

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE OF THE WHOLE

- - -

Room 400, City Hall
Philadelphia, Pennsylvania
Wednesday, April 13, 2011, 10:27 a.m.

- - -

RES. 110161 - Five-Year Plan
BILL 110135 - Capital Program 2012 through 2017
BILL 110136 - FY 2012 Capital Budget
BILL 110137 - FY 2012 Operating Budget
BILL 110138 - Wage Tax Bill

COMMITTEE MEMBERS PRESENT:

Anna C. Verna, Chair
Marian B. Tasco, Co-Chair
Jannie C. Blackwell
Blondell Reynolds-Brown
Darrell L. Clarke
W. Wilson Goode, Jr.
Bill Green
William K. Greenlee
Curtis Jones, Jr.
Donna Reed Miller
Frank Rizzo
Maria Quiñones-Sanchez

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2 COUNCIL PRESIDENT VERNA: Good
3 morning. This is a continued public
4 hearing of the Committee of the Whole.

5 The Chair recognizes
6 Mr. McPherson.

7 MR. MCPHERSON: This is a
8 continuation hearing on:

9 Resolution 110161, the City's
10 Five-Year Plan;

11 Bill No. 110135, the Capital
12 Program 2012 through 2017;

13 Bill No. 110136, the Capital
14 Budget for 2012;

15 Bill No. 110137, the Operating
16 Budget for 2012; and

17 Bill No. 110138, the wage tax.

18 And today, we're taking
19 testimony on Bill No. 110137, the
20 Operating Budget for Fiscal 2012.

21 And our first department is
22 L&I.

23 (Witnesses come forward.)

24 COUNCIL PRESIDENT VERNA: Good
25 morning. Welcome.

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2 Please identify yourself for
3 the record and proceed with your
4 testimony.

5 COMMISSIONER BURNS: Certainly.
6 Good morning, Council President Verna and
7 members of Council. I am Fran Burns,
8 Commissioner of the Department of
9 Licenses and Inspections. I appreciate
10 the opportunity to present the Fiscal
11 Year '12 Operating Budget requests to
12 City Council.

13 The Department of Licenses and
14 Inspections is requesting a total Fiscal
15 Year '12 Budget of \$37,826,756, of which:
16 \$21,780,905 is in the City's General
17 Fund; \$15,451,827 is in the Grants
18 Revenue Fund; and \$594,024 is in the
19 Community Development Fund.

20 Our General Fund request of
21 \$21,780,905 is comprised of: \$14,344,790
22 in Class 100; \$7,132,502 in Class 200;
23 \$234,763 in Class 300; and \$68,850 in
24 Class 400.

25 The Fiscal Year '12 request

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2 will fund 311 General Fund positions and
3 includes a total of \$6,338,812 for
4 demolition in the General Fund.

5 The Fiscal Year '12 Budget
6 continues our efforts to preserve and
7 improve core service delivery.

8 The Department of Licenses and
9 Inspections exists to enforce the
10 Philadelphia Code; and through education
11 and enforcement of the Code, protect the
12 citizens of the City of Philadelphia.

13 The core service of the Department are
14 to:

15 Review plans;

16 Issue permits, and conduct
17 inspections according to building,
18 zoning, plumbing, and electrical codes;

19 Inspect properties for
20 compliance to fire and property
21 maintenance and business trades and
22 profession codes;

23 To issue licenses;

24 And to inspect, demolish, and
25 clean and seal vacant properties when

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2 owners fail to meet their
3 responsibilities.

4 The Department is organized in
5 three divisions.

6 The Operations Division handles
7 code-enforcement Inspections, including
8 property maintenance, fire, and business
9 inspections, as well as demolition and
10 clean-and-seal activity.

11 The Development Division
12 handles permit review and issuance,
13 license issuance, and permit inspections.

14 The Administration Division
15 handles Budget, Inventory, and Records
16 Management, Procurement and Human
17 Resources.

18 The Department has continued to
19 make tremendous strides during Fiscal
20 Year '11 towards our goal of becoming the
21 nation's leading code-enforcement agency.
22 We have stopped the endless cycle of
23 reinspections. There is now clear
24 departmental policy that mandates court
25 action after three departmental

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2 inspections.

3 We have also hired two
4 attorneys to represent the Department in
5 Municipal Court action. Prior to this
6 step, departmental employees represented
7 the City in Municipal Court.

8 We completed the reassignments
9 of Code Enforcement staff from a central
10 location to district offices throughout
11 the City. This decentralization allows
12 inspectors to be deployed from the area
13 they are assigned, get to inspection
14 sites quicker, improve productivity, and
15 may reduce mileage reimbursement costs.

16 The implementation of the
17 consolidated inspectors series began this
18 year. This new multi-discipline job
19 series will allow one inspector to
20 address multiple types of complaints at
21 the same location at the same time while
22 also providing a new career path for our
23 Code Enforcement employees.

24 The Department also has
25 continued to deliver and improve service

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2 to the public at reduced cost. For
3 Fiscal Year '11, we are on track to
4 reduce regular or operations overtime by
5 an additional 15 percent as compared to
6 Fiscal Year '10, and a combined 70
7 percent reduction when comparing Fiscal
8 Year '11 to Fiscal Year 2008.

9 We continue to meet or exceed
10 our 3-1-1 service-level agreements, with
11 95 percent of our service requests over
12 the past year met within the service-
13 level agreement time frame.

14 We have automated our annual
15 school and high-rise inspection processes
16 so that annual inspections of schools and
17 high-rises are automatically and
18 systematically assigned to inspectors.

19 We continue to average a cost
20 of \$17,000 per demolition, a reduced cost
21 that we have maintained for two years
22 straight.

23 In addition to measuring
24 additional plan review turnaround
25 times -- for example, twenty days

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2 commercial review and fifteen days for
3 residential -- the Department is
4 measuring the amount of time to produce
5 re-review of building plans. Re-reviews
6 are performed when applicants are
7 required to provide additional
8 information to process the review.

9 Measuring re-review will provide
10 additional accountability of our service
11 from time of application submittal to
12 actual issuance of permits.

13 In addition, we now conduct
14 internal technical audits of our plan
15 review to improve our consistency on code
16 interpretations.

17 We continue to focus on
18 stronger community education and
19 outreach. A primary example of our
20 outreach efforts is our development and
21 execution of building a better permitting
22 process, an educational series, which was
23 recently conducted for members of the
24 American Institute of Architects,
25 high-volume users, and other

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2 stakeholders.

3 The initiatives for the
4 remainder of Fiscal Year '11 and into
5 Fiscal Year '12 are as follows:

6 As of May 1, 2011, the
7 Department will require a named licensed
8 contractor for all building permits
9 before issuance of the permit.

10 By the end of April of 2011, we
11 will have instituted a Saturday
12 construction inspectorship to offer
13 weekend service to customers and to
14 increase visibility to further deter work
15 without permits.

16 We will soon be redesigning and
17 releasing our simplified license and
18 permit applications and form guides, with
19 the intention of making it easier for
20 customers to navigate our process, better
21 communicate value of permits, and better
22 understand Code requirements.

23 Fiscal Year '12 will also bring
24 a complete redesign of the violation
25 notices that we send to our customers.

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2 We are rolling out a targeted
3 vacant-structure strategy under the
4 direction of the Managing Director and
5 the Finance Director. Our strategy will
6 be a focused enforcement effort on the 25
7 vacant structures in our database.

8 We have mapped the vacancies by
9 census tract and will be inspecting each
10 and every vacant structure. We will
11 write violations notices for buildings
12 that are vacant but lack doors and
13 windows; for premises to be clean, safe,
14 and in a secure condition; and that the
15 roof and drainage systems be maintained
16 to prevent damage to adjoining
17 properties.

18 We have employed interns to
19 identify good owners' information for
20 each of the 25,000 vacant structures.
21 One of our weakest areas of enforcement
22 to date has been poor owner information.

23 L&I and the City Solicitor will
24 contact individual owners in writing and
25 explain the enforcement actions they will

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2 face if they do not maintain vacant
3 properties to code. For owners with
4 multiple vacancies across the City, we
5 plan to investigate fully and, where
6 appropriate, make an example by going
7 after owner assets.

8 L&I will apply its internal
9 court policy to these cases, and after
10 three inspections, we will prosecute
11 vacant property owners in court. This
12 will be a committed, real effort to get
13 owners to maintain their vacant
14 properties.

15 We continue to have a feverish
16 goal of getting all premise and licenses
17 online, providing an automated voice-
18 recording system for inspection
19 scheduling, getting our data published
20 online, and working towards an electronic
21 plan review.

22 In terms of pure output, in
23 Fiscal Year '10, the Department:

24 Issued 37,243 permits;

25 Reviewed 14,205 plans;

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2 Conducted 85,495 construction
3 inspections and 98,553 operations
4 inspections.

5 We cleaned and sealed 1,470
6 properties and performed 568 demolitions.

7 The Fiscal Year '11 Budget and
8 Fiscal Year '12 Proposed Budget provide
9 for the same level of production.

10 The Department of Licenses and
11 Inspections continues to work proactively
12 with the Office of Economic Opportunity.
13 The Department's Fiscal Year '12
14 participation goal is 25 percent.

15 Demolition activity is the
16 highest Class 200 spending category for
17 L&I over the course of the past year, we
18 have successfully increased the number of
19 minority-registered demolition firms to
20 33 percent of qualified contractors.

21 Provided the Department's
22 proposed budget is adopted, we will
23 continue to make significant progress in
24 Fiscal Year '12 towards improving
25 services focused on the customer. The

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2 hardworking employees of the Department
3 will continue to make Philadelphia a
4 better place to live, work, and play.

5 Thank you for the opportunity
6 to present our Fiscal Year '12 Budget. I
7 am available to answer questions at this
8 time.

9 COUNCIL PRESIDENT Verna: Thank
10 you, Commissioner.

11 The Chair recognizes Councilman
12 Greenlee.

13 COUNCILMAN GREENLEE: Thank
14 you, Madam President.

15 Good morning, everyone.

16 COMMISSIONER BURNS: Good
17 morning.

18 COUNCILMAN GREENLEE: Just a
19 few questions, Commissioner. I know I
20 ask this question every year. When a
21 person -- anybody puts in a complaint to
22 3-1-1, what is your time frame for the
23 initial inspection? Or does it depend on
24 the violation?

25 COMMISSIONER BURNS: It depends

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2 on the violation.

3 COUNCILMAN GREENLEE: Okay.

4 COMMISSIONER BURNS: It depends
5 on the complaint, the nature of the
6 complaint.

7 COUNCILMAN GREENLEE: Okay.
8 Well --

9 COMMISSIONER BURNS: Would you
10 like some examples?

11 COUNCILMAN GREENLEE: Yeah,
12 maybe some examples.

13 COMMISSIONER BURNS: Certainly.
14 Okay. If we have residential
15 maintenance complaints, we're currently
16 at 30 days to respond --

17 COUNCILMAN GREENLEE: Mm-hmm.

18 COMMISSIONER BURNS: -- as our
19 service level agreement.

20 If it's just a vacant house but
21 there's no dangerous building complaint
22 or nature to that, it's 30 days.

23 COUNCILMAN GREENLEE: Mm-hmm.

24 COMMISSIONER BURNS: For a
25 dangerous building complaint, we

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2 currently have it at fifteen days if it's
3 vacant and five days if it's occupied.

4 We do have a 24/7 emergency
5 response for dangerous buildings for
6 those that really we hear about in terms
7 of imminent condition that may have
8 changed or deteriorated immediately for
9 whatever reason.

10 But we do have a list of thirty
11 different -- and it ranges from one to
12 five days at the minimum, to thirty days
13 maximum.

14 COUNCILMAN GREENLEE: Could you
15 get that list to the Council President's
16 office?

17 COMMISSIONER BURNS: Certainly.

18 COUNCILMAN GREENLEE: 'Cause I
19 think that would be interesting to know,
20 'cause I -- I know at one time, wasn't it
21 up to -- like the initial inspection was
22 how many days?

23 COMMISSIONER BURNS: The
24 initial inspection that we had at the
25 maximum for some complaints was 45 days.

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2 COUNCILMAN GREENLEE: Yeah,
3 okay, all right.

4 Now, on structural problems, I
5 know our office got some complaints
6 that -- particularly over this winter,
7 with the heavy snow and all, that the
8 properties have gotten a lot worse; you
9 know, they might not have been that bad
10 before the winter started. But when it
11 was called in, we were told, "Well, we
12 already have that on record."

13 Is the Department aware that --
14 you know, particularly with the winter
15 weather, are they rechecking these
16 properties?

17 COMMISSIONER BURNS: We will
18 absolutely recheck, yes, and reinspect.
19 And if that's just something that we need
20 to tie down at the call center, we will.

21 COUNCILMAN GREENLEE: Okay, all
22 right, because I understand that's coming
23 back a lot, "Well, we already have that."

24 COMMISSIONER BURNS: Okay.

25 COUNCILMAN GREENLEE: And what

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2 kind of is the general definition of
3 "imminently dangerous"? I mean, what
4 would -- 'cause I know sometimes people
5 call us and say, "We think this
6 property's going to fall down anytime,"
7 and your folks say, "Well, it's not at
8 that level," so --

9 COMMISSIONER BURNS: Okay. The
10 following are the things that we look for
11 in terms of imminently dangerous building
12 or ID:

13 When there's a partial collapse
14 of the front wall.

15 When there's the partial
16 collapse of a load-bearing wall or a
17 structural member.

18 When there's a partial collapse
19 of a side wall.

20 When there's a partial collapse
21 of a front porch.

22 When the partial collapse is a
23 condition that's very clearly affecting
24 an adjoining property.

25 And when the partial collapse

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2 leaves a freestanding wall.

3 COUNCILMAN GREENLEE: Mm-hmm,
4 okay. Is that also a list that you can
5 forward to the President so we know?

6 COMMISSIONER BURNS:
7 Absolutely.

8 COUNCILMAN GREENLEE: Okay. I
9 have a few more.

10 I guess what I also was
11 wondering -- and I know you say in here
12 that -- in your testimony that you -- it
13 looks like one inspector now can check on
14 multiple issues, 'cause I -- like, say, a
15 restaurant has maybe a zoning issue but
16 also a building issue --

17 COMMISSIONER BURNS: We act --

18 COUNCILMAN GREENLEE: If an
19 inspector goes out, they can look at all
20 of that and see whether they have the
21 permits and all that?

22 COMMISSIONER BURNS: In the
23 scenario you presented, no.

24 COUNCILMAN GREENLEE: Okay.

25 COMMISSIONER BURNS: We have

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2 consolidated inspectorships: one on the
3 construction side and the other on our
4 operations side.

5 In terms of our testimony, the
6 new consolidation -- the Department in
7 2002 had consolidated on the construction
8 side a series, and we looked to do that
9 in the operations side and did achieve
10 it.

11 Where we would have been
12 sending out -- and it's going to take
13 time to train some of our current
14 employees, but we would have been sending
15 out a business inspector. Say it's a
16 first-floor commercial and a second-floor
17 residential, then we'd be sending out a
18 housing inspector.

19 COUNCILMAN GREENLEE: Mm-hmm.

20 COMMISSIONER BURNS: And that
21 is what is consolidated in terms of
22 operations now.

23 COUNCILMAN GREENLEE: Okay.

24 COMMISSIONER BURNS: But if
25 it's a construction issue, you will -- a

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2 construction inspector will come.

3 COUNCILMAN GREENLEE: And when
4 a person or a business applies for a
5 permit -- say a rental license -- is it
6 cross-checked to see if there are
7 violations on that property; and is that
8 license held up if that's the case? Am I
9 making sense?

10 COMMISSIONER BURNS: No, it's
11 not.

12 COUNCILMAN GREENLEE: Mm-hmm.

13 COMMISSIONER BURNS: The only
14 time when that occurs is if there's an
15 imminently dangerous violation.

16 COUNCILMAN GREENLEE: Mm-hmm.

17 COMMISSIONER BURNS: That
18 violation needs to be cured or complied
19 through taking out a permit to make the
20 building safe before any other permits
21 will be issued.

22 COUNCILMAN GREENLEE: Mm-hmm.

23 Has there been any thought to doing that,
24 holding up --

25 COMMISSIONER BURNS: Um --

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2 COUNCILMAN GREENLEE: For
3 example, I know Councilman Rizzo has that
4 bill with the zoning, you know, the
5 zoning issue. I'm just thinking that
6 maybe that would get people to take care
7 of their other problem.

8 COMMISSIONER BURNS: There has
9 been conversation, actually, in this body
10 before. And I know even last year, the
11 same -- a conversation like this came up.

12 COUNCILMAN GREENLEE: Yeah.

13 COMMISSIONER BURNS: So
14 philosophically, I think it's been
15 discussed, but the nature and violations
16 change. People can comply one day. The
17 nature and the frequency of the
18 violations change and are complied, that
19 I think it's something that, if it's
20 going to be acted on, warrants a lot of
21 discussion and consideration in terms of
22 what the impact could or couldn't --
23 should or shouldn't be or could or
24 couldn't be.

25 COUNCILMAN GREENLEE: Mm-hmm.

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2 COMMISSIONER BURNS: So I would
3 say that it's something that if the --
4 you know, we should talk about if it's...

5 COUNCILMAN GREENLEE: Okay. It
6 just seems, you know, if the person needs
7 something now, maybe they're more likely
8 to clean up their other problems if they
9 need that license or that permit, you
10 would think.

11 COMMISSIONER BURNS: Yes, you
12 would think.

13 COUNCILMAN GREENLEE: Okay, all
14 right. Well, I won't belabor that.

15 And just on those inspection
16 times you gave me -- the fifteen days,
17 five days, thirty -- is that business
18 days or calendar days?

19 COMMISSIONER BURNS: Business
20 days.

21 COUNCILMAN GREENLEE: Business
22 days? All right.

23 I had a couple more, but I
24 won't dominate like some -- no.

25 Thank you, Madam President.

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2 COUNCIL PRESIDENT Verna:

3 You're welcome.

4 The Chair recognizes Councilman
5 Goode.

6 COUNCILMAN GOODE: Thank you,
7 Madam President.

8 Good morning, Commissioner.

9 COMMISSIONER BURNS: Good
10 morning.

11 COUNCILMAN GOODE: What's the
12 largest contract that you will award in
13 Fiscal Year '12?

14 COMMISSIONER BURNS:
15 Councilman, I'm going to, if you'll
16 allow, answer it in two ways.

17 The largest professional
18 service contract is for Building and Fire
19 Code Academy -- that's the name of the
20 company, Building and Fire Code
21 Academy -- for \$72,900. That is our
22 largest professional-services contract
23 that we have awarded.

24 In the testimony, I alluded
25 to -- or I actually stated that the

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2 majority of our Class 200 money goes into
3 demolition contracts. So if you would
4 like me to also address that at the same
5 time, I can.

6 Our demolition contracts are --
7 they are awarded to the lowest bidder,
8 but we've done a lot of work in terms of
9 --

10 COUNCILMAN GOODE: The lowest
11 responsible bidder?

12 COMMISSIONER BURNS: The lowest
13 responsible bidder, but we have done a
14 lot of work over the past year through
15 Valerie Crawford and the Office of
16 Economic Opportunity to get minority
17 firms registered to participate.

18 So we have -- I have a listing
19 of the accumulation to date by each
20 public works bid and what firms got them
21 and in terms of their status as well.
22 Would you like me to run through that?

23 COUNCILMAN GOODE: No.

24 COMMISSIONER BURNS: Okay.

25 COUNCILMAN GOODE: So how will

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2 you reach the 25 percent goal?

3 COMMISSIONER BURNS: We are
4 reaching it -- we actually have done a
5 lot of work through the Greater West
6 Chester Chamber of Commerce, the
7 African-American Chamber of Commerce, the
8 Hispanic Chamber of Commerce, the Asian
9 Chamber of Commerce --

10 COUNCILMAN GOODE: My question
11 is: How will you reach the goal?

12 COMMISSIONER BURNS: How will
13 we?

14 COUNCILMAN GOODE: Yes.

15 COMMISSIONER BURNS: Through
16 these agencies, we are promoting the work
17 that we have available and promoting and
18 explaining and educating on how to become
19 a qualified firm in terms of getting the
20 demolition contracts.

21 And through that effort, we
22 have increased our minority qualified
23 bidders. We actually have gone out and
24 searched out people.

25 COUNCILMAN GOODE: But through

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2 your process you've described so far, you
3 could end up with zero percent
4 participation or a hundred percent
5 participation; is that correct?

6 COMMISSIONER BURNS: For the
7 demolition, you can, yes. But the
8 chances are better if you have more
9 minority firms and service --

10 COUNCILMAN GOODE: Chances are
11 better?

12 COMMISSIONER BURNS: The more
13 firms that you have participating in
14 bidding --

15 COUNCILMAN GOODE: But you
16 could end up with zero percent
17 participation.

18 COMMISSIONER BURNS: We could,
19 but we haven't seen that, and we've seen
20 an --

21 COUNCILMAN GOODE: But you
22 could.

23 COMMISSIONER BURNS: We could
24 potentially, yes.

25 COUNCILMAN GOODE: And do you

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2 contract with non-Philadelphia firms?

3 COMMISSIONER BURNS: We will if
4 they're qualified, yes.

5 COUNCILMAN GOODE: So you could
6 end up with zero percent local
7 participation; is that correct?

8 COMMISSIONER BURNS: We could,
9 yes.

10 COUNCILMAN GOODE: All right.
11 Could Angela Dowd Burton come to the
12 table?

13 (Ms. Dowd Burton comes
14 forward.)

15 MS. DOWD BURTON: Good morning.
16 My name is Angela Dowd Burton, Executive
17 Director of the Office of Economic
18 Opportunity.

19 COUNCILMAN GOODE: Miss Dowd
20 Burton, what percentages of City
21 contractors are disadvantaged businesses?

22 MS. DOWD BURTON: Currently?

23 COUNCILMAN GOODE: Yes.

24 MS. DOWD BURTON: Approximately
25 22 percent overall. That includes City

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2 government contracts, quasi-public, and
3 federal contracts.

4 COUNCILMAN GOODE: And that's
5 what we base our participation rates
6 upon?

7 MS. DOWD BURTON: I'm sorry. I
8 answered the question of what percentage
9 of City contracts there are.

10 COUNCILMAN GOODE: No. What
11 percentage of City contractors are
12 disadvantaged businesses?

13 MS. DOWD BURTON: If the
14 disparity study is accurate and we apply
15 the overall percentage, 25 percent of the
16 contracting community would be --

17 COUNCILMAN GOODE: That's
18 25 percent of City contracting dollars.
19 My question is: What percentage of City
20 contractors are disadvantaged businesses?

21 MS. DOWD BURTON: And what I'm
22 saying is, if we look at the disparity
23 study, which says in general, 25 percent
24 of all businesses across this
25 metropolitan statistical area, 25 percent

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2 of them are owned and controlled by
3 minority- and women-owned businesses,
4 that we would apply that 25 percent to
5 the contracting community and project
6 that 25 percent of the contracting
7 community is minority- or female-owned.

8 COUNCILMAN GOODE: And that's
9 what we base our participation --

10 MS. DOWD BURTON: Yes.

11 COUNCILMAN GOODE: -- goals on.

12 MS. DOWD BURTON: Yes.

13 COUNCILMAN GOODE: Actually, my
14 understanding of the disparity study is
15 quite different, but I actually believe
16 that that's not how we arrived at
17 participation goals.

18 And if we use the process and
19 strategy of the L&I Commissioner, we
20 could end up with zero percent
21 participation or a hundred percent
22 participation.

23 So is that actually the
24 strategy?

25 MS. DOWD BURTON: For the

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2 Licenses and Inspections Department, yes.

3 COUNCILMAN GOODE: So the
4 strategy is different for the Licenses
5 and Inspections Department.

6 MS. DOWD BURTON: It's
7 different for certain departments that
8 have specific operating goals and
9 objectives, yes.

10 COUNCILMAN GOODE: So it's not
11 the same strategy for every department.

12 MS. DOWD BURTON: No, it's not.

13 COUNCILMAN GOODE: So at what
14 point were you going to tell us that?

15 MS. DOWD BURTON: When you ask,
16 I'll be happy --

17 COUNCILMAN GOODE: Okay, thank
18 you.

19 Commissioner, what was the
20 highest level of DBE participation ever
21 achieved for demolition work?

22 COMMISSIONER BURNS:
23 Historically in the Department? I don't
24 know. I do know that in Fiscal Year
25 2008, because I'm recalling our 2009

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2 testimony, that in 2008, it was 25.6
3 percent.

4 COUNCILMAN GOODE: Okay.

5 COMMISSIONER BURNS: But I'd
6 have to look historically.

7 COUNCILMAN GOODE: And how did
8 they reach that goal?

9 COMMISSIONER BURNS: A lot
10 of -- the Department saw a very large
11 increase in -- through the Neighborhood
12 Transformation Initiative program, and --

13 COUNCILMAN GOODE: And how did
14 that process work?

15 COMMISSIONER BURNS: My
16 understanding of how those rates were
17 reached is that, one, through working
18 through the chambers that I mentioned,
19 but also, there was a bonding and
20 insurance program through NTI at the time
21 that helped smaller businesses be able to
22 put up the bond and insurance money
23 that's required in order to be a
24 qualified bidder.

25 COUNCILMAN GOODE: And so have

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2 you done that?

3 COMMISSIONER BURNS: How's
4 that?

5 COUNCILMAN GOODE: Have you
6 done that?

7 COMMISSIONER BURNS: No. We
8 actually have -- though we are in
9 conversations with figuring out if we can
10 put some remaining NTI dollars into a
11 loan program that would give the money at
12 two companies -- we're trying to figure
13 it out. But no, we have not to date.

14 COUNCILMAN GOODE: And so, you
15 acknowledge that that is not necessarily
16 a level playing field.

17 COMMISSIONER BURNS: I'm sorry?

18 COUNCILMAN GOODE: You
19 acknowledge that there's not necessarily
20 a level playing field in terms of bidding
21 or demolition work.

22 COMMISSIONER BURNS: I think I
23 would recognize that there's a difference
24 between some programs that existed in NTI
25 and that program and that currently do

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2 not exist.

3 COUNCILMAN GOODE: Well, have
4 you achieved the levels of participation
5 that were achieved previously?

6 COMMISSIONER BURNS: Not at the
7 25 percent, but we -- if you look at the
8 --

9 COUNCILMAN GOODE: What was
10 your participation rate in your first
11 year in office?

12 COMMISSIONER BURNS: It was
13 6 percent. And then this past year, we
14 were at 18 percent through some really
15 targeted outreach and work not only in
16 our office but also in conjunction with
17 the Office of Economic Opportunity.

18 COUNCILMAN GOODE: So you went
19 from 26 percent to 6 percent.

20 COMMISSIONER BURNS: That was
21 within the first -- yes. That was within
22 the aftermath of -- and a program coming
23 to its conclusion and just picking up
24 from where it was.

25 COUNCILMAN GOODE: And I

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2 actually believe that the rate before 2
3 percent was roughly 40 percent.

4 COMMISSIONER BURNS: Okay.

5 COUNCILMAN GOODE: So I believe
6 it went from 40 percent to 26 percent to
7 6 percent. We had a discussion last year
8 about the 6 percent.

9 And so, you've changed your
10 process, but you still changed your
11 process to a process that could end up
12 with anywhere from zero to a hundred
13 percent participation. So I don't buy
14 into your process.

15 COMMISSIONER BURNS: The -- can
16 I --

17 COUNCILMAN GOODE: I'm just
18 being clear about it.

19 COMMISSIONER BURNS: Okay.

20 COUNCILMAN GOODE: It could
21 lead to zero percent participation.

22 COMMISSIONER BURNS: Can I just
23 --

24 COUNCILMAN GOODE: And at the
25 end of the day, we've already made it

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2 clear that demolition work is some of the
3 easiest work to find diversity on.

4 And if we're not targeting
5 demolition work to businesses owned by
6 women and people of color and if we can't
7 reach the goals that we have reached in
8 the past because we decide we're just
9 going to employ a process that could end
10 up with zero percent participation, I
11 can't buy into that, and I'm not going to
12 buy into that.

13 Obviously, there was a better
14 process before, and you decided not to
15 follow that process. You decided to come
16 with your own process, and your first
17 result was 6 percent participation. Now
18 the result is we don't know what it's
19 going to be.

20 And to me, at the end of the
21 day, that's not acceptable.

22 COMMISSIONER BURNS: Can -- the
23 -- I think we've done -- I mean, I was
24 very pleased with the effort of the
25 Department in terms of really doing

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2 outreach to minority firms to get them on
3 our qualified bidders list.

4 (Indiscernible; parties talking
5 over each other.)

6 COUNCILMAN GOODE: Don't make
7 any mistake about this. I want
8 diversity.

9 COMMISSIONER BURNS: Right.

10 COUNCILMAN GOODE: But I want a
11 diversity of local firms. I don't see
12 any reason at all why we should be giving
13 demolition work to people who locate
14 outside of the City.

15 And if we could end up with
16 zero percent local participation, that's
17 equally ridiculous to me.

18 MS. DOWD BURTON: Councilman,
19 one of the clarifications I wanted to
20 make when I talked about strategy earlier
21 is with regard to specifically
22 contractors bidding on public works
23 contracts go through our competitive
24 bidding process.

25 So by law, we provide an award

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2 to the lowest responsible bidder.

3 COUNCILMAN GOODE: The lowest
4 responsible bidder.

5 MS. DOWD BURTON: Yes, for
6 professional --

7 COUNCILMAN GOODE: The
8 Commissioner first said the lowest
9 bidder. It's not the lowest bidder; it's
10 the lowest responsible bidder.

11 MS. DOWD BURTON: That's
12 correct.

13 COUNCILMAN GOODE: And so, you
14 decide what the bidding process is going
15 to be and what level of diversity you
16 want. And then, in terms of how people
17 respond to that bid, in terms of
18 providing adequate diversity that makes
19 them a responsible bidder, and then you
20 choose the lowest responsible bidder.

21 But "responsible" means that we
22 want to give demolition work to local
23 firms and a diversity of local firms.
24 And if we could end up with zero percent
25 local participation and zero percent

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2 diversity, that process doesn't work for
3 me.

4 MS. DOWD BURTON: I understand.

5 COUNCILMAN GOODE: Thank you,
6 Madam President.

7 COUNCIL PRESIDENT Verna:
8 You're welcome.

9 The Chair recognizes
10 Councilwoman Brown.

11 COUNCILWOMAN BROWN: Thank you,
12 Madam President.

13 Good morning.

14 COMMISSIONER BURNS: Good
15 morning.

16 COUNCILWOMAN BROWN: Speak to
17 me about, or tell me, if you will, the
18 total number of -- let me back up.

19 You are the Commissioner, and
20 then the step of managers below you
21 are -- their title is what?

22 COMMISSIONER BURNS: Deputy
23 Commissioner.

24 COUNCILWOMAN BROWN: One Deputy
25 Commissioner?

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2 COMMISSIONER BURNS: Two.

3 COUNCILWOMAN BROWN: Two Deputy
4 Commissioners. And the line of staff
5 below the Deputy Commissioners are...?

6 COMMISSIONER BURNS: Directors.

7 COUNCILWOMAN BROWN: And they
8 are how many?

9 COMMISSIONER BURNS: Three.

10 COUNCILWOMAN BROWN: And the
11 line of staff below the three directors
12 are...?

13 COMMISSIONER BURNS: It's a
14 professional level within Civil Service,
15 that the title --

16 COUNCILWOMAN BROWN: Okay, all
17 right. So of the five professionals you
18 just talked about, what is the racial
19 composition makeup?

20 COMMISSIONER BURNS: Racial.
21 Four are white and one is black.

22 COUNCILWOMAN BROWN: How many
23 are women?

24 COMMISSIONER BURNS: One,
25 myself, one white --

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2 COUNCILWOMAN BROWN: Would that
3 be you?

4 COMMISSIONER BURNS: Yes,
5 that's me.

6 COUNCILWOMAN BROWN: So there
7 are no African-American women in the mix?

8 COMMISSIONER BURNS: Right now,
9 no.

10 COUNCILWOMAN BROWN: Are there
11 women of color in the mix at all,
12 including Latino?

13 COMMISSIONER BURNS: In the --

14 COUNCILWOMAN BROWN: In the mix
15 of the professionals you just talked
16 about?

17 COMMISSIONER BURNS: That
18 second professional level at Civil
19 Service? Um...

20 COUNCILWOMAN BROWN: No,
21 scratch Civil Service 'cause I know that
22 has its own different of --

23 COMMISSIONER BURNS: Of those
24 five?

25 COUNCILWOMAN BROWN: Yes.

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2 COMMISSIONER BURNS: No.

3 COUNCILWOMAN BROWN: So of the
4 five, there are four -- let me just be
5 clear in my notes. Of the five, how many
6 are females?

7 COMMISSIONER BURNS: There's
8 one and that's myself.

9 COUNCILWOMAN BROWN: And so,
10 the rest are men.

11 COMMISSIONER BURNS: Yes.

12 COUNCILWOMAN BROWN: And of
13 those men, one is African-American?

14 COMMISSIONER BURNS: Yes.

15 COUNCILWOMAN BROWN: And who
16 ultimately makes hiring decisions about
17 those professionals?

18 COMMISSIONER BURNS: That's
19 myself.

20 COUNCILWOMAN BROWN: Okay. So
21 speak to us about your interview process.
22 What did you go through to hire these
23 professionals?

24 COMMISSIONER BURNS: We've
25 had -- I put out job descriptions and

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2 announcements and posted them in various
3 venues and then took in résumés, reviewed
4 the résumés, and then conducted two
5 rounds of interviews.

6 COUNCILWOMAN BROWN: And in
7 that mix of the pool of résumés, were
8 there any women?

9 COMMISSIONER BURNS: Some of
10 this is three years ago. For the ones
11 that -- I would have to -- I don't know.
12 I'd have to look at it, to be honest.

13 COUNCILWOMAN BROWN: Do you
14 think that it matters, when you're
15 building a team, that that team looks
16 like Philadelphia?

17 COMMISSIONER BURNS: Yes.

18 COUNCILWOMAN BROWN: And where
19 in your work product has that been
20 reflected?

21 COMMISSIONER BURNS: I think
22 that it absolutely matters, but I think
23 that there's also some other things that
24 need to be taken into account in terms of
25 particularly some of the technical units

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2 that we have in our department when
3 factoring in candidates and the team and
4 the choice of hires.

5 COUNCILWOMAN BROWN: Okay. Let
6 me just say on the record this is no
7 reflection on the professionals that you
8 have, but there is an expectation that
9 for those of us in leadership and
10 particularly women have, some may argue,
11 obligations, others may argue duty, to be
12 a tunnel, if you will, in lifting up
13 other women to positions of leadership
14 and responsibility.

15 So that's what I'll leave you
16 with this year.

17 COMMISSIONER BURNS: Okay.

18 COUNCILWOMAN BROWN: Let's now
19 go to businesses that you find not in
20 compliance, and there's a procedure that
21 you go through to send letters to alert
22 businesses that they are out of
23 compliance.

24 What type of grace period is
25 given to those businesses, and/or what

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2 type of technical assistance is given to
3 those businesses so that they're not
4 forced to shut down but are rather --
5 their hand is held so that they can keep
6 their businesses running so that those
7 business owners and employees can feed
8 their families, et cetera, et cetera?

9 Please speak to us about what
10 happens prior to someone getting a
11 letter, how much time they have after the
12 receipt of that letter for compliance,
13 and then what happens after that.

14 COMMISSIONER BURNS: Certainly.
15 A general rule -- and our compliance
16 period is based on the nature and
17 basically the egregious nature of what
18 the condition is that exists.

19 But a general rule is thirty
20 days for compliance.

21 So we'll do our initial
22 inspection and provide thirty days to
23 comply. We will then reinspect and
24 provide another thirty days to comply,
25 reinspect a third time for thirty days.

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2 And then if it's not complied after that
3 time period, we will seek the Municipal
4 Court generally to either get a fine or
5 get in compliance.

6 There are instances generally
7 when we will cease a business, but we
8 provide an intent to cease first, which
9 does give a period of due process to
10 comply with our violation.

11 The third category that we have
12 in terms of our businesses is our
13 business district survey --

14 COUNCILWOMAN BROWN: Okay.

15 COMMISSIONER BURNS: -- where
16 we actually are proactively going out to
17 business corridors in the City.

18 COUNCILWOMAN BROWN: Okay.

19 COMMISSIONER BURNS: And in
20 those instances, we provide a letter that
21 we hope is an educational letter first
22 before we even do our initial inspection.

23 We'll provide the educational
24 letter, inspect within 45 days, and then
25 follow that process that I just outlined.

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2 COUNCILWOMAN BROWN: Okay.

3 Does the business owner or, in some
4 instances, resident have a chance to --
5 you probably mentioned this step, have a
6 chance to put in writing, "These are the
7 hurdles I'm facing to move towards
8 compliance. Can I be given X-number of
9 days so I can to move into compliance?"

10 COMMISSIONER BURNS: Yes. They
11 always have that opportunity. They also
12 can call our inspector or the supervisor
13 that's listed on the violation notice
14 itself.

15 We -- depending on the nature
16 of the violation will depend upon our
17 response in terms of that request.

18 COUNCILWOMAN BROWN: Okay, all
19 right. And I raise it only because in
20 the last year, my office has been
21 approached to help business owners,
22 interestingly enough, female business
23 owners, who were out of compliance and
24 wanted to move toward compliance but felt
25 squeezed, I guess, to get everything done

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2 that they need to get done so that they
3 could keep their businesses open.

4 And what I hear from you is
5 that folks actually do get a chance to
6 state in writing why -- what's taking
7 them so long.

8 COMMISSIONER BURNS: They do.
9 And every action taken by the Department
10 is an appealable action to one of three
11 appeal boards within thirty days' notice
12 of our action.

13 COUNCILWOMAN BROWN: Okay, all
14 right then.

15 Councilman Goode has already
16 addressed many, if not all, of the
17 questions around MBE/WBE, so I will not
18 revisit that.

19 You did answer the questions
20 about the type of programs, seminars, and
21 symposiums you do to develop potential
22 vendors.

23 And so, speak to us essentially
24 about what happens. You attend an
25 Hispanic Chamber of Commerce event, you

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2 make the pitch, and what happens after
3 that?

4 COMMISSIONER BURNS: Then are
5 OEO officer, in conjunction with the
6 Office of Economic Opportunity, will
7 reach out actually directly to vendors
8 that are -- in this case we're speaking
9 about demolitions.

10 COUNCILWOMAN BROWN: Okay.

11 COMMISSIONER BURNS: That are
12 in the demolition business and work with
13 them on completion --

14 COUNCILWOMAN BROWN: Of
15 paperwork.

16 COMMISSIONER BURNS: Completion
17 of the paperwork. And really, we really
18 have done a strong solicitation and have
19 increased the number of companies that
20 are qualified minority companies in this
21 business.

22 And the other thing that we've
23 done is, we package smaller packages in
24 terms of demolitions so that they can --
25 the smaller companies can get that work.

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2 We also have shifted our
3 billing system right into our -- it
4 should have been in it to begin with, but
5 into our Fiscal Unit so that we can get
6 that payment to vendors within thirty to
7 forty days that the small businesses
8 really need it. Once they do the work,
9 they bill to get it out.

10 COUNCILWOMAN BROWN: Okay.

11 COMMISSIONER BURNS: And we've
12 actually made that commitment to
13 businesses in order to get them in. And
14 I think those steps have gone a
15 significant way to get our participation
16 rate increased, and it's been successful
17 to date.

18 The other thing that we've done
19 is, in our professional services
20 contracts, in the demolition side for
21 asbestos that we can control
22 participation rates, we have -- I have
23 very deliberately made it 50/50 in terms
24 of majority and minority for that
25 professional services contract for

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2 asbestos.

3 COUNCILWOMAN BROWN: Okay.

4 COMMISSIONER BURNS: And our
5 biggest commercial contract for
6 demolition this year for 1801 Courtland
7 Street, which was \$643,000, went to a
8 woman-owned firm.

9 COUNCILWOMAN BROWN: Very good.
10 Local?

11 COMMISSIONER BURNS: Local,
12 yes.

13 COUNCILWOMAN BROWN: Okay, all
14 righty.

15 The temporary workers for
16 clean-and-seal abatement, was the funding
17 your department received from the
18 stimulus dollars via the Way to Work
19 program dedicated to clean-and-seal
20 abatements?

21 COMMISSIONER BURNS: The
22 majority was, yes.

23 COUNCILWOMAN BROWN: Okay. And
24 out of those temporary clean-and-seal
25 abatement workers, were any of them

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2 transitioned into other departments upon
3 completion of their temporary position?

4 COMMISSIONER BURNS: They were
5 not, but we have -- what we've done with
6 those employees, particularly because
7 they're trained -- and I'll tell you
8 this, they've also done a very good
9 job -- is encourage them to take the test
10 for our abatement worker list and hire
11 them off the list. And we have been
12 successful in that.

13 COUNCILWOMAN BROWN: Very well.
14 You state there's an interim working or
15 compelling good owner information for
16 each of the 25,000 vacant structures.

17 Speak to us about the progress
18 that the Department has had around that
19 still big elephant we're trying to...

20 COMMISSIONER BURNS: The impact
21 in only a few short months has been
22 phenomenal. We actually have four
23 interns -- three women, one male.

24 But anyhow, we have four
25 interns, and they're phenomenal. They

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2 are going -- they have a list of work of
3 where they're checking a variety of
4 databases. We actually have access and
5 training to an IRS database.

6 COUNCILWOMAN BROWN: Mm-hmm.

7 COMMISSIONER BURNS: And they
8 are going through every one of the 25,000
9 addresses to find where the actual
10 owner -- where we believe the actual
11 owner to reside.

12 And while we haven't -- we're
13 going to begin on April 25th with this
14 targeting and enforcement, but where we
15 haven't -- we don't know yet really what
16 the impact is, but we believe it's going
17 to be strong.

18 COUNCILWOMAN BROWN: Mm-hmm.

19 Is that a first type of effort that's
20 been focused and targeted on the vacant
21 structure number?

22 COMMISSIONER BURNS: It's the
23 first type of evidence in terms of
24 finding owners that I'm aware of.

25 COUNCILWOMAN BROWN: Okay. So

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2 if you had to look over the last twelve
3 months of your leadership in that
4 department, what would you cite as your
5 biggest achievement?

6 COMMISSIONER BURNS: In the
7 past twelve months...

8 I think the biggest achievement
9 is that we've set some performance
10 standards in every unit across the
11 Department, and we have maintained and/or
12 exceeded them; and then as a result, have
13 even made our performance standards, in
14 terms of accountability, shorter.

15 We've -- we've realigned what
16 you can expect from us based on really
17 looking at what we're doing.

18 COUNCILWOMAN BROWN: Mm-hmm.
19 Okay, then. Thank you for your
20 testimony.

21 Thank you, gentlemen.

22 Thank you, Madam President.

23 COUNCIL PRESIDENT Verna:
24 You're welcome.

25 The Chair recognizes

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2 Councilwoman Sanchez.

3 COUNCILWOMAN SANCHEZ: Thank
4 you, Madam President.

5 Good Morning, Commissioner.

6 COMMISSIONER BURNS: Good
7 morning.

8 COUNCILWOMAN SANCHEZ: Thank
9 you so very much.

10 I know that L&I has been
11 charged with many, many things, and it's
12 one of the budgets we have cut
13 drastically over the last few years. And
14 despite that, you've made tremendous
15 improvements on some of our service
16 areas, so I want to recognize that and
17 really thank you for working with us on
18 some of those issues.

19 I want to talk about some big
20 issues and then get to some smaller
21 issues.

22 I notice in your budget, and
23 we've carried it forth from last year,
24 regarding NTI and NSP2 demos, and in the
25 NSP \$4 million allocation, it's to

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2 restore properties. Whose -- how are
3 those decisions made in the usage of that
4 money?

5 COMMISSIONER BURNS: Okay. For
6 the NSP2 funding, there's three
7 geographical areas in the City that we
8 can basically apply that funding.

9 COUNCILWOMAN SANCHEZ: Okay.

10 COMMISSIONER BURNS: It's Point
11 Breeze, Nicetown, Tioga and Wayne
12 Junction, and Mantua.

13 What we've done is, we've gone
14 out and surveyed on foot with our
15 inspectors in the Emergency Services and
16 Abatement Unit, surveyed all of those
17 three neighborhoods. We have put
18 together maps and listings of those
19 properties that are currently vacant and
20 unsafe.

21 We started with our imminently
22 dangerous list, what we had within those
23 areas that are imminently dangerous.

24 COUNCILWOMAN SANCHEZ: Is that
25 mostly demo, or is some of that -- 'cause

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2 it says "restore." I was wondering what
3 that means.

4 COMMISSIONER BURNS: In terms
5 of L&I, we're purely the demolition arm.

6 COUNCILWOMAN SANCHEZ: Okay,
7 all right. As it relates to the NTI,
8 who's going to be making those decisions
9 about that 10.7 million on demo?

10 COMMISSIONER BURNS: The
11 remaining NTI funding is in two
12 categories:

13 One is \$5,925,347, which is --
14 the Department of Licenses and
15 Inspections will be using that in terms
16 of an imminently dangerous demolition
17 program.

18 And then there's \$4,823,147,
19 which is allocated across the ten Council
20 Districts. And that 4.8 million is --
21 will be determined basically in
22 consultation and direction of the
23 respective Council office.

24 COUNCILWOMAN SANCHEZ: Okay.
25 Is any of this being coordinated through

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2 some of our Philly Rising activities?

3 Are we kind of looking at where we're

4 doing Philly Rising in terms of

5 potentially imminently dangerous

6 properties in areas that we're doing

7 neighborhood transformation stuff?

8 COMMISSIONER BURNS: I think
9 the short answer is yes.

10 We have -- through Philly
11 Rising -- we are definitely a part of
12 Philly Rising and a partner, and we've
13 had a role in terms of our activity.

14 But they have also, in terms of
15 the leadership and the strategy, asked
16 for a lot of information from L&I in
17 making those decision.

18 COUNCILWOMAN SANCHEZ: Yeah. I
19 want to make sure that we're crossing our
20 Ts and dotting our Is as we look at that
21 money.

22 I'm very encouraged. I
23 reviewed your vacant property plan,
24 blight plan, and I know we'll be meeting
25 next week to talk about the details of

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2 that, but I thought it's an important
3 initiative for L&I to take.

4 I was wondering, 'cause it's
5 the phase-in, Phase I through Phase IV,
6 Phase I being areas less blighted, and
7 then IV being the most blighted.

8 Is there any way that we could
9 consider doing Phase I and a pilot of
10 Phase IV? I'm just concerned that a lot
11 of my district falls under the Phase IV
12 as opposed to the Phase I.

13 And I think it would behoove us
14 to do some small pilots about the costs
15 involved in some of this stuff so that we
16 can work through some of the kinks.

17 I wanted to know how open you
18 would be to that, just because districts
19 like mines and some parts of the 5th or
20 3rd may not get touched for a couple of
21 years.

22 COMMISSIONER BURNS: I don't --
23 well, I'm very open to that, but it --
24 this isn't something that I foresee as
25 the enforcement, you know, in terms of

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2 where we had -- especially if we get into
3 courts, maybe it will get prolonged.

4 But I anticipate the L&I, our
5 part of inspection in getting the notices
6 out and getting the letters to be fairly
7 tight.

8 But yes, I'm completely open to
9 that.

10 COUNCILWOMAN SANCHEZ: Yeah. I
11 think, again, it's a good plan, and I'm
12 very happy that, despite the financial
13 challenges, we were able to really begin
14 to look at aggressively blight and vacant
15 properties. So it's a very good plan, so
16 I look forward to working through the
17 details with you.

18 As it relates -- and thank you
19 for working with us on the vacant lot,
20 the fees, refixing the fee, and all of
21 those things.

22 For clarification, was the --
23 when we fixed the bill, was the waiver of
24 the next-door property and the community
25 garden retroactive to this year? because

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2 when we sent out the re-notices,
3 originally people got 750, and then the
4 re-notice went out for 300.

5 When we fix bill, is that going
6 to be retro? Or what should I tell my
7 constituents? 'Cause then they -- now
8 they just got the 300 bill.

9 COMMISSIONER BURNS: The fee is
10 definitely retroactive, and we have
11 rebilled everyone, so that's probably why
12 you're hearing it.

13 The -- we would just need the
14 constituents or the public to contact us
15 either through 3-1-1 or to come in if
16 they are billed and they own the property
17 next door.

18 COUNCILWOMAN SANCHEZ: Okay.

19 COMMISSIONER BURNS: Yeah, to
20 clear that up.

21 COUNCILWOMAN SANCHEZ: Yeah, we
22 should look at that just because I know
23 some people have called 3-1-1. I'd like
24 to be able to facilitate as much as that
25 for you as possible --

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2 COMMISSIONER BURNS: Okay.

3 COUNCILWOMAN SANCHEZ: -- in
4 terms of my constituents --

5 COMMISSIONER BURNS: Okay.

6 COUNCILWOMAN SANCHEZ: --
7 'cause I have so many of them. Like
8 right now, we have like ten in the
9 office.

10 I just want to -- if there's a
11 process that you want us to undertake, it
12 would be helpful for you to tell us.

13 COMMISSIONER BURNS: Okay.

14 COUNCILWOMAN SANCHEZ: And then
15 we would publicize it. And, you know,
16 maybe somebody from L&I can come on the
17 radio show and talk about it. But we've
18 been getting a lot of call-in stuff on
19 it.

20 COMMISSIONER BURNS: Okay.

21 COUNCILWOMAN SANCHEZ: And it's
22 important. As you know, particularly in
23 certain areas of my district, it's very
24 important.

25 COMMISSIONER BURNS: Okay.

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2 COUNCILWOMAN SANCHEZ:

3 Especially my seniors; they're, like,
4 having a fit.

5 Can you talk a little bit about
6 the new position that I see called
7 Executive Director of Development
8 Services?

9 COMMISSIONER BURNS: Yes. We
10 had a Director of Permit Services, and
11 that was a position that's been in the
12 Department for a while, maybe called
13 different things.

14 COUNCILWOMAN SANCHEZ: Mm-hmm.

15 COMMISSIONER BURNS: But that
16 position was vacated.

17 And the Department hasn't had a
18 very strong retention in that position.
19 It's high-stress, it's challenging, it's
20 the front lines of a lot of what we do.

21 COUNCILWOMAN SANCHEZ: Mm-hmm.

22 COMMISSIONER BURNS: And we
23 thought that -- we struggled internally
24 with, do we need a manager or do we need
25 a technician in that position?

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2 COUNCILWOMAN SANCHEZ: Mm-hmm.

3 COMMISSIONER BURNS: So what
4 we've decided is, rather than either/or,
5 we would try to achieve both.

6 So the executive director would
7 be the manager of all of the functions in
8 the Municipal Services Building
9 concourse, which includes Permit
10 Services, Zoning, License Issuance, and
11 our Customer Service, Mechanical as well.

12 And that we would look for a
13 Director of Permit Services that would be
14 a technician with either an engineering
15 background qualifications, qualifications
16 with plan review and/or with some
17 supervisory, obviously, experience.

18 COUNCILWOMAN SANCHEZ: Is that
19 going to be a Civil Service position?

20 COMMISSIONER BURNS: It could
21 be. We have announced it as an exempt.

22 COUNCILWOMAN SANCHEZ: Okay. I
23 think, going back to Councilwoman
24 Blondell Reynolds' piece, it would be
25 good to get a position like that, that

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2 information out to folks. If that person
3 is going to be directing some of the
4 online customer services, that might be a
5 good place for us to --

6 COMMISSIONER BURNS: Okay.

7 COUNCILWOMAN SANCHEZ: So I
8 strongly encourage you to do that.

9 In terms of -- I know we've
10 been, you know, that we've gotten a lot
11 of calls around upgrading the Code, the
12 Fire Code, and other things.

13 Is there any other major
14 undertaking that the Department is going
15 to take this year? Like, if you were to
16 say one to major undertaking? I mean, I
17 think we did a really good job in
18 eliminating a lot of useless licenses,
19 streamlining the customer services.

20 Is there any other major
21 initiative other than this vacant
22 property lot piece that we should be
23 aware of?

24 COMMISSIONER BURNS: Yes. The
25 reformulation of a lot of our form guides

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2 and our instructions and our
3 applications. I'm hoping that -- I mean
4 I -- it could -- we're hoping that that
5 has a big impact.

6 The Saturday shift of our
7 construction inspectors is new and, to
8 me, fairly big in terms of a public
9 announcement.

10 COUNCILWOMAN SANCHEZ: Mm-hmm.

11 COMMISSIONER BURNS: We're
12 going to do a lot of work on our
13 violation notices, and I think -- we're
14 hopeful that that type of work will be
15 beneficial to the public but also help in
16 terms of compliance rates.

17 COUNCILWOMAN SANCHEZ: Okay.
18 As you're doing these forms and these
19 applications, you're obviously providing
20 for language access, different language
21 services?

22 COMMISSIONER BURNS: Yes.

23 COUNCILWOMAN SANCHEZ: Okay.
24 Thank you. Thank you again,
25 Commissioner. I appreciate it.

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2 Thank you, Madam Chair.

3 COMMISSIONER BURNS: Thank you.

4 COUNCIL PRESIDENT Verna:

5 You're welcome.

6 The Chair recognizes Councilman

7 Green.

8 COUNCILMAN GREEN: Thank you,

9 Madam Chair.

10 Good morning, Commissioner.

11 COMMISSIONER BURNS: Good

12 morning.

13 COUNCILMAN GREEN: I just want

14 to say I appreciate your testimony,

15 especially the specific areas of your

16 testimony where you say what you have

17 accomplished with respect to various

18 dollars in specific categories of

19 spending -- for example clean-and-seal

20 and other areas -- and that that is what

21 you will achieve the next year with the

22 same funding, et cetera.

23 It is that sort of results- or

24 outcome-based budgeting that I want to

25 try to apply to everything every

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2 department does. And you've obviously,
3 you know, made a commitment this year
4 that you'll be able to accomplish that,
5 and we'll be able to look at it next
6 year.

7 And that's very important, and
8 I just want to thank you for doing that.

9 COMMISSIONER BURNS: Thank you.

10 COUNCILMAN GREEN: So it was
11 also great to hear about the Department's
12 new consolidated inspector series. This
13 is a great way to increase efficiency and
14 improve customer experience, and I can
15 tell that you my constituent services
16 staff, who are used to sending out
17 inspectors and different inspectors
18 having to go back to the same site two or
19 three times, are reporting to me that
20 when inspectors go out, they're able to
21 accomplish a number of things at one
22 time, and that in the field, it appears
23 to be working quite well, at least from
24 the perspective of my constituent
25 services staff.

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2 So that's just some feedback
3 for you.

4 COMMISSIONER BURNS: Thank you.

5 COUNCILMAN GREEN: So how many
6 consolidated inspector-series positions
7 will L&I have in FY '12?

8 COMMISSIONER BURNS: About 39.

9 COUNCILMAN GREEN: About 39.
10 And what percentage of total inspectors
11 is this?

12 COMMISSIONER BURNS: It's about
13 30 percent, actually.

14 COUNCILMAN GREEN: 30 percent?

15 COMMISSIONER BURNS: Yes.

16 COUNCILMAN GREEN: Is there a
17 plan to continue to expand this?

18 COMMISSIONER BURNS: Yes. The
19 areas that we are hiring, in terms of our
20 projections, is in this code enforcement
21 series, the inspectors in our
22 construction series, and then our plan
23 and review.

24 COUNCILMAN GREEN: Okay. And
25 what percentage will that take us to over

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2 the next year and then the course of the
3 Five-Year Plan; do you know?

4 COMMISSIONER BURNS: And this
5 is percentage of inspectors. It probably
6 will take us to only about 35 percent.
7 It's a self-focused area, but that's --

8 COUNCILMAN GREEN: Okay. So
9 you don't have a plan over time to move
10 all inspectors into the multi-discipline
11 approach?

12 COMMISSIONER BURNS: That's
13 for -- all of our inspectors will go on
14 the operations side and on construction
15 respectively.

16 COUNCILMAN GREEN: Oh.

17 COMMISSIONER BURNS: Sorry.

18 COUNCILMAN GREEN: You said it
19 was going to stop growing at 35 percent,
20 I thought.

21 COMMISSIONER BURNS: I just
22 meant in terms of -- we expect them all
23 to -- I'm sorry. I answered that wrong.

24 We expect them all to be a
25 hundred percent over time in terms of

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2 their training and getting
3 certifications, but the 35 percent is
4 really just the growth in new employees
5 that I expect to hire in that.

6 COUNCILMAN GREEN: In the next
7 year.

8 COMMISSIONER BURNS: In the
9 next year, yes.

10 COUNCILMAN GREEN: Okay. But
11 over five years, it was grow five, ten
12 percent a year as people retire or --

13 COMMISSIONER BURNS: Or
14 hopefully -- yes.

15 COUNCILMAN GREEN: Okay.

16 COMMISSIONER BURNS: Yes,
17 exactly.

18 COUNCILMAN GREEN: Okay. And
19 you're not going back and having existing
20 inspectors get certifications.

21 COMMISSIONER BURNS: We are
22 actually, but it's their decision to do
23 it.

24 COUNCILMAN GREEN: Okay. Have
25 you projected any efficiency savings from

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2 this change in terms of inspections
3 avoided, additional inspections that get
4 done because you don't have to send three
5 people out, et cetera?

6 So not just -- I don't mean
7 just dollar-efficiency savings; I mean
8 your ability to do more because you're
9 only sending one person to a site instead
10 of three, and other people are available,
11 et cetera.

12 COMMISSIONER BURNS: (Consults
13 off-the-record with colleagues.)

14 COUNCILMAN GREEN: And if you
15 haven't calculated that, that's certainly
16 all right, but --

17 COMMISSIONER BURNS: Yes. I
18 have some data here in front of me but
19 I'd have to understand it a bit more
20 before going on record, so I'd be happy
21 to --

22 COUNCILMAN GREEN: If you could
23 provide it to the Chair, I'd appreciate
24 it.

25 COMMISSIONER BURNS: Okay.

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2 COUNCILMAN GREEN: And if you
3 don't have it, if you could think about
4 it, I'd appreciate it.

5 The Five-Year Plan noted that
6 one of L&I's four main areas of focus for
7 FY '12 is becoming "results-driven," and
8 your testimony reflected that -- that the
9 Department will look for measures to
10 better tell a story of compliance and
11 effective code management.

12 That seems like a good goal,
13 assuming the focus is on outcomes. Can
14 you describe the kinds of performance
15 measures the Department plans to use and
16 how you will track performance?

17 COMMISSIONER BURNS: Certainly.
18 Where we started was looking at setting
19 some service-level measures and then
20 trying to meet them and understanding
21 with our staffing what we could and
22 couldn't produce. And we also started
23 from some very basic baselines of
24 counting.

25 Where we -- where we're headed,

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2 and it's the evolution, for instance, in
3 terms of even our permit reviews, looking
4 at our rear review data, to look at our
5 impact to actually of when we actually
6 issue the permit and how long it takes.

7 In terms of our outcome-based

8 --

9 COUNCILMAN GREEN: Do you
10 have -- I'm sorry, Commissioner.

11 COMMISSIONER BURNS: Yeah.

12 COUNCILMAN GREEN: I don't mean
13 to interrupt.

14 COMMISSIONER BURNS: That's
15 okay.

16 COUNCILMAN GREEN: But do you
17 have a written plan for this?

18 COMMISSIONER BURNS: We do,
19 yes.

20 COUNCILMAN GREEN: If you would
21 forward that to the Chair --

22 COMMISSIONER BURNS: Okay.

23 COUNCILMAN GREEN: -- we can
24 take a look at it. And then if I have
25 questions, I'll --

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2 COMMISSIONER BURNS: Should I
3 continue or just forward it?

4 Just in terms of outcome, what
5 was specifically mentioned in our
6 testimony and the Five-Year Plan, looking
7 at our compliance rates, not only are we
8 getting to our service-level agreements,
9 but is the issue actually resolved.

10 And at what step -- like, we're
11 looking at percentage resolved on first
12 inspection, second, third, and then
13 court. And we're also participating in
14 the outcome-based through the leadership
15 of the Managing Director's Office and
16 PhillyStat.

17 But we're looking at
18 outcome-based departmental and then the
19 larger goals.

20 COUNCILMAN GREEN: I'm glad you
21 mentioned resolved because, you know, a
22 lot of times, we deal with inspectors
23 being sent out based on complaints of
24 citizens. And it's my understanding,
25 from my constituents service staff, that

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2 if an inspector goes out twice and can't
3 gain access, that it is listed as
4 "resolved" or "closed," even though they
5 didn't make the inspection they went
6 there to make. Is that correct?

7 COMMISSIONER BURNS: I'll have
8 to look at that. We look at it
9 internally as "could not enter," not
10 "resolved," but that we couldn't enter,
11 so we can't say either way whether the
12 condition actually existed.

13 COUNCILMAN GREEN: But it's
14 closed. And that's -- if you know what I
15 mean, that's --

16 COMMISSIONER BURNS: Yes.

17 COUNCILMAN GREEN: Okay. In
18 terms of the statistics that the
19 Department prepares, there was also --
20 certainly with respect to 3-1-1, there
21 was a lot of "resolved" when they just
22 transferred it over to the Department,
23 which is still making its way into the
24 statistics we hear about how successful
25 3-1-1 has been because they didn't go

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2 back, you know, and fix the old data
3 essentially.

4 I just want to make sure that
5 as you build this system that there are
6 enough codes so it's clearly understood
7 whether something was resolved or no
8 action was taken because you couldn't get
9 into the premises.

10 COMMISSIONER BURNS: Okay.

11 COUNCILMAN GREEN: Yeah. So
12 also, you mentioned with respect to
13 vacant properties that you're going to go
14 to court after three times. The other
15 thing we deal with all the time is, there
16 are properties that we will call about
17 where there have been consistent
18 complaints where they've been cited 30,
19 40, 50 times.

20 These are not vacant
21 properties; they are often small
22 apartment buildings or, you know, homes
23 on a block with a leaking basement pipe
24 into the neighbor's basement, that sort
25 of thing.

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2 Have you set a number for when
3 you will go to court on issues like that?

4 COMMISSIONER BURNS: Yes. It
5 is now standard three inspections and
6 then we'll go to court.

7 COUNCILMAN GREEN: So what
8 about properties where there are 40
9 violations on the books already? Have
10 you gone back and gone to court on all of
11 those, or is this...

12 COMMISSIONER BURNS: Generally,
13 no. But what we have done -- and I don't
14 have a percentage of how much we've
15 gotten to, but we have, for lack of a
16 better word, cleaned up a lot of old
17 cases, where we have reinspected cases
18 that were open with existing violations.

19 And if we went back out and the
20 violations still existed, we would apply
21 the three and then to court.

22 COUNCILMAN GREEN: Then
23 apply...?

24 COMMISSIONER BURNS: The three
25 inspections and then to court.

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2 COUNCILMAN GREEN: Why wouldn't
3 you, at that point, when there's 40
4 already, why doesn't the next inspection
5 trigger boom, we're going to court?

6 COMMISSIONER BURNS: We can
7 take a look at that.

8 COUNCILMAN GREEN: I mean, it
9 seems to me that, you know, the
10 neighbors, the neighborhood are
11 complaining, "I've waited long enough,"
12 and it's not -- it's 43, you know.

13 So if you just look at that.

14 COMMISSIONER BURNS: Absolutely.

15 COUNCILMAN GREEN: And I don't
16 know what kind of resources it would
17 take, and it may be a resource issue; I
18 understand that.

19 But, you know, I think we lack
20 credibility in neighborhoods in the
21 business community because we have so
22 many laws on our books that we don't
23 enforce, and I'd like us to change that
24 perception of the City, like what's the
25 point of the law if you're not going to

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2 enforce it anyway?

3 COMMISSIONER BURNS: Right.

4 COUNCILMAN GREEN: And we hear
5 that a lot at neighborhood community
6 groups, et cetera.

7 Let me -- excuse me. So Class
8 250 spending, I'm asking departments,
9 like I did last year, about contract and
10 services. The detail indicates, on page
11 46, a 136,000 line item for both FY '11
12 and FY '12 for professional services.

13 Are contracts already in place
14 for the entire 136,000 in FY '11?

15 COMMISSIONER BURNS: No. The
16 current contract that is in place is the
17 72,000 that I responded to earlier.
18 That's for the code training.

19 COUNCILMAN GREEN: Okay.

20 COMMISSIONER BURNS: The others
21 are not.

22 COUNCILMAN GREEN: And what are
23 they going to be for?

24 COMMISSIONER BURNS: We have a
25 couple of requests for proposals, or

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2 RFPs, that are under draft. One is for
3 leadership training for supervisor and
4 manager levels in the department.

5 The other -- and this is all
6 drafts -- is for a customer survey that
7 would do two things. After we've been
8 out and conducted an inspection, it would
9 hopefully -- we would look at our data
10 and call them back and say, you know, a
11 variety of things: Did you understand
12 what you were told? Do you need the
13 nature of your violation? Do you know
14 how to comply? What was your interaction
15 like with our inspector.

16 And potentially also act as
17 somewhat of an audit in terms of what
18 we're doing. Those are the two big ones.

19 Oh, actually, our third RFP.
20 We mentioned the four interns that are
21 looking at and researching our database
22 for ownership. We just wanted to see
23 what's to see what's out there in terms
24 of professional services in finding and
25 locating people and folks and to see the

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2 costs and look at the cost benefit.

3 COUNCILMAN GREEN: Finding and
4 locating people like absentee landlords
5 and --

6 COMMISSIONER BURNS: Absentee
7 landlords, owners where we have -- when
8 we serve court notice, sometimes we get,
9 you know, notice back that service
10 couldn't be made.

11 COUNCILMAN GREEN: Right,
12 right.

13 COMMISSIONER BURNS: Anyhow,
14 that's --

15 COUNCILMAN GREEN: Okay. So
16 that's certainly an important issue.
17 And, obviously, with respect to all of
18 those items, I assume that you're going
19 to look at a cost-benefit analysis
20 regarding whether or not the money going
21 to be spent with outside contractors is
22 less expensive than if we did it
23 internally, et cetera --

24 COMMISSIONER BURNS: That's
25 right.

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2 COUNCILMAN GREEN: -- which may
3 be the case, 'cause there are firms that
4 just do this survey stuff for --

5 COMMISSIONER BURNS: Right.

6 COUNCILMAN GREEN: But if we
7 can do it internally for less money.
8 We'd like at that, I assume.

9 COMMISSIONER BURNS: Absolutely.

10 COUNCILMAN GREEN: Okay. In a
11 sort of ripped-from-the-headlines
12 question, I have a few questions about
13 parking, illegal parking lots, for
14 example.

15 Do you the -- is that your
16 department that would inspect sort of
17 illegal parking lots or things like that?

18 COMMISSIONER BURNS: If a
19 parking lot does not have the proper
20 zoning or the use to be a parking lot
21 and/or if they're not properly licensed,
22 then yes.

23 COUNCILMAN GREEN: Okay. So
24 will the same -- that doesn't seem like a
25 situation where a three rule should apply

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2 if someone is parking illegally on a lot.

3 What is our policy with respect to that?

4 Have we just -- to change the -- let me

5 change this question.

6 Do we have a map? Do we have a
7 GIS map of all legal parking lots?

8 COMMISSIONER BURNS: I haven't
9 mapped them, but we could do that.

10 COUNCILMAN GREEN: I think my
11 suggestion would be we create a legal --
12 a map of all -- a GIS map of all legal
13 parking lots, which you can then give to
14 inspectors.

15 And I would suggest we pay for
16 some overtime on weekends and evenings,
17 which is when this is being used and
18 allow them to simply drive through, take
19 pictures of illegal lots, as the industry
20 themselves have done, and then we need to
21 work to find people and close these down;
22 or license them, if it's a commercial
23 property that could be subject to
24 parking.

25 COMMISSIONER BURNS: Okay.

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2 COUNCILMAN GREEN: I think the
3 first step in solving the problem is
4 identifying where it's legal so that you
5 know everywhere else, it's not legal,
6 'cause I'm sure this issue will come
7 back.

8 There are bills before Council,
9 you know, where people have testified
10 they can make up 7, \$10 million through
11 this effort. And if that's the case,
12 that's a pretty strong return on
13 investment for a few new inspectors.

14 COMMISSIONER BURNS: Okay.

15 COUNCILMAN GREEN: Thank you
16 very much.

17 COUNCIL PRESIDENT VERNA: The
18 Chair recognizes Councilman Jones.

19 COUNCILMAN JONES: Thank you,
20 Madam President.

21 And good morning to you all.
22 How is everyone?

23 COMMISSIONER BURNS: Good
24 morning.

25 COUNCILMAN JONES: I guess my

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2 question -- and a lot of them have been
3 addressed, and I appreciate you putting
4 forth that information.

5 I want to focus on two issues.
6 One, town-and-gown issues relating to
7 universities' interaction with
8 neighborhoods and focus on a piece of
9 legislation that we have proposed and
10 we've worked on with you dealing with
11 three strikes.

12 And basically what we are
13 looking to do with that is try to give
14 some relief to residents in my district
15 and other districts around the City that
16 live near universities.

17 I think I should say for the
18 record that once upon a time, in another
19 life, I was a college student. And once
20 upon a time, in another life, we had
21 recreation post-class.

22 But when there are high
23 concentrations of students in East Falls,
24 in Wynnefield, in Overbrook Farms, in
25 Manayunk, it tends to cause a conflict at

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2 times with more traditional residents.

3 COMMISSIONER BURNS: Mm-hmm.

4 COUNCILMAN JONES: You have
5 been very helpful in putting together a
6 task force to address party houses, as
7 they're called, underage drinking that
8 sometimes occurs with that, but
9 particularly the multiple, unrelated
10 residents in a rental structure.

11 Some of the problems have been
12 acute in the sense that you'll have six,
13 ten unrelated residents in a house
14 clearly violating the law, and we've had
15 multiple hot houses that you've helped us
16 address, that we've actually identified,
17 we've inspected.

18 I guess what I'm trying to get
19 to is where you would be on a three-
20 strikes provision that has been proposed.
21 We have yet to have hearings on it.
22 We've been waiting for some time to go
23 back and forth to see if we could create
24 a piece of legislation that we can live
25 with. It's easy to make laws; it's

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2 better when you make laws that can be
3 enforced.

4 COMMISSIONER BURNS: Mm-hmm.

5 COUNCILMAN JONES: So I'd like
6 you for the record to give us some
7 insight on that.

8 COMMISSIONER BURNS: Certainly.
9 The legislation that we've seen so far
10 and that we've talked about we don't have
11 any opposition to and actually think that
12 we can enforce it.

13 COUNCILMAN JONES: That's
14 succinct, and I appreciate that.

15 We are anxious to work with
16 you. You have made a world of difference
17 in Wynnefield. We have, without chasing
18 our college students away, have let them
19 know that it's important to be good
20 neighbors and important to respect
21 traditional neighbors that have to get up
22 in the morning and go to work. So we're
23 encouraged that you support that.

24 My second question deals
25 with -- on the lines of other

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2 Councilpeople, dealing with property has
3 been vacant for some time. I want to
4 know the interlocking relationship on
5 property acquisition, fines.

6 SB900 and the Broken Window Law
7 and the proposed legislation that I
8 believe Representative Taylor introduced
9 at the State level, I know the Managing
10 Director's Office is trying to come up
11 with a configuration involving L&I,
12 possibly even the Sheriff's Office, and
13 other property acquisition arms of the
14 City to create a expedited manner to turn
15 over properties to municipalities for
16 reuse.

17 Could you talk about that?

18 COMMISSIONER BURNS: Yes.

19 That's -- I mean, our piece to date has
20 largely been under the direction and
21 cooperation of the Managing Director and
22 Finance Director participating in the
23 vacant land strategy.

24 And I know that in terms of the
25 larger -- some of the larger questions,

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2 that we're still taking some time to
3 basically do it -- to do it right in
4 terms of some of those questions
5 particularly.

6 And I can't speak to
7 acquisition and disposition but I do know
8 that I've participated and can attest to
9 very thoughtful and engaging across
10 departmental, across agency conversation
11 and development of that.

12 In terms of Senate Bill 900,
13 we -- and the local ordinance here in
14 City Council, we're enthusiastic,
15 encouraged by it. Looking forward to
16 testing it particularly and really
17 focused on large property owners that
18 hold a high percentage of vacant
19 properties in the City.

20 And so -- and that's definitely
21 added to our strategy and where we're
22 going to go from here in terms of
23 testing.

24 COUNCILMAN JONES: In a perfect
25 world, assuming that SB 900, Senate Bill

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2 900, passes in some form or fashion, in
3 hopes that we kind of find a way around
4 some of the obstacles today versus a
5 brighter tomorrow, how much time would we
6 cut off on acquisition?

7 What is the average time, when
8 we get a blighted property now,
9 optimistically, what would it be in the
10 passage and codification of State, City,
11 acquisition processes? How much time can
12 we cut down?

13 COMMISSIONER BURNS: I don't
14 have the answer to that. I know that, as
15 you alluded to, that the Managing
16 Director and Finance Director are leading
17 that and that a larger and fuller update,
18 I know, is coming.

19 And that's really the answer
20 that I can provide.

21 COUNCILMAN JONES: Again, a lot
22 of our CDCs out there, a lot of our block
23 captains, Mrs. Johnson who sweeps in
24 front of her house every day, looking at
25 the same blighted property, knowing

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2 there's an absentee owner that is waiting
3 to speculate their way into some revenue
4 because of it, she lives in that
5 condition. You and I have walked on
6 blocks like that and many of your staff.

7 COMMISSIONER BURNS: Mm-hmm.

8 COUNCILMAN JONES: I want to
9 give them some hope that help is on the
10 way, to be able to -- either the
11 municipality acquire it or a CDC acquire
12 it.

13 There was once upon a time a
14 guy by the name of Papa who worked with
15 the Vacant Property Review Committee, who
16 was able to help acquire properties and
17 get them in the hands of CDCs that
18 actually had reuse plans.

19 So I'm hoping that through this
20 complicated acquisition, citing, go to
21 court process, that some day we'll be
22 able to send the message to the block
23 captain and to the speculator that we're
24 not putting up with this anymore.

25 So every year, you know, we're

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2 going to ask that question, and hopefully
3 we get closer to it. I know you're a
4 part of the solution; I want to say that
5 on the record. But we are anxiously
6 anticipating that as a tool to rebuild
7 some of our neighborhoods.

8 So I guess I'll transition and
9 ask -- demolition is a part of that. Are
10 we looking into working with some of our
11 universities to talk about recycling some
12 of those demolished materials? Has there
13 been any discussion with like a
14 Philadelphia University who specializes
15 in those kinds of things? And is that
16 something that might generate revenues or
17 at least reduce costs in the future?

18 COMMISSIONER BURNS: With
19 universities, honestly, no, we have not
20 had that conversation.

21 COUNCILMAN JONES: Okay.

22 COMMISSIONER BURNS: A lot of
23 our contractors, because it's cost-
24 beneficial to them, do recycle. But no,
25 at the university level, we have not.

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2 COUNCILMAN JONES: I'd be
3 interested in knowing to what degree they
4 recycle. And I would imagine that if
5 there's a stained-glass window in a
6 property, they'll recycle that.

7 But what other material do they
8 recycle?

9 COMMISSIONER BURNS: I don't
10 have that information right now, but to
11 the extent that we can get it, we will
12 try and provide that.

13 COUNCILMAN JONES: And on the
14 demolition, there used to be a process by
15 way of demolition where they would
16 collapse the building down into the
17 basement, and that was it.

18 How has that changed over the
19 years? Have we used (indiscernible)
20 fill, in other words?

21 COMMISSIONER BURNS: Yes. We
22 take it out and we put fill in.

23 And in terms of our contract,
24 our specification has the size of -- the
25 maximum size of what can be in that fill

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2 in terms of concrete, yes.

3 COUNCILMAN JONES: All right.

4 I'm going to ask one other question.

5 You have, from the beginning,
6 been a advocate for improving the
7 relationship with some of our inspectors,
8 which the vast majority of them are
9 honest and forthright civil servants and
10 credits to our communities, but there are
11 some that have been on the other side of
12 that.

13 And I wanted to know what your
14 efforts are to clean some of that up.
15 More recently, there was some problems
16 with the FBI and others. How are you
17 dealing with that internally?

18 COMMISSIONER BURNS: Over a
19 variety of ways, I think you're statement
20 is right that the majority of our
21 employees are good, honest, hardworking
22 employees; we're neighbors, live in the
23 City, children, aunts, uncles, brothers,
24 sisters. And we have a high regard for
25 the jobs that we do.

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2 The ways that we're looking at
3 the potential of what could happen are
4 numerous. I mean, one, we do have a
5 strong working relationship with the
6 Inspector General's Office and our Chief
7 Integrity Officer. Both have actually
8 spoken to -- and actually, the Integrity
9 Officer is scheduled to speak to our
10 supervisors and managers next month.

11 I now address integrity and
12 ethics at every single opportunity and
13 communication that I have with not only
14 our supervisors and managers but our
15 workforce. I strongly encourage that
16 we're the eyes and ears of each other and
17 that we take responsibility for our own
18 action.

19 But if we hear rumors or
20 something, you know, that we can make
21 anonymous complaints to the Inspector
22 General's Office.

23 We've looked at a couple of
24 actions that potentially on our part
25 could maybe diminish the potential for

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2 corruption or fraud or some use of power
3 that shouldn't be.

4 But I do -- I think, through
5 our work, some of our proactive
6 engagement with our partners and the
7 leadership in the City and through
8 constantly stressing this as a value and
9 one of our -- you know, one of the things
10 that we hold ourselves to, and also just
11 from the employees themselves knowing
12 that they work hard and this is not how
13 they want to be seen, has gone a long
14 way.

15 COUNCILMAN JONES: I think --
16 again, I want to reemphasize that when
17 you came onboard early on, we talked
18 about some of the complaints that I have
19 heard, with some of those interactions.

20 I've been involved in
21 government and economic development most
22 of my adult life and have heard these
23 kind of stories.

24 To your credit, it's easy to
25 deal with things that are working well.

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2 It is more difficult as a manager to deal
3 with things that need work on. And I
4 applaud you for taking this on head-on.

5 And making some substantial
6 improvements. So I want to give you a
7 public congratulations at a person for
8 doing that head-on and taking on that
9 tough issue.

10 COMMISSIONER BURNS: Thank you.

11 COUNCILMAN JONES: All right.

12 Thank you, Madam President.

13 COUNCIL PRESIDENT VERNA:

14 You're welcome.

15 Commissioner, I just have one
16 question I'd like to ask. When a
17 property is demolished, a lien is placed
18 against the property, correct?

19 COMMISSIONER BURNS: A lien is
20 placed if the owner does not pay the bill
21 for the cost of the demolition, yes.

22 COUNCIL PRESIDENT VERNA: My
23 question is: How successful have we been
24 in trying to collect the liens? I mean,
25 I know once the house is sold -- or the

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2 lot, not the house, but the is sold, the
3 lien would have to be paid; would it not?

4 COMMISSIONER BURNS: It does at
5 that time.

6 COUNCIL PRESIDENT VERNA: Would
7 you have any indication as to how much we
8 collect on the liens?

9 COMMISSIONER BURNS: From the
10 point when the lien has to be paid, we've
11 looked at data that it's around 2 percent
12 that we collect of liens.

13 COUNCIL PRESIDENT VERNA: Two
14 percent?

15 COMMISSIONER BURNS: I think
16 that's a safe estimate.

17 COUNCIL PRESIDENT VERNA: Whoa.
18 Thank you.

19 The Chair recognizes Councilman
20 Goode.

21 COUNCILMAN GOODE: Thank you,
22 Madam President.

23 Good morning again,
24 Commissioner.

25 COMMISSIONER BURNS: Good

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2 morning.

3 COUNCILMAN GOODE: Could you
4 explain to me your smaller bid packaging
5 strategy?

6 COMMISSIONER BURNS: Yes. Some
7 of the feedback that we have heard,
8 particularly from minority contractors,
9 is that in order to be competitive, they
10 can't -- either they don't have the
11 manpower and/or they're not a large
12 enough company to really be competitive
13 at bidding on packages that are more than
14 two or three.

15 So therefore, we've
16 intentionally packaged properties so that
17 they can actually bid on the work and be
18 competitive and take the work on.

19 COUNCILMAN GOODE: So if I'm a
20 large majority firm that is located in
21 the suburbs, what stops me from winning
22 bids over local firms and all local firms
23 regardless of who they are owned by?

24 COMMISSIONER BURNS: Honestly,
25 nothing. I understand that --

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2 COUNCILMAN GOODE: So that
3 strategy doesn't necessarily work.

4 COMMISSIONER BURNS: It has
5 worked, but it's not guaranteed.

6 COUNCILMAN GOODE: It's not
7 guaranteed. It's work to some extent,
8 but it's not guaranteed to work and is
9 not necessarily the best strategy.

10 Can Miss Dowd Burton come to
11 the table?

12 (Ms. Dowd Burton comes
13 forward.)

14 COUNCILMAN GOODE:
15 Commissioner, if you did not use a small
16 bid package strategy but you had larger
17 bids that had requirements for the
18 utilization of local firms -- and
19 Councilman Green actually has LVE
20 legislation pending in my committee, and
21 requirements for a diversity of local
22 firms -- might a subcontracting strategy
23 be more effective in terms of capturing
24 more of those contract dollars locally
25 and ensuring better diversity?

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2 The question was for the
3 Commissioner first.

4 COMMISSIONER BURNS: Just in
5 terms of how you just outlined that, it
6 sounds like it would. I don't know the
7 legal ramifications, but it does sound
8 like it would.

9 COUNCILMAN GOODE: It's
10 perfectly legal because you're putting
11 out a bid and still taking the lowest
12 responsible bidder but you're also
13 ensuring there are opportunities for
14 local firms and a diversity of local
15 firms.

16 And I believe, to some extent,
17 Miss Dowd Burton, that is part of the
18 Administration and strategic plan, to
19 maximize participation by identifying
20 subcontracting opportunities; is that
21 correct?

22 MS. DOWD BURTON: It's one of
23 the strategies, Councilman.

24 One of the things we do is look
25 at opportunities for minority-, women-,

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2 and disabled-owned businesses to bid as
3 prime and to actually grow their
4 companies by leading on a transaction as
5 opposed to as a sub.

6 In a number of instances, I've
7 talked to companies where the position of
8 being the sub minimizes, or less than
9 optimizes, their ability to be profitable
10 in a transaction.

11 COUNCILMAN GOODE: In the field
12 of demolition, what is the best strategy
13 to ensure that local firms, and a
14 diversity of local firms, are able to
15 participate? Is it the small bid package
16 strategy, or is it the subcontracting
17 strategy?

18 MS. DOWD BURTON: My position
19 is, it could actually be both. If you
20 have a large bundle, you can certainly
21 put a subcontracting component in, a
22 level of participation at 25 or 35
23 percent. That would guarantee
24 participation absolutely.

25 COUNCILMAN GOODE: So we can

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2 actually ensure participation by local
3 firms and a diversity of local firms by
4 adopting a different strategy or adopting
5 more than one strategy?

6 MS. DOWD BURTON: Yes.

7 COUNCILMAN GOODE: But the
8 strategy that we have right now, does not
9 necessarily ensure participation; is that
10 correct?

11 MS. DOWD BURTON: It's not a
12 guarantee.

13 COUNCILMAN GOODE: Thank you.

14 Thank you, Madam President.

15 COUNCIL PRESIDENT Verna:

16 You're welcome.

17 The Chair recognizes Councilman
18 Clarke.

19 COUNCILMAN CLARKE: Thank you,
20 Madam President. Sorry. I was on a
21 business call about getting a supermarket
22 in my district. I didn't want you to
23 think that I wasn't paying attention to
24 the subject matter at hand.

25 Good morning.

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2 COMMISSIONER BURNS: Good
3 morning.

4 COUNCILMAN CLARKE: Good
5 morning.

6 Commissioner Burns, I'd just
7 like to say that I want to thank you
8 publicly for the level of response that
9 you have given us in our district in
10 terms of getting back and particularly
11 your willingness as a commissioner and
12 top staff to actually come out to walk
13 the streets.

14 And I tell people about that
15 one time, we walked on a block -- I can't
16 remember exact street, Newkirk, Dover --
17 where I was actually a little concerned
18 myself personally about walking down that
19 block, and I turned around, and you were
20 walking right through that block, 'cause
21 it was in somewhat of a challenging
22 environment, and I want to commend you
23 for your willingness to do that.

24 What I wanted to do is ask you
25 a couple of quick questions, one in your

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2 testimony, and I need to get a little
3 clarity.

4 We talk about our 3-1-1 service
5 level agreement and the 95 percent
6 service requests met over the past year
7 within the SLA time period, and there's
8 been some questions about 3-1-1, exactly
9 what the time period means and exactly
10 what "case closed" means, the whole nine
11 yards.

12 I was at a meeting last
13 Saturday, and the Mayor actually was at
14 that meeting, and this is representative
15 of a lot of meetings where you get people
16 in these meetings talking about --
17 telling me that they call 3-1-1, they
18 call 3-1-1, and nothing ever happened.
19 Or they got a ticket or a number, and
20 nothing ever happened.

21 Can you tell me about your
22 department's part in the 3-1-1 role and
23 exactly what does that mean in terms of
24 that time frame, where you say 95 percent
25 of that time frame has been met? What

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2 does that mean?

3 Does it mean that you turn it
4 over to the workforce within your
5 department and then you say, Okay, it's
6 closed. And then when they get to it,
7 it's another story.

8 What does that mean?

9 COMMISSIONER BURNS: No. It
10 should -- what it means is that we set
11 service-level agreements for each of
12 the -- for our majority -- the highest
13 volume of really complaints that we get
14 in through 3-1-1 that request us to take
15 action.

16 And our service-level agreement
17 is the amount of time for us to do that
18 initial inspection.

19 What should be showing up --
20 and, obviously, we're going to take a
21 look at this some more, based on this
22 morning, but it should show up as we've
23 inspected, not that it's closed.

24 We really should only close or
25 comply something if we've taken an

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2 abatement action, if the violation is
3 actually closed or complied, or if -- I
4 think we actually do if we enter the
5 court process as well.

6 COUNCILMAN CLARKE: Okay. So
7 that has more to do with what? 'cause you
8 kind of said a lot of different things
9 there.

10 COMMISSIONER BURNS: Okay.

11 COUNCILMAN CLARKE: I guess let
12 me cut to the chase.

13 COMMISSIONER BURNS: Okay.

14 COUNCILMAN CLARKE: The time
15 someone calls 3-1-1 -- and I'll reference
16 clean-and-seals because, in the earlier
17 testimony, I think it could have been --
18 it may have been by the Chief of Staff; I
19 don't think it was by you. They talked
20 about the various departments, and they
21 talked about clean-and-seals that would
22 be done within a ten-day period.

23 And is that your understanding?

24 I mean, I've never seen that happen.

25 COMMISSIONER BURNS: What

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2 happens, if you request a clean-and-seal
3 specifically through 3-1-1, we first will
4 send out an inspector. The inspector
5 will go within that 30-day time frame and
6 then refer it to clean-and-seal, and then
7 that clean-and-seal -- it's up on the
8 inspector to think that it requires a
9 clean-and-seal. If it is determined that
10 a clean-and-seal is required, that
11 happens within ten days.

12 And that time period between an
13 inspector asking for a clean-and-seal and
14 the clean-and-seal happening is what has
15 decreased significantly from an eight- to
16 ten-month time frame to ten days.

17 COUNCILMAN CLARKE: So the
18 testimony was somewhat misleading 'cause
19 it read as if, somehow, by the time a
20 request is made by a citizen, ten days
21 later, it's clean-and-sealed, but you're
22 actually saying is that the
23 clean-and-seal portion of it is the
24 ten-day period of it --

25 COMMISSIONER BURNS: Yes.

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2 COUNCILMAN CLARKE: -- whereas,
3 the actual department or workforce within
4 the Department --

5 (Rebecca Rhynhart comes
6 forward.)

7 MS. RHYNHART: If I could just
8 add to that. Rebecca Rhynhart, Budget
9 Director.

10 I think that was the original
11 Five-Year Plan testimony as read.

12 COUNCILMAN CLARKE: Right.

13 MS. RHYNHART: And then Clay
14 Armbrister corrected the record to ensure
15 that it was accurately portrayed. So
16 there was -- he did correct the record on
17 that.

18 COUNCILMAN CLARKE: Oh, he did?

19 MS. RHYNHART: Yes.

20 COUNCILMAN CLARKE: I wasn't
21 there for the correction.

22 MS. RHYNHART: It was a little
23 bit later.

24 COUNCILMAN CLARKE: All right.
25 So the ten days is actually the time when

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2 the Clean-and-Seal Unit gets the work
3 order.

4 COMMISSIONER BURNS: Yes.

5 COUNCILMAN CLARKE: And then
6 within that time frame is ten days that
7 they will actually complete the work
8 order.

9 COMMISSIONER BURNS: Yes. I
10 mean, we still --

11 COUNCILMAN CLARKE: But they
12 could -- I'm sorry.

13 COMMISSIONER BURNS: That's
14 okay. In terms of our enforcement
15 process, we still have to give due
16 process to the owner to let them know and
17 give them the opportunity to correct it
18 if they so choose.

19 COUNCILMAN CLARKE: Which they
20 normally don't.

21 COMMISSIONER BURNS: Right.

22 COUNCILMAN CLARKE: All right,
23 okay, all right. That's what I wanted to
24 get at 'cause I actually put in a request
25 for a clean-and-seal and actually gave it

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2 to a current employee of yours, who told
3 me that ten days later, it would be done,
4 and it's not done yet.

5 But that's a conversation we
6 could have after the hearing 'cause, like
7 I say, you have been responsive. Okay,
8 that's clarity on that.

9 This issue about elevators, and
10 I know you and I have had conversations.
11 New construction, there's a requirement
12 to have elevators in buildings that are
13 three stories, which understanding that
14 we have some issues related to
15 accessibility, but I think that
16 requirement seems to add excessive costs
17 to construction, which is one of the
18 things that we've been trying to get a
19 handle on.

20 And it seems like as we --
21 earlier, you guys streamlined some of the
22 provisions as it related to regulations
23 that streamline the construction process,
24 and now we're requiring a person building
25 a three-story building to put an elevator

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2 in that, and it just seems inconsistent
3 with what the ultimate mission is.

4 Could you all kind of talk to
5 me on what the thinking on that one is.

6 (Deputy Commissioner Fink comes
7 forward.)

8 DEPT. COMM. FINK: Good
9 morning, Council President and members of
10 Council. My name is Michael Fink, and
11 I'm Deputy Commissioner for Development.

12 Councilman, the City operates
13 under the Pennsylvania Uniform
14 Construction Code, which is mandated by
15 the State, that utilizes the
16 International Building Code, and there
17 are many accessibility requirements in
18 there, particularly related to new
19 construction.

20 That is one of them. That is a
21 requirement for different types of
22 occupancies.

23 And, in fact, when we issue a
24 permit refusal for someone not in
25 compliance with any of those

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2 accessibility provisions of the Code, the
3 appeal is not even taken locally; it
4 needs to go to Harrisburg to be decided
5 upon.

6 So it's a very -- in the
7 Commonwealth of Pennsylvania, it's a very
8 stringent environment for accessibility
9 requirements.

10 COUNCILMAN CLARKE: What are
11 the specific provisions in the Code? Or
12 what are the types of occupancies that
13 require the implementation of that
14 particular code?

15 DEPT. COMM. FINK: For
16 residential apartment-type occupancies,
17 they're significant relating to different
18 types of dwelling units. There are also
19 --

20 COUNCILMAN CLARKE: When you
21 say "significant," what does that mean?

22 DEPT. COMM. FINK: The layout
23 of the interior space, the alarm systems
24 and their ability to communicate with
25 people with disabilities, the access to

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2 the residential spaces.

3 And the particular case that
4 you're speaking of, if the residential
5 occupancy was located on the first floor,
6 then there would be accommodations for
7 someone with a disability to occupy a
8 unit on the first floor.

9 In the case of that particular
10 building, all of the residential
11 occupancies were on the upper floors.
12 And the way to achieve that is either
13 through a ramp or through an elevator to
14 allow people with disabilities to access
15 those residential units.

16 COUNCILMAN CLARKE: So it has
17 nothing to do with the unit count? I'm
18 just trying to get an understanding of --
19 I mean, this seems like -- and I'm a
20 strong supporter of accessibility as it
21 relates to units.

22 This particular case, it's a
23 mixed-use commercial first floor, student
24 housing on the second and the third, and
25 you're requiring an elevator in that.

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2 Just from a layperson's
3 perspective, it seems a little excessive.

4 DEPT. COMM. FINK: It is
5 related to the number of units, but it's
6 fairly low.

7 COUNCILMAN CLARKE: What's the
8 number?

9 DEPT. COMM. FINK: I forget
10 offhand.

11 COUNCILMAN CLARKE: Can you --

12 DEPT. COMM. FINK: We can
13 provide that information, sure.

14 COUNCILMAN CLARKE: So, do you
15 have a sense? Six, ten?

16 DEPT. COMM. FINK: I'd be
17 guessing if I --

18 COUNCILMAN CLARKE: You'd be
19 guessing? All right. I'm just of -- all
20 right.

21 So -- okay. So in other words,
22 if there is a unit, the question is, in
23 the units, within the structure, if there
24 is a unit on the first floor, regardless
25 of the number of units --

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2 DEPT. COMM. FINK: Yes.

3 COUNCILMAN CLARKE: -- then
4 you're not required to have an elevator.

5 DEPT. COMM. FINK: If there is
6 residential space on the first floor
7 that's accessible from the public way,
8 then that would have satisfied that
9 requirement.

10 COUNCILMAN CLARKE: So --

11 DEPT. COMM. FINK: In this
12 case, the developer did not want to
13 utilize any of the first-floor space for
14 residential occupancies. All of those
15 were located above the commercial space,
16 requiring that those be accessible.

17 Sometimes that can be achieved
18 through ramps. And in this particular
19 case, being new construction, the --
20 because of the space restrictions, I
21 believe they chose to put an elevator in.

22 And like I said, they have an
23 opportunity to go to Pennsylvania Labor
24 and Industry to appeal those decisions if
25 there are technical and feasibility

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2 issues related to that, but that would be
3 the avenue for them to appeal those
4 requirements.

5 COUNCILMAN CLARKE: Okay, okay.

6 DEPT. COMM. FINK: Just to
7 note, the International Building Code is
8 considered a safe harbor for Americans
9 with Disability Act requirements, so it
10 is in line with federal requirements
11 also.

12 COUNCILMAN CLARKE: Okay, all
13 right. I didn't know that it was a State
14 code when we had the earlier
15 conversation; I thought it was a local
16 requirement.

17 DEPT. COMM. FINK: Yes, sir.

18 COUNCILMAN CLARKE: Okay.

19 Thank you.

20 Thanks, Madam President.

21 COUNCIL PRESIDENT Verna:

22 You're welcome.

23 The Chair recognizes Councilman
24 Greenlee.

25 COUNCILMAN GREENLEE: Thank

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2 you, Madam President.

3 I guess it's "good afternoon"
4 now.

5 Just one question I wanted to
6 ask earlier, and I don't think anybody
7 asked this. If they did, I apologize.

8 Demolitions, how many -- do you
9 know how many are on your list right now
10 and what kind of the time frame and the
11 backlog is?

12 COMMISSIONER BURNS: As of
13 April 1, 2011, we had 21 imminently
14 dangerous structures that we intended to
15 demolish, if not demolished by the owner.

16 COUNCILMAN GREENLEE: Okay.
17 And how long would -- like, if the owner
18 doesn't respond, how long do you think
19 that would take to get? Is there a --
20 'cause the reason I ask, I know we talked
21 about that property with the tree growing
22 up in the middle of it.

23 COMMISSIONER BURNS: Once we
24 put it out to bid, our contract requires
25 that it's demolished within thirty days.

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2 COUNCILMAN GREENLEE: Uh-huh.

3 COMMISSIONER BURNS: So I
4 usually give a conservative estimate of
5 sixty to ninety days.

6 COUNCILMAN GREENLEE: Okay.
7 Does that sound like a lot for what you
8 call "imminently dangerous"? I mean, I
9 know you have certain criteria.

10 COMMISSIONER BURNS: Yes.

11 COUNCILMAN GREENLEE: I'm just
12 thinking it sounds like if you tell
13 somebody -- like I said, if they live
14 next to a house with a tree growing up
15 and splitting the house, it sounds like a
16 lot of time.

17 COMMISSIONER BURNS: I mean, we
18 do do curbsides --

19 COUNCILMAN GREENLEE: Uh-huh,
20 okay.

21 COMMISSIONER BURNS: -- which
22 are with -- overnight or the same day,
23 but I felt pretty strongly that our -- a
24 lot of our bids should go through
25 Procurement.

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2 COUNCILMAN GREENLEE: Mm-hmm.

3 COMMISSIONER BURNS: Curbside
4 bids are done on the street. So we've
5 taken a very close look at what's
6 curbside versus what's bid through
7 Procurement.

8 COUNCILMAN GREENLEE: Mm-hmm.
9 And just one last thing, just following
10 up on Councilman Clarke's about the
11 clean-and-seal.

12 I guess I lost you a little
13 bit. The time frame. Again, it seems
14 like I ask a lot about time frames.

15 COMMISSIONER BURNS: That's
16 okay.

17 COUNCILMAN GREENLEE: But
18 what -- like, what is a normal time frame
19 once a property is inspected, say, to get
20 it cleaned and sealed?

21 COMMISSIONER BURNS: Once it's
22 inspected, as long as our inspector sends
23 it for abatement within our department to
24 our Clean-and-Seal Unit, it should take
25 ten days.

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2 COUNCILMAN GREENLEE: Ten days
3 after the inspection.

4 COMMISSIONER BURNS: Yes.
5 That's what we're --

6 COUNCILMAN GREENLEE: Okay, all
7 right. Well, I wasn't clear on that.
8 All right. Thank you.

9 Thank you, Madam President.

10 COUNCIL PRESIDENT VERNA: Thank
11 you.

12 Commissioner, I personally want
13 to thank you and your staff for doing an
14 excellent job.

15 COMMISSIONER BURNS: Thank you.

16 COUNCIL PRESIDENT VERNA: I
17 recall years ago that at a public hearing
18 such as this, I would literally take in
19 my folders, which would be this high,
20 with requests or complaints, you know,
21 that we had received for L&I to address.
22 And it took forever.

23 You've been extremely
24 responsive. I think you're doing an
25 excellent job, and I applaud you and your

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2 department.

3 COMMISSIONER BURNS: Thank you
4 very much.

5 COUNCIL PRESIDENT Verna:
6 You're welcome. Are there any other
7 questions?

8 COUNCILMAN CLARKE: One last
9 question.

10 COUNCIL PRESIDENT Verna:
11 Councilman Clarke.

12 COUNCILMAN CLARKE: Thanks,
13 Madam President.

14 One last question. A few years
15 ago, we passed a bill, the -- I think it
16 was the tree overhang. I can't remember
17 the exact title. It was a tree
18 encroachment bill, where the City of
19 Philadelphia could be called and issue a
20 code violation if a tree was growing up
21 in this particular property and it was
22 hanging over, creating a dangerous
23 condition on the adjacent property.

24 COMMISSIONER BURNS: Yes.

25 COUNCILMAN CLARKE: Are you

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2 enforcing that bill? Can we still expect
3 the enforcement of that bill?

4 COMMISSIONER BURNS: Yeah. If
5 we do inspect to those complaints. If
6 it's creating a dangerous condition, a
7 severe dangerous condition, we'll take
8 abatement action. If we were to look at
9 it, we generally don't.

10 I know the law also provides
11 for that adjacent property owner that is
12 being impacted or affected by a tree
13 overhand, that they have the right to cut
14 the tree and remove the condition.

15 But for ones that we find to be
16 imminently dangerous we do take action
17 on.

18 COUNCILMAN CLARKE: Okay. Let
19 me clarify the action.

20 COMMISSIONER BURNS: Mm-hmm.

21 COUNCILMAN CLARKE: One is
22 issuing a code violation to the adjacent
23 property owner.

24 In the event, which is
25 unfortunately too often the case, the

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2 adjacent property owner is either not
3 there or it's a vacant property, what's
4 the next step?

5 COMMISSIONER BURNS: Well, if
6 it's a -- I don't mean to diminish it,
7 but if it's a property-maintenance issue,
8 we basically tell people, You're going to
9 have to take the action upon yourself to
10 cut the tree back or get the tree cut
11 back and/or enter into some type of civil
12 suit between owners, property owners.

13 However, if it's something that
14 we feel like the condition of the tree is
15 going to hurt someone and we feel that
16 it's severe in that way, we have and we
17 do remove trees, but it is only in those
18 cases where we think that it's a severe
19 danger.

20 COUNCILMAN CLARKE: That we
21 will --

22 COMMISSIONER BURNS: There's a
23 difference between obviously an
24 aggravating nature of a tree hanging on
25 your properties, which does cause --

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2 clogs gutters. You know, you have to
3 clean it up, that type of thing, versus a
4 tree that could fall upon a house or
5 could really do some significant
6 structural damage that could then hurt
7 passerbys or adjoining neighbors.

8 So I can think of a couple of
9 trees that I just happen know that we
10 have removed over the past years that
11 have fallen into that category, but I
12 don't want to --

13 COUNCILMAN CLARKE: So you
14 can't say --

15 COMMISSIONER BURNS: -- make
16 any false --

17 COUNCILMAN CLARKE: All right.

18 COMMISSIONER BURNS: -- that
19 we're in the tree-removal business.

20 COUNCILMAN CLARKE: I
21 understand why you're stepping lightly on
22 this one.

23 But the reality is that we do
24 have a number of situations, and I
25 understand everything is a budgetary

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2 issue, but I've seen recently actually
3 situations where probably a strong storm
4 away from the tree actually collapsing on
5 or a limb actually collapsing and falling
6 on the property, and then it's done, and
7 then we might have to go out and do
8 whatever.

9 So I guess my question is, I
10 hear what you're saying and I understand
11 why you're dealing with this in a very --

12 COMMISSIONER BURNS: Treading
13 lightly.

14 COUNCILMAN CLARKE: -- cautious
15 way.

16 COMMISSIONER BURNS: Mm-hmm.

17 COUNCILMAN CLARKE: Is there
18 some sort of a threshold, a written
19 threshold, a regulatory threshold that
20 determines when we can, in fact, abate
21 that particular nuisance?

22 COMMISSIONER BURNS: We
23 haven't -- in our policy, we have not
24 addressed the written threshold for
25 trees.

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2 COUNCILMAN CLARKE: Okay, okay.

3 I'm going to leave this alone for now.

4 COMMISSIONER BURNS: Okay.

5 COUNCILMAN CLARKE: But I'll
6 call you later.

7 COMMISSIONER BURNS: I expect
8 as much.

9 COUNCILMAN CLARKE: All right,
10 thanks.

11 COUNCIL PRESIDENT VERNA: And,
12 Councilman, you talk about the trees and
13 vacant property. You know, I get more
14 complaints about a weed starting to grow
15 in an alley, and before you know it, it's
16 a full-blown tree.

17 And people do not realize it's
18 their responsibility to do something
19 about it. And at the same time, it does
20 cause a hazard, because, God forbid, in
21 the event of a fire, it's a problem.

22 But you can't address that
23 either, can you?

24 COMMISSIONER BURNS: Not aside
25 from writing violations to have the

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2 private property owner take the
3 responsibility.

4 COUNCIL PRESIDENT Verna: And
5 could you notify the property owner in
6 question in writing that it is posing a
7 hazardous condition and they must remove
8 the tree, or they will be cited?

9 Do we ever cite people for not
10 removing the tree in an alleyway?

11 COMMISSIONER BURNS: Generally,
12 no, unless we can tie the tree to
13 actually being on a private property.
14 Since alleys are common and publicly-
15 owned, we --

16 COUNCIL PRESIDENT Verna: Not
17 publicly. I thought an alley was
18 commonly owned.

19 COMMISSIONER BURNS: Commonly
20 owned. I'm sorry.

21 Since they're commonly owned,
22 we have a hard time in putting the
23 responsibility where it's placed.
24 Sometimes we can and we feel justified in
25 doing so, but it -- most times, because

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2 it is commonly owned, we do not.

3 COUNCIL PRESIDENT VERNA: Okay.

4 Any other questions or comments from
5 members of the committee?

6 (No further questions.)

7 COUNCIL PRESIDENT VERNA:

8 Again, did you want to say something?

9 COMMISSIONER BURNS: I just
10 want to say thank you, and I do have the
11 board's testimony following that we
12 sometimes forget.

13 COUNCIL PRESIDENT VERNA: Fine,
14 thank you. Okay.

15 MR. McPHERSON: Board of L&I
16 Review.

17 COMMISSIONER BURNS: Good
18 morning, Council President Verna and
19 members of Council. I am Fran Burn,
20 Commissioner of Licenses and Inspections.
21 I appreciate the opportunity to present
22 the Board of Licenses and Inspections
23 Review Fiscal Year 2012 Operating Budget
24 request.

25 The Board of Licenses and

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2 Inspections Review is requesting a total
3 Fiscal Year '12 Budget of \$155,721 in the
4 City's General Fund, of which \$140,645 is
5 Class 100, and \$15,076 is Class 200.

6 The Fiscal Year '12 Budget will
7 fund two full-time General Fund
8 positions.

9 I am available to answer any
10 questions you have at this time.

11 COUNCIL PRESIDENT VERNA: Thank
12 you.

13 Are there any questions from
14 members of the committee?

15 (No questions.)

16 COUNCIL PRESIDENT VERNA:
17 Seeing none, we will now take on...

18 MR. MCPHERSON: The Board of
19 Building Standards.

20 COMMISSIONER BURNS: Again,
21 good morning, Council President Verna and
22 members of Council. I am Fran Burns,
23 Commissioner of the Department of
24 Licenses and Inspections. I appreciate
25 the opportunity to present the Board of

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2 Building Standards Fiscal Year 2012

3 Operating Budget request.

4 The Board of Building Standards
5 is requesting a total Fiscal Year '12
6 budget of \$71,601 in the City's General
7 Fund, of which \$71,542 is Class 100, and
8 \$59 is Class 300.

9 The Fiscal Year '12 request
10 will fund one General Fund position
11 full-time.

12 And I'm available to answer any
13 questions you may have at this time.

14 COUNCIL PRESIDENT VERNA: Thank
15 you.

16 Are there any questions from
17 members of the committee?

18 (No questions.)

19 COUNCIL PRESIDENT VERNA: Thank
20 you.

21 MR. McPHERSON: Zoning Board of
22 Adjustment.

23 COMMISSIONER BURNS: Good
24 morning, Council President Verna and
25 members of Council. I am Fran Burns,

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2 Commissioner of the Department of
3 Licenses and Inspections. I appreciate
4 the opportunity to present the Zoning
5 Board of Adjustment Fiscal Year 2012
6 Operating Budget request.

7 The Zoning Board of Adjustment
8 is requesting a total Fiscal Year '12
9 Budget of \$362,756 in the City's General
10 Fund, of which \$320,960 is Class 100 and
11 \$41,796 is Class 200.

12 The Fiscal Year '12 request
13 will fund five full-time General Fund
14 positions.

15 I am available to answer any
16 questions at this time.

17 COUNCIL PRESIDENT VERNA: Thank
18 you.

19 The Chair recognizes Councilman
20 Greenlee.

21 COUNCILMAN GREENLEE: Thank
22 you, Madam President.

23 Real quick, Commissioner. Just
24 another time frame question. When
25 someone applies for a zoning -- for a

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2 variance, do you know how long it takes?

3 Say, if it's not expedited or expedited,

4 both. What's the -- how long that

5 usually takes?

6 COMMISSIONER BURNS: Apparently,

7 with the Zoning Board of Adjustment, it's

8 six weeks for a regular and twelve days

9 for accelerated. And twelve days is the

10 minimum amount of time for posting.

11 COUNCILMAN GREENLEE: Okay,

12 gotcha. Okay, thank you.

13 Thank you, Madam President.

14 COUNCIL PRESIDENT VERNA: Thank

15 you.

16 Any other questions?

17 (No further questions.)

18 COUNCIL PRESIDENT VERNA:

19 Seeing no one, again, I thank you.

20 COMMISSIONER BURNS: Thank you

21 very much.

22 MR. MCPHERSON: The next

23 department is the Philadelphia Historical

24 Commission.

25 (Witness comes forward.)

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2 COUNCIL PRESIDENT Verna: Good
3 afternoon. Please identify yourself for
4 the record and proceed with your
5 testimony.

6 MR. FARNUM: Good afternoon,
7 Council President Verna and members of
8 City Council. I am John Farnum,
9 Executive Director of the Philadelphia
10 Historical Commission.

11 I present for your review and
12 consideration the Historical Commission's
13 Operating Budget request in the amount of
14 the \$387,784 for Fiscal Year 2012. The
15 request includes \$385,995 for Class 100
16 employee compensation, \$980 for Class 200
17 services, \$809 for Class 300 and 400,
18 equipment and supplies.

19 The proposed budget is \$16,158,
20 or 4 percent, less than the adopted
21 appropriation for Fiscal Year 2011.

22 The number of approved staff
23 positions, all of which are filled,
24 remains at six.

25 Created by a City Council

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2 ordinance in 1955 and reorganized in the
3 1985 under Section 14-2007 of the
4 Philadelphia Code, the Historical
5 Commission is responsible for ensuring
6 the preservation of historically
7 significant buildings, structures, sites
8 objects, and interiors in districts.

9 The Commission identifies and
10 designates historic resources, listing
11 them on the Philadelphia Register of
12 Historic Places and regulates
13 preservation through the City's building
14 and other permitting processes.

15 With its federal certification,
16 the Commission performs federally-
17 mandated environmental clearance and
18 historic preservation reviews for public
19 and quasi-public municipal agencies.

20 During all of its reviews, both
21 local and federal, the Commission
22 safeguards the City's unique heritage and
23 wealth of cultural resources as it
24 encourages economic development; promotes
25 healthy and sustainable communities;

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2 enhances property values; attracts new
3 residents, businesses and tourists;
4 provides educational opportunities; and
5 fosters civic pride.

6 Under Section 14-2007 of the
7 Philadelphia Code, the Commission has
8 designated more than 21,000 properties as
9 historic, many of which are located in
10 the Commission's 14 historic districts.

11 Additionally, the Commission
12 regulates the preservation of more than
13 400 properties in the Manyunk area under
14 Chapter 7 of the Property Maintenance
15 Code.

16 To protect historic resources,
17 the Commission reviews building and other
18 permits applications, ensuring that
19 proposed work satisfies preservation
20 standards.

21 In calendar year 2010, the
22 Commission approved 1,424 applications, a
23 29 percent increase over 2009.

24 It also conducted 17 reviews
25 for the Historic Home Repair program,

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2 which provided preservation grants to
3 low- and moderate-income homeowners.

4 During the year, the Commission
5 designated two historic districts (the
6 Aubrey and East Logan Street Historic
7 Districts), four individual sites, and
8 one interior as historic, and rescinded
9 the designation of one site.

10 Under a programmatic agreement
11 with state and federal government
12 agencies, the Commission conducts
13 reviews, commonly called Section 106
14 reviews, for programs funded by the
15 federal Department of Housing and Urban
16 Development through the local Office of
17 Housing and Community Development and
18 other agencies.

19 Performing this task, the
20 Commission conserves City resources,
21 conducting the reviews of the municipal,
22 not the state or federal level, and
23 obviating the need for expensive
24 consultants.

25 In 2010, the Commission

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2 conducted 2,064 federally-mandated
3 eligibility determinations and 196 work
4 plan reviews for projects undertaken by
5 these agencies.

6 Projects included the
7 rehabilitation of housing for elderly,
8 disabled, and low-income persons, and
9 adaptive reuse of commercial properties.
10 In addition, the Commission advises City
11 programs and agencies on state and
12 federal preservation compliance.

13 Finally, the Commission serves
14 as a consulting party in other federal
15 historic reviews conducted in
16 Philadelphia. For example, the
17 Commission is serving as a consulting
18 party in the federal historic
19 preservation reviews for Dilworth Plaza
20 and the City Hall SEPTA Station
21 renovations.

22 The Historical Commission also
23 serves as a clearinghouse for information
24 and history and preservation, providing
25 technical assistance to property owners,

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2 developers, and design professionals, and
3 information on the history of
4 Philadelphia and its built-in
5 environmental cultural-resource
6 management professionals, educators,
7 students, and the public. In 2010, the
8 Commission serviced 234 walk-in research
9 requests and numerous other telephone,
10 e-mail, and mail requests.

11 The Historical Commission is
12 committed to supporting the
13 Administration's goals for minority-,
14 women-, and disabled-owned businesses
15 business participation in City
16 contracting. However, the Commission
17 itself had no contracting opportunities
18 in Fiscal Year 2011 and anticipates no
19 such opportunities in Fiscal Year 2012.

20 Thank you, members of Council,
21 for your attention. I am now happy to
22 address any questions that you may have.

23 COUNCIL PRESIDENT VERA: I see
24 that Councilman Jones's light's on, but I
25 don't see him in the room.

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2 Are there any other questions
3 from members of the Committee?

4 (No questions.)

5 COUNCIL PRESIDENT Verna:

6 Great. Thank you very much.

7 MR. FARNUM: Thank you.

8 COUNCIL PRESIDENT Verna: The
9 committee will stand in recess until
10 1:45, at which time we will hear from the
11 City Planning Commission.

12 Thank you very much.

13 (Lunch break taken.)

14 (Proceedings resume.)

15 * * *

16 COUNCIL PRESIDENT Verna: I
17 would ask Councilmembers to please come
18 to the chamber. We're ready to start our
19 continued public hearing.

20 * * *

21 COUNCIL PRESIDENT Verna: This
22 is a continued public hearing of the
23 Committee of the Whole. We will now hear
24 from...?

25 MR. McPHERSON: The City

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2 Planning Commission.

3 (Witness comes forward.)

4 COUNCIL PRESIDENT Verna: Good
5 afternoon. Please identify yourself for
6 the record and proceed with your
7 testimony.

8 MR. JASTRZAB: Good afternoon,
9 Council President Ann Verna and members
10 of Council. My name is Gary Jastrzab.
11 I'm the Executive Director of the City
12 Planning Commission. Thanks very much
13 for the opportunity to present the City
14 Planning Commission's proposed Operating
15 Budget for Fiscal 2012.

16 The City Planning Commission's
17 Home Rule Charter-mandated functions are
18 to prepare, adopt, and modify a
19 comprehensive plan of the City to prepare
20 an annual Capital Program and Budget; to
21 prepare proposed zoning ordinances, maps,
22 and amendments; to prepare regulations
23 concerning the subdivision of land; and
24 to make recommendations to City Council
25 on all of the foregoing, in addition to

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2 the acquisition or sale of City real
3 estate.

4 The Commission's
5 responsibilities also encompass economic
6 community development and environmental
7 planning concerns. New emphasis is
8 focused in recent years on issues of
9 sustainability, neighborhood conservation
10 and preservation, and humanizing the
11 scale of the City through urban design.

12 The City Planning Commission's
13 proposed Operating Budget of \$3,343,914
14 is comprised of three components: A
15 General Fund request for \$2,257,200; a
16 Community Development Fund request for
17 \$382,236; and an appropriations request
18 for \$704,478 in the Grants Revenue Fund.

19 This is a net increase of
20 \$503,907 over the Commission's Fiscal
21 2011 estimated obligations due to a
22 \$529,857 increase in requested
23 appropriation from the Grants Revenue
24 Fund and a \$25,950 reduction in the
25 Community Development Block Grant fund.

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2 Our General Fund request
3 remains unchanged from Fiscal Year 2011.

4 The additional Grants Revenue
5 Fund appropriations reflect anticipated
6 grant awards and current competitive
7 grant requests in Fiscal Year 2012.

8 These grants will support our
9 comprehensive planning and zoning map
10 adjustment process, including the
11 district plans, which are now getting
12 started.

13 In regard to grants, I'd like
14 to note that over the past several years,
15 the City Planning Commission has
16 aggressively pursued competitive grant
17 opportunities. We recently received
18 notice of a two-year grant award from the
19 William Penn Foundation, which will our
20 supplement our comprehensive planning
21 work, will allow the further development
22 of the Citizens Planning Institute
23 curriculum. We have just applied to the
24 Urban Land Institute for operational
25 funding for the Citizens Planning

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2 Institute, and we are anticipating
3 another round of the Delaware Valley
4 Regional Planning Commission's
5 transportation and Community Development
6 Initiative Grant program to support our
7 departmental planning efforts.

8 In Fiscal 2012, the City
9 Planning Commission is anticipating a
10 staffing level of 42 positions: 38
11 General Fund positions, 3 Community
12 Development Fund positions, and 1 Grants
13 Revenue Fund position. This maintains
14 our staffing level from the current
15 fiscal year, Fiscal Year 2011.

16 During the past year, the City
17 Planning Commission continued its ongoing
18 work and undertook several new
19 initiatives. Begun during the second
20 half of Fiscal 2010, the Commission is
21 nearing completion of a citywide
22 comprehensive plan known as Philadelphia
23 2035. This long-range plan will create a
24 framework for the continued growth and
25 development of the City. It's the first

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2 citywide comprehensive plan that has been
3 undertaken in 50 years. Here is the
4 draft of that comprehensive plan
5 document.

6 We also continue to provide
7 staff support and technical assistance to
8 the Zoning Code Commission in the
9 preparation of a proposed new zoning
10 code. This three-and-a-half-year effort
11 is the first comprehensive rewrite of the
12 Philadelphia Zoning Code in 50 years.

13 We launched the Citizens
14 Planning Institute as a means to engage
15 citizens and teach planning principles,
16 provide a common language to discuss
17 planning issues, and to build a capacity
18 of individuals and civic organizations to
19 participate in the planning process for
20 their communities.

21 We also prepared several
22 citywide and area-specific planning and
23 urban design studies to guide the
24 physical development of the City and also
25 for neighborhood improvements. Among

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2 these are: The Hunting Park Industrial
3 Area Study; the Upper Holmesburg Goals
4 and Strategies Report; a report for the
5 Tioga neighborhood, Strategies for
6 Neighborhood Revitalization; the
7 Philadelphia Pedestrian Bicycle Plan, the
8 first phase of that, and the second phase
9 of that is ongoing now; the Reading
10 Viaduct Park and Connectivity Study, a
11 Nicetown skate park site plan; and the
12 East Kensington greening study, to name a
13 few.

14 In Fiscal 2012, our biggest
15 challenges will be the preparation of
16 four new strategic district plans as
17 components of the Philadelphia 2035
18 comprehensive planning process. This
19 will begin a four-and-a-half year program
20 to prepare 18 implementation-oriented
21 strategic district plans covering the
22 City.

23 Also, another challenge is
24 beginning the process of zoning map
25 adjustments, using a new Zoning Code if

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2 approved by City Council. The remapping
3 process will follow in part from the land
4 use recommendations of the strategic
5 district plan phase of the Philadelphia
6 2035 Comprehensive Plan.

7 Instituting a public civic
8 design review process as part of a new
9 zoning code, and the work of the City
10 Planning Commission in that regard. The
11 civic design review process would be a
12 subcommittee of the full City Planning
13 Commission.

14 Continuing the progress
15 achieved in expanding the curriculum of
16 the Citizens Planning Institute as a
17 means to build the capacity of
18 individuals and civic organizations to
19 participate in neighborhood and district
20 planning, and continuing to perform of
21 agency's Charter-mandated
22 responsibilities in the face of
23 diminished resources.

24 The City Planning Commission is
25 committed to supporting the

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2 Administration's goal of 25 percent
3 minority-, women-, and disabled-owner
4 business participation in City
5 contracting. Based on available
6 contracting opportunities, the
7 Commission's projected participation goal
8 for Fiscal 2012 is 46 percent.

9 The Commission's anticipated
10 participation goal for all of Fiscal Year
11 2011 is 47 percent. We are striving to
12 achieve or exceed this level on an
13 ongoing basis.

14 Full funding of our Fiscal Year
15 2012 Budget is necessary to ensure the
16 Commission's contribution to the City's
17 overall long-term economic development.
18 To remain competitive among cities,
19 Philadelphia must maintain a focused
20 priority on planning and must continue to
21 fund the effort as aggressively as
22 possible.

23 This concludes my testimony. I
24 appreciate the opportunity to appear
25 before you today to discuss our Operating

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2 Budget request, and I'd be happy to
3 answer any questions you may have.

4 COUNCIL PRESIDENT VERNA: Thank
5 you.

6 The Chair recognizes Councilman
7 Jones.

8 COUNCILMAN JONES: Thank you,
9 Madam President.

10 Good afternoon.

11 MR. JASTRZAB: Good afternoon.

12 COUNCILMAN JONES: I'm
13 encouraged by your aggressive pursuit of
14 competitive grants that can aid CDCs in
15 the difficult task of planning and
16 preparing for their future. How much
17 money did you say we have gotten in that
18 effort?

19 MR. JASTRZAB: For...?

20 COUNCILMAN JONES: For grants.

21 MR. JASTRZAB: For grants?

22 COUNCILMAN JONES: Right.

23 MR. JASTRZAB: Well, we're
24 asking -- in -- for Fiscal 2012, we're
25 asking for an appropriation of \$704,478.

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2 COUNCILMAN JONES: And tell
3 me -- give me a practical example on how
4 that helps a community.

5 MR. JASTRZAB: Well, for
6 example, one study that we're about to
7 begin right now --

8 COUNCILMAN JONES: Let's go
9 with the Hunting Park study.

10 MR. JASTRZAB: The Hunting Park
11 study, yes, that's a good example.

12 That was a study where Wallace
13 Roberts Todd was contracted -- we
14 contracted with WRT to perform many of
15 the analysis and recommendation and
16 citizen-participation aspects of that
17 plan.

18 And we've received over the
19 years many such grants where we've done
20 similar studies in other neighborhood,
21 with the result being land-use
22 recommendations that result in --

23 COUNCILMAN JONES: Do you
24 recall some of the recommendations for
25 the Hunting Park?

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2 MR. JASTRZAB: One of the
3 recommendations was to do a rezoning for
4 a new neighborhood shopping center that
5 provided a long-requested grocery store
6 for residents of the area. And along
7 with that grocery store will be other
8 necessary neighborhood-based retail --
9 commercial retail outlets.

10 COUNCILMAN JONES: I don't know
11 whether -- you know, there's an old
12 adage. The rooster crows, and then the
13 sun comes up; did the rooster 'cause the
14 sun to come up?

15 We don't know, and I don't
16 care, as long as the sun does come up.
17 That's me.

18 MR. JASTRZAB: Yes.

19 (Laughter.)

20 COUNCILMAN JONES: Let me say
21 this, that some of those kinds of studies
22 resulted in, particularly in that area,
23 close to a thousand jobs in my district.

24 And I didn't pick it out of the
25 air, Councilman Greenlee; I kind of knew

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2 the geography there, in the 4th District.

3 And I say that because we went
4 to a groundbreaking of ShopRite, you and
5 I, and we -- there's 15 other stores
6 opening up there. There is the
7 relocation of the Visiting Nurses, which
8 is a proud Philadelphia company that
9 decided to relocate their headquarters
10 there. So a thousand new jobs.

11 Now, whether the rooster crowed
12 and the sun came up, I don't know if
13 that's a direct correlation, but I'm
14 happy either way.

15 So if those are the kinds of
16 results that come from a study, I'm
17 encouraged. Analysis paralysis is
18 something we've suffered from, but if it
19 gets these kind of results, then you need
20 to do more of that.

21 MR. JASTRZAB: I think it does,
22 and we hope to. You know, with the
23 Hunting Park study, it was really an
24 opportunity to take a look at the
25 neighborhood's existing conditions,

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2 neighborhood need, and make
3 recommendations for improving the quality
4 of life in that part of the City.

5 COUNCILMAN JONES: I'm going to
6 segue a little bit to the more macro
7 position. Philadelphia, based on the
8 census, has gained population, but one of
9 the interesting things to note is that we
10 are a graying city, meaning a aging city.

11 I've been shamelessly promoting
12 the WHY? Aging in a New Age Conference
13 that deals with the issue of a
14 transitioning of baby boomers into the
15 senior population.

16 And I wanted to know, as a
17 city, are we planning for that both in
18 the departments that are impacted by it
19 but also in the design of our city? How
20 are we addressing this phenomenon?

21 MR. JASTRZAB: In a couple of
22 different ways.

23 As we move forward with the
24 district plans, as part of the
25 Philadelphia 25 Comprehensive Plan

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2 Initiative, we're going to be taking a
3 much closer look at the housing markets
4 in 18 different areas of the City.

5 As background to that, we're
6 now discussing, at the staff level, doing
7 a citywide housing study, taking a look
8 at issues such as elderly housing and
9 housing affordability that will allow us
10 to inform many of these district plans as
11 we go forward.

12 We also have a staff member who
13 specializes in housing and community-
14 development issues, who has for, quite a
15 long time, participated with the
16 Philadelphia Corporation for Aging
17 meetings dealing with elderly housing.

18 So we're trying to address the
19 issue on a number of different fronts.

20 COUNCILMAN JONES: I'll give
21 you one of the things that we hope -- we
22 had a opportunity to go to New Courtland,
23 which is a senior facility that has
24 different types of assisted housing from
25 intense to -- you know, we don't come in

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2 all in one size, I guess. One size does
3 not fit all.

4 One of the interesting things
5 that they're looking at is whether you
6 transition someone into assisted living
7 or whether you can retrofit their
8 existing environment so that they can age
9 in place.

10 And what they have is the smart
11 apartments. Utilizing the same
12 technology that is used in motion
13 detectors and alarms, they were able to
14 retrofit apartments to say that
15 Councilman Greenlee, you've been in the
16 bathroom for four hours now; either
17 you're enjoying a leisurely bath or maybe
18 something happened to you. And if you
19 don't respond to the monitor within the
20 next half hour, we're going to send
21 someone out to you.

22 Similarly, Councilman Greenlee,
23 you have not opened your refrigerator
24 door in four days. You know, are you
25 eating? And we'll send somebody out to

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2 look at your nutritional needs.

3 So it's everything from
4 telemedicine to -- all of which became
5 more cost effective than taking someone
6 and putting them into some of the more
7 costly senior assisted facilities and
8 gives them a measure of independence.

9 So as we start to plan a city
10 that deals with the eventuality of age,
11 we want to kind of knit it into the
12 fabric of each department. And some
13 departments aren't as obviously impacted
14 as others.

15 Like the prison population is
16 getting older. Two guys in their
17 twenties fighting it out in the middle of
18 the courtyard or the yard is different
19 than two seniors fighting, one of them
20 slipping and breaking a hip. It has a
21 different medical impact, budgetary
22 impact. And we need to be planning for
23 those things, so I would encourage you to
24 do that.

25 Finally, land use. I would

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2 like you to touch on your industrial land
3 use study that maybe you participated
4 with PIDC in.

5 MR. JASTRZAB: Yes.

6 COUNCILMAN JONES: And give us
7 some indication of where we're going with
8 some of the aging facilities.

9 And then I want you to commit
10 again -- I got it on the record from the
11 capital side -- that there will be a
12 comprehensive plan for Market Street of
13 which we're talking about 63rd Street to
14 46th Street, a shared district with my
15 colleague Councilwoman Blackwell in the
16 Third District, that we are beginning to
17 plan for what comes next after the el
18 reconstruction.

19 MR. JASTRZAB: Sure. With
20 regard to industrial zoning, we did --
21 the City Planning Commission staff did
22 participate with PIDC in preparing their
23 study. We're using that study as
24 guidance.

25 When developers come in,

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2 requesting zoning variances or zoning
3 changes as you know, that study
4 identified areas that may be
5 transitioning from solid, industrial uses
6 to other kind of uses. And in those
7 cases, we might look somewhat favorably
8 on proposals for changes and use that are
9 still compatible with those transitioning
10 areas.

11 In other areas, there were
12 geographies of the City that were
13 identified as industrial protection
14 areas. And where those kind of zoning
15 changes or variances are proposed, I
16 think we -- you know, we -- it's very
17 important to preserve the existing
18 industrial infrastructure and the jobs
19 that exist in those areas. So there is
20 basically a blueprint for, you know, for
21 those industrial uses in the City.

22 We're also, at this point,
23 looking for additional grant funding to
24 look at areas, industrial areas, that may
25 have seen better days, such as the lower

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2 Schuylkill River and how the area along
3 the lower Schuylkill might transition
4 between the universities and airport,
5 might transition into some other kind of
6 uses where there are vacant or
7 underutilized structures.

8 And there might be an
9 opportunity to take advantage of
10 university spin-offs to create new firms
11 and create new jobs.

12 So we're going to be looking at
13 that in the near future.

14 With regard to the west Market
15 Street --

16 COUNCILMAN JONES: Before you
17 say to that --

18 MR. JASTRZAB: Sure.

19 COUNCILMAN JONES: I like where
20 you're going with this. I would only
21 add, as a caveat, the issue of energy,
22 and that if there is a way to, in the
23 planning, to be bold enough to include
24 alternative energy and whether a
25 government investment in a old parcel can

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2 attract new uses, more environmentally-
3 friendly uses, by using the two assets of
4 either side of the City, which are the
5 rivers, whether it's hydroelectric
6 turbines.

7 I've heard some sci-fi kinds of
8 things. But, you know, at one point,
9 nuclear power was considered crazy.

10 But can we start to commission
11 a study to look at how we can convert
12 some of those old, inefficient sites to
13 some attractive sites by way of grants
14 that might be used for some type of
15 alternative energy uses, A.

16 And then the founding fathers
17 of this city, when the City was first
18 industrialized, started slowly to convert
19 industrial land into parkland along our
20 rivers. And that was a wise, lengthy
21 process that resulted in one of the best
22 park systems anywhere.

23 So as we start to plan for some
24 of those uses, particularly useful was
25 the Schuylkill River Trail. Some of the

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2 land was converted from older uses to a
3 more modern, pedestrian-friendly uses.

4 So as we started to say,
5 something old, something new, something
6 borrowed, something blue. Something old
7 can be the industrial sites made new by
8 energy uses. Something borrowed may be
9 the money that it takes to do that. And
10 something blue may be the bottom line if
11 we get it right. So...

12 MR. JASTRZAB: One of the
13 things that is kind of infused in this
14 citywide comprehensive plan is the idea
15 of building a greener, more sustainable
16 city that takes advantage of alternative
17 energy resources.

18 COUNCILMAN JONES: Okay.

19 MR. JASTRZAB: And it's kind of
20 a cross-cutting principle that is
21 reflected in this citywide plan and will
22 be also reflected in the district plans.

23 The plan also calls for
24 completing the network of riverfront
25 paths, both pedestrian and cycling paths,

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2 along all of our river corridors.

3 COUNCILMAN JONES: Which cuts
4 through a lot of that industrial land.

5 MR. JASTRZAB: Yes.

6 COUNCILMAN JONES: Right, okay.
7 Now you can segue to Market Street 'cause
8 I know Councilwoman Blackwell will be
9 interested in hearing your insights on
10 Market Street.

11 MR. JASTRZAB: With regard to
12 west Market Street, I've asked our
13 community planner for West Philadelphia
14 to begin pulling -- to pull together
15 stakeholders along the corridor, to begin
16 to discuss issues and possible solutions
17 for conditions there.

18 Now, that particular planner
19 has been out of the office on a personal
20 vacation. He's back, so I expect that to
21 move forward forthwith.

22 COUNCILMAN JONES: I would
23 remind you that that is a interesting
24 stretch of land and respect that it is.
25 It has received some of the largest

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2 capital improvements ever, but the
3 unintended consequence was the
4 devastation of the commercial corridors
5 around there. Fifty-plus businesses,
6 some of them family-owned businesses, are
7 no longer there. Councilwoman Blackwell
8 had to suffer through that.

9 But with every bad situation is
10 a canvass that creative people can paint
11 a new picture; a Phoenix, if you would.
12 And we want to begin that process.

13 It is a interesting strip
14 because more political borders hit there;
15 both two Congressional seats touch there,
16 two State Senate seats, a whole host of
17 State House seats all along one border.

18 MR. JASTRZAB: Mm-hmm.

19 COUNCILMAN JONES: So if we fix
20 that one street, there will be a lot of
21 ribbon-cutting for us all to take
22 advantage of.

23 So I would encourage you. It
24 is the heart of both the Third and the
25 Fourth District, and we anxiously

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2 anticipate transit or the development of

3 (indiscernible) --

4 MR. JASTRZAB: Absolutely.

5 COUNCILMAN JONES: -- higher

6 density.

7 MR. JASTRZAB: Yes.

8 COUNCILMAN JONES: And so, let

9 the planning begin.

10 MR. JASTRZAB: We'll begin

11 moving forward on that very, very

12 shortly.

13 COUNCILMAN JONES: Thank you,

14 Madam President.

15 COUNCIL PRESIDENT Verna:

16 You're welcome.

17 Are there any other questions

18 from members of the committee?

19 (No further questions.)

20 COUNCIL PRESIDENT Verna:

21 Seeing none, thank you.

22 MR. JASTRZAB: Thank you very

23 much.

24 MR. McPHERSON: Next is the

25 Zoning Code Commission.

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2 (Witnesses come forward.)

3 COUNCIL PRESIDENT VERNA: Good
4 afternoon. Welcome.

5 MS. GLADSTEIN: Thank you.

6 COUNCIL PRESIDENT VERNA:
7 Please identify yourself for the record
8 and proceed with your testimony.

9 MS. GLADSTEIN: Thank you. My
10 name is Eva Gladstein, Executive Director
11 of the Zoning Code Commission.

12 Good afternoon, Council
13 President Verna and other members of City
14 Council. Thank you for the opportunity
15 to speak on behalf of the ZCC to present
16 its proposed Operating Budget for Fiscal
17 Year 2012.

18 I'm joined by Alan Greenberger,
19 Deputy Mayor for Economic Development.

20 I'd also like to recognize and
21 thank Councilmen Clarke, DiCicco, Green,
22 and O'Neill for their service as members
23 of the Zoning Code Commission.

24 The Commission's proposed
25 Operating Budget of \$225,000 covers a

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2 period of approximately nine months, as
3 the Commission's work should be completed
4 by the end of March 2012. And our
5 request is comprised entirely of a
6 General Fund request:

7 \$122,500 for staff salaries;
8 \$100,000 for purchase of
9 services; and
10 \$2,500 for materials and
11 supplies.

12 The Commission was created as a
13 result of a Home Rule Charter change
14 approved by the electorate in May of
15 2007. The Commission's lifetime, as set
16 forth in the Charter, is dependent upon
17 the timeline of City Council's review
18 process.

19 As I stated in May 2007,
20 Philadelphia's voters overwhelming voted
21 to create the Zoning Code Commission.
22 They charged this 31-member body with the
23 task of reforming and modernizing the
24 City's outdated and complex zoning code.
25 This is the first comprehensive revision

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2 of the Philadelphia zoning laws in nearly
3 fifty years.

4 The Commission has been guided
5 by the goals set forth in the Charter,
6 though I'm not going to restate them; I
7 assume everybody has this in front of
8 them.

9 In 2009, the Commission
10 released an analysis of the current
11 zoning code, a best-practices report, and
12 recommendations for the new zoning code.

13 In February 2010, the
14 Commission began to release drafts of the
15 proposed new zoning code in modules.

16 And since September 2010, the
17 ZCC has published four drafts of the
18 consolidated new zoning code.

19 In the course of this work, the
20 Commission has held 45 public meetings,
21 two public hearings in City Council
22 chambers, 36 community-based meetings to
23 explain our work and possible changes to
24 the zoning code, as well as to hear
25 comments from members of the public about

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2 the proposed changes.

3 The Commission has also
4 interviewed 125 professional zoning code
5 users and surveyed nearly 2,000
6 individuals to get their reactions to
7 components of the proposed code.

8 In early March, the Commission
9 unanimously adopted a draft preliminary
10 report, including recommendations on
11 proposed changes to the zoning code and a
12 plan for a comprehensive revision of the
13 City's zoning maps, with the intent of
14 continuing to reach out to stakeholders
15 for approximately two-and-a-half months
16 and incorporating improvements as
17 appropriate.

18 This outreach has been twofold.
19 First, the Planning Commission staff has
20 reached out to all community
21 organizations to offer presentations on
22 the new zoning code. Second, the Zoning
23 Code Commission is hosting seven ZCC
24 stakeholders exchanges to facilitate
25 dialogue among stakeholders, Commission

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2 members, and staff on aspects of the
3 draft new zoning code.

4 The Commission intends to vote
5 in May to adopt a preliminary report.

6 The Charter establishes a timeline for
7 City Council's review of the draft zoning
8 code.

9 Within 45 days after the
10 Commission sends its report to City
11 Council, Council is required to convene
12 public hearings to review the proposals.
13 Within 30 days of the close of the
14 hearings, Council may send
15 recommendations to the Commission.

16 The Commission must send its
17 final report to City Council no later
18 than 60 days after the close of the
19 hearings. City Council must enact into
20 law, reject, or table the Commission's
21 proposals in their entirety by the later
22 of 60 days or the fifth Council meeting
23 after the Commission issues its final
24 report.

25 Although the Commission will

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2 have completed the vast majority of its
3 work upon the adoption of the new zoning
4 code, it has scheduled a comprehensive
5 revision of the sign controls to take
6 place during Fiscal Year 2012.

7 In addition, to support the
8 administration of the new zoning code,
9 the Commission is working on an
10 easy-to-use guide book, which we're
11 calling "The Zoning Administrative
12 Manual."

13 The Commission will also assist
14 several City agencies to promulgate
15 regulations.

16 Finally, the Commission will
17 work with other City agency to see help
18 ensure smooth transition to the new
19 zoning code through training of the
20 public, City agencies, elected officials,
21 and professional code users.

22 The Zoning Code Commission is
23 committed to the supporting the
24 Administration's goal of 25 percent
25 minority-, women-, and disabled-owned

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2 business participation in City
3 contracting.

4 In support of these goals, the
5 Commission currently has one professional
6 services agreement in the amount of
7 \$230,000, which is held by Clarion
8 Associates on behalf of a team of six
9 firms. This is the second year of this
10 contract.

11 The consultant services include
12 researching and drafting the new don't
13 care and assisting with an extensive
14 civic engagement process.

15 The consulting time has met or
16 exceeded the goals of 10 to 15 percent 10
17 to 15 percent MBE, 10 to 15 percent WBE,
18 and best efforts for disabled business
19 interprets, as set forth in the RFP.

20 Our participation has been 17
21 percent subcontracted to a minority
22 business enterprise, and 11 percent has
23 been subcontracted with a woman business
24 enterprise. And this has been the same
25 level of participation for the two years

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2 of this contract.

3 In Fiscal Year 2012, \$100,000
4 was allocated in Class 100 for the
5 Commission. We anticipate renewing the
6 existing contract with Clarion
7 Associates. The Commission's fiscal year
8 goal is 25 percent.

9 And, finally, our Zoning Code
10 Commission has two employees, both of who
11 are female, one of whom is a minority.

12 This is the end of my
13 testimony. I appreciate the opportunity
14 to appear before you today, and I'd be
15 pleased to answer any questions you may
16 have.

17 COUNCIL PRESIDENT VERNA: Thank
18 you very much.

19 The Chair recognizes Councilman
20 Jones.

21 COUNCILMAN JONES: Thanks
22 again, Madam President.

23 Just to complement what -- or
24 expand upon what I mentioned by way of
25 Market Street. Are we looking at areas

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2 like that for transit-oriented
3 development? What I'd like to know is,
4 what zoning would have to accompany that
5 kind of development along a corridor like
6 Market Street?

7 MS. GLADSTEIN: I think we have
8 two specific zoning tools that were put
9 in the draft code. One is a set of
10 standards for transit-oriented
11 development. And in areas such as Market
12 Street that are mapped for transit-
13 oriented development, there are standards
14 that would permit more density, would
15 encourage uses that are active, that
16 support transit and pedestrians, and that
17 would be a good mix for that kind of use,
18 would allow additional height and density
19 in those areas.

20 The code right now establishes
21 that. It does not map those areas, and
22 that would be done in consultation with
23 the Planning Commission.

24 I guess the other tool that I
25 wanted to mention is, we've also created

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2 a new base zoning district to support
3 walkable neighborhood commercial areas.
4 One of the things that we notice in our
5 analysis is, there are over 15 different
6 neighborhoods in the City where overlays
7 have been developed to support a vibrant
8 neighborhood commercial corridor, and the
9 only tool in the current zoning code was
10 an overlay.

11 So we have created a base
12 zoning district called "Commercial
13 Mixed-Use 2.5," and what it does is to
14 require that buildings be set right up on
15 the street to allow a little bit more
16 height and preventing uses that would
17 encourage the automobile and, instead,
18 encouraging uses that would be good for
19 pedestrians and people that use transit.
20 So that in the future, you would be able
21 to map into that new base zoning district
22 to support a neighborhood commercial
23 area.

24 COUNCILMAN JONES: You know,
25 the only good thing about a crisis in

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2 energy, such as gas prices going through
3 the roof, is forcing us to rethink our
4 lifestyles by way of our modes of
5 transportation.

6 I've been to Denver, where they
7 tout having some of the best
8 transportation and rail lines ever, and
9 when I went out there and "kicked the
10 tire" to look at what they had, they did
11 not have the extensive rail system that
12 Philadelphia has. So they're being named
13 as the transportation-friendly city, and
14 we've had this for 50, 60, 70 years.

15 So we need to just build upon
16 what we have and start to market it, and
17 market it in a way that the developers
18 start to understand that increased
19 density means increased value to their
20 property and then start bringing them
21 back in, because this recession at some
22 point, God willing and the creek don't
23 rise, will end, and we need to be
24 prepared with site assembly to be able to
25 get more tax-ratable properties in the

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2 City of Philadelphia so that we can work
3 our way out of a deficit.

4 The way, in my opinion, to do
5 it not "cut, baby, cut," it's "build,
6 baby, build," and that's what I'm hoping
7 from you.

8 MS. GLADSTEIN: Thank you. I
9 believe the Commission agrees with you,
10 and that's why it's created these tools.

11 COUNCILMAN JONES: Thank you,
12 Madam Chair.

13 COUNCIL PRESIDENT VERNA:
14 You're welcome.

15 The Chair recognizes
16 Councilwoman Tasco.

17 COUNCILWOMAN TASCO: Yes, I'm
18 really getting some feedback in terms of
19 some of the recommendations that are
20 being made in the neighborhoods relative
21 to how we address some zoning issues now
22 around multifamily dwellings or
23 specifically the dwellings or two-family
24 dwellings and how that may be changed to
25 multifamily.

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2 Are you all making these
3 changes that have been problems in the
4 community -- not downtown, but in the
5 neighborhoods -- and that would use the
6 whole zoning process to maintain the
7 character of the neighborhood and not
8 change it? Are you making the changes
9 that you're recommending very clear to
10 people in the neighborhood?

11 Because I don't want to wake up
12 one day and you say, "Well, this can be a
13 multifamily dwelling"; that could be five
14 apartments on a building, and that's what
15 we fight against.

16 And converting some of these
17 huge properties in East Oak Lane and
18 Mt. Airy to multifamily dwellings, what
19 does that mean? And that has to be very
20 clear.

21 MS. GLADSTEIN: We actually at
22 our CCC meeting this morning spoke about
23 this very issue.

24 Just in terms of outreach, we
25 have created a number of briefing

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2 packages, which were --

3 COUNCILWOMAN TASC0: But are
4 you making it clear to the people when
5 you speak to them?

6 MS. GLADSTEIN: Yes, yes. And
7 we have -- I think this is an area where
8 we're going to keep looking at this.

9 There are two zoning
10 classifications right now where two
11 families are permitted but not three
12 families.

13 COUNCILWOMAN TASC0: Right. We
14 don't want three families.

15 MS. GLADSTEIN: And one of them
16 we -- in the conversion table are
17 converting actually to a single-family
18 district.

19 COUNCILWOMAN TASC0: Mm-hmm.

20 MS. GLADSTEIN: So it would not
21 permit additional density.

22 In the other one, we have
23 limits as to the number of units based
24 upon the size of the lot, but it's an
25 issue that we addressed this morning, and

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2 I think that we may need to do more
3 specifically on that issue.

4 COUNCILWOMAN TASC0: Are you
5 talking about the size of the lot of new
6 construction or existing construction?

7 MS. GLADSTEIN: Both.

8 COUNCILWOMAN TASC0: So if I
9 have a house in East Oak Lane, which
10 people have fought against, we've
11 remapped areas to prevent multifamily
12 dwellings, 'cause you begin to convert
13 those large mansions into these
14 multifamily dwellings and you get
15 absentee landlords who don't maintain
16 them, and the next thing you know, you've
17 got an abandoned house, okay?

18 MS. GLADSTEIN: Yeah. Let me
19 just -- there was no single-family
20 district that's being converted to a
21 multifamily district.

22 The concern that I think has
23 been raised and, I think, is a legitimate
24 concern has been the two districts that
25 permit two-family but not three-family.

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2 But every single-family
3 district is preserved as a single-family
4 district, so they would not permit
5 conversion to two-family.

6 Now, somebody might go and ask
7 for a variance, but we're also trying to
8 restrict their -- you know, be clear
9 about standards for variances, more clear
10 than we are now.

11 COUNCILWOMAN TASC0: I think
12 that -- I mean, you may have done this --
13 is looking at some of the neighborhoods
14 that where, you know, certainly we --
15 Marion Johnson represents some of the
16 kinds of opposition we've had to certain
17 kinds of variances, to see, to know that
18 this is not what the neighborhood has
19 been supportive of and make sure that
20 that kind of change is not incorporated
21 in the new plan.

22 MS. GLADSTEIN: Mm-hmm.

23 COUNCILWOMAN TASC0: I don't
24 know how you do that, but some things
25 should be done to sort of like go back

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2 and say, what are neighborhood saying?

3 What are they saying to maybe some of the

4 outside we're putting forth? Have they

5 been supportive of these ideas in the

6 past?

7 MS. GLADSTEIN: Mm-hmm.

8 COUNCILWOMAN TASC0: And, you

9 know, 'cause those of us who are District

10 Councilpeople and not in the commercial

11 downtown area are very concerned about

12 maintaining the character of

13 neighborhoods.

14 And also the other issue is

15 around businesses. Like we have a lot of

16 side yards where people have a basement.

17 I had a lady that wanted to open up a

18 travel agency, and I said, Well, no, you

19 can't do that. It will change the

20 character of the neighborhood because

21 when you open up a business, somebody

22 else at the other accord opens up a

23 business, then they got all these

24 commercial sites in the basements of

25 homes, and that changes the character of

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2 neighborhood.

3 MS. GLADSTEIN: Mm-hmm.

4 COUNCILWOMAN TASC0: And we
5 don't want that. We've been very
6 successful in maintaining a residential
7 character for the neighborhoods that I
8 represent and I'm sure that other people
9 represent too.

10 MS. GLADSTEIN: Yeah. We are
11 scheduling meetings with each District
12 Councilperson and/or their staff to go
13 over exactly that level of specifics in
14 terms of what uses are in the draft right
15 now and to make sure that there are no
16 unintended consequences.

17 I think some of the issues you
18 raised have come up in other meetings. I
19 was out at Somerton Civic Association
20 last night, and the issue of businesses
21 and residential came up, and one of the
22 things I was able to say there is that
23 while these would be permitted, there are
24 a very strict set of standards so that --
25 and people had misinformation, which is

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2 fair enough.

3 COUNCILWOMAN TASC0: Mm-hmm.

4 MS. GLADSTEIN: It's a
5 complicated issue, so we have created
6 standards so that it would permit
7 somebody who's working at a computer
8 doing graphic design perhaps to continue
9 to do that in their home.

10 COUNCILWOMAN TASC0: Mm-hmm.

11 MS. GLADSTEIN: But it wouldn't
12 allow a travel agency with people coming
13 in and out and trucks and deliveries to
14 be operating in that neighborhood.

15 So in many cases with the uses,
16 we've tried to build in automatic
17 standards. And one of the things we're
18 doing right now in these two-and-a-half
19 months is trying to vet those standards
20 to make sure we have it right; and when
21 we need to change it, we will.

22 So that's the part of the
23 process we're in right now.

24 COUNCILWOMAN TASC0: Okay,
25 thank you.

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2 Thank you, Madam President.

3 COUNCIL PRESIDENT Verna:

4 You're welcome.

5 I think that many of us have
6 heard from some of our constituents about
7 their concern that constituents may not
8 be able to have the involvement in a
9 development as they have today or in the
10 past.

11 Is that true?

12 MS. GLADSTEIN: Alan's dying to
13 answer this question.

14 DEPT. MAYOR GREENBERGER: Alan
15 Greenberger, Deputy Mayor for Economic
16 Development.

17 Actually, that one came up this
18 morning too -- oh, actually not; I'll
19 change that: It didn't come up; I
20 brought it up this morning.

21 COUNCIL PRESIDENT Verna: Oh,
22 good.

23 DEPT. MAYOR GREENBERGER:
24 Because I think there's some
25 misconceptions floating around about that

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2 as well. And so, let me be clear about
3 what we've done.

4 We have very carefully looked
5 at our system, trying to create a
6 citywide system that applies everywhere
7 for how we solicit community input on
8 issues that either require variances or
9 are what we call sort of "high-impact
10 projects" that have a special review
11 attached to them.

12 And what we've said -- there's
13 some misinformation that people think
14 that we're trying to shut out public
15 participation, and it's actually not that
16 at all. The same level of public
17 participation that exists now will exist
18 in the future;

19 That is to say, at public
20 hearings that are either Planning
21 Commission, Historical, Zoning Board of
22 Adjustment, and certainly Council, the
23 public has the same right to participate
24 as they have always had.

25 What we have done is said that

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2 we would like to reward communities that
3 have organized efforts at dealing with
4 development review in their neighborhood.
5 We'd like to reward those and thereby
6 also encourage other communities to do
7 the same, because it just makes for a
8 better review process -- not just for us
9 but for communities.

10 And so, what we've said is
11 that -- these are called "Registered
12 Community Organizations," and we've said
13 that the way to reward them is to ensure
14 that in any review that comes before us
15 as a public agency, that organization is
16 given notice, special notice, and is
17 required to provide testimony on a
18 project which could include testifying
19 that they have no opinion.

20 It doesn't preclude anybody
21 else coming before us or any public
22 agency from testifying, but it ensures
23 that they do.

24 So I think some of the
25 confusion that you possibly have heard,

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2 or at least that we've heard, is sort of
3 saying, well, if these registered
4 community groups get the opportunity to
5 testify, it must mean that everybody else
6 doesn't. That's not the case.

7 COUNCIL PRESIDENT VERNA: Well,
8 I don't know about other areas, but I am
9 finding -- and I must have in one not
10 very large section at least six or seven
11 different community groups.

12 DEPT. MAYOR GREENBERGER: And
13 we'll let them all be registered
14 community groups based on some pretty
15 easy criteria that we would ask them to
16 submit to us, and then they would all get
17 that opportunity.

18 And the goal of this is to try
19 to make the review process for projects
20 that need public review more consistent
21 throughout the City and at least a little
22 clearer to applicants and developers so
23 that they don't have to discover a new
24 process every time they go to a different
25 neighborhood.

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2 COUNCIL PRESIDENT Verna: Very
3 well. Thank you.

4 The Chair recognizes Councilman
5 Jones.

6 COUNCILMAN JONES: I'd like to
7 yield to my colleague Councilman
8 Greenlee.

9 COUNCIL PRESIDENT Verna:
10 Councilman Greenlee.

11 COUNCILMAN GREENLEE: Thank
12 you. Thank you, Councilman. I
13 appreciate it.

14 I don't have the
15 (indiscernible) as Councilman Jones does,
16 so I'll try to be -- describe as well as
17 I can.

18 But just to follow up on what
19 the Council President said and
20 Councilwoman Tasco, I know when we did
21 the Zoning Code Commission, when we first
22 went through it, it was one of the first
23 bills that went through when I was the
24 Chair of the Law and Government
25 Committee.

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2 I remember particularly from
3 the northeast part of the City because
4 they have some extensive zoning
5 committees up there, and you mentioned
6 Somerton and Bustleton and all of that
7 and plus other areas, that there was
8 going to be this concern that there
9 wasn't going to be as much community
10 involvement.

11 And they kind of have, over
12 those years, learned the zoning code, and
13 I guess they were concerned that some
14 rights were being taken away from them.

15 But I know you -- that's the
16 way of saying I know you've had a lot of
17 civic engagement, and maybe you could
18 talk just a little bit more about that,
19 you know, because I know there's a --
20 there is -- I think there still is
21 concern, and I think when it comes back
22 here to Council, we're going to hear from
23 a lot of those groups that at least
24 believe that some of their -- I don't
25 know if "power" is the right word or

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2 rights maybe are being at least lessened.

3 And, again, saying that, I
4 understand there's a lot of things in the
5 present code that needed to be
6 modernized; there's no doubt about that.

7 But --

8 MS. GLADSTEIN: Thank you.

9 Two things. One is, during
10 this period, if there are particular
11 groups who may have a concern, we are
12 happy and eager to go out and talk to
13 them and make sure we are very specific.

14 COUNCILMAN GREENLEE: Mm-hmm.

15 MS. GLADSTEIN: And we have a
16 lot of documents and materials to give
17 groups so we can get that feedback.
18 We're being very specific about changes
19 in uses just so that we flush out any
20 issues now, before we hand the document
21 to the City Council sometime in May.

22 In terms of the kind of
23 community's right to participate, we've
24 created a system. Right now, community
25 groups learn about a project that's going

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2 in front of the Zoning Board of
3 Adjustment either from their Council
4 office, or they read about it when a ZBA
5 hearing is set up.

6 We have set up a system where
7 the applicant has to give notice within a
8 certain period of time of applying for
9 the zoning permit, so it's earlier in the
10 process.

11 We've also set up a system that
12 says the applicant, the zoning applicant,
13 must meet with any of the registered
14 groups before the ZBA hearing, or before
15 this design review process, so that they
16 have a voice early in the process and
17 they're not finding out a week before a
18 hearing and having to kind of hurry up.

19 COUNCILMAN GREENLEE: Mm-hmm.

20 MS. GLADSTEIN: And we've
21 created a timeline that respects the fact
22 that a lot of these groups meet on a
23 monthly basis to get them enough time to
24 set up a meeting with a developer and to
25 be able to document what came out of the

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2 meeting.

3 One other thing that we've done
4 is -- again, 'cause this came out of
5 community groups when we surveyed them
6 during the last few years, is that we're
7 extending the time for posting of ZBA
8 hearings. Right now, those hearings are
9 posted with the orange posters for 12
10 days; we've extended that to 21 days.

11 COUNCILMAN GREENLEE: Hmm.

12 MS. GLADSTEIN: And often,
13 those hearings end up being postponed or
14 rescheduled. And we're requiring that if
15 it's scheduled more than a week later, it
16 has to be re-posted so, again, the
17 community, through that method, will have
18 more information than they have now.

19 COUNCILMAN GREENLEE: Mm-hmm.

20 MS. GLADSTEIN: And then I will
21 go to what Alan Greenberger said, which
22 is that those registered community
23 organizations are going to have that
24 early information and have that meeting.
25 There should be public meetings and the

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2 same opportunity to present testimony or
3 to submit letters will be available as is
4 available now.

5 We're just trying to help the
6 groups get it earlier and more
7 information.

8 COUNCILMAN GREENLEE: And do
9 you feel those community groups know this
10 by now? Has that outreach been there?
11 Do they understand that?

12 MS. GLADSTEIN: I think that
13 there's a varying degree of attention
14 being paid to the new zoning code by
15 different groups throughout City.

16 COUNCILMAN GREENLEE: Mm-hmm.

17 MS. GLADSTEIN: So groups in
18 South Philadelphia or Center City, East
19 Falls, you know, some other areas have
20 been paying a lot of attention and have
21 come to ten, twenty, thirty activities of
22 the Zoning Code Commission.

23 And, of course, we've done a
24 lot of those meetings.

25 COUNCILMAN GREENLEE: Mm-hmm.

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2 MS. GLADSTEIN: But, you know,
3 some of the meetings had twenty people
4 and some have had a hundred.

5 COUNCILMAN GREENLEE: Sure.

6 MS. GLADSTEIN: The West
7 Philadelphia meetings, as Councilwoman
8 Blackwell knows, have had many, many
9 people.

10 But I am sure that there are
11 still people or groups who will say they
12 don't know enough, which is why we've
13 been spending these two months trying to
14 get out there.

15 And so, again, if you're aware
16 of a group that you think may not have
17 focused, we would like to know, and we
18 will go out and have a very detailed
19 conversation with them and get their
20 feedback.

21 COUNCILMAN GREENLEE: Okay.
22 That's good.

23 Because, again, I think that's
24 one of the main concerns that people
25 aren't, you know, at least -- and I know

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2 there's a certain percentage of people
3 who always wait until the last minute to
4 pay attention; I understand that.

5 But it's good that you have had
6 this, dialogue 'cause I know there was
7 that concern before the bill even got on
8 the ballot, you know, that there was
9 going to be this sort of taking away of a
10 certain amount of power.

11 MS. GLADSTEIN: Thank you.

12 COUNCILMAN GREENLEE: So I
13 appreciate that. Thank you.

14 MS. GLADSTEIN: Thank you.

15 COUNCILMAN GREENLEE: Thank
16 you, Madam President.

17 Thank you, Councilman Jones.

18 COUNCIL PRESIDENT VERNA:
19 You're welcome.

20 The Chair recognizes Councilman
21 Jones.

22 COUNCILMAN JONES: Thank you,
23 Madam President.

24 I, like Councilwoman Tasco,
25 represent a district that, in particular

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2 areas, I have groups that are so on top
3 of this, that they inform me about what I
4 should know about it.

5 There is one area that comes to
6 mind that might serve as a teaching tool
7 for me, and it's 63rd Street from Market
8 to, I want to say, Nassau Road. Adjacent
9 is another block called Wynnewood Road.

10 Now, to describe these areas,
11 they are large mini mansions. They are
12 eight-bedroom, possibly some of them even
13 more, some three-story, and they are
14 particularly interesting because some of
15 them have fallen into a state of
16 disrepair, A. And the use as a
17 single-family dwelling is slim and none.
18 Well, I'm not -- I guess I shouldn't say
19 that, but it's less likely today.

20 Families aren't as big as they once were.

21 The neighborhood -- to upkeep
22 that particular large structure both from
23 energy and renovation is probably
24 astronomical, and the economics of the
25 buildings lend themselves to want to be

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2 several types of multipurpose and
3 mixed-use properties.

4 The danger there is -- and I
5 guess the question I'm asking is, if we
6 did a predictable zoning overlay that
7 says these properties can do the
8 following use -- mixed uses and
9 residential -- there are subtle
10 differences that I want to be able to
11 make sure is embedded in the code.

12 There's a difference between a
13 doctor's office and a physical therapy
14 office. There are subtle differences
15 between a lawyer's office, a real estate
16 office or a high-volume traffic types of
17 businesses that all could probably be
18 housed in these beautiful dwellings, but
19 in the intersperse between those
20 dwellings are people who actually live in
21 those single-family units.

22 So how do we take something
23 like that that is kind of eclectic and
24 give the predictability that you want and
25 still provide the residents the ability

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2 to object to a particular subtle type of
3 use?

4 I remember distinctly -- and
5 I'll let you answer, and this is near
6 that neighborhood but not quite on those
7 blocks. There's a guy who came in and
8 told me -- I mean, I swear to you,
9 convinced at least my staff that he was
10 trying to develop a family restaurant
11 similar to, and I quote, Chuck E. Cheese.

12 And I'm saying, Oh, wow, a
13 Chuck E. Cheese in my neighborhood, that
14 sounds like fun. I could see myself
15 taking my grandkids to lunch there on a
16 Sunday afternoon

17 Well, when I went in there, the
18 first indication was that it was the
19 largest bar I've ever seen. I mean, it
20 literally went to close to a 25-foot bar.
21 It is the largest bar. And I said, Well,
22 I don't know how many kids want to eat
23 pizza at a bar like that

24 And then the subtlety of what
25 was going up, after I appealed the -- he

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2 wanted to have a nightclub, and what he
3 was going to probably do was adult
4 entertainment of sorts, and it's a far
5 cry from a Chuck E. Cheese Luckily, my
6 grandkids would have been in shock and
7 awe.

8 But the point of it is, how do
9 we protect residents from those similar
10 uses yet very different uses under this
11 new design?

12 MS. GLADSTEIN: We've had many
13 of the same concerns and discussions.

14 And so, there are three
15 different ways, at least three different
16 ways, uses are being categorized in the
17 new zoning code.

18 One is an absolute yes, it's
19 permitted. Another is no, it's not
20 permitted. Another, which is currently
21 called "a certificated use," would be an
22 S, called a special exception. That
23 requires a hearing at the Zoning Board of
24 Adjustment, and there is a burden to
25 present basically that that use is in

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2 harmony with that neighborhood, and there
3 will be criteria.

4 In addition, for some of those
5 uses, we also have specific standards
6 that apply. And so, we have worked very
7 hard on creating a definition for
8 "nightclubs" and "private clubs," and
9 talking about standards for those and
10 differentiating those from restaurants,
11 because a restaurant might be much more
12 palatable than a nightclub.

13 COUNCILMAN JONES: Sure.

14 MS. GLADSTEIN: And so, we
15 worked very hard on the definitions
16 themselves and on having standards
17 attached to them.

18 So if you wanted to -- I don't
19 know what that area you're talking about,
20 how it's presently zoned, but if you
21 wanted to zone it to a mixed use -- for
22 example, what's now C-2 -- there would be
23 certain uses that would be permitted as
24 of right, there would be certain uses
25 that would never be permitted, and there

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2 would be some that would require that
3 trip to the ZBA for the neighbors to
4 weigh in.

5 And in addition, there would be
6 those standards set up for uses that
7 might have, you know, a negative impact.

8 COUNCILMAN JONES: I appreciate
9 the thought given to those definitions.
10 And that probably works for the honest
11 person. I'm talking about safeguarding
12 against the dishonest person that says,
13 This is a duck. Look, it walks, it
14 quacks; but yet, it can't swim.

15 And so how do we safeguard when
16 I say, This is a Chuck E. Cheese. And
17 we're all looking at it in disbelief,
18 saying, This is not a Chuck E. Cheese.

19 So when there is a dispute,
20 what are the automatic kickers? What are
21 the rights to protest or try to examine
22 further the assertion that this is a
23 Chuck E. Cheese?

24 DEPT. MAYOR GREENBERGER:
25 Well, let's say -- I know the area you're

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2 talking about, big houses up somewhat --

3 COUNCILMAN JONES: Beautiful,
4 beautiful --

5 DEPT. MAYOR GREENBERGER:
6 Beautiful houses, yeah, really
7 spectacular.

8 COUNCILMAN JONES: It's the
9 best district except for the 9th and the
10 3rd in the City of Philadelphia.

11 DEPT. MAYOR GREENBERGER: So I
12 don't know the zoning for that stretch,
13 but I'm guessing it's big, single-family
14 residential zoned, mostly likely.

15 COUNCILMAN JONES: Correct.

16 DEPT. MAYOR GREENBERGER: So
17 there are a couple of things.

18 And where I thought you were
19 going with this was, you don't have a lot
20 of single families probably living there,
21 particularly single families who can
22 maintain buildings of that size. And so,
23 what's their out?

24 And so, in the current -- in
25 the proposed code, that zoning may get a

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2 different name, but it's not going to be
3 changed; it's still going to be
4 single-family zoning.

5 Now, in the district remapping,
6 the new rule book, which you're going to
7 be looking at sometime this year, will
8 define different zoning types that will
9 allow some level of either additional
10 residents or additional commercial mixed
11 use.

12 But the key to your Chuck E.
13 Cheese -- and I was thinking it's -- you
14 probably -- the guy probably said "Chucky
15 Cheese," not "Chuck E. Cheese.

16 COUNCILMAN JONES: Right,
17 right. He --

18 DEPT. MAYOR GREENBERGER: So
19 there is a subtlety there.

20 COUNCILMAN JONES: -- probably
21 tried to slip one by me.

22 DEPT. MAYOR GREENBERGER:
23 Yeah, but -- 'cause I remember Chuck E.
24 Cheese when the kids were little.

25 And I don't care what he calls

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2 it; he's going to have to identify uses,
3 because the whole structure of the code
4 in relationship to what you can and can't
5 do in a district is related to uses.

6 So one is the remapping process
7 where, in an area like that, I can
8 imagine at least a healthy argument about
9 what should this be, given that single
10 family may not work in the long run may
11 not work now.

12 But then, even separate from
13 that, if you think that there is a
14 different zoning possibility for a place
15 like that, the new code's rules are set
16 up to basically force people to tell us
17 what they're doing.

18 Now, obviously, it's sort of
19 hard to keep people from lying, it's hard
20 to make a rule book that says you can't
21 lie, and then they stick to it if they're
22 liars, right? But it's incumbent then on
23 Planning and L&I to make sure to vet the
24 thing carefully.

25 And at least our experience so

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2 far is that between those two
3 organizations and numerous community eyes
4 and ears, the truth comes out before the
5 reality happens.

6 COUNCILMAN JONES: Okay. And
7 let's say, in the past, we've been able
8 to say -- and the community, more
9 importantly, has been able to say -- I
10 like this but I don't want the door on
11 this side, and I want the sign not to be
12 so bright, and it's shining in my window.

13 DEPT. MAYOR GREENBERGER:
14 Right.

15 COUNCILMAN JONES: And those
16 little subtle workouts were done because
17 of the nature of the process and the
18 approval.

19 Do we lose some of that?

20 DEPT. MAYOR GREENBERGER: No.

21 COUNCILMAN JONES: Tell me how.

22 DEPT. MAYOR GREENBERGER:
23 Well, first of all, to the extent that --
24 I mean, you said -- you mentioned a
25 number of things.

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2 To the extent that they are
3 subjects that are covered by zoning, like
4 signs, we're going to be -- we're going
5 to use the same kind of careful and
6 thorough method to sort of saying what
7 you can and can't do with signs within
8 certain districts. So there's going to
9 be tight regulations associated with
10 that.

11 As you get to like within the
12 property itself, I could live with the
13 door here, but I can't live with the door
14 there --

15 COUNCILMAN JONES: Which are
16 probably conforming uses as we know it,
17 but in that process, there was a
18 back-and-forth, how shall I say,
19 negotiation on that happened between the
20 residents who have to live with this
21 stuff --

22 DEPT. MAYOR GREENBERGER:
23 Right.

24 COUNCILMAN JONES: -- and the
25 operator goes home every night and

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2 doesn't.

3 DEPT. MAYOR GREENBERGER:

4 Right.

5 COUNCILMAN JONES: You know,
6 the trash winds blowing over on my step
7 because of where your door is.

8 DEPT. MAYOR GREENBERGER:

9 Right.

10 COUNCILMAN JONES: So those
11 little negotiations, even though not
12 covered inside or outside of the zoning
13 code, happen. How does that exchange
14 happen?

15 DEPT. MAYOR GREENBERGER: It's
16 a bit of a subtlety but it's an important
17 and powerful one.

18 'Cause what happens now is that
19 almost nothing is of right at this point.
20 And so, because everything becomes a
21 variance or an ordinance or however it's
22 going to get handled, there's an entrée
23 to talking about anything and everything:
24 where the door goes, how you operate.
25 Community agreements are set up around

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2 that. And so, that's how that happens.

3 But what I think the new code
4 is trying to get to is to say, if we
5 can't establish proper conditions for
6 development, whether it's mixed use or
7 whether it's single use, with proper
8 standards attached to them that are
9 crafted to mitigate some of the things
10 that we can mitigate under zoning, people
11 ought to be more than comfortable when a
12 use like that that does have to conform
13 to those standards shows up.

14 So it's kind of doing the work
15 beforehand --

16 COUNCILMAN JONES: I get what
17 you're saying --

18 DEPT. MAYOR GREENBERGER: --
19 rather than -- now, it doesn't mean -- so
20 there might be a situation where there is
21 an of right use in a zone that is
22 perfectly okay, and there's still an
23 argument about "I'd rather have the door
24 here and there," and these start to be
25 things that live outside of zoning.

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2 And so, there is not a process
3 where --

4 COUNCILMAN JONES: I
5 understand.

6 DEPT. MAYOR GREENBERGER:
7 There is not a process in which we can
8 say anything's on the table, and anybody
9 can, therefore, stop anything, 'cause
10 that's the flip side of "I'm concerned
11 about where that door is." So --

12 COUNCILMAN JONES: I've
13 actually lived on both sides of that
14 issues, where -- what's it's called,
15 "BANANA" (build absolutely nothing
16 anywhere near anything) theory.

17 DEPT. MAYOR GREENBERGER:
18 Right.

19 COUNCILMAN JONES: And I
20 understand the frustration there, but I
21 also understand the frustration of the
22 senior citizen that says, "I used to sit
23 out on my porch. The light is now here.
24 And if the door were over there, it would
25 make my life liveable."

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2 So there's a balance and a
3 trade-off that I think we kind of need to
4 be conscious of at least and be careful,
5 if we can, to not give away too much of
6 that back-and-forth leveraging that we
7 do.

8 DEPT. MAYOR GREENBERGER: I
9 think --

10 COUNCILMAN JONES: Now, on some
11 hands, it's a pain in the rear, and I've
12 experienced that side of it. And on the
13 other hand, it's a valuable, good-
14 neighbor tool that allow people to
15 coexist in piece.

16 DEPT. MAYOR GREENBERGER: And
17 if I could just add one other thing,
18 Councilman, 'cause these are really
19 important issues like day-to-day in all
20 neighborhoods, including even in the
21 center.

22 If you have a situation where
23 that person's sitting on their porch and
24 they're there because they thought that
25 they had bought into a single-family

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2 area, and now suddenly, there's a
3 commercial operation across the street
4 with a sign, and it's, lit that's a
5 problem, right? Because regardless of
6 how that got there, that's a problem,
7 because the expectation, based on at
8 least the zoning, was different.

9 The flip side of that -- and we
10 see the flip side one as well -- is
11 people move into areas that are, in fact,
12 zoned and have been zoned for substantial
13 mixed use, and then say "Oh, yeah, but I
14 actually don't like that facility, you
15 know, that store's owner" or "I don't
16 like how they operate." And so, that's
17 flip side of it. And we say, "Well,
18 like, you moved into this thing."

19 COUNCILMAN JONES: I've had
20 people complain about a railroad --

21 DEPT. MAYOR GREENBERGER: "It
22 was mixed use. Why did you move in?"

23 COUNCILMAN JONES: "Why are the
24 trains so loud, Councilman?" And I said,
25 "Well, there are tracks there that were

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2 there" --

3 DEPT. MAYOR GREENBERGER: So
4 that's kind of the inevitable balancing
5 act that we're trying to do, with the
6 intention of getting as much approval and
7 agreement up front, before the issue even
8 comes up. That's really the thrust of
9 the new code.

10 COUNCILMAN JONES: Well, I
11 applaud you for taking this issue on and
12 trying to save trees by reducing the size
13 of paperwork in order to get things that
14 should be predictable done.

15 But as a District
16 Councilperson, I want to work with you to
17 make sure we don't throw the baby out
18 with the bath water, that that input from
19 the community and, God forbid, an elected
20 official every now and then gets in, all
21 right?

22 Okay. Thank you, Madam
23 President.

24 DEPT. MAYOR GREENBERGER:
25 Thank you for the --

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2 COUNCIL PRESIDENT VERNA:

3 You're welcome.

4 The Chair recognizes
5 Councilwoman Blackwell.

6 COUNCILWOMAN BLACKWELL: Thank
7 you, Madam President.

8 I just note for the record that
9 perhaps we just better review where we
10 are. We thank you and we know we've had
11 our private meeting with you with regard
12 to the whole issue of the word,
13 quote/unquote, prisons and how reentry
14 centers are not prisons and how we're
15 dealing with that specific issue.

16 Would you review that?

17 MS. GLADSTEIN: Yes,
18 Councilwoman.

19 After our meeting with you,
20 I've had several conversations with the
21 Deputy Mayor's Office for Safety. I
22 actually sent them some draft definitions
23 for -- one for a reentry facility that
24 was focused on providing services, and
25 another for a reentry facility that was

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2 residentially based.

3 I've asked them to review that.

4 And as soon as I hear back from them,

5 I'll share that with you as well.

6 COUNCILWOMAN BLACKWELL: Thank

7 you very much.

8 MS. GLADSTEIN: And we can

9 hopefully incorporate that.

10 COUNCILWOMAN BLACKWELL: Thank

11 you.

12 COUNCIL PRESIDENT VERNA: And

13 I'd appreciate your sharing it with me

14 because I think we have --

15 MS. GLADSTEIN: I'd be happy to

16 do that.

17 COUNCIL PRESIDENT VERNA: --

18 the same issue.

19 COUNCILWOMAN BLACKWELL: Thank

20 you.

21 COUNCIL PRESIDENT VERNA: Are

22 there any other questions from members of

23 the committee?

24 The Chair recognizes Councilman

25 Clarke.

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2 COUNCILMAN CLARKE: Thank you
3 Madam President.

4 Madam President, we had a -- at
5 the discussion earlier we had with the
6 Administration about some potential
7 Capital Budget amendments, and I would
8 like to offer them at this time, just to
9 explain that there was some requests
10 about a number of Councilmembers about
11 possible capital dollars being put aside
12 for alley lights that are owned by the
13 City of Philadelphia for possible
14 replacement that would qualify under the
15 Capital Budget Program and potentially
16 some of the neighborhood commercial
17 corridors that have a public purpose that
18 would qualify.

19 So what we would like to do is
20 introduce the amendments. There will not
21 be a vote. The intent is to get it in
22 before, 'cause there's a time frame
23 associated when you can offer amendments
24 for Capital Budget, 'cause there's an
25 issue with the Planning Commission.

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2 So I would ask that we go into
3 a public meeting so we can offer the
4 amendments.

5 COUNCIL PRESIDENT Verna: We
6 will continue our -- does everybody have
7 a copy of the amendments?

8 (Copy of amendments is
9 distributed.)

10 COUNCIL PRESIDENT Verna: Does
11 everybody have a copy of the amendment?

12 We will now continue our public
13 hearing and go into a public meeting.

14 COUNCILMAN CLARKE: Okay.
15 Thank you, Madam President.

16 Madam President, I would just
17 like to offer proposed amendments to Bill
18 No. 110035, in addition to which I
19 propose an amendment to Bill No. 110036,
20 which covers both alley lighting and
21 commercial corridors. I request no vote
22 at this time.

23 COUNCIL PRESIDENT Verna: Very
24 well. And we'll make sure that the
25 stenographer has a copy of both, please.

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2 Thank you.

3 We will now go back into our
4 public hearing.

5 I want to thank you both very
6 much for all of your cooperation. I'm
7 sure we'll be seeing a lot of each other
8 in the very near future before this is
9 over.

10 Thank you.

11 MS. GLADSTEIN: Thank you.

12 DEPT. MAYOR GREENBERGER:

13 Thank you, Madam President.

14 COUNCIL PRESIDENT VERNA: This
15 committee will stand in recess until
16 Monday, April the 18th, at 10 o'clock.

17 Thank you.

18 (Proceedings end at 3:20 p.m.)

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C E R T I F I C A T E

I HEREBY CERTIFY that the
proceedings of the City of Philadelphia Council
Committee of the Whole are contained fully and
accurately in the stenographic notes taken by
me on Wednesday, April 13, 2011, and that this
is a true and correct statement of same.

JOSEPHINE CARDILLO

Registered Professional Reporter

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