

Proposed Amendment to Bill No. 190553

1. Delete Section 1 in its entirety and replace with new Section 1 below.

SECTION 1. Title 17 of The Philadelphia Code, entitled “Contracts and Procurement,” is hereby amended by adding a new Chapter 17-2300, entitled “Community Benefits Agreements”.

TITLE 17. CONTRACTS AND PROCUREMENT.

* * *

CHAPTER 17-2300. COMMUNITY BENEFITS AGREEMENTS

§ 17-2301. Purpose

(a) This Chapter shall be known as the “Philadelphia Community Benefits Ordinance.”

(b) It shall be the policy of the City of Philadelphia to require, wherever feasible, proportional community benefits with respect to High Impact Development Projects as defined in § 17-2302(g).

(c) This Chapter shall not limit or prohibit the ability of a Registered Community Organization or any other community group from negotiating a Community Benefits Agreement with respect to a development project within the area served by the Registered Community Organization or any other community group.

§ 17-2302. Definitions

(a) "Community Benefits" means the amenities, benefits, commitments, or promises described in § 17-2303.

(b) "Community Benefits Agreement" means the legally enforceable contract between the Coordinating Registered Community Organization, on behalf of the Host Community, and the Developer. The Host Community Board shall negotiate the Community Benefits Agreement on behalf of the Host Community. The City of Philadelphia shall not be a party to any Community Benefits Agreement.

(c) "Developer" means any person, firm, partnership, limited liability company, corporation, joint venture, proprietorship, or other entity that proposes to develop a High Impact Development Project, as defined hereinafter.

(d) "City Support or Financial Assistance" means any transfer of City land to the developer for less than fair market value, rezoning, grant, loan, tax increment financing, bond financing or other form of assistance that is realized by or provided to a developer through the authority or approval of the City, including, but not limited to, use of the power of eminent domain, Community Development Block Grant (CDBG) aid or HUD 108 loans.

(i) "Rezoning" means any change to the zoning designation of a property or group of properties requiring action by City Council and does not mean an action taken by the Zoning Board of Adjustment;

(ii) "Other form of assistance" shall not include permits to which an applicant is entitled as-of-right or an award of development incentives from the Commonwealth of Pennsylvania.

(e) "Earth Disturbance" means any construction or other activity that disturbs the surface of land including but not limited to excavations, embankments, land development, subdivision development, and the moving, depositing, or storing of soil, rock, or earth.

(f) "High Impact Development Project" means any development project that, because of the nature of the development and/or the Host Community, is reasonably expected to produce disproportionately high and adverse human health or environmental impacts, including social, esthetic, economic, physical, chemical, or biological impacts, in the Host Community. In order to qualify as a High Impact Development Project, the following conditions must be met:

1) the development, including all planned phases, would result in at least 100,000 square feet of earth disturbance; or

2) the development, including all planned phases, would result in at least 250,000 square feet of gross floor area.

(g) "Host Community" means the community within the census tract(s) where the development project is physically located and may also include communities within adjacent census tracts that may be adversely affected by the activities of the development project.

(h) "Host Community Board" means a five-member board responsible for negotiating a Community Benefits Agreement on behalf of a Host Community. A Host Community Board shall be established with: one member appointed by the district councilmember

where the project is located; one member appointed by the Registered Community Organizations where the project is located; one member appointed by the Director of Planning and Development; and two members appointed by a majority vote of the other three members. In order to qualify as a Host Community Board, the following conditions shall be met:

- 1) the Host Community Board shall be established and functioning, within the time frame of Civic Design Review under § 14- 303(12);*
- 2) at least one member of the Host Community Board shall be an individual or entity, residing and/or operating in the host community for a substantial period of years; and*
- 3) at least one member of the Host Community Board shall be an individual residing or entity located within 250 feet of the High Impact Development Project.*

§ 17-2303. Community Benefits Agreements

(a) The following is a list of examples of Community Benefits that may be considered on a voluntary basis for inclusion in a Community Benefits Agreement between the Developer and the Host Community:

- (1) Support of educational programs, such as those in the City's high schools, community colleges and other educational institutions;*
- (2) Actively supporting educational activities that provide employment opportunities for residents of the Host Community;*
- (3) Providing Contractors in the Host Community with technical assistance or other relevant training opportunities;*
- (4) Hosting Contractor information and networking sessions about upcoming contracting opportunities;*
- (5) Providing employment and career mentoring opportunities for youths who reside in the Host Community;*
- (6) Actively promoting opportunities for investment in the Development Project;*
- (7) Providing recreational activities, parks and affordable housing in the Host Community;*

- (8) *Supporting neighborhood improvements in the Host Community, including blight removal, etc.;*
- (9) *Unbundling of construction work into bid sizes that allow small businesses in the Host Community to compete;*
- (10) *Providing access to bonding, financing, insurance and other types of capacity-building assistance; and*
- (11) *Commitments to meet periodically for Host Community stakeholders to provide input and comment on the development project.*

§ 17-2304. *Exemptions and Departmental Regulations*

(a) *The developer may request from the Director of the Department of Planning and Development, an exemption from the requirement of entering a Community Benefits Agreement by:*

- 1) *demonstrating exigencies that make entering a Community Benefits Agreement infeasible; and*
- 2) *documenting how it will otherwise seek to achieve the purpose of this Chapter to provide Community Benefits.*

(b) *The following projects shall be exempt from the requirements of this Chapter:*

- 1) *Projects developed by governmental or quasi-governmental agencies and residential projects where more than 50% of the units are devoted to affordable housing;*
- 2) *Projects by a state-regulated utility to establish new service and/or improve system or service reliability;*
- 3) *Projects developed with the expressed intent of being open and accessible to the community, or by their inherent nature benefit the community including, but not limited to:*
 - a. *Hospitals;*
 - b. *Libraries;*
 - c. *Public Schools; and*
 - d. *Parks that are open to the public.*

(c) The Department of Planning and Development shall promulgate regulations and procedures for the implementation of this Chapter.

§ 17-2305. Penalties for Noncompliance

(a) Material failure to comply with the provisions of this Chapter may result in denial or termination of City Support or Financial Assistance.

SECTION 2. This Ordinance shall take effect immediately.

Explanation:

Italics indicate new matter added.

Report on a Special Meeting on Neighborhood Security
December 2, 2019, Church of the Holy Trinity



Following widespread concern about unsafe street conditions in the neighborhood and specifically a murder which occurred at 18th and Walnut Streets, CCRA convened a special meeting of residents to address these issues. The meeting was held at the Church of the Holy Trinity and was attended by over 200 people and several senior officers of the Philadelphia Police Department, including Commanding Officer Michael Hooven, Chief Inspector Joel Dales, Inspector Walter Smith and Community Relations Officer O'Shea, among others. John Gardner, the Rector of the Church, welcomed the crowd and expressed the Church's support for a safe and welcoming community.

Maggie Mund, CCRA president, introduced the meeting, gave a brief history of neighborhood conditions and development over the past two decades, and opened the

meeting up for questions. The following is a summary of the issues raised by those in attendance and police responses:

- Issues with unruly students after school need to be addressed; the Department is aware and deploying more assets accordingly.
- A proposal to deploy a police vehicle in Rittenhouse Square, with lowered stack lights, was well received.
- Sydenham Street needs more police attention.
- While homelessness is not a crime, the diversion of homeless people in the neighborhood to the underground facility at Dilworth Plaza for services is ongoing.
- When calling the department, people should report offending behavior and not homelessness.
- The possibility of coordinating cameras on buildings and throughout the neighborhood was discussed. The department described its Safe Camera Program.
- Houses of prostitution on Ludlow Street were discussed.
- A request for more signage of prohibited behavior was discussed.
- The Mayor's directive from 2016 was discussed requiring a more nuanced approach to arrests for offensive and illegal street behavior, essentially requiring Outreach Teams and multiple tickets before arrest for aggressive panhandling, sleeping or sitting on streets, unlawful assembly which interferes or intimidates, etc.
- The need to address poverty and drug use was emphasized.
- One person asked how to prevent these incidents from happening again.
- There was a lengthy discussion about training officers to respond to the quality of life issues, which make the neighborhood feel less safe and deteriorating over the past few years, rather than taking the attitude that there is nothing that can be done.
- It was noted that school dismissals were staggered to allow effective police deployment.
- The police noted that they do monitor security cameras on a 24/7 basis and deploy units when they see problems.



- It was agreed that there seemed to be more knife than gun crimes but no explanation for why this is the case was offered.

The meeting concluded with appreciation for the officers' presence and a large sign-up of people willing to help respond to the problems noted. Listening to our neighbors, organizing meetings like this one and focusing on Center City's problems and possible solutions is central to the mission of CCRA. We thank everyone who came. In our next communication on this issue, we will report on next steps we are taking to capture the energy of the meeting and address the problems that have been identified. Stay tuned.



At the December 3, 2019 Executive Committee meeting, it was decided to adopt Jeff Braff's suggestion and educate CCRA members about the content of Bill 190944

Bill 190944 (Reducing Tax Abatements for New Residential Construction)

Bill

190944 [https://phila.legistar.com/ViewReport.aspx?M=R&N=Master&GID=30&ID=4249523&GUID=AA2B662A-ACC3-4E92-89A5-](https://phila.legistar.com/ViewReport.aspx?M=R&N=Master&GID=30&ID=4249523&GUID=AA2B662A-ACC3-4E92-89A5-8AE687F2B45E&Extra=WithText&Title=Legislation+Details+(With+Text))

[8AE687F2B45E&Extra=WithText&Title=Legislation+Details+\(With+Text\)](https://phila.legistar.com/ViewReport.aspx?M=R&N=Master&GID=30&ID=4249523&GUID=AA2B662A-ACC3-4E92-89A5-8AE687F2B45E&Extra=WithText&Title=Legislation+Details+(With+Text)) has 14 sponsors. The only Councilpersons not listed as a sponsor are: , Green, and O'Neill. The Bill would modify the existing abatement program for abatement applications applied for on or after July 1, 2020, but only with respect to new residential construction. It does not change the existing program of 10 years of 100% tax abatement on the improved portion of the property for rehabs and commercial and industrial properties. For new residential construction, the new program would still run for ten years, but the value of the abatement would be reduced over time, starting at 100% exemption on the improved portion of the property in the first year, but decreasing by 10% in each subsequent year, so that in the tenth year, the abatement is only 10% and, thereafter, the exemption terminates. Notably, the Bill has a "Periodic Evaluation Requirement," requiring the retention of "an independent expert," as follows:

At least once every three years, beginning with the year 2024, the Council shall, by separate ordinance, select an independent expert to evaluate the specific impact on the real estate market of the modification made by subsection 19-1303(4)(E)(2) to the exemption authorized by § 19-1303(4). The expert shall also comprehensively evaluate the overall impact of the exemptions for commercial and residential construction authorized by §§ 19-1303(2), 19-1303(3) and 19-1303(4), and shall submit recommendations for any modifications to those exemptions. The expert engaged for this purpose shall be selected pursuant to the procedure set forth in Chapter 17-1400 for the awarding of non-competitively bid contracts.

Today's PlanPhilly has a helpful article discussing the Bill, including efforts, ultimately defeated, to include a cap on the value that could be exempt from taxes under the abatement. (Earlier reports speculated that such a cap would be in the range of \$500,000, having its largest impact on the luxury end of the residential market.) <https://why.org/articles/philly-council-moves-to-phase-down-tax-abatement-after-abandoning-cap-on-tax-break/> There are also articles in today's Philadelphia Inquirer.

As for my recommendation to CCRA, given the fact that, with 14 sponsors and the support of Mayor Kenney, subject to tweaks regarding the effective date, this is going to pass, as well as difficulty of achieving a consensus, especially on an issue that has so many possible permutations and combinations, not to mention the very small window of time before a vote, perhaps the best approach is to educate the respective constituencies about the Bill and its timeline for passage, and invite CCRA members to express their views directly to Council.

Jeffrey L. Braff

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REPORT OF HOMELESSNESS TASKFORCE FOR DEC MEETING

BACKGROUND: As Maggie reported in the October board meeting, she convened a meeting of stakeholders in September to address the issue of homelessness and panhandling in CCRA's territory. That meeting was attended by a Police Dept. representative and six other community based organizations. It was followed by a meeting convened by Logan Square Neighborhood Assn, which focused on homeless issues in the Parkway Area.

UPDATE: In the October meeting Maggie solicited board volunteers to move the project forward eliciting the cooperation of Matt Fontana and Steve Huntington.

REQUEST FROM TWO LIBERTY PLACE: On Nov 2, a resident of Two Liberty Place (2LP) working as the homelessness liaison for the building's condo board emailed Matt advising that the 2 LP board had decided to form a coalition to address the daily presence of homeless and panhandlers in the area surrounding 2 LP. The email suggested that one option to explore would be engaging a "paid community watch" as a potential response given the diminishing police presence.

MEETINGS WITH TWO LIBERTY PLACE: Matt and Steve had a conference call on November 7 with the 2 LP rep. who emphasized that, while her board supported the systemic efforts to address homelessness (and panhandling) on a long term basis, the 2 LP board had concluded that steps should be taken to address the short term issues presented by the presence of aggressive panhandlers and homeless individuals on the streets. 2 LP's board had noted that the City is unwilling to take any action and that the "social outreach" approach of the CCD and operations like Project Home/Bethesda Project, while necessary, were not successful in reducing the homeless population and panhandling presence which, per CCDs figures, has trebled in greater Center City over the last ten years. 2 LP's research had developed that the Friends of Ritt Sq and the Old City district had hired a security firm, OPS, to address homeless sleeping in the Park and inebriated weekend bar patrons respectively.

Steve spoke to the Executive Directors of both Friends of RS and OCCD who advised that the presence of OPS employees had been helpful and who further stated that OPS had been responsive and user friendly.

On Nov 14, Matt and Steve met yet again with the 2 LP rep who announced a "summit" that 2 LP proposed to put together of buildings and businesses in the area at 2 LP on December 12, the topic of which would be to discuss reducing the presence of homeless individuals on the streets. CCRA plans to attend the summit on December 12, and invite other neighborhood actors in the Greater Center City Coalition.

On Nov 19, Matt and Steve participated with the 2 LP liason and another LP board member in a conference call with an OPS representative who described OPS activities in Ritt Sq and Old City and discussed costs, about \$30 per person hour. Per a request at that conference call, OPS presented a "proposal" which is short on detail. Matt, in speaking with OPS, has determined that OPS does indemnify customers though we have not seen the indemnity agreement.

The purpose of the "paid community watch" being considered would be to (1) interrupt/disturb aggressive panhandlers; (2) report to the police any criminal events that they witness and (3) report any incident of homeless persons either engaging in unlawful activity or having a health emergency. OPS personnel use no physical tactics, and generally deter panhandlers by standing in front of them or asking them questions (which disrupts the panhandler's ability to panhandle). OPS personnel would wear distinctive uniforms. OPS

personnel have relationships with the Philadelphia Police Department so they can be an effective conduit of information. Contracting with OPS will be a significant discussion item at the Dec 12 summit.

PDAC meeting notes, November 2019
Tina McClintock, CCRA rep

Regarding the incident in Rittenhouse, Captain Hooven said that many officers have been detailed to Center City from other districts and specialized units in response to the incident. There will be police assigned to patrol the park between 7 a.m. and 2 a.m. The captain said that the incident started as an argument between a couple of the people (who were described as "not homeless" but transient and lacking jobs) who hang on the NE corner of the square. Police had been out earlier in the evening around 5 p.m. to break up a smaller incident, but the individuals re-congregated. The incident involved members of the same group (was not an assault on a passerby). Alcohol was involved. Police are still interviewing witnesses and looking for video. CCRA's Monday meeting was mentioned.

Regarding the PDAC's budget, I was told that the budget comes from donations but they do not necessarily solicit. Budget sources include community organizations and high-rises (including residential). The budget is attached. Donations should be made out to PDAC and specify whether they should go to PDAC, the Ninth District or to the Bicycle Fund. The district recently received a federal grant to purchase 18 bicycles, so the \$24K that is in the budget is in reserve, and may be used for related items, such as bicycle patrol uniforms, which the officers would otherwise have to purchase themselves.

Package thefts have been rampant. It was suggested that people have packages delivered to their workplaces or Amazon lockers or pick them up from the delivery service.

Attached are the real minutes from the last meeting along with the Treasurer's report.

I will see what I can find out about crime stats by district. I did not have an opportunity to bring it up at the meeting.

HISTORIC DESIGNATION TASKFORCE BOARD REPORT DECEMBER 2019

Since the Task Force's last report documenting the filing of the application to the Philadelphia Historical Commission for the nomination of 1513 Walnut Street (Brooks Brothers) to the Philadelphia Register of Historic Places, the Task Force has commissioned preparation of the applications for the designation of two Chestnut Street properties. Both of these properties are on the Federal Register but do not have protection from demolition (which is only available to properties listed on the Philadelphia Register).

The Task Force is following the recently submitted application for 1617 Walnut Street (formerly Jack Wills). This building is listed as "significant" on the Federal Register but is not on the local register. The building is now vacant and its overly permissive CMX-5 zoning envelope is now being marketed for the building's sale and potential development. The Historical Commission staff wrote the application because they considered the building to be under imminent threat. CCRA submitted a letter of support for the application. It was to be considered by the Historical Commission's Designation Committee at their December meeting but was continued by the Owner's request until the next meeting in March. With the submission of the application, the building is under temporarily protection from demolition until the final determination by the Historical Commission.

To date, the Task Force has raised \$3500 and received pledges for an additional \$1100.

Tim Kerner, Committee Chair



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To: The Philadelphia Historical Commission Designation Committee

Re: 1617 Walnut Street

December 2, 2019

On behalf of the Center City Residents Association, I would like to commend the staff of the Philadelphia Historical Commission for taking a proactive stance regarding the nomination of 1617 Walnut Street to the Philadelphia Register of Historic Places. Since this building is currently for sale and advertised as a development opportunity within its CMX-5 zoning envelope. It is facing a similar threat to that which confronted the recently demolished buildings of Jewelers Row. We are hopeful that the Designation Committee will support the effort to avert that fate for 1617 Walnut Street.

The members of CCRA greatly value the historic buildings that contribute to the unique character of the Center City West Commercial Historic District. It is important to note that 1617 Walnut Street was determined to be "significant" to the character of the Federal Historic District. As noted in the nomination before the committee, the classical detailing, ionic pilasters, acanthus ornamentation and arched fenestration embody the characteristics of the Renaissance Revival style and contribute to the uniquely distinctive character of this work of architecture.

We respectfully request that the Designation Committee support the work of the Historical Commission staff and recommend the nomination of 1617 Walnut Street to the Philadelphia Register of Historic Places so this distinctive building can receive the attention and protection it deserves.

Thank you,

Maggie Mund
President, Center City Residents Association

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Membership as of 11/30/19

Residential Members	Gain	Loss	
General	403	4	0
Senior	329	5	-3
Under 35	23	1	0
Sustaining	56	-	0
Patron	22	1	0
Angel	3	-	0
Legend	1	-	0
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	837	11	-3

Business Members	Gain	Loss	
Friend	31	0	0
Supporter	5	0	0
Patron	4	1	0
Champion	7	0	0
	<hr/>		
	47	1	0
Total	<hr/> <hr/>		
	884	12	-3



