
9 have you done in that area to improve?

10 SHERIFF WILLIAMS: Well, they
11 pay their deposit when they go to the
12 Sheriff Sale, but when they come to the
13 office and either they want to settle up
14 or they want to get information, we have
15 several deputy sheriff officers and our
16 front community contracting people who
17 are out front who are trained to send
18 people where they need to go, and we have
19 one officer, he's dedicated to teach
20 people on how to purchase properties,
21 where to pay, where not to pay. In a lot
22 of the instances we have problems with
23 people who have put deposits on
24 properties and then they try to go and do
25 an illegal eviction. So we work very

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2 hard with that person who comes in the
3 office or if they call with that kind of
4 complaint.

5 So there's a lot of different
6 things that the Sheriff's Office does
7 when we get those complaints, and we do a
8 lot of hands-on responses to make sure
9 that people are given the right
10 information, and as well as our deputies
11 who are in our Internal Affairs Unit go
12 out to the police districts and talk to
13 the police about when they get a
14 complaint of an illegal eviction.
15 Sometimes people who buy property at
16 Sheriff Sales use the deposit slips as a
17 way of telling people they need to move
18 out of a property, and they have not
19 completed their terms of sale. So that
20 becomes an investigation in our Internal
21 Affairs Unit, which our Internal Affairs
22 Unit constantly try to teach the police
23 on not to recommend that people leave
24 their properties. The only person that's
25 supposed to do evictions is the

1 4/8/14 - WHOLE - BILL 140144, etc.
2 Philadelphia Sheriff's Office or the
3 court's designee on evictions. So we
4 work very hard on getting that
5 information. And we're putting people
6 back in their homes because of those
7 surreptitious actions.

8 DEPUTY SHERIFF HAYLLAR:
9 Councilwoman, there's a common
10 misconception that the Sheriff's Office
11 determines what properties go up for
12 sale. That is not the case. We are the
13 agent of the courts. The courts through
14 the court process makes that decision.
15 We can neither put a property up for sale
16 for any purpose nor can we unilaterally
17 take it out.

18 COUNCILWOMAN SANCHEZ: One last
19 thing. We passed a foreclosure bill that
20 we're working with the Administration to
21 implement that allows owner-occupied
22 severely tax-delinquent folks to get on a
23 payment plan based on their income. Has
24 your staff been trained by the
25 Administration on this so that when

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2 someone comes to you, I'm losing a house,
3 that they may be eligible for these
4 programs?

5 SHERIFF WILLIAMS: No, but what
6 we do is, we refer people when they're
7 losing their properties to several
8 programs. We refer them to Community
9 Legal Services. We refer them to TURN.
10 We refer them to Philadelphia Corporation
11 of Aging for the senior advocate. We
12 refer them to the Office of Housing and
13 Community Development for their housing
14 counseling programs.

15 COUNCILWOMAN SANCHEZ: My
16 concern is that our folks get scared.
17 They get these notices.

18 Let me encourage you -- and
19 we'll work with you with the Revenue
20 Department to train your staff, because
21 this new payment plan, which has to be
22 abided by everybody, including the
23 private companies, we're very concerned
24 about the communication of that
25 information, and many times when the

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2 Sheriff's Office refers folks out, people
3 get scared, and I think that it will be
4 beneficial to your real estate division
5 to know that if you're telling folks, if
6 you go to CLS, you can get on a payment
7 plan based on your income and you don't
8 need to have 25 or 50 percent. We're
9 just finding there's a gap of
10 information.

11 So we'll work with the Revenue
12 office to get your real estate division
13 trained. Any person that we can keep in
14 their home based on this new payment plan
15 and anybody who could help us do that is
16 very, very important to us.

17 SHERIFF WILLIAMS: Thank you.

18 COUNCILWOMAN SANCHEZ: Because
19 it even includes people with really high
20 delinquency bills who can now get into an
21 affordable payment plan without a
22 deposit. It's huge. And so we just want
23 to make sure that your staff is
24 adequately prepared to deal with those
25 folks.

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2 SHERIFF WILLIAMS: Thank you.

3 COUNCILWOMAN SANCHEZ: Thank
4 you.

5 COUNCILMAN JONES: You're so
6 right, Councilwoman. People operate in a
7 state of denial when it comes to the help
8 that can be offered for prevention of
9 Sheriff Sale, whether you're talking
10 about diversionary programs or other.
11 It's almost like a fait accompli, they
12 won't go get the help, and it compounds
13 the problem. So the more positive
14 communication about options other than
15 actual seizure of properties I think is
16 right on point.

17 The Chair now recognizes
18 Councilwoman Blackwell.

19 COUNCILWOMAN BLACKWELL: Thank
20 you, Mr. President.

21 So we saved the best for last.

22 COUNCILMAN JONES: The
23 Chairman. The Chairman.

24 COUNCILWOMAN BLACKWELL: Thank
25 you.

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2 COUNCILMAN JONES: President
3 Clarke is somewhere in the building.

4 COUNCILWOMAN BLACKWELL: I
5 thought I said Chairman. It's okay.
6 Mr. Majority Leader.

7 COUNCILMAN JONES: Thank you.

8 COUNCILWOMAN BLACKWELL: And I
9 wanted to say to the Sheriff and the new
10 team that we are happy to support them
11 and we like the new focus, the specific
12 work you've done, the research, and it's
13 exciting to see in our business, in the
14 political business. There's so many
15 departments, a whole new focus, new
16 interest on how we do things better, how
17 we are more specific. It's nice to know
18 that we can kind of relax and trust what
19 they're doing and know they're doing
20 their research and their homework,
21 because you can't do it with every
22 department. But certainly we want to say
23 thank you, and certainly we support you.

24 SHERIFF WILLIAMS: Thank you,
25 Councilwoman.

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2 COUNCILWOMAN BLACKWELL:

3 Thanks.

4 I'm easy. I'm easy.

5 COUNCILMAN JONES: I see, you
6 know.

7 Let me bring you back to one of
8 your other roles that I think is as
9 important as some of the things you do.
10 When it comes to domestic abuse and
11 something that's near and dear to
12 Councilman Greenlee's work that he's done
13 in Council, one of the things when I did
14 the tour of your department, we noticed
15 what your role is when there is a
16 protection order and by way of removal of
17 firearms. Can you talk about that.
18 Because a lot of people don't know what
19 you do.

20 SHERIFF WILLIAMS: I'll let the
21 expert, firearms instructor and trainer.

22 INSPECTOR WASHINGTON: Again,
23 thank you. Staff Inspector Paris
24 Washington, Philadelphia County Sheriff's
25 Office.

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2 It's kind of an epiphany,
3 because I just left a meeting at the
4 District Attorney's Office with a
5 committee that included Probation/Patrol,
6 the District Attorney, the Police
7 Department, and Women Against Abuse on
8 this very same subject.

9 When a protection order is
10 issued and where there are weapons
11 involved, the court orders the defendant
12 to immediately surrender all weapons to
13 the Sheriff's Office. When we're
14 informed of this -- and I was very
15 shocked to hear the statistics, that
16 about 11,000 PFAs were written in the
17 City last year, 11,000. We were told
18 that approximately a third of them
19 involve weapons.

20 There is currently no standard
21 system to notify the Sheriff's Office
22 that a weapon is involved, other than,
23 number one, we being contacted by the
24 victim or, two, that we're being
25 contacted from the Women Against Abuse

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2 section, which, by the way, just happens
3 to be across the hall from my office.

4 When we are notified, the
5 Sheriff has directed us to vigorously
6 obtain that weapon. Now, we don't have
7 that in the budget, but we will put
8 deputies in vehicles. We will go out to
9 the property where we believe that weapon
10 to be, and under that court order, we
11 will seize that weapon. Of course,
12 there's a lot of research that we have to
13 do before that. Does the individual
14 we're going after have a criminal record,
15 do they in fact legally own a firearm,
16 are there warrants for that individual.
17 So our Intelligence Unit conducts those
18 type of searches before we even go to the
19 door.

20 I'm sure you understand,
21 Councilman, that taking a firearm from a
22 man is like cutting the --

23 COUNCILMAN JONES: Or a woman.

24 INSPECTOR WASHINGTON: Or a
25 woman is like disarming them, and that

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2 becomes a very potentially dangerous
3 situation.

4 Under the court order, we will
5 take that weapon. We will return it to
6 the Sheriff's Office where we place it in
7 our armory. Right now, sir, PFAs are
8 ranging three years. We must maintain
9 that weapon at our cost for three years
10 until, one, the court either orders the
11 weapon returned or destroyed for
12 violation of the PFA.

13 We do not have a system in
14 which, as the order says, shall
15 immediately surrender to the Sheriff's
16 Office in place with manpower to meet
17 that demand.

18 Our second function is through
19 City Council and the Police Department
20 when law enforcement officers get
21 protection from abuse orders. Their duty
22 weapon is taken by the commanding
23 officer, but all personnel weapons are
24 taken by the Sheriff's Office. And
25 likewise, any weapon that is ordered by

1 4/8/14 - WHOLE - BILL 140144, etc.
2 any court throughout the United States
3 under the Domestic Women's Federal Act,
4 we must enforce a PFA no matter where
5 it's written. So we are constantly
6 getting PFAs from Florida, Delaware, New
7 Jersey, and other states. Again, we
8 don't have a dedicated resource to
9 enforce these orders.

10 So we're doing the best job we
11 can. The Sheriff is supportive of our
12 unit. I can tell you right now we have
13 approximately a thousand weapons in our
14 armory that are related to PFAs. But as
15 I said, 11,000 were written. There's a
16 top of weapons that we're not getting.

17 COUNCILMAN JONES: As Chair of
18 Public Safety, I don't feel real safe
19 when you hear statistics like that, and
20 because of Councilman Greenlee's work in
21 this area, I'm going to be reaching out
22 to you, sir, to see what we can do, A,
23 during the budget process to make sure
24 with the First Judicial Courts that there
25 is an official mechanism by which people

1 4/8/14 - WHOLE - BILL 140144, etc.
2 are alerted.

3 In parts of my district,
4 domestic violence is the top of the food
5 chain, and in those cases, disarming folk
6 who on a better day are our loved ones,
7 but on that day need to protect
8 themselves from each other, I think this
9 is an important step and role that the
10 Sheriff Department plays. And a lot of
11 people just don't know that's another
12 task assigned to you.

13 So I look forward to working
14 with your office and any other
15 Councilmembers that have an interest.

16 Protection by way of the
17 courts, again, witness intimidation. You
18 mentioned it in prior testimonies. I
19 want to know as we start to add on courts
20 and have multiple buildings and multiple
21 locations, that particularly it came as a
22 shock to me that people were from the
23 courthouse Twittering about snitches and
24 people testifying and how people in
25 particularly with CJC are winding up

1 4/8/14 - WHOLE - BILL 140144, etc.
2 going up the same elevators as people
3 that they're going to testify against,
4 and how can we kind of take that issue
5 and work with your department to --

6 SHERIFF WILLIAMS: Well,
7 Councilman, that is a concern of ours.
8 We make sure that we send our supervisors
9 on every floor. We also have people who
10 in plain clothes units who travel up the
11 elevators or on the elevators rather to
12 listen when they hear about witness
13 intimidation. We constantly inform the
14 judge of the courtroom if there's someone
15 with a phone, particularly the camera
16 phones, taking pictures or using that
17 device. It is prohibited in that
18 building. People are not supposed to use
19 that camera or any device like that while
20 court is in session.

21 There has been instances where
22 we have confiscated. That has been --
23 those folks have been turned over to the
24 judge. Most times if the judges take
25 action, the very least the judges should

1 4/8/14 - WHOLE - BILL 140144, etc.
2 do is hold those people in contempt,
3 which means he could hold them for the
4 maximum I think of 30 days before they
5 can bring them back down. But if they
6 hold them in contempt, that would defer
7 people from doing that kind of
8 activities. But along with our bike
9 patrol and our K-9 Unit who actually
10 patrol the perimeter of the Criminal
11 Justice Center as well as when the new
12 facilities come in place, that's why we
13 got the bike patrol, because we knew that
14 it was going to expand, and we have cut
15 down on a lot of witness intimidation or
16 people being harassed because they were
17 supporting family members in a criminal
18 court case.

19 There are a lot of
20 multi-co-defendant cases where we have to
21 use more than just one deputy for
22 courtrooms. Sometimes we have to use --

23 COUNCILMAN JONES: Define
24 co-defendant for those who might be
25 listening.

1 4/8/14 - WHOLE - BILL 140144, etc.

2 SHERIFF WILLIAMS: Well,
3 multi-co-defendant is when you have a
4 case that has more than one person who
5 committed the crime and you might have
6 witnesses also who is a part of that. So
7 we now have to supply more than just one
8 deputy. We have to supply sometimes two
9 or three deputies, along with a
10 supervisor, because we want to make sure
11 that we have total control of that
12 environment if it is a troublesome area.

13 COUNCILMAN JONES: The key to
14 justice is to have the integrity and
15 protection of the witnesses that come
16 forward to say what they've seen and
17 provide valuable testimony in the justice
18 process. If we can't protect them, then
19 soon to happen after that is the failure
20 of the entire system. So I think that's
21 very important.

22 The Chair recognizes Councilman
23 Greenlee.

24 COUNCILMAN GREENLEE: Just very
25 quickly. Thank you, Mr. Chairman. Thank

1 4/8/14 - WHOLE - BILL 140144, etc.

2 you for the statements on the PFA issue,
3 and I didn't realize those figures.

4 They're quite distressing.

5 And just as far as the staffing
6 levels, Sheriff, when you mentioned
7 before about -- if you're talking about
8 adequate, you'd like to see 50 to 75
9 more. Was that included in what we were
10 talking about with the PFAs?

11 SHERIFF WILLIAMS: Yes. In
12 order to have -- in order for us to have
13 more people, I would be able to give the
14 Inspector more people in his unit. He
15 has right now like three people in his
16 unit.

17 COUNCILMAN GREENLEE: I was
18 going to ask that, how many you have.

19 SHERIFF WILLIAMS: I started
20 two and a half years ago, and I have not
21 even began to look at the investigative
22 part of -- the lateral part of our
23 office. We then in the main desk, we're
24 into real estate and the accounting. I
25 have to go into advertising and I have to

1 4/8/14 - WHOLE - BILL 140144, etc.

2 look into all of those areas, but unless
3 I have the adequate staffing, it's very
4 difficult. So I have to deal with the
5 most immediate, and that is the criminal
6 courthouses and then the main desk and
7 then real estate, and then I have to go
8 into those other divisions. Not that
9 people are doing things wrong, but I have
10 to look. I got to investigate.

11 COUNCILMAN GREENLEE: You have
12 to ready for it, yeah.

13 And the Chairman is right, we
14 certainly want to, when it comes to PFAs,
15 supply you with as much as we can to make
16 sure that folks are adequately protected.

17 Thank you, Mr. Chairman.

18 COUNCILMAN JONES: Just to
19 place this on the record, in 2010 to
20 2011, the District Attorney's Office
21 moved 82 families because of witness
22 intimidation and witness protection. In
23 2011 to 2012, 150 families were moved.
24 In 2012 to 2013, 145 families, not just
25 individuals but entire families that were

1 4/8/14 - WHOLE - BILL 140144, etc.
2 threatened in that process. And
3 according to DA Seth Williams, juveniles
4 charged with intimidating witnesses over
5 Twitter has become epidemic in
6 proportion.

7 So we need to get ahead of
8 this, and the way that at least -- we
9 can't control the entire universe, but we
10 must control our courtrooms and outer
11 areas. So we want to thank you again.

12 SHERIFF WILLIAMS: Council
13 President, excuse me. If I had --

14 COUNCILMAN JONES: Majority
15 Leader.

16 SHERIFF WILLIAMS: I'm sorry.

17 COUNCILMAN JONES: I'm going to
18 stop right there.

19 SHERIFF WILLIAMS: Mr.
20 Chairman, I'm sorry. If we could get the
21 adequate amount of staffing, I could
22 staff people to take every cell phone and
23 maintain it until they leave the
24 courthouse, but unless I have the
25 adequate staffing, it's very difficult

1 4/8/14 - WHOLE - BILL 140144, etc.

2 for me to do that.

3 COUNCILMAN JONES: People
4 Twittering and taking pictures of people
5 testifying just unnerves me.

6 Are there any other questions
7 for these witnesses?

8 (No response.)

9 COUNCILMAN JONES: Seeing none,
10 again, Sheriff Williams, thank you for
11 your testimony and thank you for the work
12 that you do.

13 SHERIFF WILLIAMS: Thank you,
14 Mr. Chairman.

15 COUNCILMAN JONES: And all of
16 your members in your department.

17 SHERIFF WILLIAMS: Thank you.

18 COUNCILMAN JONES: Next up will
19 be the Streets Department. And we're
20 going to try to work through and push
21 through this, members, unless the
22 stenographer needs a break.

23 COURT STENOGRAPHER: No. I'm
24 fine.

25 (Witnesses approached witness

1 4/8/14 - WHOLE - BILL 140144, etc.
2 table.)

3 COUNCILMAN JONES: Thank you so
4 much for your flexibility in coming over
5 a little early. We want to try to press
6 through and take advantage of the
7 members' questions. And I won't use the
8 S word which is snow. I will only use
9 the S word which is spring and we'll go
10 from there.

11 Feel free to summarize your
12 testimony, but feel free to do it
13 longhand if you need to.

14 Thank you. State your name for
15 the record and begin your testimony.

16 COMMISSIONER PERRI: Good
17 morning, Mr. Chairman and members of City
18 Council. I am David Perri, Commissioner
19 of the Streets Department, and I am here
20 today with Deputy Commissioner Donald
21 Carlton and Deputy Commissioner Patricia
22 McConnell to present testimony on behalf
23 of the Streets Department's proposed
24 Fiscal Year 2015 Operating Budget.

25 We request a General Fund

1 4/8/14 - WHOLE - BILL 140144, etc.
2 appropriation of \$116,866,689 and a total
3 appropriation of \$179,034,800 for Fiscal
4 Year 2015. These appropriations will
5 enable us to continue to provide ongoing
6 programs, including alley light
7 replacement, traffic calming and safety
8 improvements, traffic control center
9 development, and the Future Track job
10 training program.

11 The General Fund allocation for
12 Fiscal Year 2015 includes \$66,970,101 for
13 personal services, \$46,033,455 for the
14 purchase of services, and \$3,809,962 for
15 materials, supplies, and equipment.

16 The Streets Department seeks to
17 improve the quality of life for all
18 citizens. It carries out the mission of
19 clean, green, and safe streets through
20 the Divisions of Transportation and
21 Sanitation. Transportation has broad
22 responsibility for maintaining over 2,525
23 miles of roads and bridges, an extensive
24 traffic control and street lighting
25 system, and serves as the lead agency for

1 4/8/14 - WHOLE - BILL 140144, etc.
2 winter storm operations.

3 The Department's employees as
4 well as all City employees involved in
5 the snow-fighting operation rose to the
6 challenges presented by one of the most
7 intense winter seasons in Philadelphia
8 history, which featured a record-breaking
9 18 storms, 68 inches of snowfall, and
10 near record cold temperatures. The
11 effects of the second snowiest winter in
12 the City's history continues to be
13 realized as we repair, re-time traffic
14 signals, repair signs and poles, and fill
15 potholes. To date, nearly 26,000
16 potholes have been repaired, which has
17 already tripled the number expected in a
18 typical season.

19 Sanitation Division is the
20 cornerstone of the Department's cleaning
21 and greening efforts, and we are on our
22 way to becoming one of the greenest
23 cities in America through our recycling
24 efforts. Diversion rates this year are
25 projected to reach a record 22 percent

1 4/8/14 - WHOLE - BILL 140144, etc.
2 compared to just over 8 percent in Fiscal
3 Year 2008 at the beginning of this
4 Administration. We continue to engage
5 communities in our cleaning and greening
6 efforts and happily celebrated the 7th
7 Annual Philly Spring Cleanup this past
8 Saturday. We engaged 12,571 volunteers
9 at a total of 569 cleaning and greening
10 projects and removed a record 1,112,880
11 pounds of material from City streets,
12 sidewalks, and lots.

13 The Streets Department could
14 not fulfill its mission and provide the
15 myriad of sanitation and
16 transportation-related services without
17 the hard work of the men and women of the
18 Streets Department. I am proud to lead
19 this diverse workforce as we continue to
20 deliver quality service in an efficient
21 and cost-effective manner.

22 We request your favorable
23 consideration of this budget, and we are
24 available to answer questions at this
25 time.

1 4/8/14 - WHOLE - BILL 140144, etc.

2 COUNCILMAN JONES: Again, thank
3 you for your department's Herculean
4 effort in digging us out. I know there's
5 not a part of the City that was not hit
6 real hard by the snow, and what you've
7 been able to do and being responsive
8 makes me proud not to be Atlanta but to
9 be Philadelphia.

10 So I'm going to ask the scary
11 question. How much did the storms cost
12 us?

13 COMMISSIONER PERRI: Well, we
14 budget typically \$4 million for
15 contractor assistance for snow-fighting
16 operations. This year the total was \$7.9
17 million. The overall total cost, if you
18 can bear with me one minute, it's
19 approximately \$18,148,000.

20 COUNCILMAN JONES: And that
21 compares to what number on an average
22 year?

23 COMMISSIONER PERRI: On an
24 average year, we're looking at between \$6
25 and \$7 million.

1 4/8/14 - WHOLE - BILL 140144, etc.

2 COUNCILMAN JONES: Okay. Can't
3 fight Mother Nature, but I wish we could.

4 How much of that was -- so by
5 way of -- you know what I'm going to do.
6 I'm going to pass and let -- Councilman
7 Greenlee seems to be teed up first.

8 COUNCILMAN GREENLEE: Thank
9 you, Mr. Chairman.

10 Good afternoon, everybody.

11 COMMISSIONER PERRI: Good
12 afternoon.

13 COUNCILMAN GREENLEE: Thank you
14 certainly for all the help you provide me
15 and my office. I appreciate it.

16 Just a couple things.

17 Commissioner, I know we've talked about
18 this before. The issue of resurfacing
19 and sometimes how it seems to be
20 inordinately long between the first
21 milling and then finally when the top
22 layer is put on. And I know we've
23 talked. Part of it is -- I guess part of
24 it is done by the private company and
25 part by the City. Is that basically how

1 4/8/14 - WHOLE - BILL 140144, etc.
2 it works?

3 COMMISSIONER PERRI: That's
4 correct. We have a private contractor
5 that does the milling and then the City
6 comes back and does the actual
7 resurfacing work.

8 COUNCILMAN GREENLEE: Is there
9 still -- and I know we talked about this,
10 again, but is there a way to kind of
11 tighten that timeframe up a little bit?
12 Because it certainly is difficult
13 sometimes for people riding on those
14 streets. It can damage tires, stuff
15 flies up, goes on people's property,
16 people get mad at us, you know, all that
17 kind of stuff. They find us easier than
18 they find you.

19 COMMISSIONER PERRI: You make a
20 great point, Councilman. The main issue
21 is the time between when the street is
22 milled and when the final wearing course
23 is placed back on the street, and the
24 reason why that takes so long is that
25 there's sometimes three or four different

1 4/8/14 - WHOLE - BILL 140144, etc.
2 utilities in the street that need to
3 raise and reset their manhole covers. So
4 we've looked into that over the
5 off-season. We are going to write into
6 our contracts and make the milling
7 contractor responsible for raising all
8 those castings himself. So he will not
9 be beholden upon the various utilities
10 and wait for the utilities to do that
11 work. We believe that will speed up the
12 time that the street is in a state of a
13 milled condition.

14 COUNCILMAN GREENLEE: That
15 certainly I think is good, because I know
16 it generates a lot of complaints when
17 it's in that condition.

18 COMMISSIONER PERRI:
19 Absolutely.

20 COUNCILMAN GREENLEE: Thank
21 you.

22 Deputy Commissioner Carlton, I
23 guess this is for you. The trash
24 violations that are given out. And,
25 again, we want certainly people to

1 4/8/14 - WHOLE - BILL 140144, etc.
2 maintain the way they put out their trash
3 safely and cleanly and all, but I know
4 every once in a while, there are some
5 complaints. A person puts out their
6 trash fine. Recycling is right next to
7 it. Everything is good. And then
8 somebody walks down the street and drops
9 a McDonald's bag on the sidewalk and that
10 owner gets a violation.

11 Is there some, I guess, sort of
12 indication to the people that give the
13 violations that they should use some
14 judgment, I guess, is the word?

15 DEPUTY COMMISSIONER CARLTON:
16 Well, it is, Councilman, and very rare
17 would it be someone getting a citation
18 for something being one bag dumped on the
19 sidewalk. When you get a letter
20 violation, it's normally accumulating
21 litter. And that's one reason why we
22 have the handhelds with the photos that
23 depicts exactly what happens. So when we
24 do get complaints from Council's office
25 or the other entities, we actually most

1 4/8/14 - WHOLE - BILL 140144, etc.
2 of the time are able to prove that the
3 violation was legitimate thanks to the
4 handhelds.

5 COUNCILMAN GREENLEE: And they
6 do attempt, when reasonable, to go
7 through the trash to see if it belongs to
8 that person?

9 DEPUTY COMMISSIONER CARLTON:
10 They're supposed to go through the trash
11 at every location where you have an early
12 setout and try and get identification.
13 Unfortunately, sometimes there is no
14 identification. Over the years,
15 residents have gotten a lot smarter and
16 they know that that's one of our tactics,
17 so they try not to put any mail or
18 anything that will make it identifiable.

19 COUNCILMAN GREENLEE: Right. I
20 can imagine.

21 And last question. Just on
22 median strips on City streets, I know
23 sometimes we hear it's the Parks and
24 Recreation, sometimes the Streets. Who
25 actually is supposed to cut those when

1 4/8/14 - WHOLE - BILL 140144, etc.

2 they get overgrown? Is that Streets?

3 COMMISSIONER PERRI: Yeah.

4 There's two basic entities that do the
5 grass cutting on medians in the City of
6 Philadelphia. PennDOT handles the
7 medians on the state routes and Fairmount
8 Park does the medians on the local City
9 streets.

10 COUNCILMAN GREENLEE: Fairmount
11 Park does do it?

12 COMMISSIONER PERRI: Yes, they
13 do.

14 COUNCILMAN GREENLEE: Sometimes
15 they tell us it's Streets, but okay.
16 That's why I went to the source. Thank
17 you.

18 Thank you, Mr. Chair.

19 COUNCILMAN JONES: Thank you
20 for that.

21 Just a note, also I've gotten a
22 number of inquiries about selective
23 enforcement for snow violations when an
24 individual does not shovel their snow.
25 And do not shoot the messenger. I'm

1 4/8/14 - WHOLE - BILL 140144, etc.
2 going to relay the constituent complaint,
3 that in certain neighborhoods where they
4 might be income-challenged, there might
5 not be as many tickets, but in areas
6 where there is prosperity and people are
7 making a lot of money, that they're in a
8 higher degree of probability of people
9 paying those tickets, that there is a
10 little more zealousness.

11 Now, I don't believe that, but
12 if we were to ask you to quantify where
13 you wrote tickets during those times,
14 what would we discover?

15 DEPUTY COMMISSIONER CARLTON:
16 Well, one thing we do try and do,
17 Councilman, is after the snow does
18 subside, we deploy enforcement officers
19 equally based on what's available to us.
20 We don't select certain neighborhoods,
21 certain cities. Our enforcement units
22 are already spread around the City evenly
23 as possible. And so when we dispatch
24 them, they're dispatched in the
25 neighborhoods that they are assigned to.

1 4/8/14 - WHOLE - BILL 140144, etc.

2 So it's not dispatched to certain
3 sections of the City. And I say that
4 because a lot of our enforcement officers
5 are part of the plowing operation. So we
6 may not have our entire enforcement staff
7 writing citations right after the storm
8 subsides, but what we do have available
9 is normally equally spread out around the
10 City.

11 COUNCILMAN JONES: I didn't
12 doubt you, but my folks in Overbrook Park
13 and Roxborough kind of doubted you. They
14 thought that -- the feeling was that
15 because they are conscious of those kinds
16 of payments and don't want those kinds of
17 liens or things put on their houses, that
18 that's who you go after. And I argued
19 them vehemently that that was not the
20 case, but I just want you to know what
21 people are thinking.

22 DEPUTY COMMISSIONER CARLTON:
23 Understood.

24 COUNCILMAN JONES: Councilwoman
25 Sanchez is next.

1 4/8/14 - WHOLE - BILL 140144, etc.

2 COUNCILWOMAN SANCHEZ: Good
3 afternoon. Is it still morning? No.
4 It's good afternoon. Thank you so much
5 for this weekend. I know you guys were
6 working hard all weekend with the
7 cleaning of the Mayor's cleanup. It's an
8 amazing feat when you look at the
9 numbers, so I really appreciate the work
10 of -- all the staff was pleasant and
11 despite the fact that we were, in some
12 cases, really cleaning up unnecessary
13 dumping unfortunately throughout the
14 City. But I want to thank the staff.
15 Again, they were wonderful.

16 I also want to recognize and
17 thank the Department for creating the
18 bilingual clean officer position. I know
19 that was open until Friday. I'm looking
20 forward to seeing what those results are.
21 I did have a couple people complain that
22 the website went frozen on them on
23 Friday, so I wanted you guys to check
24 that in terms of the application.

25 I also appreciate the fact that

1 4/8/14 - WHOLE - BILL 140144, etc.
2 you did report your demographics, and
3 clearly they show what I thought they
4 would show. So my question to you is,
5 moving forward have you established goals
6 around diversity in your department and,
7 if so, what are they?

8 DEPUTY COMMISSIONER McCONNELL:
9 Good afternoon. Patricia McConnell,
10 Deputy Commissioner with Streets.

11 The Streets Department is
12 committed to increasing the diversity of
13 its department and, Councilwoman, as you
14 mentioned, we do have a very diverse
15 department. We're constantly seeking
16 opportunities to increase that, such as
17 the bilingual clean block officers and
18 tracking that information, as well as
19 focusing our recruitment efforts on
20 including minority colleges and
21 increasing our diversity in occupations
22 such as engineers and construction
23 inspectors.

24 COUNCILWOMAN SANCHEZ: So do
25 you have a goal?

1 4/8/14 - WHOLE - BILL 140144, etc.

2 DEPUTY COMMISSIONER McCONNELL:

3 We don't have a specific goal. It's
4 challenging with the Civil Service
5 regulations to specify exactly what that
6 goal will be, but we do increase all of
7 our opportunities to get more applicants
8 in those areas so that we can increase
9 that overall hire rate.

10 COUNCILWOMAN SANCHEZ: We're
11 going to be hosting a hearing later on
12 this year to talk a little bit about
13 that, because I have met with the Civil
14 Service Commission around what we can and
15 cannot do. So I look forward to that
16 conversation.

17 I wanted to get to public
18 safety in terms of lighting. This is a
19 discussion we've had a long time. I
20 represent ten El stops, and the
21 Department is very active in putting LED
22 lights and everything else. I mean, I
23 know you try as hard as you can.

24 What is the Department's
25 willingness to figure out if we can light

1 4/8/14 - WHOLE - BILL 140144, etc.
2 corners versus underneath the El where
3 we're battling the rattling of the El
4 system? For years we've had this
5 discussion. We're remodeling those
6 commercial corridors and I just feel like
7 we're losing the battle. And now with
8 LEDs, they're lasting a little longer,
9 but you're still -- I can drive down from
10 Bridge, and I do all the time, and 50
11 percent of them are out.

12 Are we looking at another way
13 of lighting up around the El in light of
14 the fact that we lose the rattling
15 battling?

16 COMMISSIONER PERRI: I'm going
17 to bring up our Chief Traffic and Street
18 Lighting Engineer, Rich Montanez, to
19 address that question for you,
20 Councilwoman.

21 (Witness approached witness
22 table.)

23 MR. MONTANEZ: Good afternoon.
24 My name is Richard Montanez. I'm the
25 Chief Traffic and Street Lighting

1 4/8/14 - WHOLE - BILL 140144, etc.

2 Engineer for the City of Philadelphia.

3 We are looking at the El area.

4 We are partnering with the Commerce
5 Department. They're actually funding two
6 capital projects, one for \$2 million and
7 one for \$1 million, to increase the
8 lighting underneath the El.

9 COUNCILWOMAN SANCHEZ: Are we
10 going to do anything different than just
11 putting it underneath the El where it
12 continues to rattle?

13 MR. MONTANEZ: We are actually
14 going to reengineer the lighting, use
15 LEDs and try to see if we can actually
16 minimize the vibrations on the plates.

17 COUNCILWOMAN SANCHEZ: But it's
18 still going to be underneath the El?

19 MR. MONTANEZ: It's still going
20 to be underneath the El.

21 COUNCILWOMAN SANCHEZ: Why
22 won't we explore other options?

23 MR. MONTANEZ: It's actually
24 more costly for us to trench underneath
25 the El, and the lighting we'll use would

1 4/8/14 - WHOLE - BILL 140144, etc.

2 actually be like pet scale lighting. We
3 haven't looked at that yet, Councilwoman.

4 COUNCILWOMAN SANCHEZ: One of
5 those streetscape commercial corridor
6 projects we're looking at is at
7 Kensington and Allegheny, and I'd like to
8 explore the possibility of how do we
9 incentivize particularly corner buildings
10 to help us with this lighting schematic
11 in light of the fact that we have this
12 battle. So we'll invite you to a meeting
13 and a discussion. I think we need to
14 create other options potentially. I like
15 what SEPTA does. I like what Penn does.
16 I like what Saint Joe's does. We may
17 want to do some other lighting schematic
18 other than just the El to increase, and
19 maybe as we're doing these corridor
20 redevelopments, we may come up with
21 something that's cost effective as we're
22 doing them. So we're digging up streets
23 anyway and in some cases sidewalks, and
24 the potential doing some lighting in the
25 corners versus the El, I just want the

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2 Department to be open to it. In the past
3 it's sort of been a "no" as opposed to a
4 "how." I just think if we're putting in
5 \$2 million in a corridor, we should
6 explore the "how" can we do this so that
7 it works for the Streets Department and
8 for us. So I'd like to have that
9 conversation with you. Thank you.

10 And last, in your testimony you
11 highlight -- and I have to say for the
12 record when I first got elected, poor
13 Carlton Williams had to respond to me
14 about my 50 public trash cans, and we're
15 up to nearly 400, and it's reflected in
16 my litter index that I track. But I am
17 very pleased with the success of the Big
18 Bellies.

19 Have we quantified the cost
20 savings in light of the fact that you've
21 had to reduce the pickups per Belly and
22 what that means? In terms of every time
23 we invest in a Belly, you're doing less
24 pickups. Have we quantified that?

25 DEPUTY COMMISSIONER CARLTON:

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2 In Center City we did quantify that from
3 the beginning, which was close to a
4 million dollars in savings. We went from
5 17 collections to approximately four
6 collections. But the issue outside of
7 Center City we can't quantify, because
8 with the issues of illegal dumping, we
9 still have to check every Big Belly every
10 day. So the process is almost the same
11 as if it was a wire basket.

12 It's a great system. It let's
13 us know when the can is full, when it
14 needs to be serviced. They only service
15 an average of three times a week, but
16 unfortunately if we just service them
17 when that signal changes, there will be a
18 bunch of illegal dumping around these
19 baskets in a lot of neighborhoods. So we
20 still have to service them as if they
21 were a regular normal basket outside of
22 Center City.

23 COUNCILWOMAN SANCHEZ: Let me
24 ask you, because I know CLIP has this and
25 we always have a conversation, because we

1 4/8/14 - WHOLE - BILL 140144, etc.
2 feel like we need to be providing more
3 support for CLIP. The illegal dumping
4 spots with cameras, is that totally CLIP
5 or have you guys made a decision we have
6 some historic dumping sites, we need to
7 put up some cameras and catch these folks
8 that are doing it?

9 DEPUTY COMMISSIONER CARLTON:
10 We currently have six cameras in the
11 Streets Department.

12 COUNCILWOMAN SANCHEZ: Six?

13 DEPUTY COMMISSIONER CARLTON:
14 Yes. That's all we have right now.
15 We've actually given 75 prosecutable
16 photos to the Police Department with the
17 six cameras. We're looking into
18 investing more, but these cameras are
19 rotated after a few months. We have so
20 many dumping sites and we need two at
21 each location. So we have three sites up
22 and running that we're monitoring
23 throughout the City and we rotate them
24 accordingly.

25 COUNCILWOMAN SANCHEZ: Can you

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2 provide to the Chair what each site costs
3 us? I think this is an area that we'd
4 like to see some expansion in, again, for
5 those sites that historically just
6 dumping. I know that the few times we've
7 done some pilots with CLIP, I was pleased
8 to find out that these were trucks coming
9 from outside the City, that it wasn't the
10 residents, but I think we need to do a
11 better job. I mean, this Saturday we
12 cleaned a site and we filled an entire
13 truck at one site that's a dumping site.
14 I just feel like we could be a little bit
15 more proactive. So I'd like to see -- if
16 you're telling me six cameras for the
17 entire City, that it allows you to have
18 three active sites?

19 DEPUTY COMMISSIONER CARLTON:

20 Yes.

21 COUNCILWOMAN SANCHEZ: We need
22 to do more. So if we can quantify what
23 each site costs us and provide that to
24 the Chair, I'd like to see some increase
25 in that.

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2 DEPUTY COMMISSIONER CARLTON:

3 Understood.

4 COUNCILWOMAN SANCHEZ: I want
5 to help you guys, because I know how
6 frustrating it is.

7 Thank you, Mr. Chair.

8 COUNCILMAN JONES: Thank you,
9 Councilwoman.

10 And once again on the record,
11 thank you for the citywide cleanup this
12 Saturday throughout the City of
13 Philadelphia. It empowered neighborhood
14 groups throughout my district and others
15 to go out and take the step of after this
16 rough winter to continue to dig out and
17 beautify. So we appreciate what you did.
18 If you rode around Saturday, all you saw
19 at about 11, 12 o'clock was trash that
20 was collected and being picked up by you.
21 So kudos to you and Mayor Nutter for that
22 effort, and we appreciate that in every
23 district that we have.

24 The Chair now recognizes
25 Councilman Oh.

1 4/8/14 - WHOLE - BILL 140144, etc.

2 COUNCILMAN OH: Thank you very
3 much, Mr. Chairman.

4 Good afternoon. I have a
5 series of questions. If you don't know
6 the answer, that's fine. You don't have
7 to belabor it. Just try to get me the
8 information, if you would, please, but
9 providing it to the Chair.

10 So I did have a question about
11 the illegal dumping, and it was kind of
12 addressed through Councilwoman
13 Quinones-Sanchez, but is it possible for
14 citizens to purchase cameras in their
15 neighborhoods and to somehow link that up
16 with the Streets Department?

17 DEPUTY COMMISSIONER CARLTON:
18 I'll let Commissioner Perri answer that,
19 but our camera system isn't a monitored
20 camera system like that. It's actually a
21 camera system that takes photos, record
22 photos. We go to a laptop and we
23 download the photos. So there may be a
24 system that the Commissioner has, but the
25 particular system that we have is not

1 4/8/14 - WHOLE - BILL 140144, etc.
2 that type of system.

3 COUNCILMAN OH: What kind of
4 system is it? You have six cameras, and
5 what triggers it to activate in the
6 dumping situation?

7 DEPUTY COMMISSIONER CARLTON:
8 It's a motion sensor camera, and once it
9 senses the motion, it begins to take a
10 series of photos hopefully to catch a
11 picture of a license plate or some kind
12 of -- something to identify the illegal
13 dumper, and then we will retrieve those
14 photos, and whatever photos we retrieve
15 that have some license plate, which is
16 pretty much the only thing that we can go
17 by, we then turn those license plates
18 over to the Police Department, who then
19 prosecutes them.

20 COUNCILMAN OH: How much is
21 each camera, just the camera itself?

22 DEPUTY COMMISSIONER CARLTON:
23 Five thousand dollars.

24 COUNCILMAN OH: About 5,000 for
25 each camera?

1 4/8/14 - WHOLE - BILL 140144, etc.

2 DEPUTY COMMISSIONER CARLTON:

3 Yes.

4 COUNCILMAN OH: So it's a
5 pretty hefty price for the average
6 citizen, but for neighborhoods who want
7 to invest in that, if they get -- or if
8 they come up with the money for the
9 camera, will that help to have the camera
10 installed in the problem site that they
11 identify?

12 DEPUTY COMMISSIONER CARLTON:
13 It would always help, but I don't know
14 exactly how -- we would have to think
15 about that, how we would incorporate the
16 public and their personal cameras into
17 what we're doing. That way, we can
18 download information. It would be a
19 process in us having to do some research
20 on how we can work together.

21 COUNCILMAN OH: If you had a
22 program, people could then try to go
23 ahead and raise the money for the
24 cameras. If you don't come up with a
25 program, they're not going to do that.

1 4/8/14 - WHOLE - BILL 140144, etc.

2 So I personally believe there is a lot of
3 interest and frustration from these
4 illegal dumping sites.

5 So just a correction on Page 8.
6 I'm looking at the 20 percent of a
7 million dollars is \$200,000. It's noted
8 here as \$2 million. Covanta Recovery, I
9 think it is 20 percent for WBE of \$1
10 million. That is under the column Total
11 Percentage and Dollar Value
12 Participation, all DSBES.

13 COMMISSIONER PERRI: Thank you,
14 Councilman. That is an error. It's
15 \$200,000. I'm sorry.

16 COUNCILMAN OH: Thank you very
17 much. These are important numbers for us
18 and we just want to make sure they're
19 correct.

20 And so what I kind of calculate
21 from this is that there is roughly \$46
22 million in contracts for services and
23 about 16 million were for minority,
24 women, and other contractors; is that
25 correct? Thirty million for majority, 16

1 4/8/14 - WHOLE - BILL 140144, etc.
2 million for minority and women-owned
3 businesses.

4 COMMISSIONER PERRI: I'm
5 looking for the totals.

6 COUNCILMAN OH: Okay. Well,
7 you don't have to look for it. What I'd
8 really like is, could you provide to the
9 Chair the specific companies that are the
10 minority and women-owned businesses that
11 are subcontracted to these majority-owned
12 companies. I'd just like to take a look.

13 COMMISSIONER PERRI: Sure.
14 We'll be happy to supply that.

15 COUNCILMAN OH: Thank you very
16 much.

17 So I'm looking on Page 2, I
18 believe you're talking about the
19 automatic red light cameras, the request
20 for \$8,000,379 in grant appropriations,
21 automatic red light enforcement funds.
22 What are these funds for exactly?

23 COMMISSIONER PERRI: I'm going
24 to bring up our Chief Traffic Engineer
25 again to directly address your question.

1 4/8/14 - WHOLE - BILL 140144, etc.

2 COUNCILMAN OH: Thank you very
3 much.

4 (Witness approached witness
5 table.)

6 MR. MONTANEZ: Good afternoon,
7 Councilman. My name is Richard Montanez,
8 Chief Traffic and Street Lighting
9 Engineer.

10 The automatic red light running
11 enforcement cameras is actually the funds
12 we get back from the state from the red
13 light running tickets.

14 COUNCILMAN OH: Okay.

15 MR. MONTANEZ: We roughly
16 hopefully anticipate somewhere like
17 between \$3 to \$4 million a year.

18 COUNCILMAN OH: So what is this
19 number, the 8,000,379? That is from a
20 grant?

21 MR. MONTANEZ: That is from the
22 grant from the tickets generated.

23 COUNCILMAN OH: So the budget
24 requests an increase of \$8,000,379 in
25 grant appropriations for anticipated

1 4/8/14 - WHOLE - BILL 140144, etc.

2 automatic red light enforcement funds.

3 So are you anticipating \$8 million for --

4 MR. MONTANEZ: We are
5 anticipating a bump on that. When the
6 PPA recently got a new vendor, Xerox,
7 they actually published that they will be
8 saving an additional \$4 million.

9 COUNCILMAN OH: So from the red
10 light cameras that are in Philadelphia,
11 the state will then give us \$8 million?

12 MR. MONTANEZ: Yes.

13 COUNCILMAN OH: And then once
14 you take that money out from the red
15 light camera, what is that money used
16 for? Just in general for the Streets
17 Department?

18 MR. MONTANEZ: No. The funds
19 have to be used for safety projects
20 throughout the City of Philadelphia.

21 COUNCILMAN OH: Okay. And do
22 you know the total amount of money that
23 was collected from the red light camera
24 program? This is a portion of the money
25 collected, right?

1 4/8/14 - WHOLE - BILL 140144, etc.

2 MR. MONTANEZ: Correct. I do
3 not have the total amount collected last
4 year.

5 COUNCILMAN OH: Could you
6 provide that? Thank you very much.

7 And then the bandit signs, kind
8 of always a struggle, but what is
9 happening in terms of -- I think it's
10 Page 7. There were written 816
11 violations for bandit signs and I see
12 that 200 illegal advertising benches.
13 But the bandit signs, I mean, that's kind
14 of a difficult challenge. How is that
15 going?

16 COMMISSIONER PERRI: It is an
17 extremely difficult challenge, because a
18 lot of these bandit signs are nothing but
19 a disposable cell phone number on an
20 8-1/2-by-11 sheet on a utility pole.
21 We've been using our Future Track
22 trainees as well as some of our
23 limited-duty personnel to take down as
24 many signs as possible. Over the past
25 year, we've taken down thousands upon

1 4/8/14 - WHOLE - BILL 140144, etc.
2 thousands of these bandit signs. We work
3 with local community leaders to take down
4 signs in their area, and we provide a
5 focal point for the effort to try to
6 eradicate them from the City streetscape.

7 COUNCILMAN OH: Are there any
8 innovative programs that you've been
9 pondering about getting more civic
10 engagement to take these signs down?

11 COMMISSIONER PERRI: Well, we
12 would like to work closely with our clean
13 block captains. There's 6,500 in the
14 City. And if they can all be empowered
15 and given the tools to take down those
16 signs, I think we can make a significant
17 dent in the City.

18 When we find these signs, we
19 put them on robo dialer and they get a
20 phone call every 15 minutes until they
21 take the signs down. Sometimes that
22 works; sometimes it doesn't.

23 COUNCILMAN OH: All right.
24 Well, thank you very much, and thanks for
25 testifying.

1 4/8/14 - WHOLE - BILL 140144, etc.

2 Thank you, Mr. President.

3 COUNCIL PRESIDENT CLARKE:

4 Thank you, Councilman.

5 The Chair recognizes

6 Councilwoman Bass.

7 COUNCILWOMAN BASS: Thank you,
8 Mr. President. Good morning.

9 COUNCIL PRESIDENT CLARKE: Good
10 morning. Good afternoon.

11 COUNCILWOMAN BASS: Good
12 afternoon.

13 Hello. How are you?

14 COMMISSIONER PERRI: Good
15 afternoon.

16 COUNCILWOMAN BASS: Can you go
17 into a little bit more detail about what
18 you just said about when there's a bandit
19 sign and you do a robo call? Can you
20 talk about that a little bit further?

21 COMMISSIONER PERRI: Yeah.
22 What we'll do is, we use Swift Reach for
23 notifying the public of different
24 programs or changes in schedules in the
25 Streets Department. So what we'll do is,

1 4/8/14 - WHOLE - BILL 140144, etc.
2 we'll put that bandit sign phone number
3 into the system and program the automatic
4 dialer to call every 15 minutes. So I
5 would say in about 50 percent of the
6 cases, it results in the person putting
7 the sign up taking them down.

8 COUNCILWOMAN BASS: Good.

9 COMMISSIONER PERRI: There's
10 others that are immune to any kind of
11 effort and all you can do is have a
12 concerted effort to remove the signs and
13 try to get them down as quickly as
14 possible.

15 COUNCILWOMAN BASS: We should
16 use that for other things too, maybe
17 problem landlords, Fix up your property,
18 fix up your property. You know, get a
19 call every 15 minutes. How about that?
20 There's an idea.

21 But I do want to mention a
22 couple of other things. So I know that
23 Majority Leader Jones said he wasn't
24 going to use the S word, but I am, the
25 snow.

1 4/8/14 - WHOLE - BILL 140144, etc.

2 So I know that it was a very
3 taxing year, it was very difficult, and
4 the numbers tell the tale. We usually
5 spend 6 to 7 million, you said, and this
6 year we spent 18 million. Thank goodness
7 it's behind us, but I did have a couple
8 of questions, and particularly as we know
9 that weather patterns are becoming much
10 more unpredictable. So this event that
11 we had this winter is unlikely -- well,
12 it's unpredictable. We don't know if
13 it's going to be this particular type of
14 a pattern going forward, is this going to
15 be the new normal or was this just a once
16 every two, three, five, ten-year sort of
17 event. And even in the past, if you look
18 at some of the things that have happened,
19 from what I've heard from other
20 departments, rain events and other things
21 that happen every ten years are now
22 happening every five years or every two
23 years in some neighborhoods. And so are
24 we prepared for that, and how are we
25 dealing with that? And also how are we

1 4/8/14 - WHOLE - BILL 140144, etc.
2 dealing with the snow, particularly in
3 the Northwest section of Philadelphia?
4 Because I know that other sections -- you
5 know, if you go down to the bottom of
6 South Philadelphia and then you go to
7 Cheltenham and Ogontz, the difference
8 between the snow accumulation, it's like
9 a whole different city. And so you might
10 get just a few snowflakes down at
11 Veterans -- Veterans Stadium? Oh, my
12 God. Down at Citizens Park, but you will
13 get maybe a half a foot in the Northwest.

14 And so can you talk about also
15 how are we going to address that in the
16 future, because it was very much a
17 problem, as you know, very much a problem
18 this particular winter.

19 COMMISSIONER PERRI: Yeah. I
20 mean, you bring up a good point. The
21 snowfall totals in the City varies
22 considerably and, in a lot of cases, by
23 the elevation of the particular section
24 of the City that you're in. What we've
25 done is, we've engaged the services of an

1 4/8/14 - WHOLE - BILL 140144, etc.
2 engineering firm to evaluate our snow
3 removal efforts and to make
4 recommendations on how we can improve it.

5 One of the things we're looking
6 at is that there may be some of the
7 routes in the City -- a route is the path
8 that a particular plow driver would drive
9 to clear a series of streets. Maybe some
10 of those need to be shortened so that we
11 can get through them quicker. Maybe we
12 need to add more equipment in different
13 parts of the City. We need to look at
14 alternates, potential alternates, to
15 using -- sodium chloride is our main
16 snow-fighting, snow-melting treatment
17 option.

18 So we're looking at a variety
19 of different things here. We're also
20 looking at installing pucks, little
21 measuring devices in the ground. We
22 would put them citywide, and they would
23 give us a readout of what the ground
24 temperatures are. Now, the ground
25 temperature is an extremely important

1 4/8/14 - WHOLE - BILL 140144, etc.
2 factor into how you respond to a snow
3 event. So if we found areas of the City,
4 certain streets, that the temperatures
5 were lower than other areas, we would
6 know to increase our resources in that
7 area.

8 So we are taking a
9 comprehensive look at our snow operation,
10 and we hope to make improvements as the
11 year goes on. We also, I think, we
12 probably need to increase our salt
13 capacity. We were close to running out
14 of salt this winter. We never did, but
15 we had some nervous nights there in
16 February. And if you go back in history,
17 back in the '90s when there was a series
18 of ice storms, the City actually ran out
19 of salt. So we need to explore whether
20 or not we need to have a higher capacity
21 for salt storage in Philadelphia.

22 COUNCILWOMAN BASS: Okay. And
23 I do want to say that we have a good
24 working relationship, and overall I would
25 say I was very pleased with the help that

1 4/8/14 - WHOLE - BILL 140144, etc.
2 we get. When we contact the Streets
3 Department, they've been very responsive,
4 but that last snow event was just out of
5 control. I mean, the Northwest was
6 completely shut down. And so, you know,
7 I was on the hot seat quite a bit, as you
8 can imagine, and so was -- I know that
9 Councilwoman Tasco was. And so we want
10 to invite you to the Northwest next time
11 we have such an event to join us to talk
12 to our folks about the Streets Department
13 and some of the challenges that they
14 face. But we know that you all, like
15 everybody else, have limited resources,
16 so you're doing what you can with what
17 you have. So we do appreciate that.

18 But the other thing I just
19 wanted to mention is to go back to the
20 Philly Spring Cleanup, which was just
21 this past weekend, which was great, as
22 the Majority Leader mentioned.
23 Everywhere you went, people were cleaning
24 up, picking up. We did at least 11 stops
25 in my district where people were out

1 4/8/14 - WHOLE - BILL 140144, etc.
2 cleaning up. I mean, it was a great
3 thing to see. But at the same time, it
4 was disheartening because you could see
5 where people had cleaned; for example, at
6 Wister Train Station, I could see where
7 it was clean, bagged up, ready to be
8 picked up, and, you know, 10 feet away
9 there were mattresses and all sorts of
10 things, tires and trash and things.
11 People just came and dumped. You know,
12 that wasn't a part of the scope of the
13 work, because you just can't do
14 everything. You know, you can't get it
15 all.

16 And so I didn't know if there
17 was any particular thought to a series of
18 cleanup days while we have momentum,
19 while we have sort of the organization
20 and the volunteers working along with the
21 Streets Department to get our city
22 cleaner. Is that something that's maybe
23 a possibility, that we could do something
24 like that?

25 DEPUTY COMMISSIONER CARLTON:

1 4/8/14 - WHOLE - BILL 140144, etc.
2 We're always looking at ways to improve
3 or do more cleanups, but our PMBC unit
4 does cleanups every weekend starting in
5 April through August and stops in
6 September. We do it by police districts.
7 We clean each police district at least
8 three times during that period, and
9 there's an average of 400 to 800 streets
10 that does this service every day. We
11 provide brooms, bags, shovels. We
12 provide collection service, and we've
13 been doing this for a while. So we do
14 encourage all blocks to participate, but
15 we go through our active block captain
16 list, and each weekend it's normally
17 about two or three police districts that
18 we're working in. So it is something
19 that we continue throughout the year.
20 It's just -- it's very hard because
21 just -- Councilman Johnson was asking me
22 yesterday about 8100 block of Suffolk
23 Avenue of the Southwest. It's a spot
24 that's illegally dumped on. He said he
25 was getting some heat about it being

1 4/8/14 - WHOLE - BILL 140144, etc.
2 serviced and when were the services. And
3 he knows that we service it. We picked
4 it up three times in the month of
5 January. I think we picked up maybe 40
6 tons of material. And then back again
7 today we have to go there again.

8 So at times, it seems like
9 we're chasing our tail because we're
10 cleaning it up and again three weeks
11 later you go right back.

12 COUNCILWOMAN BASS: And it's
13 the same thing.

14 DEPUTY COMMISSIONER CARLTON:
15 And it's the same thing. And my short
16 dump unit is -- I have about nine men,
17 and we actually removed a property 15 to
18 17,000 tons annually of this illegally
19 dumped material. And as soon as we
20 service it, again, you come back three
21 weeks later, it looks like you were never
22 there.

23 So we want to encourage people
24 outside the block captains to clean up.
25 We do do this every weekend throughout

1 4/8/14 - WHOLE - BILL 140144, etc.

2 the summer.

3 COUNCILWOMAN BASS: Well,
4 that's why I was suggesting sort of like
5 a series, because even though, as you
6 just mentioned, you're out every weekend,
7 and if we could get a list of where
8 you're at, what's going on so that we can
9 make sure that we're informing the
10 community and getting volunteers and
11 getting people out to be of assistance.
12 But if we could do something like that
13 and also at the same time increase the
14 awareness, because for whatever reason,
15 Philly Spring Cleanup, it resonates,
16 people get it. You know, it's a theme,
17 it happens every year, and this is the
18 day we're going to get out and clean up
19 our neighborhood. Maybe a series, but
20 maybe not too many, because then people
21 stop participating. But while you have
22 that sort of momentum, maybe make it a
23 cleanup month or something of that sort
24 so that we can keep people out, keep it
25 clean, get it clean. And I know it's a

1 4/8/14 - WHOLE - BILL 140144, etc.
2 tough problem, because we've talked about
3 this. We just talked about it last
4 weekend. I'm trying to figure out ways
5 to address short dumping, which drives
6 everybody crazy. I don't understand how
7 you can take trash, sometimes out of your
8 house, and then just sit it some place
9 else. With all that effort and energy,
10 just put it out on trash day.

11 DEPUTY COMMISSIONER CARLTON:
12 We will explore and I'll reach out to
13 your office to kind of bounce some ideas
14 off of you guys.

15 COUNCILWOMAN BASS: Thank you
16 so much. Appreciate it.
17 Thank you.

18 COUNCIL PRESIDENT CLARKE:
19 Thank you, Councilwoman.

20 Commissioner, I have a quick
21 question. Is there a sick leave policy
22 in your department?

23 COMMISSIONER PERRI: Yes, we
24 have a sick leave policy.

25 COUNCIL PRESIDENT CLARKE: What

1 4/8/14 - WHOLE - BILL 140144, etc.

2 is that policy?

3 COMMISSIONER PERRI: I'm going
4 to have Deputy Commissioner.

5 DEPUTY COMMISSIONER McCONNELL:
6 Good afternoon. Patricia McConnell,
7 Deputy Commissioner.

8 We adhere to the City's
9 citywide sick leave policy. It's a
10 pretty extensive policy. It's multiple
11 pages. If there's a specific question
12 that I could respond to, that would be
13 helpful.

14 COUNCIL PRESIDENT CLARKE:

15 So --

16 DEPUTY COMMISSIONER McCONNELL:
17 The overall sick policy, it's a
18 multi-step policy basing on the fact that
19 employees are entitled to their sick
20 leave benefits, but we encourage
21 employees to have certification for their
22 sick time, and anything beyond five days
23 they get a warning for uncertified sick
24 time. Beyond eight days, they get placed
25 on a sick leave abuse list. That's a

1 4/8/14 - WHOLE - BILL 140144, etc.
2 summary of it.

3 COUNCIL PRESIDENT CLARKE: Let
4 me make sure I heard you. The employees
5 are entitled to their sick leave. It
6 means that's something that they earned
7 or accrued over a period of time based on
8 tenure?

9 DEPUTY COMMISSIONER McCONNELL:
10 It is based on tenure, and I believe
11 probably the intent of this policy when
12 it was negotiated many, many years ago
13 was to discourage the abuse of such leave
14 entitlement.

15 COUNCIL PRESIDENT CLARKE: So
16 you already have something in place that
17 discourages the abuse.

18 DEPUTY COMMISSIONER McCONNELL:
19 That's true.

20 COUNCIL PRESIDENT CLARKE: And
21 do you have or has there been any
22 communication between your office and the
23 Mayor's Office as it relates to ongoing
24 sick leave abuse beyond your current
25 policy?

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2 DEPUTY COMMISSIONER McCONNELL:

3 I'm not sure I understand the question.

4 COUNCIL PRESIDENT CLARKE:

5 Well, basically does it appear to be
6 working, the policy that you have in
7 place?

8 DEPUTY COMMISSIONER McCONNELL:

9 It's a citywide policy that we have.

10 COUNCIL PRESIDENT CLARKE: I'm
11 asking about your department.

12 DEPUTY COMMISSIONER McCONNELL:

13 That's right.

14 COUNCIL PRESIDENT CLARKE: It's
15 working?

16 DEPUTY COMMISSIONER McCONNELL:

17 I think that there's always room for
18 improvement for the policies.

19 COUNCIL PRESIDENT CLARKE: In
20 what respect?

21 DEPUTY COMMISSIONER McCONNELL:

22 In regard to reducing sick leave usage.
23 I don't know if the policy discourages
24 the abuse of sick leave. We would hope
25 that it does.

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2 COUNCIL PRESIDENT CLARKE: You
3 said that there's room for improvement.

4 DEPUTY COMMISSIONER McCONNELL:
5 I think there's always room for
6 improvement where --

7 COUNCIL PRESIDENT CLARKE: With
8 anything.

9 DEPUTY COMMISSIONER McCONNELL:
10 With anything, absolutely. And in terms
11 of sick leave usage, that's something
12 that we would always want to analyze and
13 take a look at.

14 COUNCIL PRESIDENT CLARKE: I'm
15 not sure because --

16 DEPUTY COMMISSIONER CARLTON:
17 One thing, President Clarke, is the
18 policy -- when Patty said it could use
19 improvement, there are some things that
20 can come off as being abusive when you
21 have pattern days, certain types of days
22 where you see an increase in sick
23 callouts, and we would like a little more
24 leverage at times to dealing with
25 patterns. But other than that, the

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2 policy is there. We do use it based on
3 the policy, how it's written, but there
4 are some issues that we would like a
5 little more leverage when things tend to
6 be abused from a pattern perspective.

7 COUNCIL PRESIDENT CLARKE:

8 Okay. You're going down a path that will
9 require that you document some of your
10 allegations today.

11 DEPUTY COMMISSIONER CARLTON:

12 Excuse me?

13 COUNCIL PRESIDENT CLARKE: Are
14 you prepared to --

15 DEPUTY COMMISSIONER CARLTON: I
16 was just saying in general if there were
17 issues and patterns.

18 COUNCIL PRESIDENT CLARKE: I'm
19 saying you made some very -- I'm saying
20 once you go down this path and you start
21 talking about sick leave abuse and you
22 indicate that there needs to be changes,
23 then you probably need to document such
24 abuse.

25 COMMISSIONER PERRI: Council

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2 President, we have been speaking to the
3 union and we notified them that for the
4 first quarter of this year, we are going
5 to analyze sick leave usage to see if
6 there is a pattern. We don't know for
7 sure if there is or there isn't, but we
8 need to -- we're going to analyze the
9 data for the first quarter of this year
10 to see if there's an excessive number of
11 callouts on Mondays or days with poor
12 weather or any other kind of condition.

13 COUNCIL PRESIDENT CLARKE: So
14 you don't have that information?

15 COMMISSIONER PERRI: No, we
16 don't have that information.

17 COUNCIL PRESIDENT CLARKE:
18 Because you haven't done the analysis.

19 COMMISSIONER PERRI: No, we
20 haven't done the analysis yet.

21 COUNCIL PRESIDENT CLARKE: So
22 you don't know if there is in fact sick
23 leave abuse based on patterns?

24 COMMISSIONER PERRI: No. We
25 have the suspicion, but we do not have

1 4/8/14 - WHOLE - BILL 140144, etc.
2 documentation.

3 COUNCIL PRESIDENT CLARKE:
4 Suspicion?

5 COMMISSIONER PERRI: Correct.

6 COUNCIL PRESIDENT CLARKE:
7 Okay. I'm going to leave it there. I
8 will revisit this one, though.

9 The Chair recognizes Councilman
10 Greenlee.

11 COUNCILMAN GREENLEE: Thank
12 you, Mr. President.

13 I know this is an issue you and
14 I have both talked about, and Deputy
15 Commissioner Carlton, we've I think
16 talked about this, the issue on the
17 disposable mattresses. And I know it was
18 put in basically as a protection for the
19 workers against dealing with the bed bug
20 infestation issue, correct?

21 DEPUTY COMMISSIONER CARLTON:
22 It was the workers as well as the public.
23 We got complaints in our office not just
24 from workers but also from residents,
25 this mattress outside has been outside

1 4/8/14 - WHOLE - BILL 140144, etc.
2 and the kids are playing and it has bed
3 bugs. So we got calls from the public.
4 We also got complaints from employees
5 also.

6 COUNCILMAN GREENLEE: Okay.
7 And I understand the policy is it's
8 supposed to be bagged, right?

9 DEPUTY COMMISSIONER CARLTON:
10 Yes. It has to be in a proper bag for
11 disposal.

12 COUNCILMAN GREENLEE: And how
13 was that communicated to the public
14 generally?

15 DEPUTY COMMISSIONER CARLTON:
16 We did a number of -- we did mailers to
17 all the block captains. We advertised on
18 our website. We advertised in local
19 media. We also -- Commissioner, was
20 there other communication? Local media,
21 we did mailers to all the block captains,
22 we also did a two-month period where we
23 did warnings and not citations for the
24 violation. Yes, we also did a bill
25 stuffer, yes, with the water bill.

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2 COUNCILMAN GREENLEE: Now, if
3 people still put them out either not
4 knowing the regulation or whatever, they
5 would now get a violation; is that right?

6 DEPUTY COMMISSIONER CARLTON:
7 Yes, they will get a violation.

8 COUNCILMAN GREENLEE: But what
9 if they still just leave them there? Do
10 you have a policy eventually to have it
11 picked up in some manner?

12 DEPUTY COMMISSIONER CARLTON:
13 We do have a protocol in place. We're
14 attempting to collect each mattress on
15 the collection day. It's an effort
16 between enforcement and management where
17 the mattress is identified, inspected,
18 and then collected. And if it's in front
19 of a residence where there's an address
20 or property address, we will cite that
21 resident, but if it's put at the corner
22 or on a lot, we will inspect and remove
23 it.

24 COUNCILMAN GREENLEE: That was
25 going to be my last question. Have you

1 4/8/14 - WHOLE - BILL 140144, etc.
2 seen any increase in the complaints -- I
3 know we've gotten a few -- that because
4 of this policy, people drag a mattress
5 down the street and throw it on a lot or
6 a corner?

7 DEPUTY COMMISSIONER CARLTON:
8 We have gotten complaints, and one thing
9 in the past few weeks, we've made sure
10 that we've kept a coordinated effort
11 between enforcement and management to
12 identify them and collect them.

13 COUNCILMAN GREENLEE: All
14 right. Thank you.

15 Thank you, Mr. President.

16 COUNCIL PRESIDENT CLARKE:
17 Thank you, Councilman.

18 The Chair recognizes Councilman
19 Squilla.

20 COUNCILMAN SQUILLA: Thank you,
21 Mr. President.

22 Thank you, gentlemen. Thank
23 you for coming this morning, this
24 afternoon. And I know this has been a
25 really tough year. It's been an abnormal

1 4/8/14 - WHOLE - BILL 140144, etc.
2 year, but I do want to thank you for
3 your, I guess, responsiveness and
4 accessibility that we have to be able to
5 get things done for our constituents. I
6 know sometimes I e-mail kind of late at
7 night or early in the morning, and you're
8 very responsive to be able to pick up
9 something or to get to a site or fix a
10 hole or whatever it may be, which is real
11 important to me and to our constituents.

12 Is there a process now for the
13 potholes that are there where you're
14 actually doing it in an orderly fashion
15 to get them all done or is it just as
16 they come in?

17 COMMISSIONER PERRI: We
18 primarily take in the complaints from the
19 3-1-1 system, group them together, and
20 then do a geographic area where there's a
21 concentration. We're down to -- on the
22 local network, it's under three days from
23 when a call comes in to when we can
24 actually get to that specific pothole.

25 COUNCILMAN SQUILLA: Well,

1 4/8/14 - WHOLE - BILL 140144, etc.
2 that's pretty good.

3 Now, I know sometimes when
4 during the winter storms were happening,
5 they were like making some of these
6 sinkholes and potholes safe, and then
7 they have to go back and then I guess fix
8 them. What is the timeline on that?

9 COMMISSIONER PERRI: Yeah.
10 What you're referring to, Councilman, is
11 some of the utility trenches, they're
12 large areas. They're several square feet
13 in area, and you need hot material in
14 order to do a permanent repair. You also
15 need a concrete base. And in the middle
16 of winter, you just simply -- the weather
17 conditions will not allow for a permanent
18 restoration. So in the wintertime, we'll
19 put cold patch materials down just to
20 make it safe so you have a rideable
21 surface, and then once the asphalt plants
22 open up in April, we go back and do a
23 permanent repair. So we've now moved
24 into the mode of making those utility
25 ditches a permanent repair.

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2 COUNCILMAN SQUILLA: Okay.

3 Great. And also it would be good -- I
4 know you were saying when you do these
5 district-wide police cleanups, like you
6 said to Councilwoman Bass, it would be
7 nice for me to know too when they're
8 doing them in the 1st District there. We
9 can notify the local community groups,
10 because sometimes it seems there's little
11 gaps between some of the groups know
12 about it, some of them don't. And maybe
13 we could put it on our social media or
14 contact them also just to make them
15 aware, because the more people out
16 helping and cleaning, the better off the
17 City is going to be. And it might be a
18 little more trash to pick up, but at the
19 end of the day, it looks a lot better.

20 COMMISSIONER PERRI: We would
21 love to partner with the Council offices
22 in those types of cleanups. I think it
23 would be great for the City.

24 COUNCILMAN SQUILLA: Thank you
25 very much. Thank you for all you've done

1 4/8/14 - WHOLE - BILL 140144, etc.
2 this year, and hopefully next year will
3 be a little lighter and we could get back
4 to just paving the streets.

5 COMMISSIONER PERRI: Thank you.
6 Appreciate it.

7 COUNCIL PRESIDENT CLARKE:
8 Thank you, Councilman.

9 The Chair recognizes Councilman
10 Jones.

11 COUNCILMAN JONES: Thank you,
12 Mr. President. So good to have you at
13 the helm.

14 COUNCIL PRESIDENT CLARKE:
15 Thank you, sir, for capably sitting in
16 for me. We accomplished some pretty good
17 business today out in the North
18 Philadelphia community.

19 COUNCILMAN JONES: District
20 first, sir.

21 COUNCIL PRESIDENT CLARKE:
22 Thank you, sir.

23 COUNCILMAN JONES: Got to take
24 care of home.

25 I'm going to switch gears a

1 4/8/14 - WHOLE - BILL 140144, etc.
2 little bit and talk about an issue near
3 and dear to a number of Councilpeople in
4 this Chamber, talk about bridges. And
5 first let me thank you for providing me
6 with a list, which I'm going to share
7 with the Chair and other members of
8 Council, as to who owns which bridge.
9 And I think if we can just make that
10 plain, we know who to call of the four or
11 five different entities, whether it's
12 PennDOT or whether it's the Streets
13 Department, whether it's Amtrak or
14 whoever it is, to at least get some
15 answers specifically germane to bridges.

16 The Controller did a report on
17 bridges in the City of Philadelphia, and
18 I recognize that it is not always all
19 your responsibility, but at the end of
20 the day, when we try to reach out to
21 Amtrak or when we try to reach out to CSX
22 or others, you're the closest people that
23 we can burden with the safety of the
24 public, so, therefore, we rely on you for
25 that information. But, again, thank you

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2 for that.

3 According to the report, there
4 are 343 bridges in the City of
5 Philadelphia, 150 of them fall under
6 PennDOT's jurisdiction. The report found
7 that bridges maintained -- bridges
8 maintenance unit doesn't use a database
9 to prioritize the resources and tracking
10 of work orders, and I wanted to know if
11 that in fact is your recollection and
12 how -- not so much as a criticism, but
13 how can we improve upon that.

14 You may have recalled that
15 Councilman Johnson had a derailment in
16 his district, not related to a City-owned
17 bridge. You guys came out and cooperated
18 and inspected to give him information,
19 but at the end of the day, these things
20 go through the arteries of all our
21 neighborhoods, and it is a growing
22 concern when you think of two out of
23 three bridges visited in 2009 didn't get
24 the repairs that they needed. Eighty
25 percent of the bridges are paid for, I

1 4/8/14 - WHOLE - BILL 140144, etc.
2 understand, by the federal government, 15
3 percent by the State, and 5 percent by
4 the City. To me, we need, number one, a
5 database that captures what the state of
6 the bridge is, what the timeframe for
7 repair, and prioritizes bridges. I want
8 all my bridges in the 4th District
9 covered, but if districts like in the 5th
10 District are a greater concern, the
11 person that falls into that crater
12 doesn't care whose district they're in.
13 They care that someone's maintaining
14 that. Could you speak on that for us?

15 COMMISSIONER PERRI: Certainly,
16 Councilman. All the bridges that have a
17 span left of 20 feet or longer are
18 inspected by the Streets Department, and
19 the data is collected and shared with
20 PennDOT. We follow the national
21 standards for bridge inspections and for
22 reporting. So we do have a handle on all
23 our major bridges in Philadelphia. They
24 all are rated, and we are monitored by
25 PennDOT for compliance for our bridge

1 4/8/14 - WHOLE - BILL 140144, etc.
2 inspections.

3 COUNCILMAN JONES: So if you
4 had to give a report card of who is on
5 top of their maintenance game and who is
6 not -- and I don't care if you throw them
7 under the bus or the bridge,
8 metaphorically speaking -- who do we need
9 to give a swift kick in the rear end, if
10 you would?

11 COMMISSIONER PERRI: You're
12 putting me a real tough spot there,
13 Councilman.

14 COUNCILMAN JONES: Yes, I am.
15 Well, you're our guy. You're our guy.
16 We rely on you. Unfortunately you're the
17 only one that has to come here on a
18 regular basis. So we rely on you for
19 that intel.

20 COMMISSIONER PERRI: To be
21 perfectly frank with you, any of the
22 railroad entities other than SEPTA are
23 difficult to deal with. If we can figure
24 out a way of finding a solution to
25 getting them to be more responsive to the

1 4/8/14 - WHOLE - BILL 140144, etc.
2 City's needs, we would make tremendous
3 progress.

4 COUNCILMAN JONES: That was
5 almost political. It was very
6 diplomatic.

7 We're getting increasingly more
8 frustrated. So a number of us are even
9 entertaining legal action, and what we
10 want to do is not -- and I understand
11 that we have interlocking relationships
12 with the federal government by way of
13 funding. I understand that we rely on
14 them for a whole plethora of other things
15 that -- you don't go pulling the mask off
16 the old Lone Ranger and expect no
17 response. I want to be responsible in
18 that regard. I don't want to cut our
19 nose off despite our face, if you would.

20 However and nevertheless, as
21 these things become more prevalent in our
22 community, we'd like to work with the
23 Administration on either encouraging
24 dialogue or we'll see them in court.
25 And, yeah, we may -- I'm sure there's a

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2 university somewhere with some budding
3 young law students that would take this
4 up as a matter of course. We're at the
5 point of frustration when we use railroad
6 spikes as paper weights in my office from
7 maintenance-free bridges. I mean, I'll
8 give you an example. The guy from CSX
9 actually said, Oh, that's from -- we just
10 need to clean that up. There was a
11 two-pound railroad spike that if
12 dropped -- I'm a physics scientist, but
13 you drop it from a hundred feet up in the
14 air and that goes through someone's
15 windshield, that's a projectile that can
16 do serious damage. And so he was just
17 saying, Well, some maintenance guy just
18 left it on the side and it blew over, or
19 whatever it did, and came down to the
20 ground.

21 We have to have a strategy that
22 deals with these 343 bridges that have
23 been deemed, many of them, dangerous. If
24 someone tells you it's dangerous, I tend
25 to believe them, you know. I'm not going

1 4/8/14 - WHOLE - BILL 140144, etc.
2 to wait until the other shoe falls or the
3 bridge in fact falls before I take them
4 seriously.

5 So what I'm asking you is to
6 pull together a group of both federal,
7 state, and private folk to talk about --
8 to communicate with us about how we can
9 move forward, what resources we need to
10 bring to bear to give some sense of at
11 least organization to how we deal with
12 this or at least -- if there is, like
13 you're telling me, Councilman, there is a
14 database, you need to inform us better so
15 that we can inform the public as well.

16 So unfortunately you're my
17 Commissioner nearest and dear to us and
18 so, therefore, we're charging you with
19 that responsibility in addition to snow
20 removal and other things that you have to
21 do on your day job. So if there is other
22 folk that can speak more clearly about
23 what the strategy is, I'd be willing to
24 listen to that today or I'll take this
25 and wait until you come back with that

1 4/8/14 - WHOLE - BILL 140144, etc.

2 strategy that you can share with us.

3 COMMISSIONER PERRI: Yeah.

4 Councilman, I welcome the opportunity to
5 brainstorm on this issue to try to figure
6 out a way of wrapping our arms around the
7 entire issue of bridges in Philadelphia
8 that are not directly owned by the City
9 of Philadelphia. We'll work with your
10 office and we'll continue to explore
11 different options that are available out
12 there and strategies and come up with
13 something that has merit. So I look
14 forward to working with you on trying to
15 make --

16 COUNCILMAN JONES: And I trust
17 you. I trust you with that and I take
18 you at your word that you will do that.
19 Sometimes every now and then they tell us
20 what we want to hear in budget and then
21 say we'll forget. Well, one of the
22 things I don't do is -- I keep what we
23 said last year so that I can remind you
24 this year, and hopefully we take it off
25 our things-to-do list.

1 4/8/14 - WHOLE - BILL 140144, etc.

2 Thank you, Mr. Chairman.

3 COUNCIL PRESIDENT CLARKE:

4 Thank you, Councilman.

5 Commissioner, I have another
6 question with respect to the accessible
7 intersections, the handicap ramps, also
8 known as the handicap ramps. In terms of
9 priority and placement, what's the -- is
10 there a particular guideline on where you
11 put those ramps across the City?

12 COMMISSIONER PERRI: Yes, there
13 is, Council President. The way the rules
14 are written is that whenever you --
15 whenever the City repaves a City street
16 or the state repaves a state route,
17 they're required to upgrade the ADA ramps
18 to the current standard. So the ramp
19 work usually follows the street repaving.
20 In some cases we'll put out the ramp work
21 ahead of the repaving, but in all cases
22 at this point in time, the ramp work and
23 the repaving operation are linked
24 together.

25 COUNCIL PRESIDENT CLARKE: So

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2 it's only driven by the street repaving,
3 not driven by the need to have ADA ramps?

4 COMMISSIONER PERRI: Yeah.

5 That's the frustrating part of this whole
6 paradigm that we're in, is that it's not
7 driven by the need for a ramp at a
8 particular intersection that may be based
9 upon use and the pedestrian count. It's
10 strictly driven upon an artificial
11 relationship between what streets need to
12 be repaved and the associated corners
13 that have to be upgraded. We're not
14 satisfied with that relationship, but
15 that's what it is.

16 COUNCIL PRESIDENT CLARKE: When
17 you say that requirement or relationship,
18 who determines that?

19 COMMISSIONER PERRI: That was
20 determined through a series of lawsuits
21 and it's been directed to us through
22 PennDOT.

23 COUNCIL PRESIDENT CLARKE:
24 Okay. The reason I mention this and not
25 in prior years, a family relative that

1 4/8/14 - WHOLE - BILL 140144, etc.
2 unfortunately has some significant
3 physical challenges. And you don't
4 really know about that or think about
5 that until it hits home, so to speak,
6 when you're trying to move your relative
7 in a wheelchair and not only the sidewalk
8 but then you get to these ramps and it's
9 like, wow, it's like a roller coaster at
10 best, you know.

11 In talking to that relative,
12 there's another -- in some other
13 municipalities, they actually -- the
14 first level of placement is actually
15 around healthcare facilities, which makes
16 a lot of sense, because the likelihood
17 that people may have some physical
18 challenges and their need to visit these
19 particular locations is pretty high. So
20 that's the process there. And I had no
21 idea that we can only do these ramps in
22 areas where we're paving streets.

23 COMMISSIONER PERRI: Yeah. We
24 are actually looking at an alternate
25 rubric to determine where ramps should be

1 4/8/14 - WHOLE - BILL 140144, etc.

2 placed, and it would be based upon access
3 to medical facilities. It would be based
4 upon access to entertainment functions,
5 restaurants. It would be based upon
6 pedestrian counts. We're hoping to come
7 up with something that we could sit down
8 and get an agreement that this is a more
9 logical way of doing a ramp replacement
10 program as opposed to just replacing
11 ramps because the street happened to wear
12 out and need to be repaved.

13 COUNCIL PRESIDENT CLARKE: That
14 makes like no sense.

15 COMMISSIONER PERRI: It makes
16 no sense.

17 COUNCIL PRESIDENT CLARKE: So
18 this is something that you'd have to get
19 an agreement with PennDOT? We couldn't
20 just on our own --

21 COMMISSIONER PERRI: Yeah. I'm
22 not quite sure exactly where do you go to
23 get the approval for this. We're still
24 looking at the legal implications of
25 moving away from a program based upon

1 4/8/14 - WHOLE - BILL 140144, etc.
2 repaving to a program based upon needs in
3 the community.

4 COUNCIL PRESIDENT CLARKE: Do
5 we fund that, all of the ramps, the ADA
6 ramps in the City of Philadelphia? Is
7 that a City of Philadelphia expenditure?

8 COMMISSIONER PERRI: There's
9 two types of streets in the City of
10 Philadelphia. There's what's known as
11 federal aid streets. There's about 300
12 miles of those. Those are co-paid by the
13 City and PennDOT. We put up 20 percent;
14 PennDOT puts up 80 percent. The rest of
15 the network in the City, about 1,900
16 miles, that's 100 percent City funds.

17 COUNCIL PRESIDENT CLARKE:
18 Okay. So in those cases where there's no
19 federal dollars, we can determine if we
20 do streets -- and let me ask you this
21 question. Are the ADA ramps and the
22 street repavement connected when there's
23 solely City funding?

24 COMMISSIONER PERRI: Yeah. We
25 do that -- we were instructed that

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2 because overall the state has an
3 oversight role over the City, that we
4 would need to follow the convention that
5 the state uses even when we use our local
6 streets. Like I said, we are looking at
7 various legal options here to figure out
8 how we get away from that and do it in a
9 more logical fashion.

10 COUNCIL PRESIDENT CLARKE: All
11 right. Is there a point person in your
12 department? Because that's something,
13 like I said, when it hits home, it rises
14 to another level. I'd like to follow up
15 with someone from your office who is
16 responsible for that, that analysis.

17 COMMISSIONER PERRI: Yeah.
18 Mike Carroll from the Mayor's Office of
19 Transportation and Utilities has put
20 together a tremendous analysis of various
21 land uses and pedestrian counts to come
22 up with a better plan for how we would go
23 about replacing the ramps. So I would
24 suggest that he would be the chief point
25 of contact in this discussion.

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2 COUNCIL PRESIDENT CLARKE:

3 What's the name again?

4 COMMISSIONER PERRI: Michael
5 Carroll.

6 COUNCIL PRESIDENT CLARKE: All
7 right. Thank you.

8 The Chair recognizes Councilman
9 Oh.

10 COUNCILMAN OH: Thank you,
11 Mr. President.

12 Just a quick question since
13 we're talking about potholes. I in my
14 experience know where the potholes are
15 before they happen because they recur
16 every winter. And so my question is just
17 in terms of the quality of the repair of
18 the potholes, have you examined some of
19 the other technology in pothole repair,
20 like the infrared heat pothole repair
21 systems?

22 COMMISSIONER PERRI: We haven't
23 used infrared repair. No. That one we
24 don't use. We're very successful in
25 using what's known as a "Pothole Killer."

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2 It's a piece of equipment that can fill a
3 pothole in 90 seconds. So it gives you a
4 permanent repair, and it's been our major
5 tool in fighting potholes in the City.

6 COUNCILMAN OH: Okay. I would
7 just wonder if someone would examine the
8 infrared heat pothole repair. It is a
9 little more costly to use, but the
10 technology is that they heat up the
11 entire surrounding area, not just the
12 pothole area, the surrounding area and
13 then you have a more permanent bond. The
14 theory is -- and I don't know the
15 practice -- is that it is more secure and
16 saves a lot of money in terms of not
17 re-repairing the damaged area and also in
18 terms of labor costs.

19 I'm just curious. I just
20 thought I'd bring it up. It was
21 apparently in the news a couple years ago
22 up in New York. They turned it down, and
23 that's why it was in the news. I'm just
24 curious. We have a lot of innovation in
25 the City.

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2 Anyway, thank you very much.

3 COMMISSIONER PERRI: Thank you.

4 COUNCIL PRESIDENT CLARKE:

5 Thank you, Councilman.

6 The Chair recognizes Councilman

7 Jones.

8 COUNCILMAN JONES: I like that,

9 Pothole Killer. That sounds serious.

10 Very quickly. You are
11 receiving a grant for \$5 million to deal
12 with traffic calming for pedestrians.
13 I'd like to know a little bit about that.
14 And then the other thing I'd like you to
15 speak to is your sensor experiment on
16 Kelly Drive and how that's working and
17 whether or not that might be spread to
18 other parts of the City of Philadelphia.

19 COMMISSIONER PERRI: Well,
20 fortunately both questions I'm going to
21 hand off to our Chief Traffic Engineer.

22 MR. MONTANEZ: Good afternoon,
23 Councilman. My name is Richard Montanez,
24 Chief Traffic and Street Lighting
25 Engineer.

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2 First the Kelly Drive. Yes, it
3 has been very successful.

4 COUNCILMAN JONES: Can you
5 describe it a little bit for other
6 members?

7 MR. MONTANEZ: Sure. What we
8 did in Kelly Drive, we actually use
9 detector technology to determine the
10 speed of a vehicle traveling. At a
11 certain amount over the speed limit, the
12 light actually turns red for the vehicle,
13 trying to discourage the vehicles from
14 speeding on Kelly Drive. When we first
15 did it, we had excessive speeds. We're
16 currently at just about nine miles over
17 the speed limit right now, is the average
18 speed on Kelly Drive.

19 COUNCILMAN JONES: So at the
20 end of the day, it's working?

21 MR. MONTANEZ: At the end of
22 the day, it's working.

23 COUNCILMAN JONES: So I have a
24 street called Henry Avenue, and it is the
25 Indianapolis Speedway of Philadelphia,

1 4/8/14 - WHOLE - BILL 140144, etc.
2 and wondered if that type of technology
3 might be appropriate for streets like
4 that. Parkside Avenue comes to mind.
5 But what are your expansion plans on
6 that?

7 MR. MONTANEZ: We are currently
8 looking to expand the program. Kelly
9 Drive was a unique intersection, the fact
10 that it was isolated, there were no other
11 intersections around it. But we are
12 tasked to try to see if we can expand the
13 current program.

14 COUNCILMAN JONES: Is there an
15 implementation timeline that you're
16 shooting towards?

17 MR. MONTANEZ: The issue
18 happens to be is how to make it work in a
19 coordinated system. We're trying to see
20 if we could at least do a pilot by next
21 summer.

22 COUNCILMAN JONES: Okay. So
23 traffic calming.

24 MR. MONTANEZ: Traffic calming.

25 COUNCILMAN JONES: What are you

1 4/8/14 - WHOLE - BILL 140144, etc.

2 doing about it, the 5 million?

3 MR. MONTANEZ: Oh, that's part
4 of Arley. We are currently -- give me a
5 second here.

6 We are currently going to use
7 it to do anti-skid on School House,
8 Lincoln Drive, and Kelly Drive.

9 COUNCILMAN JONES: I want you
10 to notice that I'm moving things that I
11 share a border with the 8th District and
12 Councilwoman Bass with, because sometimes
13 she gets a lot of my calls that are
14 really --

15 COUNCILWOMAN BASS: Yes. Yes.

16 COUNCILMAN JONES: -- for me
17 when it comes to that. They think it's
18 her district and it's actually mine. So
19 I'm officially apologizing right now for
20 that misunderstanding.

21 COUNCILWOMAN BASS: That's
22 okay.

23 MR. MONTANEZ: We're also
24 looking at how to replace the three
25 crosswalks specifically on Avenue of the

1 4/8/14 - WHOLE - BILL 140144, etc.
2 Arts South; Broad Street, Chestnut; Broad
3 Street and Sansom; Broad Street and
4 Walnut. We're also looking at some
5 bump-outs, line striping ideas, and
6 whatever other technology we decide to
7 test.

8 COUNCILMAN JONES: Thank you so
9 much.

10 One other question. On your
11 Fleet Management, I note that in
12 Sanitation one-third of the collection
13 vehicles are between 10 and 18 years old,
14 and I wanted to know, A, are we hitting
15 an equilibrium point where it costs more
16 to maintain them versus to buy new ones,
17 and then if we're buying new ones, is
18 there an eye towards efficiencies that
19 new vehicle might bring, whether it's
20 fuel efficiencies or technology that
21 makes collection a bit better?

22 DEPUTY COMMISSIONER CARLTON:
23 Well, one issue is, the division itself
24 has never purchased a vehicle. Fleet
25 Management has 100 percent handled the

1 4/8/14 - WHOLE - BILL 140144, etc.
2 purchasing of vehicles, what vehicles are
3 purchased. So as far as the upkeep and
4 the dollar amount of what we'll improve
5 with a new vehicle versus maintaining
6 these vehicles, that will be a hundred
7 percent a question for Fleet Management.
8 Unfortunately, that's something that we
9 don't regulate. We don't purchase the
10 vehicles at all.

11 COUNCILMAN JONES: So do you
12 make comments on that? I mean, I would
13 hope -- and I see Rebecca coming up to
14 kind of take that on.

15 (Witness approached witness
16 table.)

17 MS. RHYNHART: Good afternoon.
18 Rebecca Rhynhart, Budget Director.

19 Councilman, one of the big
20 issues coming out of the meetings we had
21 with departments across the City this
22 budget year was the condition of some of
23 our fleet, especially in Streets and in
24 the Fire Department. So that's why we've
25 added \$10 million a year in the Capital

1 4/8/14 - WHOLE - BILL 140144, etc.

2 Budget each year as an ongoing practice
3 to purchase more larger vehicles out of
4 the Capital Budget to get the average age
5 of the vehicles down in departments such
6 as Streets, because we're finding that
7 vehicles was one area -- the Fleet
8 Department's budget was one area that we
9 cut significantly in the recession that
10 we need to give back to.

11 COUNCILMAN JONES: But is there
12 an eye towards -- I understand
13 modernizing the fleet, but is there an
14 eye towards more energy-efficient
15 vehicles or vehicles that add a degree of
16 technology? And so my question -- and I
17 don't want this to be a union issue. In
18 California they have a refuse
19 containerized pickup where they have
20 two-person operators that they're able to
21 more efficiently pick up trash. So are
22 we looking at those kinds of things, if
23 not in every neighborhood but in some
24 strips where we could kind of use it as a
25 beta tester?

1 4/8/14 - WHOLE - BILL 140144, etc.

2 DEPUTY COMMISSIONER CARLTON:

3 We are always evaluating that,
4 Councilman, and one thing we've learned
5 is that the average automated or
6 semi-automated vehicle adds about 40
7 percent more loading time. In the City
8 of Philadelphia, the average crew picks
9 up two houses in 11 seconds, whereas the
10 particular arm and swing may be anywhere
11 from nine to 18 seconds. So we could go
12 that route, but we're going to have to
13 increase our fleet by probably 35 to 40
14 percent.

15 COUNCILMAN JONES: You don't
16 have to go that route on my behalf. I
17 mean, you know what I'm saying? I'm fine
18 with it. But what is encouraging to me
19 is that you're looking at efficiencies
20 and you're factoring in. And sometimes
21 they're dismissed because they're not
22 what they're cracked up to be, and that's
23 fine with me, but as long as we're
24 looking at that energy-efficiency,
25 manpower deployment. I'd rather Streets

1 4/8/14 - WHOLE - BILL 140144, etc.

2 Department employees be picking up and
3 dealing with potholes when we need them.

4 It's not a question of reducing the
5 labor, but deploying it differently so
6 that we get other priorities met as well.

7 All right?

8 Thank you, Mr. Chairman.

9 COUNCIL PRESIDENT CLARKE:

10 Thank you, Councilman.

11 It appears we have no one else
12 teed up. I think we were scheduled for
13 2:15 for L&I, so we'll do 2:30.

14 Council will stand in recess
15 until 2:30.

16 (Short recess.)

17 COUNCILMAN GREENLEE: Good
18 afternoon, everyone. I want to get
19 started back with our hearings.

20 The next department is the
21 Department of License and Inspection,
22 Commissioner Williams and whoever else is
23 volunteering to come up with you.

24 (Witnesses approached witness
25 table.)

1 4/8/14 - WHOLE - BILL 140144, etc.

2 COUNCILMAN GREENLEE: Good
3 afternoon, everyone.

4 COMMISSIONER WILLIAMS: Good
5 afternoon.

6 COUNCILMAN GREENLEE: If you'd
7 like to proceed with, I'm sure, your
8 summarized testimony and I think there
9 might be a question or two.

10 COMMISSIONER WILLIAMS: All
11 right. Good afternoon, Councilman
12 Greenlee, and thank you and City Council
13 for allowing us to be here to testify
14 today. I am Carlton Williams,
15 Commissioner of the Department of License
16 and Inspections. I am pleased to be here
17 today to testify on the Fiscal Year 2015
18 Operating Budget. Joining me here today
19 are Deputy Commissioners Michael Fink and
20 Michael Maenner, along with members of
21 the Department of License and
22 Inspections.

23 The Department of License and
24 Inspections is requesting a total FY15
25 General Fund budget \$27,564,000, which

1 4/8/14 - WHOLE - BILL 140144, etc.
2 represents an increase of 1.97 million
3 from FY14. The FY15 request will fund
4 353 General Fund positions and includes a
5 \$9.3 million demolition budget. The 1.97
6 million increase will support 27 new
7 building inspectors, two assistant city
8 solicitors, one paralegal, five service
9 reps, and an education and outreach
10 planner that will strive to inform the
11 public about building safety and the new
12 demolition standards. In addition, OSHA
13 30 training will be provided to all L&I
14 inspectors.

15 The Department experienced
16 major challenges in FY14, none greater
17 than the tragic building collapse that
18 occurred on June 5th, 2013. This
19 incident has caused us to take a closer
20 look at our entire department's
21 operations to help ensure public safety
22 in the construction industry. The
23 Department is committed to public safety.
24 In keeping with our mission to be the
25 nation's leader in code enforcement, we

1 4/8/14 - WHOLE - BILL 140144, etc.
2 created new demolition regulations which
3 became part of the new legislation
4 established by City Council and signed
5 into law by the Mayor. The new building
6 and administrative codes are stricter
7 than what was required by previous codes.
8 Part of these regulations require
9 contractors to submit detailed site
10 safety plans and insurance and licensing
11 information with each permit application,
12 among other requirements.

13 In addition to the new
14 demolition standards, the Department
15 continues to focus on improving public
16 safety through targeted demolitions of
17 imminently dangerous properties, expanded
18 technological capabilities through
19 Project eCLIPSE, and the hiring of the 27
20 new inspectors that will be a part of the
21 newly created Emergency Services Unit and
22 the Compliance Unit.

23 These units will specifically
24 target unlicensed, unpermitted, and
25 unsafe construction and demolition sites,

1 4/8/14 - WHOLE - BILL 140144, etc.
2 as well as responding to building
3 emergencies in imminently dangerous
4 structures. The new units will
5 complement the work of our Development
6 Division by providing additional
7 oversight on top of the code requiring
8 inspections conducted by our building
9 inspectors. Many of these policies and
10 procedures have already undergone a
11 two-year review by the International
12 Accreditation Service, which is part of
13 the International Code Council, the
14 entity that writes the building codes we
15 follow and enforce. This review measured
16 our practices against other
17 municipalities and culminated with the
18 Department receiving accreditation as a
19 leader in the code enforcement industry.
20 Currently, L&I is working with
21 outside agencies to review our practices
22 and develop additional meaningful
23 reforms. We are fully cooperating with
24 numerous audits and investigations from
25 various agencies, including the

1 4/8/14 - WHOLE - BILL 140144, etc.
2 Controller's Office, the District
3 Attorney's Office, the Inspector
4 General's Office, and the Special
5 Independent Advisory Commission that was
6 created under the Mayor's Executive
7 Order. We will continue to make
8 significant progress in FY15 towards
9 improving services and public safety.
10 The hard working employees of the
11 Department will continue to make
12 Philadelphia a better, safer place to
13 live, work, and play.

14 Thank you for the opportunity
15 to present our FY15 budget. I'm
16 available to answer any questions at this
17 time.

18 COUNCILMAN GREENLEE: Thank
19 you, Commissioner. Let me just ask one
20 question before I know other members want
21 to ask questions. I have a feeling that
22 demolition might come up a few times in
23 questions, and I know you say in your
24 written testimony that L&I has received
25 an overwhelming influx of complaints

1 4/8/14 - WHOLE - BILL 140144, etc.
2 dealing with immediate demolitions, and I
3 know there's been some -- even with the
4 addition of the \$3 million in the FY14
5 demolition budget, your department has
6 already spent 5.58 and you still have 600
7 properties designated imminently
8 dangerous; is that correct?

9 COMMISSIONER WILLIAMS: That's
10 correct.

11 COUNCILMAN GREENLEE: Could you
12 kind of just get into that. Describe the
13 challenges your department is facing,
14 that kind of thing, and is there any
15 target date when you at least think those
16 properties could be addressed.

17 COMMISSIONER WILLIAMS: Yes.
18 First, we average about \$13,500 per
19 residential property. That gives us
20 enough funding currently at the \$9
21 million mark to take care of the 600
22 properties. The challenge, though, is
23 that this is a revolving model, meaning
24 that the more we take down, we get
25 complaints about unsafe conditions that

1 4/8/14 - WHOLE - BILL 140144, etc.
2 have deteriorated to the point where we
3 have to take action. So it's never a
4 constant number. It's always revolving.
5 And so that number -- it will be 300 or
6 we'll have it down to 300 or 400 by the
7 end of this year and another 200
8 properties will go on the list,
9 especially after the winter weather
10 conditions that we had this past winter
11 season. Those cause properties, vacant
12 properties, to deteriorate even faster.
13 So that's the challenge that we currently
14 face and we constantly battle.

15 COUNCILMAN GREENLEE: Just as a
16 followup to some of the things that were
17 written in the newspaper today,
18 particularly City-owned properties. How
19 are they handled in any way differently
20 when they're imminently dangerous?

21 COMMISSIONER WILLIAMS: Well,
22 we follow the same process and procedure.
23 We notify the agencies immediately when
24 they are brought to our attention.
25 Either that's through a proactive

1 4/8/14 - WHOLE - BILL 140144, etc.
2 inspection or through a complaint from a
3 citizen. And so once we are aware of it,
4 we notify the agency immediately to get
5 permission to take action on that
6 property.

7 Public Property -- those
8 belonging to the Department of Public
9 Property we handle through our general
10 demolition budget. Other agencies we ask
11 for a reimbursement and we get paid
12 through a reimbursement process. So
13 agencies like PHA, PRA, RDA, all of those
14 properties that are listed under their
15 jurisdiction, they give us authorization
16 to demolish.

17 COUNCILMAN GREENLEE: And do
18 you have a pretty good working
19 relationship with those agencies?

20 COMMISSIONER WILLIAMS:
21 Absolutely. Once we bring it to their
22 attention -- and they have their own
23 processes in PHA that they have to follow
24 to get authorization to release it. If
25 it's ID, though, we automatically take it

1 4/8/14 - WHOLE - BILL 140144, etc.
2 down and bill them, and we have not had
3 any problems with any communication with
4 getting either reimbursed or having a
5 property demolished when we say it's in
6 need of emergency.

7 COUNCILMAN GREENLEE: All
8 right. Thank you.

9 Let's go to the members.
10 First, Councilman Jones.

11 COUNCILMAN JONES: Thank you,
12 Mr. Chairman.

13 And thank you, Commissioner,
14 and your staff for the work we did
15 together to take a look at where we were
16 by way of demolition, both public and
17 private, and then subsequently coming up
18 with recommendations, 75 of which we
19 agreed upon and maybe two we had a little
20 question on. But that's remarkable for
21 us to be able to co-venture on that and
22 come up with a common vision for what
23 would be now a part of the City code and
24 a part of the day-to-day practice of your
25 department. So I want to thank all of

1 4/8/14 - WHOLE - BILL 140144, etc.

2 you who participated in that, and it
3 makes me feel a lot more confident that
4 going forward we'll have a better handle
5 on what's going on in our city.

6 COMMISSIONER WILLIAMS: Thank
7 you, Councilman.

8 COUNCILMAN JONES: So with
9 that, how much is all this going to cost?

10 COMMISSIONER WILLIAMS: Well,
11 as I indicated in our opening remarks,
12 \$1.97 million is what we estimate the
13 cost for the 27 additional inspectors.
14 Those inspectors will perform meaningful
15 responsibilities to increase oversight,
16 which we thought was one of the
17 challenges in our department, mainly on
18 dangerous construction sites to ensure
19 contractors are following the rules.
20 We've also put in new policies to
21 complement those inspectors. In our
22 Compliance Division, we'll make sure that
23 many of the legislative issues that was
24 brought up by Council are addressed.
25 Things such as making sure that

1 4/8/14 - WHOLE - BILL 140144, etc.

2 contractors have insurance documents and
3 they're paying their fair share of taxes
4 are something that we just didn't have
5 the staffing capacities before to check,
6 but now with this new budget, we're able
7 to go back and look at to ensure that
8 they have those basic necessary
9 requirements before even starting the
10 job.

11 COUNCILMAN JONES: So I believe
12 in a transfer ordinance, Mr. Chairman.
13 We just did a figure of about, what is
14 it, 3 million?

15 COMMISSIONER WILLIAMS: Three
16 million dollars, that's correct.

17 COUNCILMAN JONES: Three
18 million dollars to deal with outstanding
19 issues, properties that need to be torn
20 down, and immediate steps that you might
21 have needed to take to modernize your IT
22 or things like that. Can you give us a
23 sense of how that money is being spent
24 and then what the additional
25 appropriations in the upcoming fiscal

1 4/8/14 - WHOLE - BILL 140144, etc.
2 year will be applied towards. And if you
3 would do it in a way where you said this
4 is how we used to do it, this is how
5 we're going to do it going forward, I
6 think it aids in our understanding of the
7 changes within your department.

8 COMMISSIONER WILLIAMS: Sure.
9 Well, the \$3 million would immediately to
10 go public demolitions due to the issues
11 that I pointed out earlier, the increased
12 weather conditions that caused properties
13 to deteriorate at a much faster rate, the
14 type of properties we were demolishing as
15 well. There was a church at 2842 North
16 9th Street, a very huge church that cost
17 over \$962,000 to demolish. That ate into
18 our demolition funding at a much faster
19 rate than traditionally we would spend.
20 But it was an imminently dangerous
21 property that we had to address. And so
22 that \$3 million mid-year transfer will go
23 directly towards finishing the identified
24 properties that we declared imminently
25 dangerous for the rest of the fiscal

1 4/8/14 - WHOLE - BILL 140144, etc.
2 year.

3 One of the challenges, again,
4 is to identify and package those up in a
5 way that it maximizes the resources of
6 our investment, and so, therefore, we're
7 going from area to area around the City
8 of Philadelphia trying to get those
9 properties that are in close proximity
10 under a package deal where we can get the
11 best bang for our dollars and our
12 investment for the City of Philadelphia.
13 Therefore, we would be able to take even
14 more of those properties down.

15 That process will not stop with
16 next year's budget. We will continue to
17 roll into the summer after FY15, starting
18 July 1st, and continuing to knock down
19 the other 580 properties that we
20 currently have on our demolition listing.
21 So those were where those funds directly
22 were used.

23 There are changes that we have
24 in terms of the legislation that
25 Council -- once again, we thank you for

1 4/8/14 - WHOLE - BILL 140144, etc.
2 that -- put together and signed into law
3 by the Mayor that will take place
4 immediately, immediate changes to permit
5 application requirements and the permit
6 inspection process. Some of these things
7 will go into effect 7/1, the new fiscal
8 year. Others will take the full 18
9 months to incorporate, because it takes
10 time for us to build. And I'll give you
11 some examples, if you would allow me the
12 opportunity to do so.

13 COUNCILMAN JONES: Please do.

14 COMMISSIONER WILLIAMS: So
15 under the permit application
16 requirements, permits -- what we used to
17 provide is an over-the-counter demolition
18 permit. Now it's treated as a 20-day
19 plan review in which an examiner
20 thoroughly looks at the entire
21 application process. And some of the
22 things that are now included in that
23 application check is to make sure that a
24 site safety plan and a work schedule is
25 provided, reviewed by an inspector and by

1 4/8/14 - WHOLE - BILL 140144, etc.

2 a competent -- provided by a competent
3 person, in which our plan examiners have
4 the opportunity to verify.

5 In addition, work experience of
6 the contractor was also a consideration
7 under the application projects for
8 demolitions as well. So that was one of
9 the changes in the permit application
10 process. We estimate it's taking on
11 average between 30 and 40 days since we
12 initiated it, and that's because it took
13 time for contractors to get adjusted to
14 the requirements. But on average --

15 COUNCILMAN JONES: You have, in
16 mid process of developing these regs,
17 cited some contractors that were in
18 non-compliance, some of whom actually
19 came to my office talking about, What's
20 going on? We used to do it this way.
21 Now it's unacceptable.

22 So you can talk about how it's
23 impacted the business-as-usual approach.
24 Well, I mean, I can tell you from a
25 constituent service basis, and when --

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2 COUNCILMAN GREENLEE: It's
3 changed?

4 COUNCILMAN JONES: Oh, it's
5 changed. And when the contractor came in
6 with it, I had to tell him, We're not
7 doing it that way anymore and you have to
8 take seriously the regulations over in
9 L&I. So I could tell you it's had
10 immediate impact.

11 COMMISSIONER WILLIAMS: Yeah.
12 The industry, the demolition industry, I
13 met with some of the larger contractors
14 who expressed frustration with getting
15 their permits approved, but, again, after
16 explaining to them why it was important,
17 I think they understood it, but they also
18 asked would we be open to looking at ways
19 to always improve the system so that we
20 don't compromise safety but to ensure
21 development as well. And I certainly
22 offered that -- accepted that invitation
23 and would be more than willing to
24 continue that process so that we can
25 improve and streamline the process

1 4/8/14 - WHOLE - BILL 140144, etc.

2 without sacrificing public safety.

3 COUNCILMAN JONES: Understood.

4 COMMISSIONER WILLIAMS: Some of
5 the other things that we're requiring,
6 especially in this upcoming fiscal year,
7 is the signage requirement. At one point
8 for larger buildings -- it's important
9 that the public understands what's
10 happening in their districts and in their
11 communities so that they have a contact
12 person to be able to immediately call if
13 there was an emergency or if they see
14 something that appeared to be unsafe,
15 then our department should be contacted
16 so that we can send an inspector out
17 immediately.

18 I think that when there's no
19 information or no signs and people begin
20 to speculate what's going on and they
21 don't have a contact, that raises fears.
22 So our department is now requiring that
23 certain size buildings require a large
24 sign, but all other construction projects
25 at least have visible signage where

1 4/8/14 - WHOLE - BILL 140144, etc.

2 people will know who the contractor is,
3 an estimated date when the project is
4 expected to commence and be completed,
5 who to contact in case there's a problem
6 or an issue with the site or if they have
7 any questions about the contractor's
8 permit requirements. Those are some of
9 the things that were non-existent in the
10 past but now are in place today.

11 COUNCILMAN JONES: I'm going to
12 yield, because I heard the bell toll.

13 COUNCILMAN GREENLEE: It did go
14 off. We have everybody that's here teed
15 up.

16 COUNCILMAN JONES: So I'm going
17 to yield and I'll come around on second
18 round, Mr. Chairman.

19 COUNCILMAN GREENLEE: Thank
20 you, Councilman. Thank you very much.

21 Councilwoman Tasco.

22 COUNCILWOMAN TASCO: Good
23 afternoon.

24 COMMISSIONER WILLIAMS: Good
25 afternoon.

1 4/8/14 - WHOLE - BILL 140144, etc.

2 COUNCILWOMAN TASCO: Thank you
3 so much. I just came down here to say I
4 want to thank you for your leadership and
5 the L&I department in working with us on
6 the building at 13th Street where we had
7 the -- we have many serious problems
8 there, and I just wanted to say that I
9 appreciated the support you gave us when
10 you were in the Streets Department, and
11 when you left, I said, Oh, he can't
12 leave. But I'm glad you're at L&I.

13 COMMISSIONER WILLIAMS: Thank
14 you, Councilwoman.

15 COUNCILWOMAN TASCO: Because
16 your commitment to understanding what's
17 going on in this city and particularly in
18 the neighborhoods is very important to
19 us. And I'd just like for you for the
20 record to sort of give a slight summary
21 of some of the changes that we discussed
22 in a private meeting with you about how
23 in the future hopefully we won't have
24 this kind of situation again. I've had
25 three buildings in my district where

1 4/8/14 - WHOLE - BILL 140144, etc.
2 we've had to evacuate families at the
3 last minute or in the middle of the night
4 because the landlords are either absent
5 or the way the building is structured and
6 managed doesn't work in the best interest
7 of the residents. And a couple of weeks
8 ago, we had to give those residents in
9 that building a five-day notice that they
10 had to move, which was very painful for
11 all of us. But you and your staff worked
12 hard to see that we tried to make it as
13 less painful as possible.

14 So just for the record so that
15 my colleagues will know what you were
16 able to accomplish and hopefully we will
17 look forward to in the future a way to
18 avoid this situation. And that's what we
19 really want as the end product, how do we
20 avoid it.

21 COMMISSIONER WILLIAMS: Right.
22 Thank you, Councilwoman, for your kinds
23 words, first of all. And specifically on
24 the property at the 6700 block of North
25 13th Street, that was a very difficult

1 4/8/14 - WHOLE - BILL 140144, etc.

2 situation. Any time you're displacing
3 residents and families with children and
4 having to redirect them so suddenly is
5 always a difficult decision.

6 I can tell you a little history
7 about the property, and I'm also going to
8 ask my Deputy Commissioner, Mike Maenner,
9 to talk about it as well. But the
10 property in itself when we visited it on
11 several occasions had multiple
12 violations. I think this situation was
13 much more challenging in that it wasn't
14 one apartment building where they had one
15 viable owner. They had converted those
16 units into mini condominium units. Some
17 had an agency that was responsible for
18 part of the building; others were
19 individually owned. And so there was no
20 one unit to say we're responsible for all
21 the common areas. And so the problem
22 with that is that, especially in a fire,
23 if they don't have a functioning fire
24 system or if there's an unsafe or
25 uninhabitable condition, which we saw at

1 4/8/14 - WHOLE - BILL 140144, etc.
2 that site where they had feces and things
3 in the basement, people were using
4 buckets for bathrooms, that just was
5 living conditions that we could no longer
6 tolerate, and so that action had to be
7 taking place.

8 Some of the things that we can
9 do better is, first of all, to try to
10 work the owners to make sure that they
11 get compliance in the first place. I
12 think that comes along with not only the
13 Department of L&I, but us working closely
14 together with our legal team in the court
15 process. Therefore, we can try to get
16 owners in the court faster, quicker to
17 address these situations.

18 One of the challenges that I've
19 put forth to the Mayor's Office and
20 within our own division is to restructure
21 our Code Violation Resolution Unit, which
22 is the unit responsible for processing
23 cases for court. Therefore, if we are
24 able to get properties in court faster
25 and identify who those owners are, we can

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2 get greater compliance if we get support
3 from the judicial system to fine owners
4 and to force them and issue orders to
5 comply. But it's a constant battle when
6 you're dealing with the number of cases
7 that we have.

8 Specifically we discussed in
9 your district is that we would look at
10 these building type structures so that we
11 compile it and do more frequent
12 inspections of those type of properties.
13 We know three happened in your area.
14 There's a number of others citywide, but
15 to look at a program that allow us to be
16 more proactive in our inspection process
17 so that we can identify hazard conditions
18 and have them addressed before it gets to
19 the point of a cease operation where
20 people have to be displaced.

21 Deputy Commissioner Maenner,
22 would you like to add.

23 DEPUTY COMMISSIONER MAENNER:
24 In the case of this building, this
25 building was a condominium, which is kind

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2 of unique because there are 59 separate
3 owners. The Department took the building
4 to court. We couldn't find a clear owner
5 and no one would step to the plate, and
6 it gradually got worse. There was a
7 \$5,000 fine in Municipal Court. Since
8 there was no clear owners, again, the
9 building kept getting worse and worse.
10 So we had to give unfortunately -- I
11 mean, we don't take this lightly -- cease
12 operations. We have an eight-page
13 procedure on how to perform a cease
14 operations. Moving people out of a
15 building we don't take lightly. So we
16 gave a 35-day intent to cease order. It
17 seemed like the tenants kind of didn't
18 take that cease order seriously enough.
19 What we do when we issue the intent to
20 cease, we post each side of the building.
21 We post each door in the entryway into
22 the building. We send letters to each of
23 the units within the building, 59 units,
24 and we hand-deliver them and First Class
25 mail.

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2 So after 35 days, it didn't
3 seem like anyone took that seriously, so
4 an additional five days were given to
5 actually move out. The people were given
6 support with OSH, which we thank a great
7 deal for, and also the Sheriff's
8 Department who helped us with the cease
9 operations order. But, again, that's a
10 last resort. Our department does not
11 like to do that. That's not a way we can
12 continue to do, so...

13 COUNCILWOMAN TASCO: Well, I
14 know we were happy to have in our meeting
15 with you Clarena Tolson from the Revenue
16 Department who discussed working with
17 your office in referring properties with
18 multiple violations to Revenue for
19 possible use of receivership as a tool.
20 So I know it was a real mess with the way
21 that building is configured and how they
22 are real slick in setting up the building
23 the way it is, and hopefully we will
24 monitor that so we won't go back into
25 that slide.

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2 COMMISSIONER WILLIAMS:

3 Definitely. That will be part of our
4 process, and we'll keep your office
5 updated on those type of building
6 structures for every building in your
7 district.

8 COUNCILWOMAN TASCO: Thank you.

9 Thank you.

10 COUNCILMAN GREENLEE: Thank
11 you, Councilwoman.

12 Councilman Johnson.

13 COUNCILMAN JOHNSON: Thank you,
14 Mr. Chair.

15 How you doing, Carlton and
16 staff?

17 COMMISSIONER WILLIAMS: How are
18 you, Councilman?

19 COUNCILMAN JOHNSON: Doing
20 pretty good.

21 I just want to -- I was about
22 to call you last night because I had some
23 rogue developers in the back of my house
24 about 9:30 with a generator on. So we
25 just called -- it was the wife actually.

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2 We just called 9-1-1 and got it taken
3 care of.

4 Question: So regarding the
5 demolitions that are taking place -- and
6 thank you for the actual data for my
7 district to give me an idea of what my
8 district looks like when it comes to
9 properties or houses that need to be
10 demoed.

11 Is there a partnership with the
12 Revenue Department and the Office of
13 Property Assessment to specifically look
14 at those properties that are privately
15 owned that are on our rolls that you have
16 to demo? And obviously the more houses
17 you demo comes out of your budget.

18 COMMISSIONER WILLIAMS:

19 Correct.

20 COUNCILMAN JOHNSON: But
21 putting together a process with those
22 departments. So once you demo those
23 houses, we have a way to put those houses
24 back on the market so you can recoup some
25 of the revenue that was spent for the

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2 demolition.

3 COMMISSIONER WILLIAMS: Yeah.

4 The process -- and we would prefer to
5 certainly try to salvage any building
6 that is marketable. I think one of the
7 successful programs that the Department
8 launched -- and this was done prior to me
9 taking leadership in L&I -- was the
10 Vacant Property Strategy that continues
11 to be a success story today. The Vacant
12 Property Strategy is a targeted,
13 proactive enforcement program that
14 identifies properties in marketable
15 communities to hold property owners
16 accountable through various methods, and
17 one of the methods and tools that we use
18 is the doors and windows strategy. The
19 doors and windows strategy holds the
20 owner of a vacant property accountable to
21 ensure that every opening is sealed with
22 either a door or a window or face a \$300
23 per day per opening penalty if they do
24 not comply. And that is issued by a
25 judicial order, but the value of that is

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2 that when we see those properties
3 salvaged and saved and the owner either
4 does something to put it back into
5 productive use or sells it to someone who
6 can, then it allows the market value of
7 the surrounding neighborhood to increase.
8 The Reinvestment Fund did a study that
9 showed there was a \$74 million market
10 sale value to those properties and areas
11 in which we provided that type of
12 enforcement and a \$2.3 million tax
13 incentive for the City. So it's an
14 effective strategy.

15 COUNCILMAN JOHNSON: So let's
16 go with the actual parcels of land that
17 are private that are -- the vacant
18 parcels of land that are private as a
19 result of the City going out to demo
20 those properties, what happens to that
21 private land now? How do we get that
22 private land back on the market?

23 COMMISSIONER WILLIAMS: A lien
24 is placed on the --

25 COUNCILMAN JOHNSON: And at

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2 what point do we confiscate? Because I
3 guess my issue has always been -- and I
4 always, to put it out there, from a
5 development standpoint, people try to get
6 my position affordable, market rate, and
7 I'm for just smart development. And I
8 will be remiss if I don't talk about how
9 in growing up at least in my
10 neighborhood, in Point Breeze -- it's
11 probably the hottest market right now --
12 we have a lot of private -- I'm not
13 talking about City-owned land;
14 private-owned land that developers came
15 in, purchased, and these properties are
16 just sitting there as a blight inside the
17 neighborhood. And so what happens to
18 those particular properties? Because we
19 have a role to play as the City. So
20 we'll do opportunity zones. We'll focus
21 on mixed-use housing development
22 strategies, but on the private side,
23 there's a significant amount of private
24 properties and parcels of land that are
25 back on their taxes and even some that's

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2 not even back on their taxes, they're
3 just sitting there that serves as a
4 blight from speculators. I mean, how are
5 we addressing it from the ones who are
6 back on their taxes and they're just not
7 taking care of their properties and their
8 lands? And at what point do you continue
9 to give liens? And although they're
10 paying the liens, but not taking care of
11 their actual property. At what point do
12 we step in and exercise our full
13 authority?

14 COMMISSIONER WILLIAMS: Well, I
15 think that it's certainly a conversation
16 that Revenue needs to be a part of,
17 because if there's a tax issue, that is
18 their forte in terms of taking those
19 properties to Sheriff Sale. Our role in
20 that process is to control blight, and if
21 we have to take actions to remediate that
22 property or there's fines that are
23 generated through the court structure for
24 someone who is neglectful of their
25 property, then liens can be placed on

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2 that property. And it's twofold. They
3 could take that to Sheriff Sale as well.

4 COUNCILMAN JOHNSON: I want to
5 go back to my initial question. Are you
6 working in partnership with the Revenue
7 Department and OPA? Because I'm sure
8 some of these houses that you're
9 demolishing right now have to be
10 privately owned properties, correct?

11 COMMISSIONER WILLIAMS: Right.
12 Those that we believe that will go
13 through Sheriff Sale process for resale
14 that are attractive, we send 20
15 properties per month to the Department of
16 Revenue to consider for Sheriff Sale.
17 Probably would have to have a
18 conversation with Revenue to see how
19 effective our strategy would be, but we
20 are working in cooperation with Revenue
21 to see how those properties are being
22 turned over to the public to be put back
23 into productive use. So we do have a
24 good relationship with Revenue.

25 COUNCILMAN JOHNSON: Okay.

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2 Thank you, Carlton.

3 COUNCILMAN GREENLEE: Thank
4 you, Councilman.

5 Councilman Oh.

6 COUNCILMAN OH: Thank you,
7 Mr. Chairman.

8 Good morning, Commissioner.

9 COMMISSIONER WILLIAMS: Good
10 morning.

11 COUNCILMAN OH: Let me just say
12 along with my colleagues that we know
13 that you jumped into a big job, and
14 you've done a great job, and thank you so
15 very much for doing a great job and being
16 so accessible and helpful.

17 I just have a couple questions.
18 One is just kind of a minor question.
19 I'm looking at the Fiscal 2015 proposed
20 appropriations, and there is a
21 significant increase for equipment from
22 typically \$75 or \$55,000 to \$335,000. Is
23 there an anticipated purchase or
24 replacement of equipment that's going to
25 happen?

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2 COMMISSIONER WILLIAMS: Well,
3 with additional staff, they need the
4 tools to actually do their job. So there
5 will be an investment in technology. I
6 think part of that is required also that,
7 per Council legislation, that they wanted
8 to see expanded training, and we agreed
9 about OSHA training. Those are some of
10 the things that that funding would
11 support. And also we need to do a better
12 job of educating the public about our
13 policies and procedures to gain
14 compliance. So within those three areas
15 is where you're seeing where that
16 investment will be made.

17 COUNCILMAN OH: Okay. Thank
18 you very much.

19 In terms of the demolitions,
20 the clean and seals, the demolition of
21 residential buildings remaining for this
22 year, I understand that the budget,
23 there's about \$9 million. You spent
24 about 5.5 million and you have remaining
25 about 3.4 million; is that correct?

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2 COMMISSIONER WILLIAMS: Yeah.

3 It's about \$3 million now. We've done
4 some packages this week to demo
5 properties. So you're in the range, yes.

6 COUNCILMAN OH: So there are
7 still about 600 properties that have been
8 identified as imminent danger. Are they
9 going to get -- what is the plan and
10 process for addressing those demolitions
11 based on the remaining amount in your
12 budget?

13 COMMISSIONER WILLIAMS: Well,
14 the \$3 million that we have covered will
15 take care of estimated 200 properties
16 that remain. Now, that's not an exact
17 science, because if we get a large vacant
18 commercial that we have to respond to on
19 emergency from a fire, that could eat up
20 into part of that budget. So those are
21 kind of the hidden items that are not
22 told. It's not all for residential
23 property at \$13,000. It could vary in
24 size and cost. So those are the
25 challenges that we face, but what we plan

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2 to do is to obviously identify ones in
3 residential communities where it's
4 densely populated that someone is at risk
5 of getting hurt. And so we try to
6 identify those as the highest priority.
7 So the goal is to try to take down 200 of
8 those properties based in the residential
9 communities.

10 If something did come up, as
11 they often do, in a large vacant area,
12 then we would have to obviously respond
13 and use that funding for that. But that
14 is the plan. Vacants, as I mentioned
15 earlier, is a revolving process. It's
16 not 600 and we're done, the City is now
17 safe. It's constant. So we're
18 constantly inspecting buildings. Unsafe
19 buildings get upgraded from unsafe to
20 imminently dangerous. An unsafe building
21 could be something that's repairable at
22 the time, but over time as the winters
23 come and the deterioration process
24 starts, it could be easily upgraded to an
25 imminently dangerous property. So that's

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2 kind of how the process works. It's
3 continuously an ongoing battle, which is
4 why we need to come up with a solution to
5 stop it from getting in that condition in
6 the first place.

7 COUNCILMAN OH: Okay. So 600
8 buildings are identified as imminently
9 dangerous. So that sounds kind of bad to
10 me. Is there a general estimated period
11 of time in general that you use to
12 approach these 600 buildings?

13 COMMISSIONER WILLIAMS: Sure.
14 There is a process that we have 13 public
15 demolition contractors who bid on these
16 jobs. The goal is to try to maximize the
17 use of the funding that we currently
18 have, which is 3 million remaining and
19 then 9 million for next year. So what we
20 do is we map and target those properties
21 in various neighborhoods and try to
22 package deal them, so that we're taking
23 down five and six at one time. The
24 value -- and bidding that out. The value
25 to that is that you get a cheaper price

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2 and you get much faster response from the
3 contractors as opposed to individually
4 trying to take one down one by one.

5 Therefore, we're maximizing the use of
6 the funds that the City has in order to
7 take these properties down at a much
8 faster rate. If you were to give me a
9 timetable, again, each year we took down
10 500 properties. So within a given year,
11 we're going to take down all 600 of those
12 properties.

13 COUNCILMAN OH: Does this
14 include the fire remediation when a fire
15 occurs, the fire remediation folks come
16 in onto the scene, or is that separate
17 because that's covered by typically
18 homeowners' insurance or if there's no
19 insurance, is it covered by the City?

20 COMMISSIONER WILLIAMS: That's
21 separate. That comes from the City's
22 homeowners' policy, the remediation to
23 repair. We take care of a property when
24 we have to take it down and cause action
25 to make it safe. So if there is a fire

1 4/8/14 - WHOLE - BILL 140144, etc.
2 and the Fire Department contacts us to
3 assess the structural condition of a
4 building and if it's dangerous as a
5 result of that fire, we then take action
6 about bringing one of our demolition
7 contractors up to take it down, and then
8 a lien is placed on the property to go
9 after our funding that we've expended to
10 try to address the unsafe situation.

11 COUNCILMAN OH: Okay. I'll
12 have to come back because the bell has
13 run.

14 Thank you very much,
15 Mr. Chairman.

16 COUNCILMAN GREENLEE: Thank
17 you, Councilman.

18 Councilwoman Reynolds Brown.

19 COUNCILWOMAN BROWN: Thank you,
20 Mr. Chairman.

21 Good afternoon, gentlemen.

22 COMMISSIONER WILLIAMS: Good
23 afternoon, Councilwoman.

24 COUNCILWOMAN BROWN: I have a
25 lot of questions in five minutes, so I'm

1 4/8/14 - WHOLE - BILL 140144, etc.
2 going to use 30 to commend you and the
3 manner in which you handled the tragedy
4 that was before the City and your
5 partnership with Majority Leader and the
6 Special Committee in tackling in a real
7 in-depth, piercing way about what and how
8 we need to conduct ourselves differently
9 as a city and as a department going
10 forward.

11 COMMISSIONER WILLIAMS: Thank
12 you, Councilwoman.

13 COUNCILWOMAN BROWN: That was
14 not an easy time for any of us, and being
15 in leadership, I know it was truly a
16 struggle for you.

17 COMMISSIONER WILLIAMS: Yes,
18 ma'am.

19 COUNCILWOMAN BROWN: That does
20 not go unnoticed. Okay?

21 COMMISSIONER WILLIAMS: Thank
22 you.

23 COUNCILWOMAN BROWN: So I read
24 with interest this one article, and in it
25 you state, L&I has about 80 inspectors,

1 4/8/14 - WHOLE - BILL 140144, etc.
2 13 demolition contractors, and you're
3 considering training other staffers to
4 help out with smaller demolition
5 requests. So my thinking goes to this
6 question: Has there been any opportunity
7 to cross-train? First of all, what's the
8 qualification on training process for
9 building inspectors and has that been an
10 opportunity to cross-train? Because no
11 longer can we as professionals operate in
12 a silo with one's skill set given limited
13 dollars and humongous needs. Has there
14 been any consideration for that?

15 COMMISSIONER WILLIAMS: Thank
16 you, Councilwoman. I'll certainly be as
17 direct as possible and then I'll turn it
18 over to Deputy Commissioner Michael Fink
19 to talk about the training of the
20 building inspectors.

21 One of the things that we
22 addressed in that article today about the
23 80 inspectors, there's several units
24 responsible for overseeing blight in the
25 City. Some units are directly

1 4/8/14 - WHOLE - BILL 140144, etc.
2 responsible for dealing with the
3 structural condition of a building;
4 others are responsible for identifying
5 it. Most of that 80 inspectors that was
6 stated earlier, 60 of them come from our
7 Property Maintenance Division. Those are
8 the ones that are out in the street
9 looking at violations for pre-existing
10 buildings.

11 COUNCILWOMAN BROWN:
12 Pre-existing to be on the front line, if
13 you will?

14 COMMISSIONER WILLIAMS: Right.
15 Exactly. Now, when there's an emergency,
16 if they recognize something that may be
17 structurally dangerous, we have an
18 Emergency Services Unit that goes out and
19 does an assessment to verify whether it's
20 unsafe or imminently dangerous. And
21 right now out of that 80, that's 13 of
22 those inspectors. This new budget allows
23 me to push that 13 up to about 27 new
24 inspectors that will be out there
25 addressing emergency situations, which I

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2 think fills a critical need.

3 COUNCILWOMAN BROWN: So will
4 these be new professionals from the
5 outside or are these persons from other
6 City departments like Public Property
7 where there's an opportunity to be
8 promoted so that they come to this new
9 unit with some sense of the big picture?

10 COMMISSIONER WILLIAMS: These
11 are new inspectors that will have to meet
12 certain qualifications to be accepted
13 into the City's program. And, again, to
14 talk about those certifications for a
15 building inspector and the training
16 process, I'll turn it over to Deputy
17 Commissioner Michael Fink who can explain
18 that to you.

19 COUNCILWOMAN BROWN: Thank you.

20 DEPUTY COMMISSIONER FINK: Good
21 afternoon, Councilwoman.

22 COUNCILWOMAN BROWN: Good
23 afternoon.

24 DEPUTY COMMISSIONER FINK: All
25 of our building inspectors are required

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2 to be certified by the state code in all
3 of the codes that they enforce. So, for
4 instance, if you're doing a mechanical
5 inspection, you need to have mechanical
6 code certification. If you're doing a
7 building inspection, you need building
8 code certification. If you're doing a
9 plumbing inspection, you need plumbing
10 code certification.

11 So what we do is, we bring in
12 people from the trades with trades
13 experience or with college degrees in
14 construction management to be inspector
15 trainees. So they have a background in
16 construction, but then we begin to train
17 them in the codes themselves.

18 COUNCILWOMAN BROWN: Got you.

19 DEPUTY COMMISSIONER FINK: At
20 the same time that they're going to
21 classes to learn the codes and become
22 certified, we're training them on how to
23 do inspections, how to use our database,
24 how to write reports. So within
25 approximately a year up to 18 months,

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2 they obtain four certifications which
3 allow them to do the basic building code
4 enforcement for a permit inspection, so
5 any construction project that you're
6 doing. Then we encourage them to get
7 additional certifications that go above
8 and beyond the state's requirements, and
9 through that, their full performance,
10 they can do minimal plan review and they
11 can also do high-rise inspections for new
12 construction.

13 So in addition to that, with
14 the recent legislation, in addition to
15 all that training, we'll now be training
16 them with OSHA requirements. We're
17 working now with OSHA to get them the
18 OSHA 30 training that Council has
19 suggested that we accomplish, and also
20 we're doing quarterly training sessions
21 for construction inspectors on specific
22 safety issues that OSHA feels are
23 problematic in this area. For instance,
24 they'll do one on scaffolding, one on
25 excavations. And we have an ongoing

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2 cooperation with OSHA where we've -- our
3 referrals to them, they're beginning to
4 count those and see how productive they
5 are, and then we're hitting about an 82
6 percent OSHA activity on the referrals
7 that they're getting from our inspectors.

8 COUNCILWOMAN BROWN: So let me
9 make sure I understand that. Eighty-two
10 percent on referrals from who did you
11 say?

12 DEPUTY COMMISSIONER FINK: Our
13 inspectors will contact OSHA when they
14 see a worker in danger. They have the
15 right to stop the job, but they also
16 contact OSHA to tell them that they
17 observe somebody doing improper --
18 according to OSHA regulations. That's
19 over and above the building code
20 regulations. So when they -- because of
21 the training that we've received from
22 OSHA, and there will be more, we're able
23 to identify what OSHA violations are and
24 make referrals to them. Then 82 percent
25 of the time when we call them, they've

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2 opened up a case where they've been able
3 to take penalties against the contractor.

4 COUNCILWOMAN BROWN: Very good.
5 So on this question, on this issue, then
6 is it fair to say that as a result of the
7 work of the Committee, the Special
8 Committee, and the Commissioner, this is
9 one of the new protocols, if you will,
10 that have been instituted? Is that fair
11 to say?

12 DEPUTY COMMISSIONER FINK: Yes,
13 Councilwoman. That's correct.

14 COUNCILWOMAN BROWN: All right,
15 then. Thank you. I'll wait for the next
16 round.

17 Thank you, Mr. President.

18 COUNCIL PRESIDENT CLARKE:
19 Thank you, Councilwoman.

20 The Chair recognizes
21 Councilwoman Quinones-Sanchez.

22 COUNCILWOMAN SANCHEZ: Thank
23 you, Mr. President.

24 COUNCIL PRESIDENT CLARKE:
25 You're welcome.

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2 COUNCILWOMAN SANCHEZ: Good
3 afternoon. I too want to echo
4 Councilwoman Reynolds Brown's
5 congratulations to the work that you did
6 with the Special Committee led by
7 Councilman Jones. I think a lot of the
8 work that came from there was very
9 thoughtful, and I also appreciate the
10 fact that in the Special Independent
11 Advisory Commission where we have
12 developers and building tradesmen,
13 there's a lot of scrutiny going on. And
14 it's not easy to have so many hands in
15 your pot looking at what you're doing,
16 and I think it's because of your
17 leadership, Commissioner, and being open
18 to having people look at it and provide
19 feedback and recommendations that I think
20 you're going to have a better department
21 at the end of all this process and all
22 this scrutiny.

23 I wanted -- because the most
24 important unit to me right now as it
25 relates to what we've seen in the public

1 4/8/14 - WHOLE - BILL 140144, etc.
2 scrutiny is this Compliance Unit. And so
3 one of our frustrations and the
4 frustration of the residents is they have
5 a problem house and the process. You do
6 the 30-day, 30-day reinspect, somebody
7 else comes in, it opens up a new ticket.
8 Can you tell me -- then the issue of when
9 you take people to Equity Court, who
10 makes that decision.

11 Can you tell me from beginning
12 to end when there's a problem property
13 how you're going to streamline that
14 process and what should be the
15 expectation of people as it relates to
16 those problem properties. I know you get
17 an uptick of calls because now with the
18 weather, houses are collapsing, but what
19 ideally do you want to see that
20 Compliance Unit do and is that enough
21 resources to get you there in response to
22 the expectation?

23 COMMISSIONER WILLIAMS: I'm
24 going to ask the Emergency Services
25 Duty's Director, Scott Mulderig, to come

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2 up to talk about our current practice and
3 then also I want to talk about our
4 Compliance Division and what I envision
5 how we're going to improve public safety
6 and also talking about restructuring the
7 court process so that we could address
8 these issues at a much faster and quicker
9 rate.

10 One of the challenges with the
11 Emergency Duty inspectors is to be able
12 to identify and get a case into court as
13 quickly as possible. Part of the
14 responsibility under Mr. Mulderig and his
15 staff is to be able to have court time
16 allocated to ensure that that happens.
17 Some things require the same day, and we
18 can get a case in court, depending on the
19 condition of a structure if we believe
20 that it's about to fall or it's in such
21 egregious conditions that it requires a
22 judge to talk about it, we can get a case
23 into court within 24 hours.

24 The other part of it is -- and
25 I'm sure Mr. Mulderig will talk about

1 4/8/14 - WHOLE - BILL 140144, etc.
2 it -- is the process of due process in
3 which we have to give an owner the
4 opportunity to comply, because we can
5 then get into a lot of legal trouble if
6 we act on a situation without getting an
7 order to fix or address. So the court
8 process plays an extremely important role
9 in that. But before getting to the court
10 process, before I turn it over to
11 Mr. Mulderig, you have to have a process
12 that identifies problems before they
13 become major problems. And if you're
14 putting everything into a court system
15 that allows it to logjam, then ultimately
16 the more serious dangerous cases just get
17 shuttled in with the less serious
18 problems. So the goal is to take those
19 issues out of the case processing system
20 and handle it through other ways. So if
21 you have a case for high weeds or grass
22 or trash violations, use a fine system
23 and take about 8,000 of those cases out
24 of the system so that you can enforce
25 things like drainage issues on a property

1 4/8/14 - WHOLE - BILL 140144, etc.
2 or a damaged rooftop or you see decaying
3 bricks. Those are the ways in which you
4 stop a property from deteriorating to the
5 point where it comes then where you have
6 to have the Emergency Services Unit put
7 it in Equity Court.

8 So those are the things that
9 we're looking for not only our Compliance
10 Division to address on the contractor's
11 side, on the building side, but our CDR
12 unit, Case Processing Unit, needs to
13 change as well.

14 I'm going to briefly turn --

15 COUNCILWOMAN SANCHEZ: Can they
16 also respond to the whole issue of the
17 bond issue that we've still been debating
18 about, requiring a certain bond so that
19 we can try to recoup some of these costs.

20 COMMISSIONER WILLIAMS: Yeah.
21 We're looking in that with the Law
22 Department, because we understand that
23 it's been a challenge for large vacant
24 properties to obtain a bond, which is
25 part of the issue, and so, therefore,

1 4/8/14 - WHOLE - BILL 140144, etc.
2 what do we do at that point when the
3 owner can't obtain bond coverage for us
4 to recoup any costs that's necessary for
5 us to remediate the problem or the
6 dangerous condition. But we are having
7 discussions right now with the Law
8 Department to figure out what the issue
9 is.

10 (Witness approached witness
11 table.)

12 MR. MULDERIG: Good afternoon,
13 Councilwoman. My name is Scott Mulderig.
14 I'm the Director of the Emergency
15 Services Division for the Department of
16 License and Inspections.

17 The process for us to demolish
18 a property is not as quick as everybody
19 would think. There's a due process that
20 we have to go through, notifying the
21 proper owner, making sure that we
22 identify who the proper owner is, make
23 sure they're notified. We also do
24 mortgage checks, because a mortgage
25 holder of a property is also an owner.

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2 They have to be notified. And everybody
3 has a right to due process. They also
4 have a right to appeal our violation
5 notices. They can go through the appeal
6 process and either go to the L&I Review
7 Board or the Board of Building Standards
8 and appeal our violation notices, and we
9 can't take action while that appeal is
10 underway.

11 So there's a lot of steps that
12 we take to ensure that we're not
13 violating someone's civil rights and that
14 everybody has their due process, and
15 that's not usually an easy task, weighing
16 the civil rights of someone versus public
17 safety. It's a very fine balance.

18 COUNCILWOMAN SANCHEZ: Are
19 these state-mandated due process or are
20 those ours locally?

21 MR. MULDERIG: I believe
22 they're both and federal guidelines in
23 the civil rights statutes.

24 COUNCILWOMAN SANCHEZ: Is there
25 any other means when you have a chronic

1 4/8/14 - WHOLE - BILL 140144, etc.
2 violator, because many times -- everybody
3 knows our system. So as soon as we set
4 the bar, somebody games the system and
5 makes it higher. It would be interesting
6 for us to understand -- because this is
7 the stuff that's hard for us to explain
8 to constituents, because if it's the
9 house next door to you, you don't want to
10 hear that. You don't want to hear due
11 process. You don't want to hear -- at
12 what point does their legal rights
13 supersede my public safety and that of my
14 children?

15 So for me, it's sort of like
16 what's legal and what do we do for
17 chronic folks? Does that clock start all
18 over? If we've taken someone to Equity
19 Court and they're a chronic violator, how
20 much of their rights do we continue to
21 protect? Because, again, if every time
22 we open a complaint it's a new complaint,
23 then they're working our clock.

24 COMMISSIONER WILLIAMS: That's
25 a good point. A lot of it has to do with

1 4/8/14 - WHOLE - BILL 140144, etc.

2 the judicial system. The judges play a
3 big role and the court system plays a big
4 role in making those determinations.

5 When we take a property to court, we seek
6 to modify or address the situation. So
7 if it's imminently dangerous and we need
8 to demolish it, then we're asking the
9 court system, Look, this problem needs to
10 be addressed immediately, Your Honor.
11 Please allow us to demolish it. If it's
12 a chronic person --

13 COUNCILWOMAN SANCHEZ: But is
14 your unit going to make sure that the
15 clock doesn't start all over again? What
16 I want to make sure out of this and in
17 the Compliance Unit is that we don't
18 start the clock over. If I had a ticket
19 and it closed, you should not be allowed
20 to start your clock again. And so part
21 of what you have to look at is, you
22 already had an outstanding issue. This
23 is not a new 30-day, 90-day, you get to
24 come back to court and tell the judge, I
25 need a little bit more time. And if

1 4/8/14 - WHOLE - BILL 140144, etc.
2 there's no law that prohibits us from
3 doing that, that's going to take us a big
4 step in the right direction of changing
5 the mindset that it is cheaper to pay the
6 fine than to do the right thing.

7 COMMISSIONER WILLIAMS:

8 Councilwoman, I think that certainly is a
9 bigger conversation than my department
10 could answer, because it does regard
11 legal rights. If someone complies with a
12 violation and ultimately if they fix the
13 property, then the case is closed and
14 we're in compliance, it does start over
15 again.

16 COUNCILWOMAN SANCHEZ: But
17 sometimes we close the ticket because
18 they got a permit to fix.

19 COMMISSIONER WILLIAMS: There
20 are loopholes that we need to close. I
21 agree with you there, absolutely.

22 COUNCILWOMAN SANCHEZ: There's
23 a lot riding on this Compliance Unit. So
24 what I want to be sure is that you have
25 the resources necessary to deal with it,

1 4/8/14 - WHOLE - BILL 140144, etc.
2 and if there are regulatory or legal
3 issues, legislative issues that we have
4 to deal with in this Council, I think
5 everybody in this Council wants to give
6 you the tools. We just need to know what
7 they are.

8 COMMISSIONER WILLIAMS: That's
9 one of them, the legal issue that we have
10 to face with closing those loopholes that
11 allow people to escape and allow
12 properties to deteriorate and start over
13 while the community has to suffer. So
14 that's one of the challenges.

15 I think what Council did with
16 the legislation was extremely important,
17 which does not allow deteriorated
18 demolitions, permitted demolitions, to
19 sit for extensive periods of time. It
20 gives us the opportunity to go in and
21 close a permit down to address that
22 property owner. That was a huge win for
23 our department to be able to address
24 that. It doesn't allow a demolition
25 permit to sit for an extended period of

1 4/8/14 - WHOLE - BILL 140144, etc.
2 time. We're now allowed to check on that
3 site, and if it hasn't commenced in a
4 certain period, we can close the permit.

5 So those are some of the tools
6 that have helped us, but there's more and
7 we should have a longer, bigger
8 conversation about it.

9 COUNCILWOMAN SANCHEZ: Okay.
10 Thank you.

11 Thank you, Mr. Chair.

12 COUNCIL PRESIDENT CLARKE:
13 Thank you, Councilwoman.

14 The Chair recognizes Councilman
15 O'Brien.

16 COUNCILMAN O'BRIEN: Thank you,
17 Mr. President.

18 Commissioner, welcome.

19 COMMISSIONER WILLIAMS: How you
20 doing, sir?

21 COUNCILMAN O'BRIEN: I think I
22 can see you over there.

23 Can I just ask one question. I
24 don't know if it's been asked before.
25 How is the Department ensuring that

1 4/8/14 - WHOLE - BILL 140144, etc.
2 contractors have insurance and they're
3 tax compliant?

4 COMMISSIONER WILLIAMS:
5 Councilman, one of the things that we
6 recognized as we went through this entire
7 process as we went through the Special
8 Independent Commission and even before
9 last June 5th, one of the challenges and
10 the laws that was put on was to ensure
11 that before any permit was issued, make
12 sure that they have tax clearance and an
13 insurance policy. Effective January 1st
14 of this year, we put in a policy to
15 ensure that happens. And what it's done
16 is, it allows us to get a first glance
17 look to make sure that someone is at
18 least tax compliant through Revenue
19 Department and they have the proper
20 insurance at the time of permit.

21 Now, someone could try to
22 escape that system, and why the
23 Compliance Unit is so important is that
24 because they do the back-end checks to
25 ensure that someone doesn't get a permit

1 4/8/14 - WHOLE - BILL 140144, etc.
2 and then allow their insurance to lapse
3 the next day. They'll audit on the back
4 end to ensure that while they're doing
5 the work, which is the most important
6 critical time, that they keep that
7 insurance on the property. Because I can
8 give you an example, and I certainly
9 don't want to put our Councilman on the
10 spot, but one of the people that talked
11 to his office last year came over to get
12 a permit, to submit his insurance, and
13 the insurance had some information on it
14 that didn't appear appropriate, and one
15 of our people in Customer Care Unit; in
16 fact, I think it was Deputy Commissioner
17 Fink's immediate assistant, called the
18 insurance company and found that this
19 person didn't have insurance at all and
20 he didn't have insurance since they had
21 in the previous year of March 2013. Our
22 record indicated that we issued 88
23 permits to that person who didn't have
24 insurance.

25 And so at its forefront, at

1 4/8/14 - WHOLE - BILL 140144, etc.
2 least we're now catching people coming in
3 the door. We know it's not a hundred
4 percent foolproof system, but on the back
5 end with the Compliance Unit, it now
6 strengthens our ability to catch people
7 in the beginning so that they know it is
8 required, and if they're fraudulently
9 putting in, we take their -- suspend
10 their insurance -- suspend their
11 contractor's license. We put a fine, a
12 hefty fine, ultimately take their license
13 completely. And so now we are having
14 people play by the rules like it should
15 be. So we don't have that issue as much
16 as we had where people are allowed to
17 just come in, show a certificate, and
18 then get away with insurance, and then
19 when they damage someone's property, the
20 person has to sue. But who are they
21 suing if they don't have an insurance
22 company present? Those are the things
23 that we're putting in place to change
24 those issues and policies.

25 COUNCILMAN O'BRIEN: Thank you,

1 4/8/14 - WHOLE - BILL 140144, etc.
2 commissioner. That is a wonderful
3 answer.

4 You don't have to -- I
5 introduced recently a piece of
6 legislation calling for a Vacant Property
7 Task Force to inspect all the vacant
8 properties, starting with the commercial
9 and industrial properties, primarily in
10 Councilwoman Quinones-Sanchez's district.
11 I don't know if you've had a chance to
12 look at it. I just wanted to see if you
13 had any thoughts, and if you haven't had
14 a chance to review it, you can come back
15 to me at another point.

16 COMMISSIONER WILLIAMS: Sure.
17 We certainly look forward to having that
18 conversation. I think part of the issue
19 with those large vacant commercials have
20 to deal with that bond issue that the
21 Councilwoman talked about as well as
22 holding those type of property owners
23 accountable for the condition of those
24 buildings and ultimately putting them
25 back into productive use. It's very

1 4/8/14 - WHOLE - BILL 140144, etc.
2 difficult in the Councilwoman's district
3 because of the area's marketability in
4 certain areas, and so that's a challenge.
5 And so that's something I think that we
6 should have a long-term conversation or a
7 strategy to try to figure out how we're
8 going to address, while maintaining to
9 stabilizing those buildings, because the
10 issue of breaking into them and having
11 crime and fires started is a big
12 challenge here in the City of
13 Philadelphia. It's one that's constantly
14 costly to the City and to the citizens,
15 taxpayers. So I'm looking forward to
16 that conversation.

17 COUNCILMAN O'BRIEN: I welcome
18 that conversation as well.

19 There was another bill that we
20 introduced calling for the certification
21 and licensing of notario fraud. In the
22 legislation I suggest that we put that
23 under your purview. So no good deed goes
24 unpunished. I want to give you more work
25 to do. Do you have any thoughts on that?

1 4/8/14 - WHOLE - BILL 140144, etc.

2 COMMISSIONER WILLIAMS: It's an
3 important issue. I think one that,
4 again, needs to be discussed in detail as
5 to what the concerns and what type of
6 licensing would help mitigate those
7 challenging so that we -- I think the
8 biggest part is that we have to have the
9 tools to be able to enforce it if it
10 becomes an issue for our department or
11 for us to address. So I think we need to
12 know the details as to what the
13 requirements are, and we look forward to
14 that as well.

15 COUNCILMAN O'BRIEN: Thank you.
16 And we got right in under the wire.

17 Thank you, Mr. President.

18 COUNCIL PRESIDENT CLARKE:
19 Thank you, Councilman.

20 Real quick. Department of
21 License and Inspection, do you do CVNs
22 for all vacant lots? Is that your
23 department's responsibility or is it some
24 Streets and some L&I?

25 COMMISSIONER WILLIAMS: I think

1 4/8/14 - WHOLE - BILL 140144, etc.
2 CLIP, Community Life Improvement Program,
3 is housed in our department. It's
4 primarily the division, the department
5 that is responsible for it. Although
6 it's housed in our department, I think
7 it's managed under the Managing
8 Director's Office.

9 COUNCIL PRESIDENT CLARKE:
10 Across the City?

11 COMMISSIONER WILLIAMS: Yes.

12 COUNCIL PRESIDENT CLARKE:
13 Because I don't have CLIP.

14 COMMISSIONER WILLIAMS: Yes,
15 across the City. It's a citywide
16 program.

17 COUNCIL PRESIDENT CLARKE: I'm
18 just saying.

19 COMMISSIONER WILLIAMS: It's a
20 citywide program.

21 COUNCIL PRESIDENT CLARKE: I
22 had NTI. I didn't get CLIP. It was
23 tradeoff. If you're in the Northeast,
24 you got CLIP. If you were down North
25 Philly, you got NTI.

1 4/8/14 - WHOLE - BILL 140144, etc.

2 COMMISSIONER WILLIAMS: I
3 walked into that one.

4 COUNCIL PRESIDENT CLARKE: So I
5 just want to make sure, because I'll come
6 back later, that all of the code
7 violations on vacant lots are done by
8 CLIP?

9 COMMISSIONER WILLIAMS: Yes.

10 COUNCIL PRESIDENT CLARKE:
11 Which is a division within your
12 department?

13 COMMISSIONER WILLIAMS: Yes.

14 COUNCIL PRESIDENT CLARKE:
15 Citywide?

16 COMMISSIONER WILLIAMS: We have
17 the majority -- CLIP handles the
18 majority. We have the capability of
19 issuing the CVN, but the majority of them
20 are done through the CLIP program.

21 COUNCIL PRESIDENT CLARKE:
22 What's the staff on CLIP?

23 COMMISSIONER WILLIAMS: I could
24 get back to you on that. I believe it's
25 12.

1 4/8/14 - WHOLE - BILL 140144, etc.

2 COUNCIL PRESIDENT CLARKE: So
3 12 people are responsible for writing all
4 of the violations on vacant lots across
5 the City?

6 COMMISSIONER WILLIAMS: The
7 majority of them. Because Streets
8 Department have SWEEP officers that can
9 issue CVNs for vacant lots. Those who
10 have that authority can do so, but the
11 majority of them, that's their focus of
12 their program, is to address vacant lots
13 in the City.

14 COUNCIL PRESIDENT CLARKE: I
15 like you, Commissioner, so do me a favor,
16 come back when you have a more defined
17 answer. You're kind of like all over the
18 place on the response, and I maybe caught
19 you a little off-guard. You just said --
20 anyway, can you get back to me on that?

21 COMMISSIONER WILLIAMS: I can
22 get back to you on the number of CLIP
23 employees. Again, it's not directly
24 managed by my department.

25 COUNCIL PRESIDENT CLARKE: So

1 4/8/14 - WHOLE - BILL 140144, etc.
2 are you saying -- I'm just trying to
3 understand it, because I know L&I has the
4 jurisdiction or the capability of writing
5 violations, CVNs, violations on vacant
6 lots; am I correct?

7 COMMISSIONER WILLIAMS:

8 Correct.

9 COUNCIL PRESIDENT CLARKE: But
10 you're telling me that your department
11 does not do that. It's totally the --
12 Rebecca, do you want to jump in.

13 (Witness approached witness
14 table.)

15 MS. RHYNHART: Yes.

16 COUNCIL PRESIDENT CLARKE: I'm
17 just trying to understand how 12 people
18 cover the entire City, and then we can
19 talk to Councilman -- explain to
20 Councilman Johnson why he can't get CLIP
21 down there.

22 MS. RHYNHART: Rebecca
23 Rhyhart, Budget Director.

24 I just wanted to add to what
25 the Commissioner was saying. This isn't

1 4/8/14 - WHOLE - BILL 140144, etc.
2 L&I's responsibility. CLIP is Tommy
3 Conway's group out of the Managing
4 Director's Office, right. So that's
5 probably why they maybe can't answer all
6 the questions about that.

7 COUNCIL PRESIDENT CLARKE:
8 That's fine. I'm just trying to get
9 clarity --

10 MS. RHYNHART: Yes.

11 COUNCIL PRESIDENT CLARKE: --
12 on who could actually write the
13 violations, and then the follow-up
14 question -- and Ms. Cutler is not here,
15 because we had a conversation with
16 Ms. Cutler about some of the legislation
17 that was enacted years ago on the ability
18 to write violations on lots that were
19 non-compliant, similar to the way we
20 write violations in realtime on people
21 who haven't shoveled their sidewalks off
22 in six hours after the snow is over. You
23 didn't take your trash in at a particular
24 time, you immediately get violations, but
25 yet on these vacant lots, you allow like

1 4/8/14 - WHOLE - BILL 140144, etc.
2 30, 60 days to comply. I'm just trying
3 to --

4 MS. RHYNHART: I'm not sure
5 what the rules are, but we can
6 definitely -- I can talk to Rina and
7 Tommy and get you a response back, if
8 that works for you.

9 COUNCIL PRESIDENT CLARKE:
10 Yeah. I mean, she took the list of --
11 and I should have asked her when she was
12 here earlier. So L&I is under Deputy
13 Greenberger?

14 MS. RHYNHART: That's correct.

15 COUNCIL PRESIDENT CLARKE:

16 Okay. I get confused.

17 MS. RHYNHART: No. That's
18 understandable.

19 COUNCIL PRESIDENT CLARKE:

20 Streets is under Ms. Cutler.

21 MS. RHYNHART: That's correct.

22 COUNCIL PRESIDENT CLARKE:

23 Okay. I'm from the old school.

24 Everything was under the Managing
25 Director.

1 4/8/14 - WHOLE - BILL 140144, etc.

2 MS. RHYNHART: I'll go to them
3 and get you the response. Does that
4 work? And then you don't have to worry
5 about who is under who.

6 COUNCIL PRESIDENT CLARKE:

7 Yeah. I'm just trying -- because I saw
8 her here and I was just assuming that she
9 was going to be here today because I had
10 a question about the -- okay. Well, I'll
11 wait.

12 MS. RHYNHART: Okay.

13 COUNCIL PRESIDENT CLARKE:

14 Thank you.

15 Thank you, Commissioner.

16 The Chair recognizes

17 Councilwoman Bass.

18 COUNCILWOMAN BASS: Thank you,
19 Mr. President.

20 Rebecca, before you go back.

21 COUNCILMAN SQUILLA: You can't
22 sneak out.

23 MS. RHYNHART: Sorry.

24 COUNCILWOMAN BASS: Before you
25 go, I just wanted to say just in the

1 4/8/14 - WHOLE - BILL 140144, etc.
2 dialogue with the Council President just
3 a moment ago, it seems as if some of the
4 agencies -- and they all do a great job,
5 but it does seem that it's a little
6 confusing and it's a little redundant and
7 it doesn't necessarily fit in a way I
8 think that makes sense to most of us.
9 Maybe to the Administration it makes
10 perfect sense, but it doesn't really seem
11 to be a neat fit for most of us in terms
12 of do you call CLIP or do you call SWEEPs
13 or do you call just L&I or do you call
14 the Streets Department or, you know, do
15 you call the MDO. It just seems to be a
16 little bit all over the place. So it's
17 all over, and so just trying to find a
18 way to simplify might also be an
19 opportunity to save money. I just wanted
20 to state that, and I don't know if you
21 want to comment.

22 MS. RYHNHART: Okay. I think
23 that of course it's easy for the
24 Administration to say we understand who
25 is doing what and that we're monitoring

1 4/8/14 - WHOLE - BILL 140144, etc.

2 redundancy, but to your point, if it's
3 not clear to you, then we obviously have
4 to work on making it clearer.

5 COUNCILWOMAN BASS: And I think
6 it's not just me. I think there's a lot
7 of people who don't seem to know, whether
8 it's me or whether it's the general
9 public in terms of do you know about
10 CLIP, do you know about SWEEPs, do you
11 know about -- and we do a lot of
12 community meetings and we bring these
13 folks out and they give a great
14 presentation, but I don't know that
15 people recognize that there are all these
16 different points of contact. And so I'm
17 just making a point that I think if it
18 was under one jurisdiction, so all under
19 L&I, for example, it just might be a
20 little bit easier, a little bit more
21 streamlined in terms of effectiveness, is
22 my thought.

23 MS. RHYNHART: Okay.

24 COUNCILWOMAN BASS: So I just
25 wanted to mention that.

1 4/8/14 - WHOLE - BILL 140144, etc.

2 Also, I had a question on the
3 demolition work that's done by the
4 contractors and when we have -- because I
5 know we've talked about this in the past,
6 and it seems like it's gotten better, but
7 we still get complaints from contractors
8 who demolish a house. Let's say a house
9 is between two other existing structures
10 and the damage that's done by the
11 contractor and then the difficulty in
12 terms of the followup in getting that
13 same contractor to come out and do the
14 repairs for the damage that they've done
15 to the other properties.

16 COMMISSIONER WILLIAMS: Yes,
17 Councilwoman. The requirement under our
18 master demolition program is that they
19 have to carry a bond to certify their
20 work in case there's those situations
21 that come up. They're required to
22 repair, and if they don't repair, then we
23 go after their bond to make the necessary
24 repairs until a property owner of a
25 demolition -- property that's been

1 4/8/14 - WHOLE - BILL 140144, etc.
2 demolished. And so the process as to our
3 inspection of that property, we make sure
4 that the foundation is checked, any of
5 the framing inspection from any loose
6 joists are properly patched and that
7 there's a process to ensure that the
8 house next door is not leaking as well.
9 So those are some of the things.

10 Now, those things do come up
11 well after the demolition has completed,
12 and so we certainly want to make sure
13 that the public understands that there is
14 a process for them to be able to address
15 that. We certainly give it to our Risk
16 Management Division to make sure that we
17 go after the contractor's bond to ensure
18 that the repair -- if they don't
19 willingly come back to repair it on their
20 own and any damages.

21 COUNCILWOMAN BASS: In general,
22 how much contractors would you say has
23 this been a problem with in terms of
24 having to go after their bond? And if
25 it's happened on more than one occasion

1 4/8/14 - WHOLE - BILL 140144, etc.
2 with a particular contractor, are they
3 then sort of flagged? Do we do any sort
4 of flagging of that contractor, say this
5 isn't someone who kind of stands by their
6 work or completes the job by going back
7 out and making sure everything is
8 correct?

9 COMMISSIONER WILLIAMS: We do
10 get a number. I don't have that with me
11 right now. We get a number of complaints
12 from property owners stating that their
13 properties have suffered some kind of
14 damage from a demolition project. And I
15 can go back and get you the calls that
16 we've received on that and the responses
17 that we've had. I just don't have that
18 right now.

19 COUNCILWOMAN BASS: So if we
20 can get an idea of how often this occurs
21 out of the total number of demolitions,
22 how many complaints we get in terms of
23 damage, and also for the contractors who
24 do go back -- or who don't go back, do we
25 have to go through their bond process to

1 4/8/14 - WHOLE - BILL 140144, etc.
2 actually pay to get the work done, and is
3 there a process to flag those particular
4 contractors who don't do what they
5 contractually agree to do.

6 COMMISSIONER WILLIAMS: Yes.
7 I'll get you that information.

8 COUNCILWOMAN BASS: Thank you
9 so much. I'll come back.

10 COUNCIL PRESIDENT CLARKE:
11 Thank you, Councilwoman.

12 The Chair recognizes Councilman
13 Squilla.

14 COUNCILMAN SQUILLA: Thank you,
15 Mr. President.

16 Thank you guys for being here.
17 My question is a little different in that
18 the process for permitting, we see that
19 when we talk to developers or even people
20 that do it themselves, a lot of them
21 would rather risk the chance of getting
22 caught than to go out and get a permit
23 and, therefore, when they don't do it,
24 our mechanism for fining them for doing
25 work without a permit. Is there anything

1 4/8/14 - WHOLE - BILL 140144, etc.
2 that we could do now? Like we see it all
3 the time. People start work without a
4 permit, then they get caught and they go
5 get one. Is there something we can do
6 and create a fine for people who start
7 work without permits?

8 COMMISSIONER WILLIAMS: I
9 certainly defer to Deputy Commissioner
10 Mike Fink, who has been here for 30 years
11 who knows what the procedures were, but
12 one of the things that we've done is to
13 create a task force to be able to
14 identify those people and to address them
15 immediately, to issue stop work orders.
16 And anyone in violation of a stop work
17 order under the new regulations can be
18 fined \$500 per day per incident. So the
19 risk now is greater than the reward for
20 someone to try to address it. But I
21 believe that Deputy Commissioner Fink can
22 tell you what the immediate penalty is
23 for someone who we catch and then they
24 try to go get a permit.

25 COUNCILMAN SQUILLA: Thank you.

1 4/8/14 - WHOLE - BILL 140144, etc.

2 DEPUTY COMMISSIONER FINK: Good
3 afternoon, Councilman. The code now
4 allows us to apply what we call a
5 reinspection fee, which is equal to the
6 permit fee. So if they had started work
7 on a very large project, then their
8 permit fee is essentially doubled. And
9 if it's a small homeowner project, it's
10 still doubled, but it's much less of an
11 impact.

12 We issue stop work orders when
13 we find work going on without a permit,
14 and the recent legislation from Council
15 related to the demolition issue allows us
16 now to issue \$500 CVNs to a contractor
17 who violates a stop work order. So those
18 are the current penalties that are on the
19 books for working without a permit.

20 COUNCILMAN SQUILLA: Let me
21 just get that clear. So if they continue
22 to work after you catch them, they get a
23 fine, but how about when you catch them
24 for working without a permit? Is that
25 when the reinspection fee comes in?

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2 DEPUTY COMMISSIONER FINK: Yes,
3 sir. When they come in -- the work is
4 stopped. When they come in to apply and
5 actually get their permit, the fee for
6 that permit is doubled.

7 COUNCILMAN SQUILLA: Okay.
8 Because, I mean, I'm a big proponent of
9 making the actual permits as reasonable
10 as possible to encourage people to get
11 permit so we know who is doing work.
12 Everybody out there would say, Listen,
13 it's not worth the 50 bucks not to do it,
14 let's go pull a permit. But when the
15 permit prices start to get too high,
16 these contractors, especially the little
17 guys out there, say, You know what, let's
18 take a chance, let's not go out -- let's
19 not pull the permit, they might never
20 catch us, because they're busy, they
21 don't have enough inspectors, whatever
22 the thing is.

23 So I think we need to really
24 encourage the process of getting a permit
25 easily as far as the cost of it, but then

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2 maybe increasing the fines for the people
3 who start work without permits or even
4 after the stop work order. The \$500 fine
5 is good, but there's really -- the only
6 cost right now is maybe an extra \$50 if
7 you get caught, and I think they're still
8 willing to take that chance. So I think
9 maybe we should look at a heavier fine
10 for people who continue to work and do
11 this process. Because you talk to
12 developers all the time, especially guys
13 in these small projects, it's really hard
14 to catch them, and I think that if we
15 could make it reasonable, the actual
16 permits and the licensing, so everybody
17 gets licensed -- and we talked about
18 this, the special assembly licenses and
19 things. You make them reasonable,
20 everybody goes and gets them. Then we
21 know everybody has them. Then we can
22 follow up on them. But right now it's
23 just the mentality of the people out
24 there is they could still beat the
25 system.

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2 Now, L&I has got a lot stronger
3 since some of the new legislation through
4 Council and some of the new inspections,
5 and I know you guys are still short
6 staffed to be able to get out there to
7 all the sites. There's going to be a lot
8 of building, not only in my district but
9 throughout the City of Philadelphia
10 within the next year. So your work is
11 going to be endless, and if we could make
12 it easier for them to get permits or at
13 least reasonable enough to get permits
14 and then maybe double the cost of the
15 fines for people who start work without
16 permits or even the work order, like you
17 said if they -- once that stop order is
18 there and they get caught, then it's a
19 \$500 fine. But that will send the
20 message to these guys you got to pull a
21 permit.

22 And then what we need to do is,
23 the process of getting the permit has to
24 be faster. We need to somehow be able to
25 streamline, whether it's an online

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2 process, of the people to be able to do a
3 quick tax certification necessary. We
4 can't have people willing to do
5 construction and do the right thing wait
6 30, 60, 90 days to get a permit. So is
7 there something now in the process to
8 make that happen?

9 DEPUTY COMMISSIONER FINK: When
10 it comes to permits for residential
11 properties for single families, we
12 streamlined the process greatly in the
13 last couple years by coming up with easy
14 permit standards. So you don't need to
15 pay for an architect or anyone to draw up
16 a set of plans, and we do not need to do
17 a plan review. We established the code
18 requirements, because they're limited in
19 nature, for a single family. We put them
20 on a sheet of paper, and that's what you
21 follow as part of your permit. So for
22 single families, we try to assist people
23 in getting their permits for the small
24 projects, the interior renovations, the
25 decks and things like that.

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2 You're correct that we need to
3 have the information technology
4 capabilities to do online applications to
5 do an automatic check of someone's tax
6 status. Those are the things that we are
7 planning with our eCLIPSE effort. So,
8 yes, we understand that we've needed this
9 for a while, and we plan to implement
10 those.

11 COUNCILMAN SQUILLA: Is there a
12 timeline, though? Are you projecting a
13 timeline when we could get to that point
14 or not at this time, it's just too early
15 to know?

16 COMMISSIONER WILLIAMS: Yes.
17 We're about a year away from full
18 implementation -- for first phase of
19 implementation of Project eCLIPSE, with
20 the expectation of the program by the end
21 of 2015. So we're about two years or a
22 year away from having all of those
23 services, not just online permitting but
24 some other services that's going to help
25 us do our job smarter, quicker, faster.

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2 About two years. We're in the process of
3 building that now.

4 COUNCILMAN SQUILLA: Okay.
5 I'll come back, but thank you very much.
6 Thank you for your answers.

7 COUNCIL PRESIDENT CLARKE:
8 Thank you.

9 The Chair recognizes Councilman
10 Jones.

11 COUNCILMAN JONES: Thank you,
12 Mr. President.

13 And as I listened to the round
14 of questioning from my colleagues, all of
15 it was insightful, but what is really
16 good, Mr. President, is that a lot of the
17 things that came out of those
18 recommendations, they're actually
19 starting to do. And what is encouraging
20 over the 18-month window that we gave
21 you, you didn't wait. So in the case of
22 the contractor who came back in shock and
23 awe, saying, Wait a minute, they're
24 actually checking this stuff, and came
25 running to our office saying, Can you

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2 help?

3 No. You can help yourself by
4 going to get out the appropriate licenses
5 and things like that.

6 What it shows is that we often
7 do good work here, but it takes the
8 department's willingness to actually
9 implement it. And so whether you do good
10 work over here, it can sit on a shelf as
11 recommendations and never get
12 implemented. So we want to thank you and
13 your staff for actually taking to heart.

14 We did not -- my staffer Stacey
15 Graham who worked primarily on that
16 report did not ever have to pull teeth to
17 get information from you guys, which made
18 the process -- it was a willingness to
19 work and implement this, Mr. President.
20 So thank you for your swift action of
21 pulling together a committee, and
22 actually it just goes to show that
23 sometimes government works best when it
24 works together.

25 COUNCIL PRESIDENT CLARKE:

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2 Couldn't have happened without your great
3 chairmanship, sir.

4 COUNCILMAN JONES: You took
5 away my summer is what you did.

6 COUNCIL PRESIDENT CLARKE:
7 Absolutely.

8 COUNCILMAN JONES: So a couple
9 of quick questions. You're getting
10 ready -- on the note of technology,
11 you're getting ready to have handhelds,
12 and I understand you have a kiosk in the
13 concourse to get some of those permits,
14 to Councilman Squilla's question, a lot
15 easier.

16 COMMISSIONER WILLIAMS: Yeah.
17 The kiosk allows them to obtain their tax
18 clearance and to get an insurance
19 certificate faxed right to the downstairs
20 so they don't have to leave and come
21 back. So we wanted to make sure we
22 provided good customer service, because
23 we knew it was a policy change, and so we
24 set up computer systems that allow people
25 to have access to that information

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2 instantaneously and --

3 COUNCILMAN JONES: I thought
4 you would mention that Councilman
5 Squilla's question. So I figured I'd
6 give you an assist.

7 COMMISSIONER WILLIAMS: I
8 certainly appreciate that, Councilman.

9 COUNCILMAN JONES: Okay. The
10 second one was, there was a
11 recommendation to Councilwoman Bass's
12 point about reporting -- and also Council
13 President Clarke -- about reporting
14 responsibilities, and one of our
15 recommendations, which we felt was a
16 conflict, was that L&I reported to the
17 economic development lords and beings as
18 opposed to the public safety folk. Have
19 you taken that recommendation and
20 implemented it yet? Has that happened?

21 COMMISSIONER WILLIAMS: No, not
22 as of yet. I think we're in the same
23 structure, but I can again tell you again
24 that Deputy Mayor Alan Greenberger,
25 myself, Everett Gillison meet very

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2 frequently on all safety-related issues.
3 Once a week we have a meeting to discuss
4 all issues related to L&I, specifically
5 those of public safety. But that
6 structure has not changed.

7 COUNCILMAN JONES: That's one
8 of the 75 recommendations that I think is
9 a critical one, because, yes, there are
10 gravity pulls that say we want to build
11 this building quicker, faster, and move
12 it through the process, but at the end of
13 the day, if we have to err, we need to
14 err not on the side of swiftness but on
15 the side of safety.

16 So I think the Demolition
17 Committee felt strongly that it should
18 report to someone who has that in mind as
19 opposed to how to change our skyline.
20 And that's important. Those are
21 important priorities, but at the end of
22 the day, that person walking under that
23 scaffolding wants to know that somebody
24 cares not about profit but about
25 protection, and at the end of the day,

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2 that's the one -- I mentioned 95 percent
3 of what we wrote we agreed on, and some
4 of it we kind of rustled with, but that's
5 one we are going to kind of look to for
6 that change.

7 COMMISSIONER WILLIAMS: I
8 understand.

9 COUNCILMAN JONES: I just want
10 to make sure Rebecca understands.

11 MS. RHYNHART: I hear you.

12 COUNCILMAN JONES: All right.
13 So one other thing. For buildings above
14 four stories, I believe it is, safety
15 plans are now required, and can you talk
16 about that process and change now?

17 COMMISSIONER WILLIAMS: Sure.
18 The new requirements, the Mayor's
19 Executive Order after June 5th tragedy
20 and then codified in the legislation
21 requires site safety plans and work
22 schedules to be presented and approved by
23 the Department by a competent person, and
24 this can be equivalent to a professional
25 engineer who has the experience to be

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2 able to show that they have the ability
3 to say this is the proper way to demolish
4 a building of this size, scope, and
5 nature. So that has to be submitted at
6 the permit application, and that's why
7 the review process takes 20 days and not
8 an over-the-counter permit where someone
9 is just issued a demolition permit as a
10 result. So that's things that we're
11 looking at in detail with our qualified
12 staff right now.

13 During the inspection process
14 as well, the inspector takes the site
15 safety plan that's been approved by the
16 Department and reviews it with the
17 contractor at the initial point of the
18 job and throughout each phase of
19 development according to the work
20 schedule.

21 COUNCILMAN JONES: So,
22 Mr. President, if site safety plans are
23 filed, it's public information and then
24 followed. You know, you can't take the
25 party wall out first because it's

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2 expedient to do. No; you have to take it
3 down from the top, one floor at a time,
4 through a process that everybody from a
5 layperson to an engineer can understand,
6 and that's why that recommendation was so
7 critical.

8 Thank you, Mr. President.

9 COUNCIL PRESIDENT CLARKE:

10 Thank you. Again, thank you for a great
11 job.

12 The Chair recognizes
13 Councilwoman -- held on one second. One
14 quick question. I'm sorry.

15 I just had a flashback about a
16 walk-around during Saturday's cleanup.
17 Who is responsible for dead trees in
18 alleyways overhanging that sit on vacant
19 property?

20 COMMISSIONER WILLIAMS: On
21 vacant property? The property owner is
22 responsible for any --

23 COUNCIL PRESIDENT CLARKE:

24 That's why I said vacant property. More
25 likely the property owner is like --

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2 COMMISSIONER WILLIAMS: If it's
3 a viable property owner, it's the
4 property owner. Other than that, if it's
5 an imminently dangerous situation, we
6 take action to have it mitigated and
7 resolved on private property, on private
8 property. So if it's not on the
9 curbline -- if it's on the curbline, it's
10 Parks and Recreation Department. If it's
11 on private property, we're responsible
12 for overseeing that the problem gets
13 addressed.

14 COUNCIL PRESIDENT CLARKE:
15 Okay. So in my walk-around Saturday,
16 because I know all the Councilmembers
17 were walking around neighborhoods, in a
18 particular section where there was a
19 significant amount of vacancy, all up and
20 down the rears of properties you had
21 these big trees, probably 50, 70 years
22 old, who knows, some of them struck by
23 lightning or whatever by the sheer
24 weight, broken off on individuals'
25 properties that were actually occupied.

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2 One we actually saw, it knocked down the
3 chimney of an occupied property. I'm not
4 going to give it because I don't want you
5 to go out there and close the lady down,
6 kick the lady out of the house because of
7 carbon monoxide poisoning, but that's a
8 little later.

9 You're saying that if that
10 information is forwarded to your
11 department, then when you cannot find the
12 viable property owner, which I know you
13 won't be able to, it is ultimately the
14 responsibility of the City to abate that
15 particular nuisance.

16 COMMISSIONER WILLIAMS: If it's
17 imminently dangerous, yes, that's
18 correct.

19 COUNCIL PRESIDENT CLARKE: All
20 right. Okay. Thank you.

21 COMMISSIONER WILLIAMS: You're
22 welcome.

23 COUNCIL PRESIDENT CLARKE: You
24 may want to ask for additional revenues
25 in your budget because I anticipate,

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2 based on that statement, there's going to
3 be a whole lot of requests asking you to
4 deal with trees, because it's a real big
5 problem in a lot of these communities.

6 Thank you.

7 I'm sorry, Councilwoman. The
8 Chair recognizes Councilwoman Tasco. I'm
9 sorry. I had to get that in.

10 COUNCILWOMAN TASCO: I looked
11 on your request for an increase for your
12 budget. Is that an adequate enough
13 increase for you to -- I know you spell
14 out here what you need to have those
15 dollars for, but would there be something
16 else that you would like to see in your
17 budget that you really need, and is it
18 really -- do you really have enough money
19 to run your department adequately enough?
20 I've asked this question every year since
21 I've been on Council, because I always
22 believe that L&I is one of the most
23 important, if not the most important,
24 department in the City, as you can see
25 all the responsibility you have for its

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2 different issues. And I never thought it
3 had enough money to facilitate getting
4 things done in a way that would be
5 satisfactory.

6 So I'm asking you, is this
7 enough? You're going to say no, but what
8 would be an adequate amount that you
9 might need?

10 COMMISSIONER WILLIAMS: I think
11 what the budget, Councilwoman, reflects
12 is a conscious attempt to provide greater
13 oversight on dangerous construction
14 sites. I think where we need to have a
15 larger conversation, I think what was put
16 in the paper today in regards to a
17 strategy to address vacant properties has
18 been a constant challenge for our
19 department. So if there was an area that
20 we would want to take a look in terms of
21 resource allocation, it certainly would
22 be in the area of dealing with vacant
23 properties. That's where our biggest
24 challenge and concerns right now are, and
25 that encompasses not just additional

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2 monies to demolish but looking at legal
3 support, looking at making sure, as we
4 discussed, the court time to be able to
5 address properties before they get in
6 that condition. So we need to look at an
7 entire strategy to address that and then
8 look at the resource allocation to get
9 the job done in that area. But if there
10 was an area that we needed to look at, it
11 certainly would be that. Dealing with
12 large vacants is expensive to demolish
13 and to address. As I stated earlier, the
14 church that we're demolishing on North
15 9th Street cost \$962,000. That would
16 cover about eight of them if we -- eight
17 or nine of them if we were to use my
18 entire demolition budget right now. So
19 it's a challenge to address the vacant
20 properties here in the City of
21 Philadelphia.

22 COUNCILWOMAN TASCO: Thank you.

23 COUNCIL PRESIDENT CLARKE:

24 Thank you, Councilwoman.

25 The Chair recognizes

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2 Councilwoman Reynolds Brown.

3 COUNCILWOMAN BROWN: Thank you,
4 Mr. President.

5 Recognizing that given the
6 demands of your office, adequate dollars
7 are not there, and so given that reality,
8 what is the interface and/or
9 connectedness with Public Property when
10 it comes to properties deemed imminently
11 dangerous? What kind of communications
12 protocols exist between your two
13 departments?

14 COMMISSIONER WILLIAMS: When we
15 identify a property that's owned by a
16 public agency? I just want to clarify.
17 The protocol is every -- with this
18 budget, we're able to provide additional
19 inspections. I want to highlight that as
20 well. This budget allows our inspectors
21 to look at those buildings that were
22 either unsafe or imminently dangerous on
23 a much higher ratio than what we normally
24 would do.

25 When we go out and reinspect

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2 properties and identify the owner, if
3 it's a public property, we notify the
4 department as soon as possible for
5 permission to address. Either if it's an
6 unsafe, it's their responsibility to make
7 safe. If it's an ID property, then we'll
8 take the action and then seek
9 reimbursement, but for the Department of
10 Public Property, since it's a City
11 agency, the Department assumes that
12 responsibility within its own budget
13 because it's the same funds that we use
14 to remediate.

15 COUNCILWOMAN BROWN: So then
16 that drives the follow-up question, and
17 we will have to ask this of Public
18 Property. What is in their system where
19 they have their own self-triggers of
20 their own properties owned by Public
21 Property that fall under imminently
22 dangerous?

23 COMMISSIONER WILLIAMS: That's
24 a question for Public Property. That's
25 correct. Our side of it is that if we're

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2 out doing proactive inspections and it
3 happens to be a property, once we
4 identify who that owner is, if it happens
5 to be a City agency or a public agency,
6 then we notify them through a memo direct
7 to say, Here are the list of properties
8 that we've identified that are ID. Then
9 they give us authorization to say take it
10 down and take whatever action necessary
11 to make it safe.

12 COUNCILWOMAN BROWN: So then is
13 it fair to say, then, that there are no
14 standard, what I call, SOPs, standard
15 operating procedures, in place where L&I
16 and Public Property on a regular basis,
17 for whatever regular means, shares
18 information on the status or the grade,
19 G-R-A-D-E, of their buildings so that the
20 call doesn't only happen when there is a
21 potential crisis, but there's some
22 regular communication between the two
23 departments on the status of the
24 building?

25 COMMISSIONER WILLIAMS: There

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2 is a larger strategy amongst a number of
3 departments that look at all vacants to
4 determine what to do with them, how to
5 move them to Sheriff Sale, and how to rid
6 them. So that's a monthly meeting that
7 continuously happens between not only
8 Public Property and L&I, but through RDA,
9 PRA, and those departments that talk
10 about strategy issues on what to do with
11 our land that we own here in the City of
12 Philadelphia.

13 COUNCILWOMAN BROWN: Land
14 disposition. So was that another
15 recommendation of the Committee or was
16 that underway prior to the work of the
17 Committee last summer?

18 COMMISSIONER WILLIAMS: That
19 was underway prior to the Committee last
20 summer.

21 COUNCILWOMAN BROWN: And so do
22 you expect some kind of rollout, an
23 announcement of sorts of what this
24 strategic plan is going to be?

25 COMMISSIONER WILLIAMS: I'm

1 4/8/14 - WHOLE - BILL 140144, etc.

2 sure that there is going to be
3 discussions on where it's at. I can't
4 give you all of that detail right now. I
5 can follow up for you, Councilwoman.

6 COUNCILWOMAN BROWN: Because
7 I'm sure District Councilmembers would be
8 deeply interested in that.

9 COMMISSIONER WILLIAMS: Indeed.
10 I will follow up.

11 COUNCILWOMAN BROWN: Speaking
12 on the issue of proactive, know that
13 looking now at young people in the dawn
14 of their lives, know that we, at the
15 urging of your staff, are working
16 carefully to craft amendments that will
17 properly address the concerns around
18 being proactive when it comes to
19 childcare inspections versus reactive,
20 period, so that we can minimize stories
21 where young people are walking off
22 because of whatever is not in place
23 around annual inspections. So we're
24 working to craft those amendments. I
25 want to put that on the record so that

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2 you are aware of that.

3 COMMISSIONER WILLIAMS: I look
4 forward to working with your office as
5 well.

6 COUNCILWOMAN BROWN: All right.
7 Now to a constituent matter. On Page 1
8 of your testimony, you stated that the
9 Department is requesting an increase for
10 Class 100 funds for the addition of a
11 number of staff, including five service
12 representatives to provide additional
13 support. You also state requesting an
14 increase in Class 200 to fund and -- to
15 support a community outreach program.
16 I'll be interested in knowing what that
17 public education piece looks like. How
18 can they help L&I by engaging 3-1-1? And
19 here's the example or the support case.

20 A few weeks ago one of my
21 constituent's service reps -- your
22 constituent -- no; mine -- dealt with a
23 case where our office reported a vacant
24 property with falling debris to 3-1-1.
25 We received a request number, and the

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2 request was listed as completed within
3 seven days. However, the request was
4 closed because an inspector completed the
5 initial inspection, although the case
6 needed several subsequent additional
7 steps on that particular property.

8 So the question is, do
9 constituents have a way to track a case
10 that's been registered? How and can
11 constituents receive updates on cases
12 that require more than one step for
13 completion?

14 COMMISSIONER WILLIAMS:
15 Certainly, Councilwoman, that is
16 certainly a big challenge to be able to
17 respond back to people to let them know
18 something is happening with that
19 property. One way, 3-1-1 is working on a
20 customer response management program, a
21 new system to provide better data to the
22 public in terms of response times and
23 what the Department has done or is doing.

24 In our own department, we
25 renovated or -- I guess the word is

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2 recrafted and rebuilt our new website to
3 provide that data in realtime. So when
4 there is a property case that's open and
5 they want to know what's going on with
6 that property, whether it's at first
7 inspection, second inspection, sent to
8 court, you can go on our website by
9 putting the property address in and it
10 will tell you the complete history of
11 violations. It will tell you at what
12 stage it -- level it's at, and then it
13 will tell you whether it's been in court
14 or it's been resolved.

15 COUNCILWOMAN BROWN: Got you.

16 COMMISSIONER WILLIAMS: That's
17 how you can get the detailed information
18 much further than just calling 3-1-1 and
19 checking their system. And that's
20 www.phila.gov/li. That's our website
21 address.

22 COUNCILWOMAN BROWN: So it goes
23 to Councilwoman Bass' question or
24 concern, this notion of educating,
25 informing citizens just about the -- it's

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2 tough for us as members of Council, so I
3 can only imagine what it is for laypeople
4 to fully understand the complexity of
5 your department. Okay. Thank you.

6 COMMISSIONER WILLIAMS: You're
7 welcome.

8 COUNCILWOMAN BROWN: Thank you,
9 Mr. Chairman.

10 COUNCIL PRESIDENT CLARKE:
11 Thank you, Councilwoman.

12 The Chair recognizes
13 Councilwoman Bass.

14 COUNCILWOMAN BASS: Thank you.

15 Just a couple of questions.
16 You gave us a chart on Page 3, I think it
17 was, which really gave us what I thought
18 was a really good breakdown in terms of
19 what the performance measures were and
20 how they actually -- how you quantified
21 all of the work that you're doing, and
22 I'm wondering, is it possible to get that
23 broken down by Council district.

24 COMMISSIONER WILLIAMS: Oh,
25 sure.

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2 COUNCILWOMAN BASS: That would
3 be great.

4 COMMISSIONER WILLIAMS: We will
5 work to do that. We do that for the
6 demolitions and the properties. We
7 certainly will do that as well for that.
8 That may take a little time for us to
9 break them down, but we could get that
10 information for you by district
11 inspector. We'll do it by district
12 office.

13 COUNCILWOMAN BASS: That would
14 be great, so that we know if -- so, for
15 example, if we look at our goal for this
16 year is 1,400 for the total number of
17 properties cleaned and sealed, it would
18 be great to see how that's distributed,
19 what does that number look like in the
20 8th District as opposed to the 1st
21 District and so on.

22 COMMISSIONER WILLIAMS: Yes.
23 We certainly can get you that
24 information.

25 COUNCILWOMAN BASS: That would

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2 be great.

3 And also with the 26 new
4 inspectors, can you give us an idea in
5 terms of what that will translate to in
6 terms of efficiency for your office.

7 COMMISSIONER WILLIAMS: Sure.
8 They'll primarily be assigned to both the
9 Emergency Services Unit and the
10 Compliance Division. Ultimately it will
11 lead to a 71 percent increase in
12 reinspections of dangerous properties,
13 which I talked about earlier. We also
14 will look at increasing our Construction
15 Site Task Force numbers by 150 percent.
16 We currently have six inspectors who
17 perform 4,000 inspections and issue 1,600
18 violations for contractors who didn't or
19 weren't in compliance on a construction
20 site. And to Councilman Squilla's point
21 earlier, the greater the oversight, the
22 less problems that we're going to have.
23 I think the fines are one thing, but the
24 other part is that we have to have people
25 out there who are proactively checking on

1 4/8/14 - WHOLE - BILL 140144, etc.
2 construction sites to ensure that they're
3 following the rules in the first place
4 and then using those fines for those who
5 are not.

6 So we have made progress, and I
7 think with the additional inspectors that
8 you'll have, you'll see even more. My
9 office has been getting inundated with
10 complaints from developers saying that
11 we're picking on them, but unfortunately
12 for the benefit of public safety, it's
13 something that's well overdue.

14 COUNCILWOMAN BASS: Very good.
15 Very good.

16 And also one other quick
17 question. I know Councilman Oh asked
18 earlier in terms of the total demolition
19 budget, and you have about \$3.4 million
20 left for the remainder of the fiscal
21 year. It seems like that's a lot left
22 with only a couple of months left to go
23 before the end of the year, and there's
24 certainly no shortage of things to do.

25 COMMISSIONER WILLIAMS: We're

1 4/8/14 - WHOLE - BILL 140144, etc.

2 going to --

3 COUNCILWOMAN BASS: Do you
4 think that that's a lot or is this
5 normally the way it goes?

6 COMMISSIONER WILLIAMS: Well,
7 no. Normally we'll have it at the
8 beginning of the fiscal year. Because of
9 some of the things that I mentioned
10 earlier, we had to take down that big
11 church, which ate up a lot of our
12 funding. We were inundated with a lot of
13 requests for the concern after the June
14 5th tragedy and also the winter
15 conditions. We used up that demolition
16 fund and at a much faster rate and then
17 we required a mid-year transfer. And so
18 we just received the transfer, but we
19 certainly are going to package those
20 properties up and to have them bid out
21 before the end of the fiscal year, so we
22 don't see any anticipation of losing any
23 of that funding that was designated to
24 our department.

25 COUNCILWOMAN BASS: So it's

1 4/8/14 - WHOLE - BILL 140144, etc.

2 about on track, you would say?

3 COMMISSIONER WILLIAMS: Yes.

4 We're under pressure to address them, but
5 we have larger buildings that we
6 certainly will use that funding to
7 address. We gave you an average of what
8 it costs for a single-family residential
9 two-story property, but we have some
10 properties in both North -- in your
11 district in North Philadelphia and West
12 Philadelphia that are three or more
13 stories that need to be addressed as
14 well, and we'll certainly utilize that
15 funding and resources for that.

16 COUNCILWOMAN BASS: Okay. Very
17 good. Thank you.

18 And, lastly, I just wanted to
19 say I really do appreciate working with
20 your office, because as so many other
21 folks have said here, you're always
22 accessible, we can always get an answer.
23 I do think that that's -- it's different
24 from what I experienced in the past. So
25 I just really wanted to say how much I

1 4/8/14 - WHOLE - BILL 140144, etc.
2 appreciate being able to pick up the
3 phone and actually get an answer or "I'll
4 get back to you" and you actually do.
5 You actually do call back and give us the
6 information that we're looking for. So I
7 really just wanted to say on record that
8 I appreciate that.

9 COMMISSIONER WILLIAMS: Thank
10 you, Councilwoman.

11 COUNCILWOMAN BASS: Absolutely.
12 Thank you.

13 COUNCIL PRESIDENT CLARKE:
14 Thank you, Councilwoman.

15 The Chair recognizes Councilman
16 Johnson.

17 COUNCILMAN JOHNSON: Thank you,
18 Mr. President.

19 Carlton, I guess this question
20 is a different direction than dealing
21 with vacant land and demolition and
22 demolition of properties, but it's a
23 prelude to a hearing that Councilman
24 Curtis Jones will be hosting and
25 legislation I will be exploring regarding

1 4/8/14 - WHOLE - BILL 140144, etc.
2 the safety of fire stairways and our
3 City's protocol, criteria in addressing
4 those buildings that have fire escapes.
5 And so my question is, one, what is our
6 criteria and protocol in addressing fire
7 escapes? Two, when a resident, a tenant,
8 landlord or someone else reports to L&I
9 that a property has a faulty fire escape,
10 what is the process, and then in light of
11 the incident that took place in my
12 councilmanic district with the loss of
13 life of an individual and someone else
14 being hurt standing on the fire escape.
15 I know we're going to address this in the
16 hearing, but I just want to get an
17 overview of where we're at, your
18 professional -- and I know we talked
19 briefly about it. Your professional
20 expert opinion on how you think it should
21 be addressed moving forward.

22 COMMISSIONER WILLIAMS: Sure.
23 I can tell you about the current process
24 in which our department gets involved.
25 Stairways and fire cases and fire escapes

1 4/8/14 - WHOLE - BILL 140144, etc.
2 are the responsibility of the property
3 owner to maintain in accordance with the
4 Property Maintenance Code and the Fire
5 Code. If we receive a complaint -- it's
6 complaint driven. So if we receive a
7 complaint, we will perform a visual
8 inspection with our Emergency Services
9 Unit to determine the structural
10 condition. But our staff does not have
11 the technical skills to be able to say if
12 it has certain load-bearing capacities.
13 And so while it may look safe from a
14 visual inspection, which our inspectors
15 will do, only a certified engineer has
16 that capability to say whether something
17 can withstand certain weight loads or if
18 it's safe from its structural appearance.
19 Our department will come out and look at
20 things to see if there are broken
21 fixtures, if there are steps missing, if
22 the railing is loose. Those things will
23 require our department, but when you talk
24 about the high level of skill needed to
25 determine whether it's completely safe to

1 4/8/14 - WHOLE - BILL 140144, etc.
2 hold people in an event of an emergency,
3 you're certainly going to have to have
4 someone who has a higher skill level to
5 be able to do that type of assessment,
6 and currently that is a requirement of a
7 structural engineer.

8 COUNCILMAN JOHNSON: So when
9 you do receive those type of complaints,
10 so what happens? Do y'all contract with
11 an outside professional engineer to
12 actually come in and do the assessment?

13 COMMISSIONER WILLIAMS: Just
14 like we do with a dangerous building, we
15 will order it unsafe and order an
16 engineer's report. That's the
17 responsibility of the property owner. So
18 the property owner will have to -- in the
19 situation following the tragedy is
20 exactly what we've done. We noticed that
21 there were obvious apparent structural
22 conditions, but to repair it in order
23 where it's fully functional again, they
24 had to submit an engineer's report to say
25 this is what steps need to be taken to

1 4/8/14 - WHOLE - BILL 140144, etc.
2 make that structure now safe and usable
3 again, which is the current intent. So
4 that's the type of process that we would
5 need to have in place to ensure that
6 they're safe in general before they get
7 into a deteriorated state.

8 COUNCILMAN JOHNSON: And last
9 thing, how often do landlords renew their
10 rental license, and also when we do bring
11 in the outside professional engineer,
12 where does that -- what companies do we
13 contract with to bring in a professional
14 engineer to say, Let's review this
15 building, we deem it safe or unsafe?

16 COMMISSIONER WILLIAMS: Okay.
17 We do an annual rental registration.
18 People call it a license, but it's
19 actually a registration where they have a
20 certificate from the Department that says
21 they're zoned to be able to rent this
22 property in its condition, whether it's a
23 two-unit, three-unit, six-unit. Whatever
24 the number of units is, the rental
25 registration license shows them what they

1 4/8/14 - WHOLE - BILL 140144, etc.

2 can do legally.

3 When it comes down to providing
4 engineers reports, those usually fall on
5 the responsibility of the property owner
6 to select. We don't recommend, because
7 ultimately we assume the liability if we
8 do so. So, therefore, it's up to the
9 property owner to get their own engineer
10 and bring it to our attention, and they
11 have to be certified by the state.

12 COUNCILMAN JOHNSON: Thank you.

13 COUNCIL PRESIDENT CLARKE: Are
14 you good, Councilman?

15 COUNCILMAN JOHNSON: Yes.

16 Thank you, Mr. President.

17 COUNCIL PRESIDENT CLARKE:

18 Thank you.

19 The Chair recognizes Councilman

20 Oh.

21 COUNCILMAN OH: Thank you very
22 much, Mr. President.

23 My light turned off by itself,
24 so it's taken me a long time to get that
25 second part of that, but I hope you

1 4/8/14 - WHOLE - BILL 140144, etc.
2 remember. Anyway, we were talking about
3 fire remediation, and you had said that
4 when the home is insured by a private
5 insurer, that's taken care of. It's not
6 at City cost. What about when the
7 property is not covered by insurance?
8 That would be paid for by the City; is
9 that correct?

10 COMMISSIONER WILLIAMS: If we
11 took any action to demolish it -- we
12 don't repair, but we demolish it, we had
13 to make it safe by taking down any part
14 or all of the structure, then it falls on
15 the City's budget, taxpayer dollars, yes.

16 COUNCILMAN OH: And do we in
17 any way recoup any of that money?

18 COMMISSIONER WILLIAMS: Only if
19 the property is liened and sent either to
20 Sheriff Sale, and then after all debts
21 are paid, then the lien process is
22 considered to reimburse the City. So
23 that is a -- the Law Department can be
24 able to tell you in detail how effective
25 the lien process is, and that's recouping

1 4/8/14 - WHOLE - BILL 140144, etc.

2 the dollars that are owed from work that
3 we've done.

4 COUNCILMAN OH: Okay. So the
5 Law Department would have that, not your
6 department?

7 COMMISSIONER WILLIAMS: Yeah.
8 Once the work is done, we submit a bill,
9 and once the bill is not paid, it turns
10 into a lien against the property. And at
11 that point, it becomes another
12 department's responsibility for
13 collecting that.

14 COUNCILMAN OH: Okay. Thank
15 you.

16 So currently there are 13
17 contractors for doing the clean and seal,
18 the demolition?

19 COMMISSIONER WILLIAMS: No.
20 Clean and seal is done in-house. We have
21 32 Clean and Seal staff members who go
22 out and seal up vacant properties. Only
23 the demolition work currently is done by
24 contractors.

25 COUNCILMAN OH: And that is put

1 4/8/14 - WHOLE - BILL 140144, etc.

2 out to bid; is that how they're selected?

3 COMMISSIONER WILLIAMS: That's
4 correct.

5 COUNCILMAN OH: Okay. And so
6 when do you put these out to bid? Like
7 the beginning of every fiscal year or
8 periodically?

9 COMMISSIONER WILLIAMS: Right
10 before the beginning of the fiscal year,
11 they have to go through an intense
12 certification process that involves a
13 combination of Law Department,
14 Procurement, and our department, and part
15 of those is to look at their
16 qualifications to make sure that they're
17 bonded and insured, and to make sure that
18 they're tax compliant. Those are some of
19 the things they're looking at, and their
20 level of experience in performing these
21 type of projects in the City before they
22 are then brought on as a contractor for
23 the year, for the fiscal year. So it's
24 done prior to the fiscal year.

25 COUNCILMAN OH: What about fire

1 4/8/14 - WHOLE - BILL 140144, etc.
2 remediation? Are they also certified and
3 bonded and selected or is it kind of
4 whoever shows up at the fire, first come,
5 first served?

6 COMMISSIONER WILLIAMS: The
7 only ones that could perform work ordered
8 by the City is the ones that have been
9 registered on our master demolition
10 program. So when we're coming in and
11 we're called out on a fire, we do a
12 curbside bid of those 13 contractors.
13 Notices are sent out to ask them to bid
14 on that job, and then they bid right at
15 the curb of who gets it right there. So
16 it's not any contractor can come up. It
17 has to be on that registered list.

18 COUNCILMAN OH: One of those
19 13?

20 COMMISSIONER WILLIAMS: Yes.
21 That's correct.

22 COUNCILMAN OH: And so, finally
23 then, I'm looking at the contracts and I
24 see that for the M/W/DBE participation,
25 that there was two contractors, one for

1 4/8/14 - WHOLE - BILL 140144, etc.
2 \$893,000 and one for \$111,000. So
3 basically about a million dollars of the
4 \$10 million went to a minority, woman,
5 disadvantaged business; is that correct?

6 COMMISSIONER WILLIAMS: Yes,
7 but there is -- those are the ones I
8 believe that are OEO certified, but if
9 you include the minority contractor who
10 has a significant amount of the
11 funding -- our numbers were at 21
12 percent. If you include that minority
13 contractor, it goes up to 40 percent, but
14 we are certainly trying to work with them
15 to get him OEO certified so that we can
16 greatly exceed our number, as we have
17 done in years past.

18 COUNCILMAN OH: Okay. Thank
19 you very much. I noticed that one of
20 them does not appear to be, based on its
21 name -- I don't want to say the name, but
22 blank Home Repair, they don't seem to be
23 like a big company, which I think is very
24 encouraging that modest-sized businesses
25 can also bid. Is that correct or is that

1 4/8/14 - WHOLE - BILL 140144, etc.
2 just a name that's misleading, it's
3 really a huge corporation with like -- it
4 sounds like a little small business.

5 COMMISSIONER WILLIAMS: Most of
6 our residential contractors are small
7 franchises, small companies, independent
8 contractors. They're the majority of
9 them, because the bigger firms, it's hard
10 for them to compete that way.

11 COUNCILMAN OH: Right. I'll
12 have one last question, Mr. President.

13 COUNCIL PRESIDENT CLARKE: Go
14 ahead.

15 COUNCILMAN OH: How do you get
16 the word out? How do you distribute -- I
17 think it's great this business can bid
18 and go through the certification process
19 and get bonded and all that. Is the word
20 generally put out so that other
21 businesses can bid as well?

22 COMMISSIONER WILLIAMS: I
23 believe it's announced through normal
24 Procurement procedures, which may not
25 always reach everyone as an advertisement

1 4/8/14 - WHOLE - BILL 140144, etc.

2 would, and I think if that is something
3 that we want to consider, we can have a
4 conversation about it.

5 COUNCILMAN OH: I'll bring it
6 up with Procurement.

7 Thank you very much.

8 COMMISSIONER WILLIAMS:

9 Absolutely. Thank you, Councilman. I
10 appreciate it.

11 COUNCIL PRESIDENT CLARKE:

12 Thank you, Councilman.

13 The Chair recognizes Councilman
14 Jones.

15 COUNCILMAN JONES: Thank you,
16 Mr. President.

17 Very briefly. By way of OSHA
18 training, you mentioned that you were
19 assuring that included in -- and we had
20 some lively discussions about the value
21 of OSHA training versus what the higher
22 standard, which I sense is the higher
23 standard that your staff have, and that
24 was fairly received, but also the flip
25 side of that was making sure that

1 4/8/14 - WHOLE - BILL 140144, etc.
2 contractors and their respective staffs
3 had OSHA-trained individuals on their
4 site, and I wanted to know how is that
5 going? And in addition, I think the
6 standard of safety in Philadelphia is
7 creating a cottage industry where a
8 trained workforce, whether it's in the
9 union halls or the barber shops, actually
10 are sought after to have this type of
11 training. And I know we talked about the
12 public schools being a source of that
13 type of training, and I wanted to know
14 how we were doing in that outreach
15 effort. I noticed we put a little money
16 aside for that, so I particularly wanted
17 to know how that was going.

18 COMMISSIONER WILLIAMS:
19 Individually I think that all of our
20 inspectors will have that level of
21 training in this fiscal year. So that is
22 our goal, to ensure that they have at
23 least an OSHA 30 level training, and I
24 know that there was also a point of
25 legislation that a percentage of them

1 4/8/14 - WHOLE - BILL 140144, etc.
2 will receive OSHA 500 training as well.
3 So we certainly are looking forward to
4 that.

5 As far as the public is
6 concerned, we still need to have a
7 discussion on how we implement that for a
8 citywide program. I certainly don't
9 think our department internal staff has
10 the capability of providing those
11 trainings, but I think that a contracted
12 agency might be able to. And so we
13 should look at someone who has that
14 capability of doing that type of training
15 to be able to provide that.

16 COUNCILMAN JONES: I appreciate
17 that in addition, but what I was really
18 talking about was where we can go to
19 outlets that provide it. I know the
20 unions give that training to -- many of
21 them do to their membership, but I was
22 also saying for the average person, where
23 can they go get the OSHA training. I
24 know it's online, but I wanted it
25 inculcated into the curriculum.

1 4/8/14 - WHOLE - BILL 140144, etc.

2 For example, Overbrook High
3 School, my alma mater, has a home repair
4 program that is a part of their
5 curriculum. In so, they're doing OSHA
6 training for the young people so that,
7 yes, they know how to put up Sheetrock,
8 drywall, stud out a room, but they also
9 know how to do it safely, and that
10 certification will have a value in the
11 labor force that we want to see
12 incorporated. So whether you're
13 contracting with a private entity to
14 teach Joe and Jannie contractor how to
15 get OSHA certified or whether you're
16 working with the public school system to
17 put it in some of their shop training, I
18 want to know how you guys are moving on
19 that.

20 COMMISSIONER WILLIAMS: We
21 haven't had much progress on that to
22 date, Councilman, and that's something
23 that we will certainly look at. We
24 certainly focused on the critical points
25 of the legislation that we needed to put

1 4/8/14 - WHOLE - BILL 140144, etc.
2 in place immediately, but we certainly
3 want to have a long-term plan to be able
4 to provide that. I don't have one right
5 now.

6 COUNCILMAN JONES: I want to
7 suggest to you Randolph Skill Center in
8 the 4th District, Overbrook High School
9 in the 4th District is available and
10 waiting for you to take care of that.

11 COMMISSIONER WILLIAMS: Duly
12 noted.

13 COUNCILMAN JONES: And Dobbins.
14 As well as Dobbins in the 5th District as
15 well.

16 Thank you, Mr. Chairman.

17 COMMISSIONER WILLIAMS: Thank
18 you.

19 COUNCIL PRESIDENT CLARKE: And
20 Bok too, right, Councilman?

21 COUNCILMAN JOHNSON: We had Bok
22 until it was merged with South
23 Philadelphia High School.

24 COUNCIL PRESIDENT CLARKE:
25 Bring you back.

1 4/8/14 - WHOLE - BILL 140144, etc.

2 COUNCILMAN JOHNSON: It's
3 unfortunate, because I am a machinist by
4 trade, but...

5 COUNCIL PRESIDENT CLARKE: Are
6 you good, Councilman?

7 COUNCILMAN JONES: Yeah. I'm
8 fine.

9 COUNCIL PRESIDENT CLARKE:
10 Thank you.

11 The Chair recognizes
12 Councilwoman Brown.

13 COUNCILWOMAN BROWN: Okay. So
14 the Committee did the important work last
15 year. Recommendations were submitted.
16 Some have been acted upon. On Page 1 of
17 your testimony, you state that you
18 cooperated with the Inspector General's
19 Office, the Law Department, the grand
20 jury, the Controller's Office, and the
21 Mayor's Special Independent Advisory
22 Commission. You state how also that you
23 have not received any feedback from those
24 departments.

25 So with that said, does that

1 4/8/14 - WHOLE - BILL 140144, etc.
2 still exist today, that you have not
3 received feedback from those departments,
4 and have they informed you that any
5 recommendations from those departments
6 who have different levels of
7 responsibility and authority, have they
8 informed you whether or not they'll be
9 sending you recommendations?

10 COMMISSIONER WILLIAMS: Yes,
11 Councilwoman. The Controller's audit is
12 still spending. They're still conducting
13 an audit of our department's demolition
14 practices and construction practices.
15 I'm sure that we will hear from the
16 Controller's Office real soon on the
17 outcome of their investigation.

18 The Special Independent
19 Advisory Commission's recommendations are
20 due by July 1st. So we will also hear
21 what the outcomes of those
22 recommendations are as well.

23 Grand juries are pending, and
24 they continue on for long periods of
25 time. And so at some point, we may hear

1 4/8/14 - WHOLE - BILL 140144, etc.
2 from the recommendations from the grand
3 jury as well.

4 So those are the areas that
5 there's ongoing matters that will provide
6 recommendations in the near future.

7 COUNCILWOMAN BROWN: Okay.
8 According to L&I -- did we address this
9 already? So is there a professional
10 national association of professionals in
11 your business where folks come together
12 to examine, learn about best practices
13 for cities that are similarly situated
14 where we have X number of imminently
15 dangerous buildings?

16 COMMISSIONER WILLIAMS: I think
17 there are national, federal, state, and
18 local organizations that we're affiliated
19 with in the City. Deputy Commissioner
20 Fink and Maenner can talk about some of
21 the affiliations that they currently
22 attend on behalf of the Department. It's
23 the GBCA, General Builders and
24 Contractors Association. There is the
25 BOMA, and I'll let Deputy Commissioner

1 4/8/14 - WHOLE - BILL 140144, etc.

2 Mike Maenner talk about BOMA and the BIA,
3 which is the Building Industry
4 Association. Those are local kind of --

5 COUNCILWOMAN BROWN: Yes.

6 COMMISSIONER WILLIAMS: --
7 industry organizations that frequently
8 talk about best practices.

9 COUNCILWOMAN BROWN: Yes.
10 That's exactly where I'm heading to.
11 Now, I'm familiar with BOMA because we
12 worked closely with them on our green
13 building bill and know well of the good
14 work of BIA, and that's actually what I'm
15 getting to. What takeaways -- so you
16 attend a national meeting of municipal
17 professionals, and what takeaways exist
18 that we have not been able to implement
19 because of lack of dollars? What best
20 practices are still hanging, but we can't
21 grab them because of inadequate funding?
22 That's exactly what I'm getting to.

23 COMMISSIONER WILLIAMS: And one
24 of the things also on the national level
25 and the international level, the ICC,

1 4/8/14 - WHOLE - BILL 140144, etc.
2 which is International Code Council, on
3 which both members that I stated earlier,
4 Deputy Commissioners Fink and Maenner,
5 our members are a part of, that is the
6 process for how codes are established and
7 developed. And so those best practices
8 usually formulate at that level across
9 the entire world. And so each year they
10 have an annual convention, which we
11 attend, to talk about upcoming issues in
12 the construction industry, not just
13 demolition but the entire construction
14 industry as a whole, to talk about code
15 development and how they become
16 established and become into municipal
17 law.

18 So I don't know the hottest
19 topics lately, but I will defer to Deputy
20 Commissioners Fink and Maenner to talk
21 briefly about those associations and the
22 fruits of their labor from attending
23 those conferences as well.

24 COUNCILWOMAN BROWN: Let me
25 have two or three that made a difference

1 4/8/14 - WHOLE - BILL 140144, etc.
2 for who you are as a professional and
3 that you're able to take and put in place
4 or execute within the Department.

5 DEPUTY COMMISSIONER MAENNER:
6 On the state level, we also belong to
7 PHRC, and what they do, that's affiliated
8 with Penn State University.

9 COUNCILWOMAN BROWN: Sure. My
10 alma mater.

11 DEPUTY COMMISSIONER MAENNER:
12 We had this past -- I guess it was about
13 a month and a half ago, our engineering
14 staff, Betsy Baldwin and Mick Altmeier
15 went up there and gave a presentation on
16 in-fill construction, and they taught
17 Penn State some of the issues that we
18 deal with with in-fill construction and
19 some of the codes, how they impede our
20 in-fill construction. So they're also an
21 advisory to the State Commission. So
22 some of those things may get implemented
23 to make it easier to do in-fill
24 construction, and that's on the state
25 level.

1 4/8/14 - WHOLE - BILL 140144, etc.

2 On the national level, both
3 Mike Fink, I, and many of our inspectors
4 belong to the International Code Council.
5 I'm on the Major Jurisdiction Steering
6 Committee. If you go on ICCsafe.org,
7 you'll see our presentation for our
8 vacant strategy, which is shared
9 internationally. I also belong to -- I'm
10 the Chairman of the Global Membership
11 Council, and this past year we had
12 inspectors come from Abu Dhabi to see our
13 best practices.

14 COUNCILWOMAN BROWN: Councilman
15 Jones wants to know what district you
16 live in.

17 DEPUTY COMMISSIONER MAENNER: I
18 live in the 4th District and a graduate
19 of Frankford High School.

20 So they're some of the things
21 that we take away. When issues occur, we
22 call other jurisdictions within the Major
23 Jurisdictions Committee. Hey, what do
24 you do here? What do you do here? But
25 I'd like to say that a lot of

1 4/8/14 - WHOLE - BILL 140144, etc.
2 jurisdictions call us, and a lot of
3 jurisdictions from around the world call
4 us. We field calls from Japan, Taiwan,
5 Abu Dhabi, of course, who just adopted
6 the international codes. So that's how
7 we do nationally and internationally.

8 COUNCILWOMAN BROWN: Okay.
9 Well, the bell has rung. So when we come
10 back around, I want to know what we've
11 taken from other jurisdictions that we
12 can implement here that address this
13 prevailing insidious issue of 4,500
14 unsafe buildings and 600 imminently
15 dangerous buildings, but we need to wait
16 until the next round.

17 COUNCIL PRESIDENT CLARKE:
18 Councilwoman, it is our hope that we
19 don't have a next round. So you are
20 the --

21 DEPUTY COMMISSIONER MAENNER:
22 If you look at the ICCsafe.org, ours is
23 the most aggressive in the country, and
24 people are coming here to get pointers
25 from us.

1 4/8/14 - WHOLE - BILL 140144, etc.

2 COUNCILWOMAN BROWN: So you're
3 a real leader, if you will. This
4 department is a real leader in addressing
5 this issue.

6 DEPUTY COMMISSIONER MAENNER:
7 Absolutely. We have great staff and
8 Rebecca Swanson and all our inspectors.
9 We are really the model for vacant
10 strategy.

11 COUNCILWOMAN BROWN: Okay. All
12 right, then. Well, thank you for that.
13 I just have a couple more questions. We
14 talked about the qualifications for
15 building inspectors. Was there
16 discussion already given to the eCLIPSE
17 program?

18 COMMISSIONER WILLIAMS: There
19 was some. We do have our IT Director,
20 Linda Halcom, who I'd like to ask to come
21 forward to answer any questions that you
22 may have directly related to Project
23 eCLIPSE.

24 COUNCILWOMAN BROWN: I have two
25 more after that and I'm done,

1 4/8/14 - WHOLE - BILL 140144, etc.

2 Mr. President.

3 (Witness approached witness
4 table.)

5 MS. HALCOM: Good afternoon.

6 Linda Halcom.

7 COUNCILWOMAN BROWN: Good
8 afternoon. It is so great to see a woman
9 at that table.

10 MS. HALCOM: Oh.

11 COUNCILWOMAN BROWN: I couldn't
12 resist. I'm sorry. I just couldn't
13 resist. So I thank you very, very much,
14 Commissioner, for having such a
15 department that represents Philadelphia.

16 COMMISSIONER WILLIAMS:
17 Welcome.

18 COUNCILWOMAN BROWN: Okay. So
19 my question is with regard to the eCLIPSE
20 program, what is L&I currently doing in
21 the implementation of that program and
22 have any services been transferred over
23 to the new system?

24 MS. HALCOM: We are actively
25 working. We kicked off January 9th of

1 4/8/14 - WHOLE - BILL 140144, etc.
2 this year. We have a 12-month timeframe
3 before the first go live, which will be
4 business licenses. We've done phase zero
5 activities, early analysis of data
6 conversion. We're looking at interface
7 analysis. We've got our project
8 governance set up. We have our success
9 factors defined. So we're putting the
10 infrastructure of the project in place.
11 We have a detailed project plan we're
12 working from. The data conversion should
13 be done next month. So we're simply
14 working through the project plan, data
15 conversion, system requirements spec,
16 interface analysis, and detailed analysis
17 for interfacing with some of our key
18 departments, Department of Revenue,
19 Streets, OPA.

20 COUNCILWOMAN BROWN: How does
21 that help District Councilmembers, this
22 valuable data that you have? How does
23 that or how can that or would that assist
24 District Councilmembers who always want
25 to be in touch with everything that's

1 4/8/14 - WHOLE - BILL 140144, etc.
2 happening in their districts?

3 MS. HALCOM: With the
4 implementation of eCLIPSE, we'll have
5 robust reporting capabilities. We'll
6 have all private, all public data
7 available.

8 COUNCILWOMAN BROWN: On the
9 website?

10 MS. HALCOM: To be able to log
11 in. This is a web-based system. So you
12 can log in. You can create your own
13 reports with a drag and drop capability.
14 We can create dashboards for you. It
15 comes with significant dashboards out of
16 the box. You'll be able to look at your
17 Council districts only and just have
18 good, strong, easy access to the data.
19 Whereas with the current system, as you
20 know, we have to engage programmers to
21 pull the data accurately out of the
22 database.

23 COUNCILWOMAN BROWN: Okay. I'm
24 sure former Councilman Bill Green would
25 be thrilled to know that the tech world

1 4/8/14 - WHOLE - BILL 140144, etc.
2 has been infused into the work of L&I
3 even deeper.

4 With regards to Dale Carnegie,
5 on Page 5 of your testimony you discuss a
6 new vision, mission, and values program
7 where 30 employees participated in a Dale
8 Carnegie experience. Discuss that
9 briefly with some additional detail and
10 was Dale Carnegie retained as a
11 professional service class in the service
12 Class 200 expense?

13 COMMISSIONER WILLIAMS: Dale
14 Carnegie did a great job throughout the
15 years in the Department identifying and
16 providing leadership training to some of
17 our inspectors for succession planning
18 for the future. When I was appointed,
19 one of the things that I wanted to do was
20 to establish a new mission and vision for
21 the Department, and those 30 people that
22 participated with Dale Carnegie did just
23 that.

24 Our vision for the Department
25 and for the City of Philadelphia is to be

1 4/8/14 - WHOLE - BILL 140144, etc.
2 your partner in building safety. We
3 wanted to have greater outreach. All of
4 the things that I've heard here today was
5 started, and this was started prior to
6 June 5th of last year to redesign,
7 redevelop this department so that we'll
8 be more accessible to the community.
9 Inspectors need to know who their block
10 captains are in the field so that they
11 know who they are responsible for
12 addressing issues in their neighborhood.
13 They established own your own census
14 tract. I think what's important with
15 that is that they need in that census
16 tract, they need to know who the key
17 leaders in that neighborhood are.

18 When you talk to people,
19 Councilwoman, one of the things that I
20 learned from other departments is they
21 really didn't understand L&I's practices
22 and procedures and how to get things
23 done, and so I think that that was a
24 shortcoming of this department that I
25 wanted to change. I wanted inspectors to

1 4/8/14 - WHOLE - BILL 140144, etc.
2 have better relationships with people so
3 that there wasn't no secrets and that
4 there was a full understanding of what
5 the code means and how you use it to
6 address bad property owners or vacant
7 properties in your city. Those
8 understandings help clarify our mission
9 and role in the Department so that when
10 there are safety issues, people know what
11 to do, how to do it, and who to call, and
12 when L&I is involved, they understand how
13 these things happen and occur. So if
14 there's a court hearing or a zoning issue
15 or something going in the neighborhood,
16 these things don't just pop up and say,
17 L&I didn't tell us. Now you know in
18 advance how to use the system to go to a
19 hearing and protest against an illegal or
20 a bar in your neighborhood who wants to
21 come up, if that's not what you want, or
22 a vacant property owner who is constantly
23 a problematic person. Those testimonies
24 help when a judge is making a decision to
25 say, We're going to take that property

1 4/8/14 - WHOLE - BILL 140144, etc.
2 owner or we're going to force that
3 property owner to fix and repair. But if
4 the public doesn't know, then you can't
5 get their support, and ultimately they
6 speculate and formulate their own
7 opinions of L&I being lazy, incompetent
8 people, which is not the case here.

9 COUNCILWOMAN BROWN: If you
10 don't make your case, someone else will
11 make your case for you.

12 COMMISSIONER WILLIAMS:
13 Absolutely.

14 COUNCILWOMAN BROWN: And seldom
15 is it based on factual, hard, researched,
16 documented data.

17 COMMISSIONER WILLIAMS: That is
18 correct.

19 COUNCILWOMAN BROWN: So is that
20 experience over? Is there a part two to
21 that, or what?

22 COMMISSIONER WILLIAMS: Right
23 now Ms. Bernice Johnson, if she's here,
24 I'm going to ask another lady to step
25 forward. She can tell you what we're

1 4/8/14 - WHOLE - BILL 140144, etc.
2 doing in that aspect. I do have a lot of
3 other people of different ethnicities,
4 background, and diversity in the
5 department who can talk about it.

6 COUNCILWOMAN BROWN: Oh, we did
7 the assessment. Congratulations on
8 having a department that looks like
9 Philadelphia.

10 COMMISSIONER WILLIAMS: Thank
11 you so much. I'll ask Bernice to come up
12 and tell you what our motto is together.
13 We've come up with our own motto, and I'm
14 going to ask her to state for the record
15 what our motto is in the Department of
16 License and Inspections.

17 (Witness approached witness
18 table.)

19 MS. JOHNSON: Good afternoon,
20 Councilwoman Reynolds Brown, members of
21 Council. Our goal is to get results.
22 And so what the inspectors -- what I've
23 been doing is attending community
24 meetings. I actually have one at 5:30
25 today. And I've been going to the

1 4/8/14 - WHOLE - BILL 140144, etc.
2 community meetings and explaining to the
3 public what our mission is, how the
4 Department works, what they can expect
5 from us, how we operate, how we process
6 complaints, and meeting with individuals
7 from Streets Department to partner with
8 them and the block captains so we can
9 identify problems and situations in the
10 community. So our goal, as it has always
11 been, is to get results, but give the
12 public a better sense of how we operate
13 and what we do.

14 COUNCILWOMAN BROWN: You can
15 never do too much of that ever.

16 Thank you very much for your
17 testimony.

18 Thank you, Commissioner.

19 Thank you, Mr. President.

20 COUNCIL PRESIDENT CLARKE:

21 Thank you.

22 And we have a blank board. So
23 with that, I would like to thank you very
24 much for your testimony.

25 COMMISSIONER WILLIAMS: Thank

1 4/8/14 - WHOLE - BILL 140144, etc.

2 you, Council President.

3 COUNCIL PRESIDENT CLARKE: Keep
4 doing the good work.

5 COMMISSIONER WILLIAMS: Thank
6 you, sir.

7 COUNCIL PRESIDENT CLARKE: This
8 Committee will stand in recess until
9 Wednesday, April 9th at 10:00 a.m.

10 (Committee of the Whole
11 recessed at 4:45 p.m.)

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CERTIFICATE

I HEREBY CERTIFY that the
proceedings, evidence and objections are
contained fully and accurately in the
stenographic notes taken by me upon the
foregoing matter, and that this is a true and
correct transcript of same.

MICHELE L. MURPHY
RPR-Notary Public

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