

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE OF THE WHOLE

Room 400, City Hall
Philadelphia, Pennsylvania
Monday, May 7, 2012
11:15 a.m.

PRESENT:

COUNCILMAN CURTIS JONES, JR., CHAIR
COUNCILWOMAN JANNIE BLACKWELL
COUNCILMAN BILL GREEN
COUNCILMAN WILLIAM K. GREENLEE
COUNCILMAN BOBBY HENON
COUNCILMAN KENYATTA JOHNSON
COUNCILMAN DAVID OH
COUNCILMAN BRIAN J. O'NEILL
COUNCILWOMAN MARIA D. QUINONES-SANCHEZ
COUNCILMAN MARK SQUILLA
COUNCILWOMAN MARIAN B. TASCO

BILLS 120164, 120165, 120166, 120173, 120174,
120175 and 120230
RESOLUTION 120167

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COUNCILMAN JONES: The hour is present and the Committee will come to order. I'd like to ask everyone to please be seated.

This is a continuation of the public hearing on the Committee of the Whole regarding Bills No. 120164, 120165, 120166, 120173, 120174, 120175, 120230 and Resolution No. 120167.

I would ask Ms. Lewis to please read the title of the bills and resolution.

MS. LEWIS: Bill No. 120164, an ordinance to adopt a Capital Program for the six Fiscal Years 2013 to 2018 inclusive.

Bill No. 120165, an ordinance to adopt a Fiscal 2013 Capital Budget.

Bill No. 120166, an ordinance adopting the Operating Budget for Fiscal Year 2013.

Resolution No. 120167, a resolution providing for the approval by the Council of the City of Philadelphia

1 5/7/12 - WHOLE - BILL 120164, etc.
2 of a Revised Five Year Financial Plan for
3 the City of Philadelphia covering Fiscal
4 Years 2013 through 2017, and
5 incorporating proposed changes with
6 respect to Fiscal Year 2012, which is to
7 be submitted by the Mayor to the
8 Pennsylvania Intergovernmental
9 Cooperation Authority (the "Authority")
10 pursuant to the Intergovernmental
11 Cooperation Agreement, authorized by an
12 ordinance of this Council approved by the
13 Mayor on January 3rd, 1992 (Bill No.
14 1563-A), by and between the City and the
15 Authority.

16 Bill No. 120173, amending
17 Section 19-1806, entitled "Authorization
18 of Realty Use and Occupancy Tax," to
19 further authorize the Board of Education
20 of the School District of Philadelphia to
21 impose a tax on the use or occupancy of
22 real estate within the School District of
23 Philadelphia, under certain terms and
24 conditions.

25 Bill No. 120174, amending

1 5/7/12 - WHOLE - BILL 120164, etc.

2 Chapter 19-1500 of The Philadelphia Code,
3 entitled "Wage and Net Profits Tax," by
4 repealing Section 19-1508, entitled
5 "Refunds and Forgiveness for Poverty
6 Income."

7 Bill No. 120175, authorizing
8 real estate taxes for the City of
9 Philadelphia and the School District of
10 Philadelphia for Fiscal Year 2013 and
11 thereafter, by amending Chapter 19-1300
12 of The Philadelphia Code, entitled "Real
13 Estate Taxes," to provide for a tax and
14 tax rate on real property, for
15 exclusions, and for an established
16 pre-determined ratio; and by amending
17 Chapter 19-1800 of The Philadelphia Code,
18 entitled "School Tax Authorization," to
19 further authorize the Board of Education
20 of the School District of Philadelphia to
21 impose a tax on real estate within the
22 City of Philadelphia, and providing for a
23 tax rate and for exclusions; all under
24 certain terms and conditions.

25 Bill No. 120230, authorizing

1 5/7/12 - WHOLE - BILL 120164, etc.
2 real estate taxes for the City of
3 Philadelphia and the School District of
4 Philadelphia for Fiscal Year 2013 and
5 thereafter, by amending Chapter 19-1300
6 of The Philadelphia Code, entitled "Real
7 Estate Taxes," to provide for a tax and
8 tax rate on real property; and by
9 amending Chapter 19-1800 of The
10 Philadelphia Code, entitled "School Tax
11 Authorization," to further authorize the
12 Board of Education of the School District
13 of Philadelphia to impose a tax on real
14 estate within the City of Philadelphia,
15 and providing for a tax rate; all under
16 certain terms and conditions.

17 COUNCILMAN JONES: Thank you.
18 Commissioner Burns, I've
19 learned as an elected official not to
20 believe everything that's in the
21 newspapers, but if I were to read the
22 newspapers, I understand congratulations
23 may well be in order for you, and I
24 wanted to publicly thank you for your
25 years of service within the Department

1 5/7/12 - WHOLE - BILL 120164, etc.
2 under challenging fiscal and
3 administrative circumstances. You've
4 proven to be a capable Commissioner and
5 one that has always been responsive.
6 I've disturbed you at home on many of
7 occasion in the case of an L&I issue or
8 two, and I just wanted to thank you
9 publicly for your public service.

10 COMMISSIONER BURNS: Thank you,
11 Councilman.

12 COUNCILMAN JONES: And I
13 haven't seen you smile this much before
14 the cameras came on in the entire five
15 years I've been here. So that's a good
16 thing.

17 COMMISSIONER BURNS: Thank you.

18 COUNCILMAN JONES: With that,
19 would you state your name for the record
20 and begin with your testimony.

21 COMMISSIONER BURNS: Certainly.
22 I have an abbreviated testimony today.

23 My name is Fran Burns,
24 Commissioner of the Department of
25 Licenses and Inspections. I thank

1 5/7/12 - WHOLE - BILL 120164, etc.

2 Councilman Jones, Council President

3 Clarke and members of Council.

4 The Department of Licenses and
5 Inspections is requesting a total Fiscal
6 Year '13 budget of \$31,070,966, of which
7 \$21,660,905 is in the City's General
8 Fund; \$8,892,414 is in the Grants Revenue
9 Fund; and \$517,647 is in the Community
10 Development Fund. Our General Fund
11 request of \$21,660,905 is comprised of
12 \$14,244,790 in Class 100, \$7,112,502 in
13 Class 200, \$274,763 in Class 300, and
14 \$28,850 in Class 400. The Fiscal Year
15 2013 request will fund 306 General Fund
16 positions and includes a total of
17 \$6,338,812 for demolition in the General
18 Fund. This represents no change from the
19 Fiscal Year '12 budget.

20 A few of our highlights in this
21 fiscal year include implementing the
22 Vacant Strategy Program. To date, we
23 have identified approximately 25,000
24 structures, completed over 1,500
25 inspections, resulting in 1,300

1 5/7/12 - WHOLE - BILL 120164, etc.
2 enforcement cases and hope to collect
3 more than \$500,000 in license and permit
4 fees, fines and unpaid taxes.

5 Other highlights include the
6 Delinquent License Program where we have
7 collected just under \$100,000 in
8 delinquent license fees, and we have
9 improved our response time to service
10 requests overall from 45 days to 30 days.

11 L&I has made great strides to
12 achieve and surpass our departmental goal
13 for minority, women and disabled
14 participation this fiscal year, ending
15 Fiscal Year '11 with a participation rate
16 of 21.35 percent compared to 18.07
17 percent in Fiscal Year '10. Currently
18 for this fiscal year we are at 28.5
19 percent year to date. Our annual goal is
20 25 percent.

21 Over the course of the past
22 year, we have successfully increased the
23 number of minority registered demolition
24 firms to 47 percent of qualified
25 contractors. Our fiscal team has

1 5/7/12 - WHOLE - BILL 120164, etc.
2 dedicated time to working with minority
3 demolition companies to guide them
4 through the state certification process,
5 and once certified, we have worked with
6 those firms to register with the Office
7 of Economic Opportunity.

8 In addition to attending
9 minority and women and disabled outreach
10 sessions, we have assisted minority
11 demolition contractors with obtaining the
12 required bonding and insurance. We have
13 built strong relationships with the
14 Office of Economic Opportunity and with
15 the state in our endeavors to continue
16 our increase in achievement of minority
17 participation goals.

18 In Fiscal Year 2011, we issued
19 41,497 permits, performed 93,103
20 construction inspections and 91,938
21 operations inspections and completed
22 1,487 Clean and Seals and 580
23 demolitions. We reviewed commercial
24 plans within 20 days of application 95
25 percent of the time and residential plan

1 5/7/12 - WHOLE - BILL 120164, etc.
2 reviews within 15 business days 90
3 percent of the time.

4 We will continue to make
5 significant progress in Fiscal Year '13
6 towards improving services focused on the
7 customer. The hard-working employees of
8 the Department will continue to make
9 Philadelphia a better place to live, work
10 and play.

11 This concludes my abbreviated
12 version of the Fiscal Year '13 operating
13 budget testimony. Thank you for the
14 opportunity to present our budget. I'm
15 available to answer questions at this
16 time.

17 COUNCILMAN JONES: Thank you,
18 Commissioner. On Page 3 of your budget
19 detail, do I read this correctly that
20 \$1.1 million decrease in Grants Revenue
21 and Community Development funding is in
22 order for this fiscal year and an
23 additional loss of the -- what is that,
24 Edward Byrnes Justice Assistance Grant?
25 Are those two decreases in your budget?

1 5/7/12 - WHOLE - BILL 120164, etc.

2 COMMISSIONER BURNS: Yes, they
3 are. We have a decrease of \$140,000 from
4 the JAG grant, which is the Justice
5 Assistance Grant, and --

6 COUNCILMAN JONES: Is the 1.1
7 from CDBG?

8 COMMISSIONER BURNS: Not total
9 combined, no.

10 COUNCILMAN JONES: I think it's
11 900,000 CDBG?

12 COMMISSIONER BURNS: It's a
13 little less.

14 Our CDBG funding so far that
15 we're showing is a reduction of \$76,377.

16 COUNCILMAN JONES: So the
17 Byrnes Justice Assistance Grant, which
18 was 140,000, and the NTI money, which is
19 200,000, how will that impact your
20 service delivery?

21 COMMISSIONER BURNS: For the
22 Justice Assistance Grant, we are bringing
23 three employees from what were funded in
24 the grant onto the General Fund, and the
25 NTI funding that's remaining that we keep

1 5/7/12 - WHOLE - BILL 120164, etc.
2 as an appropriation year to year is a
3 draw down on spending against demolition
4 funds. It's the one-time fund through
5 the bond. Once it's spent, we won't be
6 able to carry it forward in
7 appropriation. So we decrease it by the
8 amount of money that we've spent in the
9 prior year.

10 COUNCILMAN JONES: Will that
11 mean a reduction in personnel or service
12 at all?

13 COMMISSIONER BURNS: That does
14 not.

15 COUNCILMAN JONES: Okay.
16 You've instituted L&I Stat. Can you give
17 me a description of what that is and how
18 that's impacting your performance
19 measures which you've documented in your
20 testimony?

21 COMMISSIONER BURNS: Certainly.
22 L&I Stat is a model after the PhillyStat
23 program from the Administration, and what
24 we do is, we meet -- I meet on a monthly
25 basis -- our executive team of L&I meet

1 5/7/12 - WHOLE - BILL 120164, etc.
2 with our managers and supervisors of
3 every division, and we go through key
4 performance indicators that are starting
5 to become outcomes for each unit within
6 the Department, and then we measure and
7 we talk about where are we making our
8 goals, where aren't we, why aren't we,
9 and we have that kind of conversation.

10 COUNCILMAN JONES: So you
11 mention in your testimony moving on
12 service delivery and categories from 45
13 days to 30 days. Which are the
14 categories? Are we talking about
15 demolition? Which of those performances
16 have actually decreased?

17 COMMISSIONER BURNS: That
18 reference is a reference to our 3-1-1
19 service level agreements, and those are
20 across the spectrum of responding --
21 basically when someone calls 3-1-1, what
22 you get from the Department is an
23 inspection. So we have service level
24 agreement days that were at 45 that are
25 currently at 30, and they run the gamut

1 5/7/12 - WHOLE - BILL 120164, etc.
2 from boarding rooming house to daycare
3 inspections to drainage complaints,
4 property maintenance type of complaints,
5 and then things like no heat complaints
6 are three days. So when I talk about
7 decreasing the number of days of our
8 service level agreement from 45 to 30,
9 that was the reference.

10 COUNCILMAN JONES: Okay. So
11 the time it takes to tear down a vacant
12 property isn't necessarily impacted by
13 that. It's still a matter of court
14 inspection and that timeline that is
15 established by that. What has been
16 impacted is the amount of responsiveness.
17 So if a call comes in to 3-1-1, someone
18 is out in 30 days as opposed to 45; is
19 that --

20 COMMISSIONER BURNS: That's
21 part of it. The other part is -- I'm
22 trying to think of some of the things
23 we've talked about.

24 We made a very deliberate
25 policy that we would get to our service

1 5/7/12 - WHOLE - BILL 120164, etc.
2 inspection and then we would do a certain
3 number of reinspections and then
4 prosecute to court. So that would be
5 something that I look at through
6 PhillyStat to say, are we reaching those
7 levels through our L&I Stat. We look at
8 the productivity of inspectors, and we're
9 able to talk about is one inspector doing
10 a certain -- maybe more high-rise
11 inspections than others, so their numbers
12 look a little different. We can talk
13 about number of days to get to a Clean
14 and Seal from the date of a referral by
15 our inspector and what was our lead time
16 like this month, do we want to hire more
17 people within the Clean and Seal crews,
18 do we -- is there a way to maybe
19 outsource something, where is the demand
20 coming from, so we map it across the City
21 and where our service request, where is
22 our new construction, and that's the type
23 of stuff that we talk about through L&I
24 Stat.

25 COUNCILMAN JONES: Now, there

1 5/7/12 - WHOLE - BILL 120164, etc.
2 is a task force that you've established,
3 I think it's Accelerated Services, IA --
4 or is that the -- no. That's a
5 consultant group that's come in. And
6 what I really want to know about that is,
7 what are they looking for? What are
8 their potential outcomes? What are they
9 trying to certify the Department in
10 doing?

11 COMMISSIONER BURNS: Okay. The
12 IAS is an International Accreditation
13 Service. It's a third-party company that
14 looks at codes and standards across the
15 country for those companies and
16 organizations, both private and public
17 organizations, that ask them to come in.
18 So the Department, through some grant
19 funding through the William Penn
20 Foundation, has an initial application
21 and is going to hire this International
22 Accreditation Service. They'll look at
23 everything from checklists that we might
24 use to do our plan and reviews, both
25 residential and commercial, how we handle

1 5/7/12 - WHOLE - BILL 120164, etc.
2 our appeal process. They'll look at all
3 of our job descriptions and they'll
4 basically -- they'll audit our entire
5 department.

6 Since we're the customer, it
7 really is up to us to craft what we want
8 from them from the audit. So at the end
9 of it, we will be able to see from a
10 third-party eye basically where do we
11 diverge when it comes to best practices
12 across the country, where could we
13 potentially have improvements, how well
14 do we rate.

15 We actually think that in terms
16 of process and procedures, we look pretty
17 good and we sort of already know going in
18 where are some places we want to focus on
19 through this process. And then the
20 outcome will hopefully be that we'll get
21 the accreditation and be able to speak
22 about the accreditation as one of the
23 first large cities to get a third-party
24 accreditation like this and really put
25 ourselves through a year-long audit.

1 5/7/12 - WHOLE - BILL 120164, etc.

2 COUNCILMAN JONES: All right.

3 Commissioner, one of the things you state
4 is that we have 25,000 vacant structures
5 in the City of Philadelphia. Can you
6 just by way of background, how many of
7 them are commercial, how many of them are
8 industrial, how many of them are
9 residential?

10 COMMISSIONER BURNS: Well, I
11 don't have that number today. Part of
12 the review of the 25,000 is that we are
13 actively and currently inspecting every
14 single one of those 25,000 to be able to,
15 one, provide that answer, and that's kind
16 of the secondary, is that we're going to
17 be getting good data, better data, from
18 the inspections. But the primary is
19 really to make sure that we put the owner
20 on notice for whatever property
21 maintenance violations they currently
22 have. That really runs the categories of
23 requiring a vacant property license, as
24 well as in residential where there's 80
25 percent occupied on the block, requiring

1 5/7/12 - WHOLE - BILL 120164, etc.
2 doors and windows on the property.

3 COUNCILMAN JONES: So if we
4 were to do time motion logistically, how
5 long before we can expect information or
6 an inspection on these 25,000 properties?
7 What's the timeline for that?

8 COMMISSIONER BURNS: We've been
9 at the inspection for probably about
10 eight months now, and we could expect
11 potentially another nine months to get
12 through the total 25,000. So that is
13 basically about a year and a half.

14 COUNCILMAN JONES: So at the
15 end of that, we will know how many vacant
16 residential, how many vacant commercials
17 and how many vacant industrial sites we
18 have and what condition they are in?

19 COMMISSIONER BURNS: Well,
20 we'll have a better understanding than we
21 have today, and we'll have what we feel
22 is confidence in that data to have -- to
23 really know what's out there.

24 COUNCILMAN JONES: So currently
25 out of the 25,000 vacant properties, how

1 5/7/12 - WHOLE - BILL 120164, etc.
2 do you prioritize which ones get
3 immediate triage versus those that are in
4 a condition that can wait, and how does
5 that pipeline of information get to your
6 department?

7 COMMISSIONER BURNS: Well,
8 there's a couple ways it could get to our
9 department. Through the vacant
10 strategy -- since this is proactive,
11 we're not basing our vacant strategy
12 based on complaints. We're basing it on
13 what do we have in our database.

14 If an inspector goes out
15 through the vacant strategy and they see
16 that the building is in severe
17 deterioration that they think there's a
18 structural issue where it may be
19 imminently dangerous, they'll refer it
20 internally to our Emergency Services and
21 Abatement Unit, also known as our
22 Contractual Services Unit.

23 The other way is if -- there's
24 a couple of different ways we get
25 notified of dangerous properties. One is

1 5/7/12 - WHOLE - BILL 120164, etc.
2 through 3-1-1 and another is, we do get
3 referrals from agencies within the City
4 to the Department.

5 COUNCILMAN JONES: I'm going to
6 open up for my colleagues' questions, but
7 I want you to be prepared and whoever in
8 your department can answer, I need you to
9 articulate to us, because I've heard
10 Councilwoman Tasco say it on a number of
11 occasions -- what's that club, you're
12 trying to get something for Sheriff sale?
13 You must have said it 50 times about this
14 one --

15 COUNCILWOMAN TASCO: Lakey's.

16 COUNCILMAN JONES: Lakey's.
17 What I'd like to know is, at
18 the point we get notification that a
19 property is problematic, what is the
20 shortest amount of time because it's
21 imminently dangerous and what is the
22 longer amount of time we can expect
23 action on particular properties? So you
24 can hold the answer to that and I'm going
25 to yield to Councilman Greenlee.

1 5/7/12 - WHOLE - BILL 120164, etc.

2 COUNCILWOMAN TASC0: They were
3 pretty good on Lakey's.

4 COUNCILMAN JONES: They were
5 pretty good on Lakey's? All right.

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

8 Good morning. And if I could
9 just second the Majority Leader's
10 comments at the beginning thanking you
11 for your service. I know the Department
12 has had a lot of trying times with some
13 of the things going on, and you have -- I
14 think you've responded very well.

15 COMMISSIONER BURNS: Thank you.

16 COUNCILMAN GREENLEE: So we
17 appreciate it. And also, like Councilman
18 Jones said, to our individual requests, I
19 know I've called you a lot and you've
20 always been very prompt in responding.
21 So I appreciate that.

22 You answered the one question I
23 always ask every year, which is the time
24 it takes to do an inspection. So it's
25 great to hear you basically cut that in

1 5/7/12 - WHOLE - BILL 120164, etc.
2 about a third, right, from 45 to 30?

3 COMMISSIONER BURNS: Yes.

4 COUNCILMAN GREENLEE: Which is
5 great, because I know that's a complaint
6 we get a lot, how long it takes somebody
7 to come out.

8 Sticking with timeframe issues,
9 about how long does it take for, I guess,
10 what you would call the average case to
11 get to court? Has that changed in any
12 time? Has that increased, decreased; do
13 you know?

14 COMMISSIONER BURNS: The
15 average time is basically from our
16 initial inspection, it can take six to
17 nine months to get a court date and
18 actually be in front of a court. The way
19 that -- the reason that it's accelerated
20 is because we have a vacant -- we have a
21 court policy that we established in
22 January 2010 that was new, and what that
23 established for the Department is a
24 standard number of inspections and then
25 send to court. So our initial inspection

1 5/7/12 - WHOLE - BILL 120164, etc.
2 and then two inspections -- or two
3 reinspections, three inspections and then
4 into court. And because of that, I mean,
5 we have -- we can show that we've
6 increased the number of cases that we
7 send to court by thousands over the past
8 three years.

9 COUNCILMAN GREENLEE: And you
10 say that time has accelerated. You
11 mean --

12 COMMISSIONER BURNS: Meaning
13 we're actually taking things to court.
14 The time has accelerated because our
15 inspectors know that we have the standard
16 to follow.

17 COUNCILMAN GREENLEE: That
18 makes sense.

19 And coming at it from the other
20 angle, for the folks who do the right
21 thing and clear the violation, how long
22 does it take to actually get on the
23 record? The reason I'm asking that, we
24 had a meeting with the Homeowners
25 Association and one of their complaints

1 5/7/12 - WHOLE - BILL 120164, etc.
2 were that it sometimes takes a long time
3 to get the actual clearance of the
4 violation, if I'm using the right term,
5 on record. And I don't know if that's
6 accurate or not, so do you know how long
7 it actually takes? If an inspector comes
8 out today, when would it be on the
9 record?

10 COMMISSIONER BURNS: What our
11 inspectors are supposed to do, if they
12 come out today, it should be on the
13 record tomorrow.

14 COUNCILMAN GREENLEE: So it
15 should be on right away?

16 COMMISSIONER BURNS: It should
17 be, yes.

18 COUNCILMAN GREENLEE: Because
19 they were telling us something different,
20 but, again, I wasn't sure.

21 COMMISSIONER BURNS: Our
22 inspectors are pretty good with that. I
23 wouldn't be surprised if we had a small
24 handful that aren't as diligent, but our
25 supervisors know my expectations, and

1 5/7/12 - WHOLE - BILL 120164, etc.

2 that's really what they are.

3 COUNCILMAN GREENLEE: All

4 right. Thank you.

5 Thank you, Mr. Chairman.

6 COUNCILMAN JONES: Thank you,

7 Councilman.

8 The Chair now recognizes

9 Councilwoman Sanchez.

10 (Councilwoman Tasco talking

11 without microphone.)

12 COUNCILMAN JONES: Because you

13 didn't push your button.

14 COUNCILWOMAN TASCO: I did.

15 COUNCILMAN JONES: Oh, okay.

16 I'm sorry. I apologize, madam. Wait a

17 minute.

18 COUNCILWOMAN SANCHEZ: I will

19 gladly give her --

20 COUNCILMAN JONES: You're

21 right. The Chair now recognizes

22 Councilwoman Tasco.

23 COUNCILWOMAN TASCO: You need

24 some bifocals?

25 COUNCILMAN JONES: No. I got

1 5/7/12 - WHOLE - BILL 120164, etc.
2 them. I'm okay.

3 COUNCILWOMAN TASC0: I don't
4 have a lot of questions. I had the same
5 issue that -- question that Councilman
6 Greenlee had about the court date,
7 because that's some of the issues that my
8 staff raised in terms of trying, after
9 the three inspections, trying to get a
10 court date.

11 Have you ever talked to the
12 courts about having a special L&I court?

13 COMMISSIONER BURNS: Well, the
14 courts have worked with us, Judge Bradley
15 Moss, extremely well, between us and the
16 Law Department, and has set two days a
17 month for the vacant strategy for vacant
18 court, and I think since that has worked
19 so well, there have been conversations
20 even with City Council about having a
21 separate -- different types of courts for
22 different things within L&I, and I
23 haven't specifically gone to the courts
24 and talked to them directly about that
25 yet. But it has been a very recent

1 5/7/12 - WHOLE - BILL 120164, etc.
2 conversation.

3 COUNCILWOMAN TASCO: You know I
4 got these questions from Ms. Johnson,
5 because she's the diligent person in my
6 office that handles these concerns, and
7 her question is, how can we stop illegal
8 work on -- if there's someone building
9 something that is illegal and we request
10 an inspection that in the meantime
11 they're supposed to have three visits,
12 they continue to build or they don't
13 cease.

14 COMMISSIONER BURNS: Okay. No.
15 Work without a permit we don't allow to
16 continue. If we get -- when we get a
17 complaint, we have a ten-day service
18 level -- that's through 3-1-1 -- that we
19 do -- one of the points I should have
20 said is, we actually average lower than
21 that, but that we respond to, and then if
22 it's construction activity without a
23 permit, we issue a stop work order.
24 That's not in the same category as three
25 inspections. That's an immediate stop

1 5/7/12 - WHOLE - BILL 120164, etc.

2 work order, working without a permit, if
3 it's verified upon inspection.

4 COUNCILWOMAN TASC0: If I have
5 to come back and clarify that, I'll let
6 you know.

7 COMMISSIONER BURNS: Okay.

8 COUNCILWOMAN TASC0: The other
9 question is, does your department do
10 inspections for the rental license to see
11 if these apartment dwellers or people who
12 are renting have licenses to rent?

13 COMMISSIONER BURNS: We do in
14 two ways. We do it upon complaint and
15 then we do -- we've had a program where
16 we run multi-units, multi-residential
17 units that have lapsed inspection
18 licenses, housing inspection licenses,
19 and we do a proactive programmed
20 inspection there.

21 COUNCILWOMAN TASC0: So if I
22 have a house and I rent it out, how do
23 you know that I'm renting it out?

24 COMMISSIONER BURNS: You'd
25 either have to tell us or if we got a

1 5/7/12 - WHOLE - BILL 120164, etc.

2 complaint, then we would inspect. Those
3 are the two -- generally two ways.

4 COUNCILWOMAN TASC0: Otherwise
5 you don't really know.

6 COMMISSIONER BURNS: Yes.

7 COUNCILWOMAN TASC0: Let's see.
8 I don't guess I have --

9 COUNCILMAN JONES: No, no.
10 Take your time.

11 COUNCILWOMAN TASC0: I had a
12 question, but it's for the Health
13 Department. We had a discussion the
14 other night with the Dominican Grocers
15 about the inspections and the process.
16 So we'll take that up with the Health
17 Department.

18 COMMISSIONER BURNS: Okay.

19 COUNCILWOMAN TASC0: I think
20 that's that.

21 COUNCILMAN JONES: Are you
22 sure?

23 COUNCILWOMAN TASC0: I'm not
24 sure, but right now.

25 COUNCILMAN JONES: Any time.

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2 Now the Chair recognizes
3 Councilwoman Sanchez.

4 COUNCILWOMAN SANCHEZ: Thank
5 you, Mr. Chair.

6 Good morning.

7 COMMISSIONER BURNS: Good
8 morning.

9 COUNCILWOMAN SANCHEZ: I also
10 want to congratulate you on your new
11 position and hate to see you go. I've
12 enjoyed working with you these last four
13 years. Any parting words? Any advice?
14 I'm only kidding. That's not a good
15 poker face, Commissioner.

16 COMMISSIONER BURNS: I don't
17 have a poker face.

18 COUNCILWOMAN SANCHEZ: I wanted
19 to talk a little bit around public
20 nuisance properties. How much of this
21 budget allows you to do -- there is a
22 growing sense of frustration,
23 particularly on weekends and evening
24 hours, whether it's work being done
25 illegally or businesses operating

1 5/7/12 - WHOLE - BILL 120164, etc.
2 illegally. How much of this budget
3 allows you to do weekend work, to have
4 staff working overtime hours to take care
5 of this?

6 COMMISSIONER BURNS: Currently
7 we have emergency duty inspectors that
8 are on call 24 hours a day, and they are
9 on call for structural collapse and
10 structural issues. On Saturdays we have
11 an inspection shift specifically started
12 to respond to unpermitted construction,
13 and they also do do regular permit
14 inspections as well.

15 COUNCILWOMAN SANCHEZ: From
16 what time to what time on Saturdays?

17 COMMISSIONER BURNS: 7:30 to
18 4:00.

19 COUNCILWOMAN SANCHEZ: So you
20 have right now currently in the budget no
21 allocation of resources for evenings.
22 There's a growing number -- and we talked
23 a little bit about it with the DA's
24 Office -- around public nuisance
25 properties, and I know there's been a

1 5/7/12 - WHOLE - BILL 120164, etc.
2 discussion about the Public Nuisance Task
3 Force. Can you give us an update around
4 where we are in working with the Police
5 Department about that?

6 I have several illegal social
7 clubs, speakeasies and other things that
8 have been quite frustrating for the
9 Police Department. Where are we with
10 that?

11 COMMISSIONER BURNS: Well, we
12 are still a member of the District
13 Attorney's Nuisance Task Force and, as
14 such, we participate in the monthly
15 meetings of the Task Force, and our role
16 is since the problems are nuisance
17 problems and they're really about
18 behavior, the Department of Licenses and
19 Inspections is doing the following:

20 One, we will inspect a property
21 during normal business hours to ensure
22 that it's safe for fire and life safety
23 issues in the code, fire code, and we'll
24 also make sure they have the proper
25 licenses and the proper zoning.

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2 In addition, we're working
3 toward and we do remain available, but we
4 will also cease -- act as kind of the
5 ministerial duty, ministerial clerk, to
6 remove the business privilege license
7 upon the written request from our partner
8 agencies.

9 COUNCILWOMAN SANCHEZ: How are
10 we interfacing with the Police
11 Department? My captains are growing
12 frustrated with this, and I know that
13 when we dismantled the last kind of
14 weekend crew, people now know. So many
15 of these inspections, if you're going to
16 conduct them during business hours, folks
17 are not there. How are we going to be
18 able to respond to some of those?

19 There's a growing number of
20 folks who kind of know the system. They
21 know we're not out there. So you have
22 either weekend vending or, as I
23 mentioned, some of these illegal special
24 assembly locations, including churches,
25 which has become another issue around

1 5/7/12 - WHOLE - BILL 120164, etc.
2 folks operating when the City is not
3 operating and knowing it and kind of
4 getting away with it.

5 So how are we -- at what point
6 does that not trigger overtime for your
7 folks to inspect? If in fact the
8 complaint comes in, your folks go out,
9 it's unfounded because it's during normal
10 regular hours, at what point does it
11 trigger up and say, Okay, let's
12 conduct --

13 COMMISSIONER BURNS: It depends
14 on the complaint, because if it's
15 violence, drugs, underage drinking,
16 noise, trash, those aren't complaints
17 that -- well, aside from the trash, those
18 aren't complaints that really the
19 Department of Licenses and Inspections
20 are going to be on duty 24/7 to respond
21 to, because it's not within our mission
22 and/or really our authority under the
23 law. But why the daytime inspection is
24 still just as effective is because we
25 really are looking for is the business

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2 licensed properly, can people safely get
3 in and out under the fire code and the
4 building code, and I think to the extent
5 that we're making ourselves immediately
6 available through the Task Force to be
7 able to do that. So it is different than
8 some of the -- a year or two ago some of
9 the operations, but I think it's
10 something that we're still working on and
11 towards.

12 COUNCILWOMAN SANCHEZ: Do you
13 have a timeline or sense? The Police
14 Department, the captains, are growing
15 frustrated over this in terms of the
16 exchange. How are we looking to make
17 that better?

18 COMMISSIONER BURNS: I assume
19 I'm going to have to sit down and talk to
20 them, because through our work at the
21 Nuisance Task Force, I mean, maybe one of
22 the things to continue to encourage the
23 captains, if they have those problem
24 properties, get them to the Task Force,
25 and that way it's handled by a

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2 coordinated and multi-agency approach to
3 it and, therefore, we all will be within
4 our operating jurisdictions and work with
5 each other to really get to the root of
6 the problem.

7 COUNCILWOMAN SANCHEZ: How long
8 does that process take now?

9 COMMISSIONER BURNS: Getting it
10 to the Nuisance Task Force?

11 COUNCILWOMAN SANCHEZ: For when
12 an action begins. I have several
13 properties that fall in line. We've done
14 the 9-1-1's, we've done everything. I
15 don't know what to do next with them.

16 COMMISSIONER BURNS: I would --
17 have they taken them, have the captains
18 taken it to the Nuisance Task Force?

19 COUNCILWOMAN SANCHEZ: Yes.

20 COMMISSIONER BURNS: And
21 they're with the Nuisance Task Force and
22 there isn't any resolve?

23 COUNCILWOMAN SANCHEZ: Mm-hmm.

24 (Witness approached witness
25 table.)

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2 COMMISSIONER BURNS: Ralph
3 DiPietro is my representative on the Task
4 Force. I just wanted to make sure. Once
5 they get to the Task Force, from an L&I
6 perspective we do react immediately, so
7 I --

8 COUNCILWOMAN SANCHEZ: So that
9 would trigger a weekend or an overtime
10 inspection if the Task Force has been
11 told the activity has only happened from
12 this time to this time?

13 COMMISSIONER BURNS: It depends
14 on whether L&I needs to be there to
15 determine that. If we are needed and it
16 comes through the Task Force and it's
17 within our jurisdiction of what I've laid
18 out, then we do respond when we need to
19 be there, yes.

20 But one of the things that I
21 very clearly and strongly have tried to
22 move the Department away from is really
23 having civilians going out on a police
24 action, and that really isn't the role of
25 the Department and that's not a place

1 5/7/12 - WHOLE - BILL 120164, etc.
2 where I'm going to place our inspectors.
3 So we have, through our role with the
4 Nuisance Task Force, again, we really
5 want to establish -- make the nuisance
6 case, take it to our department and take
7 it through the Law Department and then
8 have L&I revoke the license.

9 COUNCILWOMAN SANCHEZ: Okay.
10 Well, I'll circle back around. I
11 understand that you've felt very strongly
12 about that, but we now have folks who
13 know how to work our system, and I'm
14 extremely frustrated at our inability --
15 because they do present a public safety
16 problem. When you have a speakeasy that
17 starts operating from 12:00 to 6:00 in
18 the morning and the Police Department
19 does its normal -- they go in, they make
20 several arrests, the business, they
21 continue to operate, it's a problem for
22 us, and I'm not sure what the answer is.
23 And nobody wants to put civilians in
24 harm's way, but this is really impacting
25 the quality of life for folks. So we got

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2 to come up with something that allows for
3 a medium ground and for us to do a cease
4 operation on these businesses. They're
5 growing in number. I have several of
6 them. I'd be happy to share the list
7 with your office, because I'm not getting
8 the action from the Task Force.

9 COMMISSIONER BURNS: Okay.
10 Please do.

11 COUNCILWOMAN SANCHEZ: Thank
12 you.

13 COUNCILMAN JONES: I'm sorry.
14 Councilwoman and Commissioner, do we
15 still have night hours and weekend hours
16 for inspections?

17 COMMISSIONER BURNS: The only
18 hours that we have on night hours, we
19 have 24/7 we have inspectors on call for
20 emergency duty, which is a structural --
21 if there's a structural collapse or if
22 there's a failure, then those inspectors
23 are responding 24 hours, seven days a
24 week. We also have a Saturday inspection
25 shift, which is new, which we instituted

1 5/7/12 - WHOLE - BILL 120164, etc.
2 about a year ago, to have two
3 construction inspectors on duty on
4 Saturdays for unpermitted work to respond
5 to unpermitted work and complaints of
6 unpermitted work, to do pickups for that
7 as well and also to do scheduled permit
8 inspections. Right now that's the extent
9 of our off hour.

10 COUNCILMAN JONES: So for
11 nuisance bars, speakeasies, what would be
12 the redress for that?

13 COMMISSIONER BURNS: The
14 redress there is for our partner City
15 agencies to document the nuisance and
16 then request through the Law Department
17 to the Department of Licenses and
18 Inspections a revocation of the license,
19 which is, in effect, a cease work order,
20 put a cease on the property.

21 COUNCILMAN JONES: All right.
22 But my frustration is her frustration,
23 which I know is going to get replicated
24 in a number of district areas, is the
25 documentation of the problem usually is a

1 5/7/12 - WHOLE - BILL 120164, etc.
2 crime scene. And when I tell you that
3 there's a correlation between public
4 safety and the location of those kinds of
5 activities, they go together like peanut
6 butter and jelly. Where there is an
7 illegal business selling alcohol, there
8 is a crime scene waiting to happen as
9 well as minor, less than major issues
10 such as drug activity, prostitution, a
11 whole host of things. So that kind of
12 Task Force coordination is key to a whole
13 host of public safety aspects in our
14 districts.

15 COMMISSIONER BURNS: Yes, and
16 we don't deny that we have a role in
17 that. We have -- we're clearly saying
18 that our role is a little different than
19 we entertained it a few years ago,
20 because the Department of Licenses and
21 Inspections does not enforce the liquor
22 code. And we can be just as effective,
23 but I think there's a way within our
24 jurisdiction, our role, to be as
25 effective and even potentially more

1 5/7/12 - WHOLE - BILL 120164, etc.
2 effective.

3 COUNCILMAN JONES: To the
4 neighbor at 3:00 in the morning that will
5 call us at 6:00 in the morning and we try
6 to explain the silos of this and that,
7 they know -- the bad guys know our silos
8 better than us and understand to tiptoe
9 through those silos and stay open. We
10 have to be a little more creative in our
11 ability to address what is at times a
12 scourge on certain neighborhoods. It's a
13 real problem.

14 COMMISSIONER BURNS: Okay.

15 COUNCILMAN JONES: Councilman
16 Oh, you're next.

17 COUNCILMAN OH: Thank you very
18 much, Mr. Chairman.

19 Commissioner, could I ask you a
20 little bit about your current makeup. I
21 understand that you are short-staffed,
22 have a limited budget, with increasing
23 costs that you have to deal with. Is
24 that a fair statement?

25 COMMISSIONER BURNS: Can you

1 5/7/12 - WHOLE - BILL 120164, etc.
2 repeat your statement, please.

3 COUNCILMAN OH: My statement
4 was, you are short-staffed, have a
5 limited budget and increasing costs.

6 COMMISSIONER BURNS: We have a
7 limited budget because we only -- so that
8 part of the statement is true. We have
9 increasing costs to the extent that
10 personnel or cost for services increase.

11 COUNCILMAN OH: Not contracting
12 costs? You don't have increasing costs
13 with your contractors?

14 COMMISSIONER BURNS: Actually,
15 due to the economy, we have consolidated
16 our contracts. Our contracting costs
17 have actually decreased over the past few
18 years. Now, that's not to say that
19 economic things don't change, but that's
20 been our experience over the past few
21 years with our contracting. It's been --
22 there's been a demand for getting the
23 work and less of a supply, so, therefore,
24 costs have gone down.

25 COUNCILMAN OH: When a

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2 contractor performs the work, do you give
3 them a set fee, such as sealing
4 buildings, or where do they get their
5 fees from?

6 COMMISSIONER BURNS: Certainly.
7 Our demolition works where we have every
8 year we have a list of qualified
9 contractors and then we award to the
10 lowest bidder as long as you're a
11 qualified contractor. And then our Clean
12 and Seal work, the majority, like 99
13 percent of our Clean and Seal work, is
14 done by our personnel, which their labor
15 is our workforce. And the costs there,
16 some of the fluctuation of costs that we
17 would see there would be for materials
18 and supplies like our plywood, you know.

19 COUNCILMAN OH: Are you
20 adequately staffed then to perform the
21 duties that are demanded upon you?

22 COMMISSIONER BURNS: I think
23 that because of the expectations, in
24 order to meet the expectations, we could
25 always do more -- we could always use

1 5/7/12 - WHOLE - BILL 120164, etc.
2 more. I think given -- I know given what
3 we are budgeted, we do a very good job of
4 providing very good services for that.

5 COUNCILMAN OH: I am curious
6 your thoughts on whether or not it would
7 be helpful to have a first-level hearing
8 or a first-level meeting with violators,
9 some who want to give their version
10 rather than going to court, others who
11 would be happy to settle the matter. In
12 other words, would that speed up getting
13 dollars into your department or into the
14 City?

15 COMMISSIONER BURNS: Well, it
16 would get dollars -- it depends. Upon
17 our first inspection, we -- it's our
18 initial inspection. So our initial
19 inspection, we're putting someone on
20 notice for where they're not in
21 compliance with the code, and then our
22 first reinspection, we're seeing, okay,
23 are they complying with what our notice
24 told them to do. And at that point in
25 time, unless it's a license that they

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2 need to get; for instance, if they need
3 to get a housing inspection license or a
4 business privilege license, those are
5 revenue generating, so that would bring
6 money in. But at that point, we aren't
7 giving any fines that would be real money
8 for collection. We don't actually get
9 the fine or the potential for revenue
10 from our enforcement action until we take
11 the offender to court.

12 COUNCILMAN OH: Right. Now,
13 you are filing faster to go to court, but
14 court is kind of a long process and an
15 expensive process. So my question is, in
16 your opinion, if the violator had an
17 opportunity to either pay the fine,
18 negotiate the fine or explain why they
19 didn't feel that they were subject to
20 this fine, would that get rid of some
21 backlog, move things forward and get more
22 money collected?

23 COMMISSIONER BURNS: Yes. We
24 actually have some lawyers on staff that
25 try to do that before we actually go to

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2 court. So we are doing that now.

3 What some of our data reveals
4 is that 70 percent of our compliance
5 actually happens after our second
6 inspection. So people do respond to the
7 notice of violation 70 percent of the
8 time. One of my speaking points when I'm
9 out is that it's that 30 percent that we
10 really struggle with and finding out what
11 gets their attention to compliance.

12 COUNCILMAN OH: All right. And
13 then just to the Chairwoman's question,
14 when you do have things like speakeasies
15 and other types of illegal properties, it
16 would be surprising to me -- and you
17 could tell me -- that you couldn't issue
18 them some type of very large civil fine
19 of some sort and there would be some
20 collection process.

21 COMMISSIONER BURNS: We do try
22 to get that through the court. We
23 can't -- as a department right now, we
24 don't have the legal ability to say you
25 need pay the City this money because

1 5/7/12 - WHOLE - BILL 120164, etc.
2 you've violated in this manner. That
3 really is determined -- we have set in
4 the code fine amounts that we can ask
5 for, and then we take that and our
6 lawyers ask for that as a judgment from
7 the court.

8 COUNCILMAN OH: So if you had
9 higher fines, you could subject those
10 violators to those higher fines?

11 COMMISSIONER BURNS: If they
12 were higher, we could ask the court to
13 subject them to.

14 COUNCILMAN OH: Okay. Thank
15 you very much.

16 COMMISSIONER BURNS: You're
17 welcome.

18 COUNCILMAN JONES: Those are
19 good questions and possible solutions.

20 The Chair now recognizes
21 Councilwoman Blackwell.

22 COUNCILWOMAN BLACKWELL: Thank
23 you very much.

24 I wanted to certainly thank our
25 Commissioner for her work and her

1 5/7/12 - WHOLE - BILL 120164, etc.
2 department. As has been said, whenever
3 we raise questions or have concerns, the
4 Commissioner is always hands on herself,
5 as well as her staff doing a great job
6 for us, and we understand you're, I guess
7 you call it, going on to bigger and
8 better things, but we do thank you and
9 miss the job you've done for us.

10 COMMISSIONER BURNS: Thank you.

11 COUNCILWOMAN BLACKWELL:

12 Thanks.

13 COUNCILMAN JONES: Thank you,
14 Councilwoman. She's expressed, not on
15 the record, how much she's going to miss
16 testifying before Council and how this
17 was one of the highlights of her career.

18 The Chair now recognizes
19 Councilman Johnson.

20 COUNCILMAN JOHNSON: Thank you,
21 Commissioner, for being here, and for my
22 short time being in City Council, I'd
23 just like to thank you and your office
24 for being very supportive as I address
25 the issue of blight and clean streets in

1 5/7/12 - WHOLE - BILL 120164, etc.
2 the 2nd Councilmanic District. So I just
3 want to start off by saying thank you.

4 A couple of questions, though,
5 as relates to L&I, the process of
6 demolishing abandoned houses and how we
7 go about contracting out the actual work.
8 Is there a mode of operational
9 understanding regarding how the
10 contractors are to do business in the
11 community?

12 And just to give you an idea,
13 one of the main complaints I've always
14 received in the capacity of my former
15 life being a State Rep is when properties
16 are torn down, a person's home is damaged
17 and they have no type of recourse or
18 sometime they're told to follow up with
19 the City. I know we always are stuck
20 with, My house was damaged. I'm glad the
21 City tore the property down, but now what
22 do I do? Half of my wall is falling
23 apart.

24 Can you explain that process
25 for me, and when we do have those type of

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2 complaints, is there a recourse of action
3 for an actual homeowner?

4 COMMISSIONER BURNS: Certainly.
5 Our contractors have a specification that
6 they're supposed to perform under when
7 they do their work: Keep the property
8 clean, do level grading, waterproof the
9 adjoining properties, and obviously we
10 don't expect that they're going to damage
11 adjoining properties. We do get
12 complaints that sometimes there is
13 damage.

14 What the best recommended
15 course of action is, if a homeowner feels
16 that they have damage as a result, they
17 should immediately call our Emergency
18 Services and Abatement Unit and ask for
19 our supervisor or the director of that
20 unit, because what we'll do is
21 immediately ask -- we'll actually go on a
22 joint inspection with the contractor and
23 try to be that bridge between the
24 contractor and the homeowner to make the
25 repair. And that does happen.

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2 If it's a complaint that's over
3 two years old and sometimes we get
4 complaints that are four or five years
5 old, we refer them to the Office of Risk
6 Management. But the best advice is, if
7 there's alleged immediate damage, to get
8 in touch with our office and we will
9 intervene.

10 COUNCILMAN JOHNSON: Okay. And
11 just one last part. I'm going to be
12 doing some work and I think even this
13 Friday I have hearings regarding illegal
14 short dumping and just littering in
15 general, and I'm really coming from a
16 supportive standpoint to see how we can
17 do a better job in keeping the City clean
18 but, more importantly, going after those
19 businesses that don't have the best
20 interest of my district at hand.

21 So just a couple of things. Do
22 we have -- and I usually don't try to set
23 people up when they come here, so you can
24 just follow up with me with this
25 information, but I want to get an idea

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2 and a sense of how many licenses, if
3 there's a business involving illegal
4 dumping, have been revoked.

5 Two, when we look at illegal
6 dumping on a person's vacant property,
7 explain to me the process when we can
8 actually take some type of action against
9 them to prevent them from actually
10 engaging in that type of behavior.

11 I guess I'm really coming from
12 the enforcement standpoint. So we can
13 like suspend folks, take cars. I think
14 the law says now if you are caught
15 illegal dumping, we can give a fine, I
16 think, up to \$5,000 and the car may be
17 taken, but I'm looking at legislation now
18 to say the car should be taken, shall be
19 taken. Bottom line, if you get caught
20 dumping, your car needs to be
21 confiscated. That type of an approach I
22 think will have more of an impact than
23 the kind of giving us the flexibility and
24 the discretion to say yay or nay, but
25 actually if you get caught illegal

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2 dumping, your car should be taken. If
3 you're a business, your business license
4 should be revoked.

5 So just give me an idea, or at
6 least from your perspective, what will
7 probably be more effective.

8 COMMISSIONER BURNS: I don't
9 actually have much experience in catching
10 offenders of illegal dumping. So from
11 that perspective, I won't have much to
12 offer. I do -- we have this model
13 already with the Department of Licenses
14 and Inspections where you could continue
15 a discussion of -- and it's kind of along
16 the lines of the Nuisance Task Force, if
17 you wanted to model it around L&I having
18 that ministerial duty. If you document
19 the criminal offense of a business and
20 then ask the Department through the Law
21 Department to revoke their license, I
22 think that that, in terms of a
23 recommendation, is a model that has
24 worked for the Department and that I'm
25 comfortable with.

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2 Unfortunately -- and this is a
3 lot like graffiti pretty clearly when it
4 comes to the Department of Licenses and
5 Inspections' role -- we hold the property
6 owner accountable. So I'm happy to and
7 our office would be happy to work with
8 your office on kind of brainstorming some
9 more on that.

10 COUNCILMAN JOHNSON: All right.
11 Thank you, Fran. Good luck with your new
12 position.

13 COMMISSIONER BURNS: Thank you
14 very much.

15 COUNCILMAN JONES: Councilman
16 Johnson, also I believe Sanitation
17 Police, they have a unit that you might
18 want to have in part of that discussion
19 that you speak of.

20 COUNCILMAN JOHNSON: Thank you,
21 Councilman.

22 COUNCILMAN JONES: You're
23 welcome.

24 Councilwoman Tasco.

25 COUNCILWOMAN TASC0: Thank you.

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2 I did not know you were
3 leaving, but good luck wherever you land.
4 So I must have missed that article.

5 COMMISSIONER BURNS: Thank you.

6 COUNCILWOMAN TASC0: But thank
7 you for the service and the
8 professionalism that you have brought to
9 the Department of L&I and your
10 willingness to listen.

11 I want to share this with you
12 from my staff. They said they are
13 watching the hearings and want me to let
14 you know -- let me get this right -- that
15 you should be commended for making
16 certain customer-friendly improvements,
17 especially in the permitting process and
18 other over-the-counter services offered
19 in the MSB concourse.

20 COMMISSIONER BURNS: Okay.

21 COUNCILWOMAN TASC0: That's
22 from Ms. Johnson.

23 COMMISSIONER BURNS: Thank you,
24 and thank you, Ms. Johnson, as well.
25 Thank you.

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2 COUNCILWOMAN TASC0: Thank you.

3 I just wanted to let you know that.

4 COMMISSIONER BURNS: Thank you.

5 COUNCILMAN JONES: Thank you,
6 Councilwoman.

7 Councilman Henon.

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

10 Good morning, Commissioner.

11 COMMISSIONER BURNS: Good
12 morning.

13 COUNCILMAN HENON:
14 Congratulations on your new position.

15 COMMISSIONER BURNS: Thank you.

16 COUNCILMAN HENON: I hope and
17 I'm sure you'll find it very rewarding
18 and less stressful, as I could imagine.
19 So I appreciate you coming in and
20 testifying here.

21 I have a question. What's it,
22 the Eclipse?

23 COMMISSIONER BURNS: Project
24 Eclipse, yes.

25 COUNCILMAN HENON: Project

1 5/7/12 - WHOLE - BILL 120164, etc.

2 Eclipse. It sounds like a most necessary
3 and needed program. Can you tell me what
4 the timeline is for that?

5 COMMISSIONER BURNS: We don't
6 have a hard timeline yet. We really hope
7 to have a request for proposal or an RFP
8 issued within the next couple of weeks.
9 We have a very good draft of the RFP and
10 we're working with the Office of
11 Information Technology to get that out.
12 If we issue it within two to three weeks,
13 we're going to keep it open for about
14 four weeks. So we're talking six to
15 eight weeks, two months. And then there
16 would be a period of probably another
17 couple of weeks to really vet through the
18 responses. So you're probably looking
19 at, best estimate if everything happens
20 sequentially like I just laid out, a
21 three- to four-month start date for the
22 project.

23 COUNCILMAN HENON: So hopefully
24 sometime next year, the Eclipse system
25 will be up and running, or do you

1 5/7/12 - WHOLE - BILL 120164, etc.
2 anticipate it being up and running this
3 year?

4 COMMISSIONER BURNS: If we can
5 get started end of August, early
6 September, we really want to -- it likely
7 will be a two- to three-year
8 implementation, but what we want to do is
9 sequence it into smaller four- to
10 six-month project parts, that we would
11 look at the sequencing from two
12 perspectives. One, what can we do kind
13 of logically quickly that has the highest
14 impact to the customer and probably --
15 and, secondly, then what does the vendor
16 recommend for us once we put the proposal
17 out.

18 So if we could get started
19 beginning of September with the project
20 work, we could four months in potentially
21 start to see and reap the benefits of the
22 project.

23 COUNCILMAN HENON: That's fine.
24 We look forward to that in its full
25 implementation, because you've been

1 5/7/12 - WHOLE - BILL 120164, etc.
2 talking about bringing the agency and the
3 Department up to technology 2012. So I
4 think everybody in the City will do
5 nothing but benefit more and in an
6 expedient manner. So I look forward to
7 that.

8 As you know -- and I've been
9 dealing with your office and your office
10 has been receptive and accommodating as
11 far as talking through some of the issues
12 that are ongoing in not just my district
13 but 60 percent of my calls I need to have
14 answers for and addressed, but in the
15 entire city. So I look forward to
16 continuing to work with them.

17 Councilwoman Tasco had
18 mentioned about the housing licenses and
19 how we're trying to recapture some of
20 those who haven't renewed that had a
21 license in the past, and I notice in your
22 testimony through another program that
23 you have here using interns and
24 collecting data and data sets to go after
25 folks who should be notified and brought

1 5/7/12 - WHOLE - BILL 120164, etc.

2 back into the City.

3 Is there a formula -- well, I'd
4 like to use that same model moving
5 forward to be proactive as opposed to
6 complaint driven on folks who may not
7 have a housing license, because I believe
8 that -- not that I believe. There is a
9 large sector of Philadelphians who are
10 renting houses as private homeowners
11 without being legal, without having their
12 housing license. And I think that you
13 already laid the foundation to expand
14 into that field and trying to be
15 proactive and going after. I think
16 there's millions of dollars that are out
17 there -- and I'm sure you're well aware
18 of -- that we could just go get, but I
19 know it's not just that easy. But
20 they're out there, and I would hope
21 that -- or I would like to see it expand
22 in the future going after that part of
23 illegal renters in the City of
24 Philadelphia. And not just for a housing
25 inspection license, because that's what

1 5/7/12 - WHOLE - BILL 120164, etc.
2 it's for, but the health and safety and
3 public safety part of why we have a
4 housing license here in the City of
5 Philadelphia, especially when property
6 maintenance is concerned.

7 So it's just a suggestion. I
8 think it's a good start, and I would like
9 to see it be just a little more proactive
10 moving forward.

11 COMMISSIONER BURNS: Well, one
12 of the things that we're working on with
13 our inspectors -- and I know that they're
14 going to embrace this, because they have
15 already -- is, we're calling it owning
16 your own census tracts, where you have to
17 do your complaint inspections, you need
18 to do your permit inspections, you need
19 to do your annual inspections of high
20 rise, family daycares. In addition to
21 that, look around the neighborhood that
22 you're inspecting and think if I live
23 next to that, how would it affect me and
24 what is the ability of L&I for these
25 exterior property maintenance issues at

1 5/7/12 - WHOLE - BILL 120164, etc.

2 least to -- this is a long way of saying
3 to pick up inspections of those quality
4 of life issues.

5 So we are evolving in that way,
6 and I think that that picks up on some of
7 your comment with property maintenance
8 issues.

9 COUNCILMAN HENON: Okay.
10 Great.

11 COUNCILMAN JONES: I just want
12 to add to Councilman Henon's concern. It
13 was interesting, him being a freshman and
14 me being here, that we immediately
15 connected on those kinds of
16 tenant-landlord issues. He launched a
17 website that immediately crashed because
18 of the demand of bad neighbors, and we
19 passed a bill called the Good Neighbor
20 Bill, but a different end of the spectrum
21 that we wanted to serve was town and gown
22 issues in college communities where we
23 had high numbers of college renters that
24 had a total disregard, some of the owners
25 and occupants, for the sanctity of

1 5/7/12 - WHOLE - BILL 120164, etc.
2 certain neighborhoods, East Falls,
3 Manayunk, even so much so the Mayor cited
4 in his five-year fiscal strategic plan
5 that neighborhoods in largest percentage
6 of young adult populations such as
7 Manayunk has increased 59 percent in
8 rental and people in their 20's and 30's
9 over the last -- since 2000.

10 So when we start to look at
11 neighborhoods in the 6th District, the
12 7th District, the 8th District where a
13 tipping point happens, where the majority
14 of properties are being rented versus
15 owned, there needs to be a particular
16 attention to the enforcement of rental
17 licenses. It is my opinion and other
18 Councilmembers' opinion that if we hired
19 extra inspectors to go out and
20 particularly focus on this group of
21 violators, that those funds would more
22 than pay for the inspectors that we hire.

23 So I'm going to be working
24 closely with Councilman Henon's office
25 from a different end of the spectrum. As

1 5/7/12 - WHOLE - BILL 120164, etc.

2 we look at bad tenant-owner-landlord
3 relations that rent to people and
4 disregard their properties, we're also
5 looking at the rental community that
6 deals with the graduate student that
7 doesn't care about the occupants and
8 caring of their property. So we're going
9 to be moving to hearings, I believe, on
10 legislation that Councilman Henon is
11 proposing to take a hard look at that.

12 So I thank you, Councilman, for
13 your energy in this regard.

14 COUNCILMAN HENON: Thank you,
15 Mr. Chairman. Can I continue?

16 COUNCILMAN JONES: Sure.

17 COUNCILMAN HENON: Great.

18 And we look forward to working
19 with the Department as partners, because
20 that's how we see it, as trying to get to
21 the same end and changing behaviors and
22 making sure that people are in compliance
23 in the most efficient and safe manner
24 moving forward.

25 So to that regard, Majority

1 5/7/12 - WHOLE - BILL 120164, etc.

2 Leader, Chairman, mentioned about
3 additional inspectors. I notice -- this
4 wasn't one of my questions, but I'm going
5 to ask it anyway. I notice that you
6 eliminated some inspectors from last
7 year's budget; is that correct?

8 COMMISSIONER BURNS: Not to my
9 knowledge.

10 COUNCILMAN HENON: You have a
11 decrease in Class 100 employees and I
12 believe they were in housing inspection.

13 COMMISSIONER BURNS: Oh, where
14 we took the decrease? Basically what we
15 did is -- no. We'd have to go through --
16 hold on. Let me just check.

17 COUNCILMAN HENON: That's okay,
18 Commissioner. What I'm getting to is,
19 I'm trying to throw one of my favorite
20 programs the City has, the CLIP program,
21 a little bone here and suggest that if
22 there are any rearranging of housing
23 inspectors or inspectors that are out in
24 the field dealing with the quality of
25 life issues, I would certainly hope you

1 5/7/12 - WHOLE - BILL 120164, etc.
2 would take a look at supplying a few more
3 inspectors or somebody at a desk and a
4 clerk's position to deal with the ongoing
5 issues that we have in our neighborhoods
6 with the quality of life. So that's
7 basically where I was headed there.

8 COMMISSIONER BURNS: Okay.

9 COUNCILMAN HENON: I just have
10 a few remaining questions here dealing
11 with permits. Again, my colleague
12 Councilwoman Tasco mentioned about
13 permits on projects in the City of
14 Philadelphia. What is the -- I know they
15 slap a cease to work order on the
16 construction site or any construction
17 that's taking place. What are the
18 ramifications after they -- is there any
19 kind of -- what's the penalty, aside from
20 a monetary civil judgment or civil
21 penalty, on somebody who is performing
22 work illegally? How do we change their
23 behavior on repeating the same thing over
24 and over again if it happens? I mean, of
25 course, they build a building and there's

1 5/7/12 - WHOLE - BILL 120164, etc.
2 no cease to work order. What happens?
3 They pay a fine or they pay the license
4 fee or permit fee and then they continue
5 working?

6 COMMISSIONER BURNS: Yeah.
7 What we would do is, we issue a stop work
8 order, and then they have to get the
9 permits, and if they have contractors
10 that aren't licensed, those contractors
11 need to get licenses. If we have repeat
12 offenders and/or if it's of such a
13 magnitude that it's egregious, then we do
14 hold administrative hearings. And the
15 administrative hearings have ranged the
16 gamut again of potential outcomes. We
17 could suspend someone's license. We
18 could revoke their license so that that
19 contractor no longer does business. We
20 could suspend it for a couple of years.
21 We could revoke it entirely.

22 COUNCILMAN HENON: Can you
23 provide a list to the Chair in the last
24 three years contractors that have had
25 their license revoked and/or that has

1 5/7/12 - WHOLE - BILL 120164, etc.

2 been disbarred for a period of time?

3 COMMISSIONER BURNS: Yes.

4 COUNCILMAN HENON: And when it
5 comes to -- it's my understanding that
6 third-party permits are illegal. If it
7 is brought to the attention of the
8 Department of L&I, if it's brought to the
9 attention of the Department, has there
10 been audits or does that automatically
11 trigger an audit of the employees of
12 somebody who is pulling the permit?

13 I'm going to state for the
14 record I have dealt with your department
15 on this issue in the past and I believe
16 an audit -- audits can take place. I'm
17 not sure if they do or they don't, but is
18 there something that triggers them?
19 Because that would be the only way that
20 you would really be able to catch
21 somebody who is circumventing paying
22 taxes and being legal and in compliance
23 with the laws that are on the books.

24 DEPUTY COMMISSIONER FINK: Good
25 morning, members of Council. My name is

1 5/7/12 - WHOLE - BILL 120164, etc.

2 Michael Fink. I'm Deputy Commissioner at
3 Licenses and Inspections for the
4 Development Division.

5 Councilman Henon, we have
6 conducted audits based upon complaints of
7 people obtaining permits for other
8 entities. We've had administrative
9 hearings and have had some suspensions in
10 that regard.

11 COUNCILMAN HENON: Good. I
12 think that's great work, and I would like
13 to see that continue as well more
14 aggressively as we move forward, because
15 I believe we're going to be seeing an
16 uptick hopefully in the economy, we get
17 more Philadelphians back to work and get
18 some cranes moving in the high rises in
19 the City of Philadelphia. So just in
20 anticipation of an uptick of construction
21 work.

22 COMMISSIONER BURNS: Yes.

23 COUNCILMAN HENON: I have no
24 further questions.

25 COUNCILMAN JONES: Thank you,

1 5/7/12 - WHOLE - BILL 120164, etc.

2 Councilman.

3 Just out of curiosity while we
4 have you here, if a contractor pulls up
5 in a pick-up truck and tools and starts
6 working on a house and you find out about
7 it, what are your recourses? Do you
8 confiscate? If they're operating without
9 a license, they pull up, they're just
10 jackleg and they --

11 DEPUTY COMMISSIONER FINK:

12 That's what the Commissioner described
13 before, is issue a violation notice to
14 the contractor and the property owner and
15 issue a stop work order.

16 COUNCILMAN JONES: So in New
17 York if you pull up in a brownstone in
18 Harlem and start working on a property,
19 what happens there?

20 DEPUTY COMMISSIONER FINK: I
21 don't know.

22 COUNCILMAN JONES: We need to
23 find that out, and I would gather that --
24 I know they're very strict on
25 confiscation and particularly vehicles

1 5/7/12 - WHOLE - BILL 120164, etc.
2 and things like that. So I'm going to
3 ask that you find out what other
4 municipalities - New York, Washington, DC
5 and let's go with Baltimore - to see what
6 they do and what their fine levels are
7 and what their confiscation powers are to
8 compare to ours for our consideration.
9 Because, I mean, coming here without a
10 license, that will stop very quickly when
11 your truck gets impounded, and I just
12 think maybe we're a little light on that.

13 The Chair recognizes
14 Councilwoman Sanchez.

15 COUNCILWOMAN SANCHEZ: Thank
16 you, Mr. Chair.

17 I wanted to go to your
18 diversity numbers. You reported out on
19 your executive team. Do you have the
20 numbers for the rest of your staff in
21 terms of ethnicity and languages spoken
22 within the Department?

23 COMMISSIONER BURNS: Yes, we
24 do. This is for the total department
25 currently: 45.34 percent black, 5.79

1 5/7/12 - WHOLE - BILL 120164, etc.

2 percent Hispanic, 41 percent female.

3 COUNCILWOMAN SANCHEZ: Are you
4 expected to do any hirings in 2013? I
5 know there's been a lot of cross-training
6 with your inspectors. Has that changed
7 in your hiring now?

8 COMMISSIONER BURNS: Has the
9 cross-training changed? No.

10 COUNCILWOMAN SANCHEZ: And your
11 descriptions?

12 COMMISSIONER BURNS: No.

13 COUNCILWOMAN SANCHEZ: How is
14 that going in terms of the
15 cross-training? And I know we've talked
16 about the ability of inspectors to have
17 PDAs and so forth and so on. How are we
18 doing with that?

19 COMMISSIONER BURNS: The
20 cross-training is coming along. There
21 was some anxiety at first from some
22 employees who have always done business
23 inspections and now are entering
24 residential properties, and there was a
25 reluctance there, but we're working

1 5/7/12 - WHOLE - BILL 120164, etc.
2 through it. And then our new employees
3 that weren't in the department obviously
4 are coming in understanding the spectrum
5 of inspections in terms of their job.

6 The PDAs, part of our goal for
7 Project Eclipse is that we will have some
8 type of mobile device for our inspectors.

9 COUNCILWOMAN SANCHEZ: For this
10 year?

11 COMMISSIONER BURNS: I don't --
12 I do not think that that will happen in
13 this calendar year. It's potential for
14 the end of Fiscal Year '13 maybe in terms
15 of again not having a project schedule
16 yet, but just ball parking, understanding
17 what we want to achieve.

18 COUNCILWOMAN SANCHEZ: The
19 cross-training and the ability for folks
20 to conduct different types of
21 inspections, what percentage efficiency,
22 what kind of efficiencies did you obtain
23 through this process? Are folks able to
24 conduct more inspections?

25 COMMISSIONER BURNS: We hope

1 5/7/12 - WHOLE - BILL 120164, etc.
2 that they'd be able to conduct more
3 inspections, that they would have less
4 office hours. We do look at how much
5 time they spend in the office, and then,
6 therefore, they'd be out in the field
7 more. And we also hope that they'd
8 have -- well, we would gain that they
9 would have more information at their
10 fingertips when they're conducting the
11 inspection, which would potentially make
12 the inspection itself better.

13 COUNCILWOMAN SANCHEZ: The
14 delay, is that because of our OIT office?

15 COMMISSIONER BURNS: Well, no.
16 It's actually -- we're extremely
17 fortunate to have the initial award of
18 capital funds to upgrade or replace our
19 current system, and it's a huge project,
20 so you want to make sure you have the
21 planning right. And that's really the
22 stage that we're in right now, the
23 planning for and then the scope and then
24 getting the RFP out. So we're in a good
25 place right now.

1 5/7/12 - WHOLE - BILL 120164, etc.

2 COUNCILWOMAN SANCHEZ: Okay.

3 With this new 3-1-1 application, I mean,
4 one of the things I think that has helped
5 at the Streets Department is the ability
6 of their sanitation officers to take
7 pictures to do the verification. Are you
8 going to be able to take complaints that
9 way too through the 3-1-1 system, photo
10 uploads?

11 COMMISSIONER BURNS: That's our
12 intention, yes.

13 COUNCILWOMAN SANCHEZ: For this
14 fiscal year?

15 COMMISSIONER BURNS: Well, we
16 have been working with 3-1-1 on the CRM
17 project, and we were the first City
18 agency to combine and consolidate into
19 3-1-1. So we've had very good working
20 relationships. So I do know that that's
21 part of our goal, is to continue to be
22 partners in that way, and then whatever
23 that software enhances, we would want to
24 use.

25 COUNCILWOMAN SANCHEZ: Okay.

1 5/7/12 - WHOLE - BILL 120164, etc.

2 Thank you, Mr. Chair.

3 COUNCILMAN JONES: Thank you.

4 Are there any other questions
5 for this witness?

6 (No response.)

7 COUNCILMAN JONES: Seeing none,
8 thank you again for your commitment. And
9 I slightly overexaggerated about your
10 loving to come before Council and
11 testify, but we really appreciate the
12 service that you have given to the City
13 of Philadelphia for the number of years.

14 COMMISSIONER BURNS: Thank you
15 very much.

16 Councilman, if I can read in
17 the Board's budget, the testimony.
18 Usually every year we forget to do this,
19 but there are three boards that the
20 Department administratively supports.

21 COUNCILMAN JONES: Okay.

22 COMMISSIONER BURNS: This is
23 the Fiscal Year 2013 budget testimony for
24 the Zoning Board of Adjustment.

25 Good morning, Councilman. I'm

1 5/7/12 - WHOLE - BILL 120164, etc.

2 Fran Burns, Commissioner of the
3 Department of Licenses and Inspections.
4 I appreciate the opportunity to present
5 the Zoning Board of Adjustment Fiscal
6 Year 2013 operating budget request.

7 The Zoning Board of Adjustment
8 is requesting a total Fiscal Year '13
9 budget of \$355,501 in the City's General
10 Fund, of which \$320,960 is in Class 100
11 and \$34,541 is Class 200. The Fiscal
12 Year '13 request will fund five full-time
13 General Fund positions. This represents
14 no change from our Fiscal Year '12
15 estimated obligations.

16 COUNCILMAN JONES: Any
17 questions?

18 COUNCILWOMAN SANCHEZ: Just I
19 think this is one of the areas where L&I
20 has made tremendous improvement in terms
21 of its interface with the Zoning Board of
22 Adjustment. Is there any outcomes or
23 things that you want to add to your
24 testimony? Because I think that if folks
25 go to the Zoning Board, I think the

1 5/7/12 - WHOLE - BILL 120164, etc.
2 relationship between your office being
3 able to provide kind of on-time realtime
4 information has improved tremendously. I
5 don't know if there was any other big
6 outcomes you wanted to report out.

7 COMMISSIONER BURNS: Not at
8 this time. We could say the Department
9 is going to be working through Deputy
10 Mayor Greenberger's office on the new
11 Zoning Code, and so I think that that's a
12 place where in the next fiscal year you
13 might see some differences as a result.

14 COUNCILWOMAN SANCHEZ: Okay.
15 Thank you.

16 COUNCILMAN JONES: Thank you,
17 Councilwoman.

18 The Chair recognizes Councilman
19 Greenlee.

20 COUNCILMAN GREENLEE: Thank
21 you, Mr. Chairman.

22 Just quickly, it seems like I'm
23 asking a lot of timeframe questions. I
24 know there's two ways to appeal, the
25 accelerated and the regular, correct?

1 5/7/12 - WHOLE - BILL 120164, etc.

2 COMMISSIONER BURNS: Yes.

3 That's correct.

4 COUNCILMAN GREENLEE: On the
5 regular appeals, if that's what you want
6 to call it, how long does that now take
7 on average to get a hearing, and has that
8 increased or decreased? Because we do
9 hear complaints now and then it takes a
10 long time to get those hearings.

11 COMMISSIONER BURNS: It
12 fluctuates through the year depending on
13 the volume. It's currently for a regular
14 seven weeks from the filing date of the
15 appeal.

16 COUNCILMAN GREENLEE: Seven
17 weeks, okay. Has that pretty much --

18 COMMISSIONER BURNS: We like to
19 be around six weeks. We feel like six
20 weeks is very good for a regular appeal.

21 COUNCILMAN GREENLEE: And the
22 accelerated is?

23 COMMISSIONER BURNS:
24 Accelerateds are done in 16 days right
25 now, and there will be a minimum in the

1 5/7/12 - WHOLE - BILL 120164, etc.

2 new code of 21 days.

3 COUNCILMAN GREENLEE: Minimum
4 21 days, all right. And that's, what,
5 500 for the accelerated and 200 for the
6 other; is that correct?

7 COMMISSIONER BURNS: Six
8 twenty-five for the accelerated.

9 COUNCILMAN GREENLEE: Oh, okay.
10 It's gone up, okay. And the regular is?

11 COMMISSIONER BURNS: Let me
12 check. I think it's 125. Let me check
13 here if I have it.

14 COUNCILMAN GREENLEE: If you
15 don't have it, you can get back to us on
16 that.

17 COMMISSIONER BURNS: I will. I
18 should know that. I think it's 125, so
19 we'll get back to you on that.

20 COUNCILMAN GREENLEE: Okay.
21 Fine. Thank you.

22 Thank you, Mr. Chairman.

23 COUNCILMAN JONES: Thank you,
24 Councilman.

25 You have two more to read, yes.

1 5/7/12 - WHOLE - BILL 120164, etc.

2 Please proceed.

3 COMMISSIONER BURNS: This is
4 the Fiscal Year 2013 budget testimony for
5 the Board of Building Standards.

6 I'm Fran Burns, Commissioner of
7 the Department of Licenses and
8 Inspections. The Board of Building
9 Standards is requesting a total Fiscal
10 Year '13 budget of \$70,169 in the City's
11 General Fund, of which \$70,169 is Class
12 100. The Fiscal Year '13 request will
13 fund one full-time General Fund position.
14 This represents no change from our Fiscal
15 Year '12 estimated obligations. And I'm
16 happy to answer any questions at this
17 time.

18 COUNCILMAN JONES: Are there
19 any questions from Council?

20 (No response.)

21 COUNCILMAN JONES: Hearing
22 none, please proceed.

23 COMMISSIONER BURNS: Thank you.
24 This is the Fiscal Year '13 budget
25 testimony of the Board of L&I Review. I

1 5/7/12 - WHOLE - BILL 120164, etc.
2 am Fran Burns, Commissioner of the
3 Department of Licenses and Inspections.
4 The Board of Licenses and Inspections
5 Review is requesting a total Fiscal Year
6 '13 budget of \$152,607 in the City's
7 General Fund, of which \$140,645 is Class
8 100 and \$11,962 is Class 200. The Fiscal
9 Year '13 request will fund two full-time
10 General Fund positions. This represents
11 no change from our Fiscal Year '12
12 estimated obligations. And I am again
13 happy to answer any questions you may
14 have at this time.

15 COUNCILMAN JONES: Are there
16 any questions?

17 (No response.)

18 COUNCILMAN JONES: Seeing none,
19 again, finally, again thank you for your
20 public service.

21 This Committee will stand at
22 recess until 2:00 p.m. for public
23 testimony.

24 COMMISSIONER BURNS: Thank you.

25 COUNCILMAN JONES: Thank you

1 5/7/12 - WHOLE - BILL 120164, etc.

2 very much.

3 (Short recess.)

4 COUNCILMAN GREENLEE: Good
5 afternoon. This is the continuation of
6 the public hearing. This is the time for
7 public testimony.

8 What we're asking, after each
9 name is called, for the person to come to
10 the table, identify themselves and
11 proceed. Because we have an extended
12 list here, we would ask everybody, as we
13 have had at the other public testimonies,
14 to limit your comments to three minutes.
15 There will be a clock here. We're not
16 going to jump up and drag you out after
17 three minutes, but we would ask that if
18 the timer goes off, that you kind of wrap
19 up your remarks.

20 You want to call the first
21 name.

22 THE CLERK: Nancy Goldenberg.

23 COUNCILMAN GREENLEE: You're
24 the lead-off hitter, Nancy.

25 (Witnesses approached witness

1 5/7/12 - WHOLE - BILL 120164, etc.

2 table.)

3 COUNCILMAN GREENLEE: Good

4 afternoon.

5 MS. GOLDENBERG: Good

6 afternoon. Thank you. I do have copies

7 of my testimony for the other

8 Councilmembers.

9 COUNCILMAN GREENLEE: Thank

10 you. We'll leave them on the desk. A

11 lot of people are listening and will be

12 coming down.

13 MS. GOLDENBERG: Thank you,

14 Councilman.

15 COUNCILMAN GREENLEE: Sure.

16 MS. GOLDENBERG: My name is

17 Nancy Goldenberg, and joining me are my

18 colleagues from the City's Commission on

19 Parks and Recreation. The 15 members of

20 this Commission are truly honored to

21 serve as assistants and advisors on

22 matters regarding land use, funding and

23 communications pertaining to the

24 Department of Parks and Recreation.

25 Thank you for this opportunity to comment

1 5/7/12 - WHOLE - BILL 120164, etc.
2 on the FY 2013 proposed budget for the
3 Department.

4 While today's headlines are
5 rightly preoccupied with the financial
6 challenges faced by the School District,
7 there is a quiet crisis occurring in the
8 Department of Parks and Recreation. On
9 paper, this proposed budget of
10 \$47,781,231 represents an increase of
11 approximately 4 percent from last year,
12 but it's essentially flat, as new funding
13 is due to a transfer of existing funds
14 from the Managing Director's Office and
15 an accounting change that transfers
16 certain permit fee revenue from the
17 General Fund.

18 The facts are sobering. With a
19 goal of adding 500 new acres of public
20 green space to the system by 2015, the
21 size of the park and recreation system
22 will inevitably increase. It already
23 has. It's grown to 10,600 acres, or 13
24 percent of the City's land.

25 More and more people are using

1 5/7/12 - WHOLE - BILL 120164, etc.
2 park and recreation facilities, many of
3 which have reached well beyond their
4 useful life expectancy. Last summer
5 alone there was a 53 percent increase in
6 visits at our swimming pools, over 54,000
7 more people using our skating rinks than
8 the previous season and over 8,600 youth
9 and teens attending 169 summer camps.

10 At the same time we're growing
11 in size and use, the Department's
12 full-time complement has been decreasing.
13 Over the past four years, the Department
14 reduced approximately 71 full-time
15 positions, 18 part-time positions and
16 1,237 seasonal positions.

17 In the past two fiscal years,
18 the Department has budgeted reductions,
19 resulting in the loss of proposed new
20 full-time and seasonal staff positions,
21 as well as maintenance and supplies.

22 While it's true the Department
23 has managed to do a remarkable job, it
24 has done so primarily because it has
25 skillfully leveraged capital dollars from

1 5/7/12 - WHOLE - BILL 120164, etc.
2 many of you and from the benevolence of
3 private-sector donors. Commissioner
4 DiBerardinis and his team are to be
5 congratulated for their deftness in this
6 area.

7 This past year, the Commission
8 has held its meetings in different rec
9 centers across the City. Many of you and
10 your staff have attended, and you too
11 have heard citizens tell us about the
12 leaky roofs, sidewalks heaving, overgrown
13 vegetation and burned out lights. We've
14 witnessed the results of insufficient
15 custodians and we've seen the tracks of
16 ATVs.

17 We also experienced incredible
18 dedication of our citizens and staff who
19 together continue to stretch their
20 resources to achieve the goal of a
21 unified park and rec system that is safe,
22 clean, green and ready to use. They are
23 to be commended for their stewardship,
24 for the care of the physical and historic
25 assets of the system. But at some point,

1 5/7/12 - WHOLE - BILL 120164, etc.
2 you can no longer squeeze water out of
3 the sponge. Unless the City brings more
4 resources to the Department, its modest
5 goals will continue to slip further and
6 further behind.

7 The Commission is firmly
8 dedicated to working with you, the Mayor,
9 with the Department of Parks and
10 Recreation to increase public and
11 private-sector resources and to make our
12 park and rec system a true player in the
13 economy of the City and in the daily
14 experience of every citizen.

15 Thank you very much.

16 COUNCILMAN GREENLEE: Thank
17 you. Just one question. Seasonal
18 positions, give some examples, because
19 that's obviously a lot of positions.

20 MS. GOLDENBERG: Seasonal
21 positions are positions that could be in
22 the summer, rec centers, for example.

23 COUNCILMAN GREENLEE: Okay.

24 MS. GOLDENBERG: Swimming
25 pools.

1 5/7/12 - WHOLE - BILL 120164, etc.

2 COUNCILMAN GREENLEE: Swimming
3 pools, okay. Thank you. Thank you very
4 much.

5 Is anybody else testifying or
6 just they're there for support, right?
7 All right. Protection. Okay. All
8 right. Thank you very much.

9 MS. GOLDENBERG: Thank you.

10 COUNCILMAN GREENLEE: We have a
11 list here of people who have already
12 called in. If you wish to testify and
13 you have not called in, there's going to
14 be a sign-up sheet over in the corner
15 here.

16 THE CLERK: Shelly Yanoff.

17 COUNCILMAN GREENLEE: I don't
18 see Shelly here. I think we'll call her
19 again.

20 THE CLERK: Delcina Wilson.

21 (Witness approached witness
22 table.)

23 COUNCILMAN GREENLEE: Good
24 afternoon.

25 And if I could just add, if

1 5/7/12 - WHOLE - BILL 120164, etc.
2 people have written testimony, if you
3 turn that in, we'll make sure the full
4 testimony is part of the record, and if
5 you want to summarize your remarks, that
6 would be fine. Thank you.

7 Ms. Wilson.

8 MS. WILSON: Yes. Good
9 afternoon. My name is Delcina Wilson. I
10 represent Urban Oasis, which is an
11 environmental arts program dedicated to
12 sustaining the environment and greening.

13 I'd like to address Council.

14 Dear members of the Council of
15 the City of Philadelphia, we live in a
16 fast-paced mechanized arena, which
17 unfortunately has moved us away from a
18 kinder, gentler time, a time when we
19 connected with each other and engaged in
20 conversation face to face or just sat
21 together in silence on porches, in parks
22 or meadows to consume nature in all its
23 magical wonder, the inhalation of fresh,
24 clean air, the sound of birds and the
25 hues of the foliage. We are and still

1 5/7/12 - WHOLE - BILL 120164, etc.
2 are part of a system, one system, the
3 ecosystem.

4 The respect, preservation,
5 conservation and community educational
6 programs are the responsibility of us,
7 the committed environmentalists,
8 conservationists and the community at
9 large. These efforts can only fully be
10 successful on a broad basis with the
11 cooperation, consideration of local,
12 state and federal governments that
13 prepare the budgets.

14 Members of Council, we
15 respectfully ask that you evaluate the
16 importance of adequate funding for our
17 parks. Now more than ever, clean, green,
18 open spaces that provide respites from
19 the high velocity times that we exist in
20 are needed. The sustainability of our
21 ecosystem, of which the human race is a
22 link in the diverse life form chain, is a
23 key element to the survival of all
24 species. Please fund our parks.

25 Thank you.

1 5/7/12 - WHOLE - BILL 120164, etc.

2 COUNCILMAN GREENLEE: Thank
3 you, Ms. Wilson. Thank you for your
4 comments.

5 Next name, please.

6 THE CLERK: Donald Kelly.

7 (No response.)

8 COUNCILMAN GREENLEE: Mr. Kelly
9 here?

10 (No response.)

11 THE CLERK: Sarah Clark Stuart.

12 COUNCILMAN GREENLEE: I know
13 she's not here yet.

14 THE CLERK: James White.

15 COUNCILMAN GREENLEE: I know
16 he's here, because we wouldn't have City
17 Council if he wasn't here.

18 (Witness approached witness
19 table.)

20 COUNCILMAN GREENLEE: Good
21 afternoon.

22 MR. WHITE: Good afternoon and
23 thank you for the opportunity to testify.
24 My name is James White and I am the
25 Policy Coordinator of the Philadelphia

1 5/7/12 - WHOLE - BILL 120164, etc.
2 Association of Community Development
3 Corporations. PACDC is a citywide
4 association of more than 90 community
5 development corporations and other
6 organizations that have extensive
7 experience accessing and utilizing
8 programs identified in the City budget.

9 I'd like to focus my testimony
10 on five critical areas that address
11 residents' needs and revitalization in
12 our neighborhoods.

13 The first is funding cuts
14 versus new resources. We understand that
15 the City faces federal and state budget
16 cuts, and we know that the depressed
17 economy not only has severely reduced
18 revenues for the City but also challenged
19 individuals to the breaking point.
20 Despite that, pressure continues to mount
21 on the City to expand the tax base,
22 create jobs, build new homes, repair
23 existing homes and prevent homelessness.
24 The City must strike a balance.
25 Eliminating vital programs now will cost

1 5/7/12 - WHOLE - BILL 120164, etc.
2 the City much more in the long run. We
3 urge the City to make wise investments
4 now of revenues from the General Fund
5 into affordable housing, neighborhood
6 economic development and effective vacant
7 property system.

8 Two, circuit breaker measures
9 for low-income homeowners. As the City
10 and School District need more revenue and
11 the City is moving toward a citywide
12 reassessment based on actual property
13 values, we urge the City to strike a
14 balance. Low-income homeowners,
15 especially in neighborhoods where values
16 have appreciated, could be significantly
17 impacted. While state authorization for
18 a homestead exemption of the first 15,000
19 of property values is in the works and a
20 phase-in will reduce the immediate impact
21 for the next couple of years, we know
22 more is needed. In addition to allowing
23 senior and disabled homeowners to avoid
24 significant increases, it is critical
25 that the City make sure that additional

1 5/7/12 - WHOLE - BILL 120164, etc.
2 circuit breaker measures are in place for
3 a broader range of low-income homeowners
4 before they are impacted by the new
5 assessments. In particular, we believe
6 allowing qualifying low-income homeowners
7 to defer increased taxes over a certain
8 amount until sale of property is an
9 important tool to strike the proper
10 balance.

11 Issue three, expanding housing
12 opportunities. We are grateful with the
13 support of the City Council we were
14 successful in expanding funding for the
15 Philadelphia Housing Trust Fund. It
16 works. More than 6,000 families and
17 individuals have expanded housing
18 opportunities and more than 281 million
19 in additional funding has been leveraged
20 to support the development and
21 preservation of affordable homes.
22 However, revenues are insufficient to
23 meet the demand for new homes, home
24 repair, homeless prevention and
25 especially given the loss of federal and

1 5/7/12 - WHOLE - BILL 120164, etc.
2 state funds. Without additional revenue
3 from the General Fund, scores of worthy
4 affordable housing projects and
5 properties in need of repair will remain
6 stuck in the pipeline for many years
7 while hundreds of low- and
8 moderate-income families struggle to
9 maintain their homes. Again, we urge the
10 City to strike the balance.

11 Issue four, facilitate strong
12 neighborhood commercial corridors.
13 Because of the constraints and reduced
14 CDBG funds, we implore the City to
15 provide more flexible resources from the
16 City's General Fund and capital budget to
17 support commercial and residential
18 mixed-use development and revitalization
19 of disinvested corridors. The City must
20 follow the precedent of previous
21 Administrations and provide more flexible
22 resources to support neighborhood
23 economic development and commercial
24 corridor revitalization. By striking the
25 right balance, the City will be making

1 5/7/12 - WHOLE - BILL 120164, etc.
2 good investments for its future as well
3 as that of its neighborhood commercial
4 corridors.

5 Issue five, create a
6 Philadelphia land bank. The reuse of
7 abandoned and blighted properties is the
8 focus of numerous initiatives undertaken
9 by the Administration and City Council.
10 We applaud that work. Simultaneously,
11 CDCs are working with local residents,
12 the City of Philadelphia and other
13 partners to transform these public
14 eyesores into community assets and clear
15 the way for new investments that will
16 strengthen our neighborhoods and
17 ultimately the City. The Philadelphia
18 Redevelopment Authority's plan to open a
19 front door as a single point of entry to
20 the City's system is a step forward. We
21 urge the City to take the next logical
22 step, create a Philadelphia land bank.
23 Again, by striking the proper balance,
24 the consolidation of ownership of surplus
25 vacant properties in one place will

1 5/7/12 - WHOLE - BILL 120164, etc.
2 facilitate their reuse. Getting
3 properties back into productive reuse
4 quickly will benefit not only individuals
5 and neighborhoods but also the City's
6 coffers. We urge the City to create the
7 Philadelphia land bank in 2012.

8 In conclusion, we look forward
9 to working with the City Council, the
10 Mayor and his Administration to strike a
11 smart balance between use of available
12 resources and short-term needs against
13 the long-term well-being of
14 neighborhoods, which will ultimately
15 create a strong Philadelphia.

16 Thank you.

17 COUNCILMAN GREENLEE: Thank
18 you, Mr. White. And just to let you -- I
19 mean, you raise five very good points.
20 The issue on AVI I think is the issue
21 before us, and I think the kind of
22 safeguards you're talking about are some
23 of the same of many of us and consistent
24 with the bills that Council President
25 Clarke introduced last week. And

1 5/7/12 - WHOLE - BILL 120164, etc.
2 obviously we have to make a decision on
3 those pretty quickly, and it scares us a
4 little bit that we have to depend on
5 Harrisburg for some of that.

6 MR. WHITE: It scares me as
7 well, sir. It took us four years to
8 convince them to authorize the expansion
9 of the Trust Fund. So hopefully they'll
10 do this within the time needed, and
11 hopefully Council will once again step
12 boldly forward where Harrisburg fails to
13 go and lead the way.

14 COUNCILMAN GREENLEE: We'll
15 try.

16 MR. WHITE: Thank you for your
17 time.

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

20 THE CLERK: Frank Cervone.
21 (Witnesses approached witness
22 table.)

23 COUNCILMAN GREENLEE: Good
24 afternoon, everyone. You have a team
25 there I see. Identify yourself for the

1 5/7/12 - WHOLE - BILL 120164, etc.
2 record and proceed, please.

3 MR. CERVONE: Frank Cervone,
4 C-E-R-V-O-N-E, from the Support Center
5 for Child Advocates. With me is
6 Dr. Stephanie Mayweather, the Executive
7 Director of East Division Crime Victims
8 Services. Good afternoon.

9 COUNCILMAN GREENLEE: Good
10 afternoon.

11 MR. CERVONE: Thank you for
12 having us today.

13 We represent today the seven
14 community-based and four citywide victim
15 services agencies, representing and
16 serving and fighting the fight for your
17 constituents and our colleague brothers
18 and sisters in the City who have been
19 victimized by crime. Our City Council
20 funding comes to us through the District
21 Attorney's Office and their budget in
22 Class 200. This year we're requesting
23 \$907,000 to be apportioned among the
24 seven agencies through the grant process
25 the DA's Office runs. This public

1 5/7/12 - WHOLE - BILL 120164, etc.
2 funding of ours would -- or the public
3 funding from the City would be part of a
4 larger network of private dollars and
5 public dollars that we all work hard to
6 maintain, but, in fact, over the past
7 decade and almost every year, our public
8 funding has gone down, not remained
9 constant but been sliced. Our caseloads
10 are high and rising. Our costs, like
11 everyone's, are up, and the challenges to
12 our work are dramatic. We're going to
13 tell you just a little bit about those
14 costs and challenges today.

15 Dr. Mayweather will tell you
16 about the neighborhood, locally victim
17 service -- community-based service
18 agencies. I just want to spend a minute
19 talking about the four citywide victim
20 services agencies - the Support Center
21 for Child Advocates, Families of Murder
22 Victims, Women Organized Against Rape and
23 Women Against Abuse.

24 You know us. Child abuse,
25 homicide, rape, domestic violence. These

1 5/7/12 - WHOLE - BILL 120164, etc.
2 are the stories that we see every day.
3 The stories are dramatic. We've
4 recounted just a few of both the citywide
5 and neighborhood stories in our materials
6 which we've provided to the
7 Sergeant-At-Arms. The stories are
8 dramatic, but drama is really just for
9 TV. What makes our cases so special is
10 that they're all real. They're all the
11 lives, the struggling and hurt lives of
12 people who have experienced crime, whose
13 lives have been broken and whose futures
14 are really in jeopardy.

15 Crime victim compensation is a
16 way that the federal government, in
17 combination with state efforts, brings
18 some of the dollars back to compensate
19 victims for their loss, and we are very
20 good at recovering CBC dollars, almost \$3
21 million recovered in the last year alone.

22 As well we leverage volunteer
23 services, a million dollars in services
24 counting at \$25 an hour. My own office
25 recruits and works with more than 300

1 5/7/12 - WHOLE - BILL 120164, etc.
2 volunteer lawyers whose volunteer service
3 alone is probably worth a lot more than a
4 million dollars.

5 We're performing an essential
6 public function. At a time when court
7 backlogs and staff shortages in the
8 Police Department and the District
9 Attorney's Office have generated delays
10 in trials and problems for victims of
11 crime in Philadelphia, the victim
12 services programs have increasingly been
13 called upon to fill those gaps in service
14 and in time and those gaps in need.

15 Our counseling, our aid, our
16 intervention on behalf of violent crime
17 victims has become increasingly
18 important. Our programs recover hundreds
19 of thousands of dollars in services and
20 leverage countless more.

21 We hope you will provide City
22 funding in the amount requested of
23 \$907,000 and make these people whole.

24 Thank you.

25 COUNCILMAN GREENLEE: Thank

1 5/7/12 - WHOLE - BILL 120164, etc.
2 you.

3 And I know you would like to
4 testify also, but let me just ask a
5 question. The 907,000, how does that
6 compare to other years? Is that more,
7 less, same?

8 MR. CERVONE: Well, it's an
9 increase on the last year.

10 COUNCILMAN GREENLEE: What was
11 last year; do you know?

12 MR. CERVONE: Last year was
13 just around \$700,000. We had been
14 slashed and slashed and slashed. We're
15 all just -- we're gasping for air. We
16 are just gasping for air.

17 COUNCILMAN GREENLEE: And is
18 that the same figure that the DA has
19 requested in his budget; do you know?

20 MR. CERVONE: I don't believe
21 it is.

22 COUNCILMAN GREENLEE: Has he
23 requested less?

24 MR. CERVONE: Yes. I think he
25 requested a modest increase.

1 5/7/12 - WHOLE - BILL 120164, etc.

2 COUNCILMAN GREENLEE: All
3 right. Thank you.

4 Ma'am, please.

5 DR. MAYWEATHER: Good
6 afternoon. Again, I'm Dr. Stephanie
7 Mayweather, the Executive Director of
8 East Division Crime Victim Services. As
9 you may well be aware, there are seven
10 community-based crime victim service
11 agencies across the City of Philadelphia,
12 one to represent each of the City's
13 detective divisions.

14 Many people are unaware that
15 victim service agencies exist until they
16 or a loved one becomes a victim of a
17 violent crime. We provide services such
18 as filing victims compensation claims,
19 information and support at preliminary
20 hearings, court accompaniment to trials
21 at the Criminal Justice Center,
22 referrals, short-term counseling,
23 assistance with filing restraining orders
24 and help with the preparation of victim
25 impact statements. We are often called

1 5/7/12 - WHOLE - BILL 120164, etc.
2 upon in times of school and community
3 crisis. We are the quiet constituents
4 who make a difference in the lives of
5 crime victims. We provide passion
6 justice when victims have nowhere else to
7 turn.

8 Our victims come from all walks
9 of life. They are black, white, Latino,
10 Asian. They're young, they're old,
11 they're disabled, they're sexually
12 diverse, multi-racial, multi-cultural and
13 multi-tribal. They are bruised,
14 battered, assaulted, murdered. They are
15 broken.

16 One dead, two injured in triple
17 shooting. Man shot dead at Cumberland
18 Street near 4th in North Philadelphia.
19 Man, 21, slain in East Germantown.
20 Mother and son caught in crossfire.
21 These are headlines from this morning's
22 newspaper. These are no doubt families
23 we will be assisting.

24 There are also victims you
25 don't hear or read about whom we have

1 5/7/12 - WHOLE - BILL 120164, etc.
2 helped, like the young school girl whose
3 face was sliced in a schoolyard with a
4 box cutter. She was helpless securing
5 victims compensation for reconstructive
6 surgery. Or the man who was stabbed and
7 paralyzed after a simple argument. He
8 was helped with obtaining physical and
9 psychological therapy. Or his sister
10 with securing lost wages after she was
11 forced to leave her job to care for him.
12 Or the elderly couple who we helped get
13 reimbursed after they cashed their Social
14 Security checks and was robbed of the
15 cash moments later. Or the crisis
16 intervention meeting for community
17 residents and City officials after the
18 murder of a well-liked store clerk.

19 Our funding is used for direct
20 services to these victims of crime.
21 Victimization not only affects the
22 victim, it affects the entire family
23 dynamic, including the community.

24 Therefore, we must be connected
25 to and reflective of the communities we

1 5/7/12 - WHOLE - BILL 120164, etc.
2 are physically located in. We are
3 connected through churches, schools and
4 other social service agencies. But just
5 as important, we are connected to each
6 other. Together, for close to 30 years,
7 these organizations have established a
8 successful, seamless and coordinated
9 network of services to support and
10 empower Philadelphia's multitude of crime
11 victims. These agencies have impacted
12 policy and procedure locally and
13 statewide through the Pennsylvania
14 Commission on Crime and Delinquency.

15 We are the only community-based
16 victim service agencies mandated by the
17 state to provide these services, and we
18 are required to trainings each year to
19 keep up with the speed of change in our
20 field. New-age types of crimes are
21 creating new-age types of victims. Cyber
22 bullying through Facebook, My Space and
23 YouTube, identity theft and Internet
24 scams, stalking, and our most
25 challenging, victims of witness

1 5/7/12 - WHOLE - BILL 120164, etc.
2 intimidation, and that's just to name a
3 few.

4 Special skills are needed to
5 assist crime victims, and we are not just
6 sitting in our offices. I have a motto.
7 Our motto says, You cannot help the
8 community if you do not care about the
9 community. You cannot care about the
10 community if you don't know the
11 community. You can't know the community
12 if you're not in the community.

13 The community-based crime
14 victim service agencies embody a spirit
15 of solidarity. In order to be
16 sustainable, our agencies must have your
17 support and more funding. Without these
18 programs, know that Philadelphia's
19 victims and communities will suffer.

20 Thank you for your time and
21 this opportunity to present before you.

22 COUNCILMAN GREENLEE: Thank you
23 very much. Thank you all for coming.

24 MR. CERVONE: Thank you.

25 THE CLERK: Julie Foster.

1 5/7/12 - WHOLE - BILL 120164, etc.

2 (Witness approached witness
3 table.)

4 COUNCILMAN GREENLEE: Good
5 afternoon.

6 MS. FOSTER: Good afternoon.
7 My name is Julie Foster. I serve the
8 Boards of the Overbrook Farms Club and
9 the Morris Park Restoration Association.
10 First, I would like to thank this
11 opportunity to speak. I'm here to
12 request that City Council restore \$8
13 million of funding that was promised to
14 the Parks Department four years ago.
15 That funding has been diverted for the
16 past four years to general
17 appropriations, and the parks really
18 needs it.

19 Investing in the parks is not
20 just about buying park benches or
21 playground equipment. It's about
22 investing in the people who sit on those
23 benches, where they meet neighbors and
24 develop the relationships that serve as
25 the cornerstone of our community.

1 5/7/12 - WHOLE - BILL 120164, etc.

2 Morris Park and Papa Playground
3 are at the heart of my community in
4 Overbrook. It's where I met my neighbors
5 who became my friends. It's where I
6 first engaged in my community and began
7 volunteering. In short, it's a precious
8 resource that makes our neighborhood
9 special. Morris Park is where children
10 learn about wildlife. They get to
11 experience an actual forest and formant
12 the curiosity. Papa Playground is where
13 our children experience teamwork,
14 sportsmanship and leadership. Yet due to
15 a lack of funding, our basketball hoops
16 have no hoops. Our soccer nets have no
17 nets.

18 Moreover, Morris Park and Papa
19 Playground are not always safe places to
20 play. Drug use, graffiti and
21 prostitution frequently plague our park.
22 Children have to be warned about drug
23 needles and broken glass, which litters
24 our park and playgrounds. The trees in
25 our forest, our quarry and our historical

1 5/7/12 - WHOLE - BILL 120164, etc.
2 guardhouse get tagged regularly with
3 graffiti.

4 The Parks Department is a
5 wonderful partner in our community, but
6 it needs to be appropriately funded. Our
7 community needs two things. First,
8 maintenance. Our athletic equipment is
9 virtually unusable in its current state
10 of dilapidation, and the dangerous drug
11 paraphernalia needs to be cleaned and
12 cleared from public spaces on a daily
13 basis to make our parks safe for
14 children.

15 Second is security. We need
16 the return of regular patrols to our
17 parks to address these problems of drug
18 use, trash dumping and dirt bike racing
19 in the parks and playgrounds. Last year
20 men took bulldozers and clear cut half an
21 acre of the forest to race remote control
22 cars, and they were allowed to do this
23 because there was no authority there to
24 answer to.

25 Dirt bikes whiz through forest

1 5/7/12 - WHOLE - BILL 120164, etc.
2 trails without regards to the lives they
3 endanger. Drug users shoot up in our
4 park unfettered by park rangers.

5 Morris Park is a unique
6 resource in Philadelphia. It is the
7 foundation of our community, but it
8 cannot serve as such unless it is a safe
9 place for children to play and for
10 neighbors to meet.

11 There are many things competing
12 for the same dollars this year. We
13 understand that. But parks are more than
14 just parks. They're epicenters of our
15 community. I respectfully request that
16 City Council restore the \$8 million in
17 funding to the Parks and Recreation
18 Department.

19 Thank you.

20 COUNCILMAN GREENLEE: Thank
21 you. Just a quick question. When it
22 came to enforcing that anti-ATV, or
23 whatever you want to call it, action, was
24 that the Police or was that somebody from
25 the Parks and Recreation that did that?

1 5/7/12 - WHOLE - BILL 120164, etc.

2 MS. FOSTER: Well, the problem
3 is, it hasn't been enforced.

4 COUNCILMAN GREENLEE: So nobody
5 has done it before? Okay.

6 MS. FOSTER: Right. That's why
7 we're requesting --

8 COUNCILMAN GREENLEE: Because
9 that sounds like more of a police issue,
10 I think.

11 MS. FOSTER: Well, the park
12 rangers have jurisdiction, and in years
13 past, they actually used to patrol either
14 on horseback, foot or bicycle through the
15 trails of the parks, and their presence
16 really crowded out a lot of these
17 activities.

18 COUNCILMAN GREENLEE: Okay.

19 MS. FOSTER: So I'll leave
20 copies of my testimony.

21 COUNCILMAN GREENLEE: Yes,
22 please. We'll make sure everybody gets
23 it. Thank you very much.

24 MS. FOSTER: Thank you very
25 much.

1 5/7/12 - WHOLE - BILL 120164, etc.

2 THE CLERK: Tom Kaiden.

3 (Witnesses approached witness
4 table.)

5 COUNCILMAN GREENLEE: Good
6 afternoon.

7 MR. KAIDEN: Good afternoon,
8 Councilman Greenlee --

9 COUNCILMAN GREENLEE: Please
10 identify yourself for the record.

11 MR. KAIDEN: -- and Councilman
12 Green and Councilman Oh. Thank you. I'm
13 joined by April Williamson, our
14 Government Relations Director. I want to
15 thank you as well as Councilmembers
16 watching at home and listening at home in
17 their offices.

18 COUNCILMAN GREENLEE: In the
19 offices, not at home. In the offices.

20 MR. KAIDEN: What I'd like to
21 do, if it's okay with you, is not read my
22 testimony. We've provided that. I'll
23 just talk to you for a few minutes.

24 COUNCILMAN GREENLEE: Great.
25 Thank you.

1 5/7/12 - WHOLE - BILL 120164, etc.

2 MR. KAIDEN: So the Cultural
3 Alliance represents about a little over
4 400 organizations in this region, about
5 300 of them actually in the City of
6 Philadelphia. We are responsible for a
7 number of programs, including the
8 Phillyfunguide, which is the regional
9 events calendar, which provides about
10 18,000 events to the public each year,
11 makes those available, makes it easy for
12 people to find out what's going on in the
13 region. We also supply that calendar to
14 23 partner organizations so that they
15 don't incur the expense of producing
16 their own calendars. So it's saving
17 tremendous resources there. We also
18 provide the Funsavers weekly program so
19 that citizens in the region have access
20 to affordable tickets and also making
21 sure that organizations don't have seats
22 go empty, which is also important. We
23 are also the source of important research
24 on the cultural sector. Our Portfolio
25 Report talks about the economic impact in

1 5/7/12 - WHOLE - BILL 120164, etc.
2 the region and all rely heavily on that.
3 It is an important resource to the
4 community to manage resources as well as
5 to civic leaders to understand and
6 measure the impact of arts and culture.

7 Obviously the City and the
8 cultural sector have a longstanding
9 partnership that's been very important to
10 advancing the City's renaissance. One of
11 the most important sources of support has
12 been the Cultural Fund. You've supported
13 the Cultural Fund consistently. I think
14 it's valued for its transparent
15 peer-review process that's really
16 important. This past year it channeled
17 about \$1.6 million to neighborhoods
18 throughout the City, and about 45 percent
19 of its funding actually goes to
20 organizations under \$250,000 in revenue.
21 So we're doing a particularly good job
22 with our Cultural Fund of making sure
23 that cultural resources are making their
24 way into neighborhoods throughout the
25 City.

1 5/7/12 - WHOLE - BILL 120164, etc.

2 When we talk about culture, we
3 want to talk about what's the return to
4 the taxpayers. Well, in the City our
5 cultural resources are producing about
6 \$1.3 billion in economic activity.
7 That's billion with a B. We are
8 generating about \$67 million in City
9 taxes, and in a city that is hurting for
10 jobs, we are producing about 31,000 of
11 them.

12 So obviously the sector has an
13 important economic impact. You know
14 about its quality of life impact. But
15 there are other issues that we're
16 addressing as well. These cultural
17 organizations are addressing blight,
18 violence, recidivism, neighborhood safety
19 and, most importantly right now,
20 education.

21 Our museums, our theatres, our
22 libraries are essentially right now the
23 region's cultural classroom. There were
24 about 1.7 million visits by school
25 children to cultural organizations in

1 5/7/12 - WHOLE - BILL 120164, etc.
2 this region by about 34,000 school
3 groups. We've polled our members and
4 found that they are producing -- about 65
5 organizations are providing educational
6 program, 37 are addressing child
7 development and 30 are tackling truancy.
8 So it's not just a pure quality of life
9 issue.

10 An example of one of those
11 organizations is Philadelphia Young
12 Playwrights, one of whose students
13 recently was nominated for a Tony and one
14 the Pulitzer Prize. That's where some of
15 the investments that you're making are
16 going.

17 One of the other things that's
18 important I think is an issue of access
19 to arts and culture in this region.
20 About half of all visits in this region
21 are actually free, and that's, again, an
22 important source for the resources that
23 you're contributing. Where there is a
24 charge, it's about \$15, which is about
25 one-third the cost of actually producing

1 5/7/12 - WHOLE - BILL 120164, etc.
2 the event. And what's important I think
3 is that we're making sure that everyone
4 in the community has access to arts and
5 culture, not just the privileged, and
6 that's where the investment that you're
7 making is so important.

8 So I want to thank City Council
9 for your investment not just in the
10 Cultural Fund but also in the Percent for
11 Art Program, the Mural Arts Program and
12 through its City-owned institutions.
13 That investment I think is part of the
14 reason that Philadelphia was just named
15 the number one city for culture in the
16 country. It is a sustained investment in
17 this, and it's one of the things that
18 helps us stand apart from other places in
19 the country as a great place to live.
20 The price tag for this, by the way, is
21 about a \$1.11 per citizen per year. So
22 that's the investment -- that's the
23 public investment we're making, which I
24 think is a pretty remarkable ROI.

25 Thank you very much.

1 5/7/12 - WHOLE - BILL 120164, etc.

2 COUNCILMAN GREENLEE: Thank
3 you.

4 Are you going to testify too or
5 just here for backup?

6 MS. WILLIAMSON: I'm just here
7 for backup.

8 COUNCILMAN GREENLEE: Just here
9 for backup, okay.

10 What you're requesting, is that
11 what is requested in the budget; do you
12 know?

13 MR. KAIDEN: Yes. We're
14 basically advocating that the
15 appropriation that's been in the budget
16 be sustained.

17 COUNCILMAN GREENLEE:
18 Continued, okay.

19 Now, you do a great job. I
20 didn't know we were named the number one
21 culture. By whom?

22 MR. KAIDEN: The Travel and
23 Leisure Magazine just named Philadelphia
24 the number one city for culture.

25 COUNCILMAN GREENLEE: It's a

1 5/7/12 - WHOLE - BILL 120164, etc.
2 learned magazine.

3 MR. KAIDEN: Ahead of San
4 Francisco, ahead New York, ahead of some
5 other cities that you might have heard,
6 and I think it's the byproduct of a
7 sustained effort.

8 COUNCILMAN GREENLEE: Very
9 good. Sounds great. Thank you very
10 much.

11 MR. KAIDEN: Thank you.

12 MS. WILLIAMSON: Thank you.

13 COUNCILMAN GREENLEE: Thank you
14 for coming.

15 THE CLERK: David Tukey.

16 COUNCILMAN GREENLEE: We are
17 not sure we pronounced your name right.

18 (Witness approached witness
19 table.)

20 COUNCILMAN GREENLEE: Please
21 identify yourself and proceed.

22 MR. TUKEY: Good afternoon. My
23 name is David Tukey. I've passed out
24 copies of my testimony. I don't intend
25 to read that word for word. I represent

1 5/7/12 - WHOLE - BILL 120164, etc.
2 Mt. Airy Tree Tenders in conjunction with
3 efforts of the Philadelphia Parks
4 Alliance and the Pennsylvania
5 Horticultural Society.

6 I've had an opportunity to work
7 on trees all around Philadelphia. I
8 volunteer in West Mt. Airy, in Chestnut
9 Hill, in South Philadelphia and Woodland
10 Cemetery, including the University City
11 Green. I climb trees, I prune trees, I
12 can inspect trees, and, therefore, it's
13 very concerning to me how far behind we
14 are regarding tree maintenance. So let
15 me focus first my comments on staff.

16 We need staff to make sure that
17 trees are safe, that are pruned properly,
18 that they have long and healthy lives,
19 and they can maximize the benefits for
20 our great city. On the reverse side of
21 my written testimony, I have a listing of
22 all the various kinds of benefits,
23 including how much we return per tree in
24 the lifetime of a tree. We plant a tree
25 for maybe \$500 and maintain it for three

1 5/7/12 - WHOLE - BILL 120164, etc.
2 years. We return over \$90,000 in the
3 tree's lifetime. So it's an amazing
4 return on investment.

5 But we need more staff to do
6 other things than just take care of
7 trees. We need staff to make sure we
8 have supporting programs for our parks
9 and our trees, we make sure that we have
10 enough volunteers that are coordinated by
11 City staff. And right now there are a
12 lot of people that would like to work
13 more with trees that don't have an
14 opportunity because the staff are simply
15 not available.

16 I've had a chance to look at
17 programs in other cities and make
18 comparisons, and they have innovative
19 things all through their park systems.
20 We have none of that because we simply do
21 not have the staff to coordinate the
22 educational programs and work with
23 volunteers.

24 Lastly, we need more staff to
25 talk about tree planting. A lot of tree

1 5/7/12 - WHOLE - BILL 120164, etc.
2 planting is done by people other than
3 City staff, and we have to rope together
4 the funds not only for the trees but to
5 plant the trees. In many cases, we have
6 contractors planting trees at an
7 exorbitant cost per tree instead of
8 having volunteers do that work myself.

9 In Mt. Airy and Chestnut Hill
10 we've planted over 500 trees just in my
11 own tenure of working with those kinds of
12 efforts. That's just on the staff side.

13 If we had more jobs for these
14 staff, we would promote green jobs. In
15 many cases, the City of New York is way
16 ahead of us on this curve.

17 A couple weeks ago in Council
18 Chambers, a Councilperson asked the
19 Commissioner what about people that are
20 incarcerated, what can we do for them,
21 give them a minimum wage and have them
22 working green jobs. And the answer is,
23 the City doesn't have the staff to do it.
24 But I know of those efforts happening by
25 private individuals in the City and by

1 5/7/12 - WHOLE - BILL 120164, etc.
2 friends hospitals. If they can find ways
3 to employ incarcerated individuals and
4 give them opportunities to be productive
5 citizens for Philadelphia, why can't the
6 City do that?

7 Why should the City also rely
8 on contractors from outside Philadelphia
9 to work on City trees, as I mentioned in
10 testimony a couple years ago in reference
11 to some union representatives that were
12 here that day. Why can't Philadelphians
13 take care of Philadelphia trees? We are
14 in those neighborhoods. We see what
15 needs those trees have. We can take care
16 of them, because we live with those
17 trees, not the people from outside.

18 Let's, lastly, take a look at
19 the big picture. Philadelphia has one of
20 the largest park systems in the country.
21 It's the envy of the world, as the
22 Commissioner mentioned a couple weeks ago
23 to you. But we have one of the most
24 meager budgets per capita in the country.
25 So what we have is a very large park

1 5/7/12 - WHOLE - BILL 120164, etc.
2 system with a very small budget that's
3 worsening over time. We need to address
4 this gap. I, therefore, ask Council to
5 restore the \$8 million that have been
6 promised through the parking tax and give
7 us a leg to stand on, redress these needs
8 and help us focus on these trees.

9 I realize there are a lot of
10 things to use City money for, but this is
11 an investment that brings rewards in
12 countless ways, many of which are
13 economic and many of them not economic.

14 So thank you very much for your
15 attention today.

16 COUNCILMAN GREENLEE: Thank
17 you. Stay there one second.

18 Councilman Oh.

19 COUNCILMAN OH: Thank you very
20 much, Mr. Chairman.

21 I just have a couple of
22 questions for you. The first is, you
23 talked about other cities and their
24 innovative approaches or uses or methods
25 that they're employing in their parks.

1 5/7/12 - WHOLE - BILL 120164, etc.

2 Could you name some of those that you see
3 there that we are not doing?

4 MR. TUKEY: I don't remember
5 the specific city. I believe it was in
6 Texas, but they had people working with
7 trees that had a program similar to a
8 master gardener program, but they were
9 trained to work with trees after a
10 certain number of hours of classroom
11 instruction and training and on-site
12 supervision. They could work alongside
13 of their city's staff pruning and taking
14 care of trees.

15 COUNCILMAN OH: Okay. And then
16 in terms of our funding going into the
17 future -- and I'm saying this because you
18 seem like you know a lot about this
19 subject, so I'm just curious -- in our
20 current method of funding, we would rely
21 on General Funds to provide for the
22 parks, and it seems every year a crisis
23 arises -- and we're facing one right
24 now -- that needs immediate attention.

25 Have you come across other

1 5/7/12 - WHOLE - BILL 120164, etc.
2 systems in other states or counties which
3 you find to be a more effective manner of
4 funding parks?

5 MR. TUKEY: I remember your
6 question to the Commissioner.

7 COUNCILMAN OH: I asked about
8 the Minneapolis system in particular, but
9 there's other systems.

10 MR. TUKEY: Right. I'm not
11 familiar with the funding streams. My
12 focus is more on how the work gets done,
13 how it's organized, what proportion is
14 for removals, planting and pruning and
15 things like that. I can't address the
16 funding sources, but I do know that out
17 of the current fiscal situation, if
18 you've got a roof falling down on a
19 recreation center where people are coming
20 in to use those services, you've got to
21 take care of that roof before you get to
22 the trees. It's just one of those
23 things. So we just need more money to
24 take care of everything in their budget.

25 COUNCILMAN OH: And that is an

1 5/7/12 - WHOLE - BILL 120164, etc.
2 issue that we will have to look at,
3 because you're right, whenever there's a
4 roof falling down or something, that will
5 need immediate attention. The issue is
6 always how will you set aside a set
7 amount of funds to provide for these
8 trees and parks that are so important,
9 but -- overgrown grass never killed
10 anybody, and I'm just saying that kind of
11 just as an analogy of some sort, but
12 that's a challenge that we're going to
13 have to figure out how to deal with. But
14 I appreciate your testimony. Thank you
15 for coming here.

16 MR. TUKEY: I agree with you.
17 In some cases the trees are on private
18 property that impacts safety for the
19 public. There was a long set of issues
20 done on Weaver Street. I've been helping
21 out. It's a very impoverished area of
22 West Mt. Airy that nobody has helped them
23 out ever. I'm doing a pro bono removal
24 in their backyards right now. In the
25 front yards, they have a tree that's

1 5/7/12 - WHOLE - BILL 120164, etc.

2 bending over the sidewalk and over the
3 street right near an intersection, and
4 people cannot look left to see what's
5 coming down. If we had City staff that
6 could address those issues and talk to
7 homeowners. So you got private property
8 trees. You've got trees that have fungus
9 in Chestnut Hill I've seen, huge cankers
10 in your district, sir, and how do we take
11 care of all those just on the safety
12 side.

13 I liked your question about the
14 Minneapolis system. If there's a way we
15 could just find an alternative stream to
16 keep funding, because the investment
17 return on trees is so pronounced. If we
18 could sequester that funding source and
19 keep those benefits rolling in, we would
20 save the public in numerous ways, in City
21 health and safety and all kinds of issues
22 that other people have talked about
23 before.

24 So I appreciate your questions,
25 and I think it's a very interesting issue

1 5/7/12 - WHOLE - BILL 120164, etc.
2 to look at, and I'd welcome the
3 opportunity to work with you more if
4 you'd like to contact me. I'd do some
5 research on that on your behalf and see
6 what's going out there. I really like
7 that idea.

8 COUNCILMAN OH: Well, thank you
9 for your great interest, passion and your
10 willingness to volunteer in so many ways,
11 and I'll take you up on that offer.
12 Thank you very much.

13 COUNCILMAN GREENLEE: Thank
14 you, Councilman.

15 Hold on one second.

16 Councilman Green.

17 COUNCILMAN GREEN: Thank you.

18 So I just want to make sure
19 that I clearly understand what you're
20 saying. You're saying in the context of
21 everything that has to be done with
22 existing trees, et cetera, if you have to
23 choose between spending two and a half
24 million planting 60,000 trees or spending
25 two and a half million a year removing

1 5/7/12 - WHOLE - BILL 120164, etc.
2 and maintaining what we have, you would
3 choose the latter? Because that's the
4 choice.

5 MR. TUKEY: I know.

6 COUNCILMAN GREEN: Because
7 they're choosing to spend two and a half
8 million in planting and not pruning.

9 MR. TUKEY: I think we really
10 have to look at the removal issue, which
11 has come up a couple years in a row now
12 at Council. I really think it's a public
13 safety issue. I myself in Chester County
14 in a rainstorm was hit in my car in a
15 rainstorm, so I know what it's like to
16 have a tree fall on you.

17 There may be some critical
18 maintenance issues with trees that we
19 could handle in innovative ways, as I
20 mentioned the one city in Texas, that we
21 could deal with pruning. So I would look
22 at removal --

23 COUNCILMAN GREEN: We still
24 have to pay for pruning, which we're not
25 paying for, right? So, I mean, even new

1 5/7/12 - WHOLE - BILL 120164, etc.

2 people you bring on, you've got to take
3 that money from somewhere, and it seems
4 to me the most obvious place is planting.

5 MR. TUKEY: I was thinking of
6 in Mt. Airy we don't have a pruning club
7 currently the way UC Green has one, but
8 if we can get that going with a lot of
9 the arborists and other volunteers, we
10 can do a lot pruning early that would
11 save the City money in the long run. And
12 I can tell you more about tree physiology
13 if you're interested in how to make that
14 work.

15 So I would say removal is
16 first, removing dead limbs over highways
17 second, and then planting, and then other
18 kinds of pruning we could handle another
19 way. That's kind of how I would look at
20 things. I know it's a complex set of
21 issues.

22 COUNCILMAN GREEN: Thank you.

23 MR. TUKEY: But it can be done.

24 Thank you for your question.

25 COUNCILMAN GREENLEE: Thank you

1 5/7/12 - WHOLE - BILL 120164, etc.
2 very much, sir. Thank you for coming
3 down.

4 THE CLERK: Jeff Lee.
5 (Witnesses approached witness
6 table.)

7 COUNCILMAN GREENLEE: Good
8 afternoon.

9 MR. LEE: Good afternoon.

10 COUNCILMAN GREENLEE: Please
11 identify yourself for the record and
12 proceed.

13 MR. LEE: My name is Jeff Lee.
14 I'm the President of the Community
15 College of Philadelphia's Alumni
16 Association. This is Michelle Joseph.
17 She is the Secretary.

18 I joined the Alumni Council in
19 2005 when we had 11 members at that time.
20 Today, CCP's Alumni Council has 23
21 members with a 95 percent attendance rate
22 at our monthly meetings. We have made
23 many strides and have many
24 accomplishments and initiated several
25 successful events. Just to name a few,

1 5/7/12 - WHOLE - BILL 120164, etc.
2 we started an Annual Alumni Association
3 Banquet in 2008 where we honored alumni
4 doing positives things in the community.
5 We've given out over 15 scholarships to
6 students in need. We've taken children,
7 alumni and students to Sixers and
8 Phillies game every year for the past
9 four years. We've integrated with
10 technology by creating Facebook and
11 LinkedIn pages. We are financially
12 stable, with a strong cohesive unit
13 dedicated to Community College and its
14 future.

15 On Thursday, April 19th, we
16 were blind-sided by CCP officials who
17 informed us at our monthly meeting that
18 the Alumni Association was being
19 dissolved. To use their words, we were
20 told to take a year-long vacation. We
21 had no indication or warning of this
22 action. The College never informed us,
23 no letters, no e-mails, nothing to help
24 us understand why the College would take
25 this position. We are still left without

1 5/7/12 - WHOLE - BILL 120164, etc.
2 understanding or answers of the College's
3 thought process.

4 We believe that a decision of
5 this magnitude begs for open, honest and
6 thorough discussion with the Alumni
7 Council members who are very dedicated to
8 the success of Community College.

9 Not only the decision but the
10 method in which it was delivered is an
11 affront to the Alumni Association and
12 every alumnus. It's a troubling and
13 disappointing matter to us to get this
14 from our own alma mater.

15 To be clear, every Council
16 member opposes this decision, and we are
17 seeking your support in helping us to get
18 answers from CCP. We are aware that CCP
19 gets money from the City of Philadelphia,
20 and we ask that you ask them the tough
21 questions and get the honest answers from
22 Community College of Philadelphia and
23 their position on the issue of abruptly
24 dissolving the Alumni Association. I ask
25 the Council to support us in this issue,

1 5/7/12 - WHOLE - BILL 120164, etc.
2 and we thank you.

3 COUNCILMAN GREENLEE: Thank
4 you. Did they give you any indication it
5 was a funding issue? I mean, how much do
6 they fund the Alumni Association?

7 MR. LEE: Well, the Alumni
8 Association was self-funded.

9 COUNCILMAN GREENLEE: Okay. So
10 it's not a funding issue.

11 MR. LEE: No. We were very
12 stable, so it wasn't a funding issue.

13 COUNCILMAN GREENLEE: Okay.
14 And so they gave you no other reason?

15 MR. LEE: No.

16 COUNCILMAN GREENLEE: Okay.
17 All right. Thank you. Thank you very
18 much.

19 Did you want to say something?

20 MS. JOSEPH: Well, I was going
21 to just say that --

22 COUNCILMAN GREENLEE: Just put
23 your name on the record, please.

24 MS. JOSEPH: Sabina Michelle
25 Joseph. You have me on the list as the

1 5/7/12 - WHOLE - BILL 120164, etc.

2 next person. And I'm the Secretary of
3 the Alumni Association and I graduated
4 from CCP from 2009 and also joined -- I
5 graduated from CCP in 2009, joined the
6 Association that year, and I'm now at
7 Widener University to proceed in my
8 nursing. And the reason why I came back
9 to the Alumni Association is because of
10 the support that I got from CCP, not to
11 mention that I was a very active student
12 at CCP, and I am no stranger to the
13 stories that the students at CCP go
14 through. And I believe that the Alumni
15 Association is there to support and to
16 innovate and inspire those students, and
17 just having the Alumni Association or
18 just asking us to just take a break,
19 without no vision or no goal being
20 presented to us, I find it very
21 worrisome, because I believe that we
22 should be in continuation to what is
23 happening.

24 We are not opposing progress
25 nor expansion, but I believe we should do

1 5/7/12 - WHOLE - BILL 120164, etc.
2 it as a teamwork, and, therefore, we're
3 just simply asking you to heed our
4 conscience and just to rally behind us
5 with this.

6 COUNCILMAN GREENLEE: Have you
7 had -- has there been any noticeable
8 conflict with Community College that
9 could have brought this on?

10 MS. JOSEPH: No.

11 MR. LEE: There has been no --

12 COUNCILMAN GREENLEE: So it
13 kind of came out of the blue, in your
14 opinion?

15 MS. JOSEPH: Yes. And we've
16 been attending meetings every third
17 Thursday for the past few years, and it
18 only -- we started seeing some different
19 changes last year where we were actually
20 getting ready to do this huge alumni
21 weekend where we could just pull all
22 alumni members out so that we can
23 socialize or, you know, to find feedback
24 from people, and every time we discuss
25 something, one thing was said at the

1 5/7/12 - WHOLE - BILL 120164, etc.
2 meeting and another would transpire in
3 the office, and, you know, just the way
4 it was done was very disrespectful. So
5 we're trying to find --

6 COUNCILMAN GREENLEE: I'll tell
7 you what, I'll ask the question of
8 Dr. Curtis. Okay? If you get in touch
9 with me, I'll ask him. Okay?

10 MS. JOSEPH: Thank you.

11 COUNCILMAN GREENLEE: Thank
12 you.

13 THE CLERK: Sarah Clark Stuart.
14 (Witnesses approached witness
15 table.)

16 MR. DOTY: Thank you. I'm Alex
17 Doty, the Executive Director of the
18 Bicycle Coalition with Sarah Clark
19 Stuart, our Campaign Director. We're
20 here to speak about the need for
21 increased resources for the Streets
22 Department to make our streets safer,
23 more walkable, more bikeable.

24 Philadelphia is a walkable and
25 bikeable city. We've had very good

1 5/7/12 - WHOLE - BILL 120164, etc.
2 success in this area. Philadelphia has
3 twice as many bicycle commuters per
4 capita as any other top ten big city in
5 the United States, and we are
6 consistently graded as a walkable city in
7 national surveys. And the City has
8 undertaken planning for biking and
9 walking and the Bicycle Pedestrian Plan
10 is complete. City Council was briefed on
11 that in late last year, but those
12 plans -- we need to have a plan for
13 implementing the plan, and we are
14 starting to fall behind from being a
15 leader in bike lanes and bicycle
16 infrastructure. We are now starting to
17 fall behind, and we're falling behind for
18 two reasons. We're falling behind
19 because the Streets Department is
20 repaving a very small number of streets
21 every year. This year we're on schedule
22 to repave only 15 miles of streets in the
23 City of Philadelphia, which is only 2
24 percent of our streets. So if you
25 started to say that's going to be 2

1 5/7/12 - WHOLE - BILL 120164, etc.

2 percent every year, it's going to take a
3 very long time for us to -- the way that
4 safety improvements in bicycle and
5 walking improvements have generally
6 brought to our streets is through
7 repaving.

8 We also at the time of repaving
9 can see low-cost safety improvements when
10 they're planned for. So the opportunity
11 can only be taken advantage of when we
12 have the traffic engineers in order to do
13 repaving -- in order to do planning
14 around repaving. Philadelphia has three
15 traffic engineers. The City of San
16 Francisco has over 20. In order to bring
17 about these low-cost safety improvements,
18 we need to have more resources in the
19 Streets Department for traffic engineers.
20 These are -- when we're talking about
21 low-cost safety improvements, we're
22 talking about things like the buffered
23 bike lanes on Spruce and Pine Street
24 where for the cost of the paint and the
25 cost of the planning, we saw a 40 percent

1 5/7/12 - WHOLE - BILL 120164, etc.
2 reduction in motorist crashes, motor
3 vehicle crashes on Spruce and Pine
4 Streets in the year after those bike
5 lanes went in.

6 When you look at the kind of
7 improvements that you're seeing in New
8 York City, some of those have to do with
9 making changes in curb cuts and curb
10 lines, but a lot of them are simply what
11 it is that you can do with paint. But
12 you only can make those changes with
13 paint if you have the person to make a
14 new plan for that street.

15 Thank you for the opportunity
16 to give this testimony.

17 COUNCILMAN GREENLEE: Thank
18 you. What you're requesting, has that
19 been requested through the -- I mean, has
20 the Streets Department requested that or
21 is that not in the budget as we speak?

22 MR. DOTY: That's not in the
23 budget as we speak.

24 COUNCILMAN GREENLEE: All
25 right. Thank you.

1 5/7/12 - WHOLE - BILL 120164, etc.

2 Having no one else on the list
3 to testify, this Committee will stand in
4 recess until Tuesday, May 8th, 2012 at
5 10:00 a.m.

6 Thank you very much.

7 (Committee of the Whole
8 recessed at 3:05 p.m.)

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CERTIFICATE

I HEREBY CERTIFY that the
proceedings, evidence and objections are
contained fully and accurately in the
stenographic notes taken by me upon the
foregoing matter on May 7, 2012, and that this
is a true and correct transcript of same.

MICHELE L. MURPHY
RPR-Notary Public

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