



**PHILADELPHIA HOUSING AUTHORITY BOARD OF COMMISSIONERS
MEETING MINUTES**

Thursday, January 21, 2021, 3 p.m.

The regularly scheduled meeting of the Philadelphia Housing Authority (“PHA”) Board of Commissioners was conducted via a virtual platform, due to COVID-19 public health concerns and in accordance with PHA’s By-Laws that provide for remote participation, while respecting the goals and requirements of the Sunshine Act. The protocols for public participation, including opportunities to submit written or verbal comments and questions, were posted on the PHA website as of April 8, 2020, with directions for real-time public audio access for this meeting provided thereafter, as well.

The meeting was brought to order at approximately 3:05 p.m. by the Chair, Lynette Brown-Sow, who did a roll call to ensure that a quorum of Commissioners was present, which it was. With the exception of Commissioner Purnell, all Commissioners participated: Chair Brown-Sow, Vice-Chair Wetzel, and Commissioners Callahan, Camarda, Coney, Mayo, Shahid, and Wise. Also participating were President & CEO (“CEO”) Kelvin A. Jeremiah and General Counsel and Board Secretary, Laurence M. Redican.

The Chair requested a moment of silence to prepare for the work to be done at the meeting, after which she introduced new Commissioner Ismail A. Shahid.

The CEO reviewed the public comment procedure in place for the virtual meeting and made the following announcements:

- PHA has been awarded \$188,799 under the U.S. Department of Housing and Urban Development’s (“HUD”) Capital Fund Emergency Safety and Security Program and the funding will be used for the installation, repair, and/or replacement of carbon monoxide detectors at various PHA sites.
- PHA celebrated the Martin Luther King, Jr. Day of Service with: 1) a Mighty Writers book giveaway at Vaux High School, where boxed lunches and baskets filled with PPE, jewelry, water and board games were delivered to seniors at Holmcrest Homes and Norris Apartments, and a Resource Fair for youth in South Philadelphia, as hosted by PHA in partnership with the non-profit, Unity in the Community.
- Everyone should keep mindful of the fact that the dangers of the COVID-19 virus are still with us and we all need to stay careful, while PHA is working to get the vaccine for its most vulnerable residents as soon as possible.
- PHA will be working with Temple and the Black Doctors COVID-19 Consortium to host virtual information sessions on the vaccination and, in order to encourage people to be vaccinated, photos of the Chair and CEO Jeremiah receiving the vaccine, were shared.

A presentation highlighting the Family Self Sufficiency program (“FSS”), which allows families to increase their earned income and reduce their dependency on welfare assistance and rental subsidies, was made. The CEO noted that PHA was awarded \$370,000 for FSS for CY2021; PHA is in its 3rd year of partnership with Compass Working Capital and Clarifi and has over 850

public housing and HCV residents enrolled.¹ Two residents, Tifani Ross and Berneice Campbell, shared their inspiring and heart-warming stories about their successes with the program.

Dinesh Indala, Executive Vice-President of Operations, presented two awards to PHA employees: Employee of the Month to Denise Snead and Excellence in Customer Service to Raquel Rodriguez, both of whom were congratulated on their accomplishments.

The Chair then asked whether there were any corrections or amendments to the minutes of the Board meeting of December 17, 2020, as submitted. Hearing none, the minutes were accepted.

Two (2) resolutions were presented and unanimously approved.

Resolution 12133, attached in Appendix 1, was presented by Dave Walsh, Executive Vice President – Supply Chain Management (“EVP-SCM”), to authorize PHA to issue a task order, under an existing contract, to AP Construction/Synterra Ltd. for construction management services for a consolidated PHA Warehouse and Logistics Center, in a total amount not to exceed fourteen million eight hundred forty-five thousand five hundred dollars (\$14,845,500.00). Vice-Chair Wetzel, as Chair of the Policy & Planning Committee that reviewed the resolution before its being presented to the Board, moved for its approval. Following a second, Vice-Chair Wetzel stated that the committee had met, discussed the resolution, and recommended approval. There was one public comment (attached in Appendix 2), which had been received via email and was read, pursuant to the protocols regarding virtual meetings. Following further discussion, including the explanation that the contract covers the physical construction of the facility and more, as well as resulting in millions of dollars of savings due to the relocation of the warehouse, the motion was unanimously approved, by roll call.

Resolution 12134, attached in Appendix 1, was presented by Dave Walsh, EVP-SCM, to authorize PHA to contract with Murphy’s Transporting Services, LLC for moving and relocation services in a total amount not to exceed nine hundred seventy thousand dollars (\$970,000.00). Commissioner Callahan, as Chair of the Finance Committee that had reviewed the resolution, moved for its adoption. After the motion was seconded, Commissioner Callahan stated that the committee had reviewed the resolution and recommended it, There being no further comment, the motion was approved by a unanimous vote, done by roll call.

For the Public Comment period, five (5) general comments were shared, as received in accordance with the procedures for public comment at virtual meetings, published on PHA’s website since April 2020. Three (3) comments were received via email and two (2) were via voicemail. The emails were read and are attached in Appendix 2. The voicemails were played, and were from Jennifer Bennetch (re: concerns about PHA’s public comment procedures for virtual meetings; sales of PHA properties to restrictive developers/landlords; and PHAPD entering sites covered by the encampment agreement) and Queen Judith Robinson (re: interest of a 32nd Ward RCO to acquire PHA-owned vacant properties and re; homeownership opportunities).

The CEO and General Counsel Larry Redican addressed a number of the concerns raised in the comments, including a discussion about the impact of PHA’s capital needs and the federal funding deficit for those needs and various factual and legal inaccuracies in the comments.

Prior to adjourning, Commissioner Coney took a moment to remember PHA resident leader Jean

¹ Representatives from Clarifi, Compass Working Capital, and RPP partner Green Light (including, respectively, Alan Nesbitt, Markita Morris-Louis, and Omar Woodard) participated in the meeting.

Geiger, who recently passed away and will be greatly missed.

Following a brief discussion about the upcoming change of federal administration for HUD the Chair announced that the next meeting will be February 18, 2021, and the meeting ended at approximately 4:20 p.m.

Respectfully submitted,



Laurence M. Redican
General Counsel
Philadelphia Housing Authority

APPENDIX 1

THE PHILADELPHIA HOUSING AUTHORITY
MEETING OF THE BOARD OF COMMISSIONERS
2013 RIDGE AVE.²
PHILADELPHIA, PA 19121
THURSDAY, JANUARY 21, 2021 at 3 p.m.
AGENDA

- A. **Call to Order** Lynette Brown-Sow, Chair
- B. **Remarks** Kelvin A. Jeremiah, President & CEO
- C. **Approval of the Minutes** of the Board Meeting held December 17, 2020, as distributed
- D. **New Business**
 - 1. **RESOLUTION AUTHORIZING A TASK ORDER FOR CONSTRUCTION MANAGEMENT SERVICES WITH AP CONSTRUCTION/SYNTERRA LTD. FOR A NEW PHA WAREHOUSE AND LOGISTICS CENTER**

Dave Walsh
 - 2. **RESOLUTION AUTHORIZING A CONTRACT FOR MOVING AND RELOCATION SERVICES WITH MURPHY'S TRANSPORTING SERVICES, LLC**

Dave Walsh
- E. **Public Comment Period**

² This meeting is being conducted virtually, pursuant to the procedures on the PHA website at www.pha.phila.gov, due to safety and health concerns for our residents, staff, the Board, and the public, raised by the COVID-19 pandemic

RESOLUTION NO. 1

RESOLUTION AUTHORIZING A TASK ORDER FOR CONSTRUCTION MANAGEMENT SERVICES WITH AP CONSTRUCTION/SYNTERRA LTD. FOR A NEW PHA WAREHOUSE AND LOGISTICS CENTER

WHEREAS, the Philadelphia Housing Authority ("PHA") has identified a need for construction management services for a PHA Warehouse and Logistics Center; and

WHEREAS, a Request for Proposal was developed for the selection of a company to address fulfilling this requirement, according to established procedures and all applicable laws regarding public contracts; and

WHEREAS, the Request for Proposal was supplied to the appropriate companies among PHA's contracted vendors under the Large Construction Management Contract; and

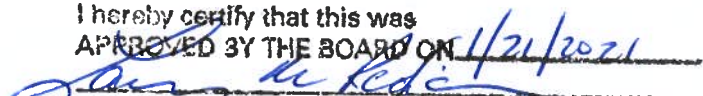
WHEREAS, the proposals were reviewed and evaluated by an evaluation committee and the supporting documents were reviewed by the Contracting Officer; and

WHEREAS, based upon the consensus evaluation, it is recommended that a task order contract be awarded to AP Construction/Synterra LTD; and

WHEREAS, it is further recommended that the task order contract be for a total amount not to exceed fourteen million eight hundred forty-five thousand five hundred dollars (\$14,845,500.00);

BE IT RESOLVED, that the Board of Commissioners hereby authorizes the President & CEO and/or his authorized designee(s) to conclude and to execute a task order contract with AP Construction/Synterra LTD, in a total amount not to exceed fourteen million eight hundred forty-five thousand five hundred dollars (\$14,845,500.00), subject to the availability of funds therefor, as set forth above, and to take all necessary actions relating to such task order contract.



I hereby certify that this was
APPROVED BY THE BOARD ON 1/21/2021

ATTORNEY FOR PHA

RESOLUTION NO. 2

**RESOLUTION AUTHORIZING A CONTRACT FOR MOVING AND RELOCATION SERVICES
WITH MURPHY'S TRANSPORTING SERVICES, LLC**

WHEREAS, the Philadelphia Housing Authority ("PHA") has identified a need for moving and relocation services; and

WHEREAS, a Request for Proposal was developed for the selection of companies to address fulfilling this requirement, according to established procedures and all applicable laws regarding public contracts; and

WHEREAS, the Request for Proposal was posted on PHA's website, advertised via local publications and chambers of commerce, mailed to qualified entities on PHA's Outreach List, and distributed to those who responded to the invitation; and

WHEREAS, the proposals were reviewed and evaluated by an evaluation committee and the supporting documents were reviewed by the Contracting Officer; and

WHEREAS, based upon the consensus evaluation and approval for presentation to the Board after additional review processes, including Board committee and resident leadership review, it is recommended that a contract be awarded to Murphy's Transporting Services, LLC; and

WHEREAS, work is to be assigned to the awardee at the discretion of the Contracting Officer based on need, performance and other legitimate business factors, and may be altered within the terms of the contract at any time during the course of the contract at the discretion of the contracting officer; and

WHEREAS, it is recommended that the amount to be expended under the contract shall not exceed nine hundred seventy thousand dollars (\$970,000.00) with a two-year base period and one (1) one-year option period, as follows:

- 1) The not-to-exceed amount for the two-year base period is six hundred forty thousand dollars (\$640,000.00); and
- 2) The not-to-exceed amount for the one-year option period is three hundred thirty thousand dollars (\$330,000.00);

BE IT RESOLVED, that the Board of Commissioners hereby authorizes the President & CEO and/or his authorized designee(s) to conclude and execute a contract with Murphy's Transporting Services, LLC for a total amount not to exceed nine hundred seventy thousand dollars (\$970,000.00), subject to the availability of funds therefor, as set forth above, and to take all necessary actions relating to such contracts, including determining whether the option available under the contract shall be exercised.

I hereby certify that this was
APPROVED BY THE BOARD ON

[Signature]
ATTORNEY FOR PHA

APPENDIX 2

Jan 2021 Board Comments, as Emailed

[with the exception of altering one expletive and not including phone numbers, only formatting changes have been made]

COMMENT ON RESO #1

My name is Wiley Cunningham and I am a housing and homeless advocate here in Philadelphia.

I am writing this comment regarding the entering into of a contract for Construction Management services for the construction of a new warehouse and logistical center for the Philadelphia Housing Authority.

As someone who has spent a good deal of his career in the construction and building trades I would like to offer up to the board my perspective that paying \$14.8 million for construction management seems to me a very outsized price to pay for managing the construction of a warehouse. I am not sure if the resolution is written improperly and the intent was instead to put a price on the actual construction of the warehouse, but the way it is currently written the PHA will be paying a great deal of money just to oversee the construction, not for the construction itself.

Knowing that the PHA likes to refer to itself publicly as 'cash-strapped' when dodging accountability for providing adequate maintenance to its many properties currently being inhabited by low-income tenants, I would urge to board to reconsider entering into such an expensive agreement for construction management. Referring back to several other recent expenditures on the part of the Housing Authority, such as its \$45m headquarters or the soon to be built \$25m parking garage I cannot help but wonder where the priorities of this Housing Authority lie while it also publicly claims it cannot find the money to repair West Park, Fairhill, Bartrams or any of its other housing projects, and is somehow forced to sell off some of these properties due to a lack of funds.

I urge the board to vote down this agreement and instead make use of its already existing and significant logistical and warehouse infrastructure while diverting these funds to maintenance and repair of existing properties instead.

Thank you for your time.

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GENERAL PUBLIC COMMENTS

From Sterling Johnson

Hello:

My name is Sterling Johnson. I am a lawyer and current Ph.D. student at Temple University. I am with Philadelphia Housing Action. I am submitting a general comment.

As a former Fair Housing lawyer who has been inside RAD projects including Bartram Village, West Park Apartments, and Harrison Plaza and met with residents at Fairhill, I am aware of the deplorable conditions that people are living in.

The Philadelphia Housing Authority should increase its maintenance budget to account for the deterioration and repairs of its RAD transaction buildings and scattered sites. Right now, RAD takes 3-5 years and during that time, hundreds of families have to undergo unlivable deplorable sub-human conditions. The people's quality of life is most important, so show them that.

The Philadelphia Housing Authority should disband its Housing Police. They are an example of a bloated and extended organization that needs to cut where necessary. Other cash-strapped Housing Authorities have had to make these cuts to ensure that their housing is maintained.

In 2003, Los Angeles had to cut its Housing Police entirely due to this exact reason. The Housing police have been disbanded in Baltimore (2004), New York City (1995), Chicago (1999), and Indianapolis and Oakland. Those jurisdictions recognized that their city's police department should have jurisdiction which brings more accountability. The Housing Police do not protect the residents, they merely assist in evictions and search vacant properties to remove squatters. These are not essential duties and self-help removal of squatters is illegal under Pennsylvania law.

As an organizer, I have helped support people after attempted extrajudicial removals. They are traumatized as the armed police attempt to drag them out into the street in the middle of the night refusing to leave. It's hard to imagine a more cruel practice on regular people. I've provided a link to a video below.

As the Board you should not approve further funds for "protective services" aka the Housing Police. Those must be transferred to the maintenance budget to actually complete repairs needed. You should demand accountability for the number of repairs and also the number of shootings that occur each month and there should be a monthly report on the progress of these two issues.

The following are public statements made about the public housing and the people that we are accountable towards. Nothing has changed and people have been living in these conditions for years while the project undergoes the RAD process.

On Bartram Village, November 2018

"The buildings need to be done over altogether," said Vanessa Harris, who has lived there for four years. "Everything in it is old. The buildings are dilapidated. They're dirty, filthy inside, and it's horrible to have to live that way." - Vanessa Harris, resident

On Fairhill, July 2019

"You hear the rats or whatever crawling through these damn walls," said Reynolds, who cleans her apartment with peppermint oil to keep the restless vermin under control.

"I'm scared they're going to come in my apartment," she said. "Whatever the [f***] is in the walls I don't want in my apartment." - Shirley Reynolds, resident

On Westpark, February 2020

“They aren’t fixing it up, they aren’t keeping it [up] like they was a long time ago,” said Gibbs. “It is deteriorating, the pipes is no good, and the floods we have in here, Lord Jesus. Everything is getting rusted. My bathroom is just a mess, every time they come to fix the pipes they just have to come back again.” - Yvonne Gibbs, resident

References:

Bartram Village

<https://why.org/articles/community-development-101-comes-to-bartram-village/>

Fairhill

<https://why.org/articles/philadelphia-housing-authority-moves-to-demolish-one-of-its-last-surviving-towers/>

West Park Apartments

<https://why.org/articles/two-of-philadelphias-last-public-housing-towers-are-for-sale/>

Housing Police harassing residents

<https://www.facebook.com/100003204056762/videos/3529089080541192/>

Los Angeles Cut its Police Department

<https://archive.is/x6WAs>

Baltimore Housing Police disbanded

<https://www.baltimoresun.com/news/bs-xpm-2004-09-25-0409250205-story.html>

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From Wiley Cunningham

My name is Wiley Cunningham and I am a housing and homeless advocate here in Philadelphia.

At last month's board meeting I submitted a comment regarding the Philadelphia Housing Authority Police Department's contract renewal. I entered a comment urging the board to vote down this contract and instead move to dismantle it's Housing Authority Police Department altogether. As part of my comment I noted that the PHAPD was used often to carry out the illegal practice of extrajudicial ejection or eviction. I also noted that no other major city in America still retains a Housing Authority Police Department.

In response to my comment and others, President and CEO of PHA Kelvin Jeremiah responded to the Board's questions about the matter by saying that if he came home from shopping and someone had moved into his house that he would be well withing his rights to call the police or get a baseball bat or his gun and remove them by force or violence.

I wanted to follow up in response to this mischaracterization.

As regards the issue of trespassers versus squatters, I feel it is very important for the Board of Commissioners of the Philadelphia Housing Authority become familiar with the law.

In Mr. Jeremiah's example put before the board, where someone returned to their private home from an outing and found someone inside, this person would be considered a 'trespasser' under Pennsylvania criminal laws. The actions Mr Jeremiah described taking would likely be within the scope of his rights. However, this was a misleading response in the context of the issue raised around extrajudicial ejections.

Ejection is the legal civil procedure required for the removal of a person or persons who are living in a property that they do not own nor established a landlord/tenant relationship with the owner. This situation comes about when a private or public owner, such as the housing

authority, leaving a property vacant for a period of time comes to find somebody has taken up and established a residence in the property. This area of law is based around the legal concept known as Adverse Possession which has centuries of legal precedent in both US law, English common law, Napoleonic law and even having roots dating back to Roman law.

In Pennsylvania, the establishment of a residence can occur in a relatively short amount of time. In a situation where somebody has established residence in a formerly vacant property and is performing no other crime at the property they have what are colloquially known as "squatters rights"

The Philadelphia Police Department Directive 5.31

(<https://www.phillypolice.com/assets/directives/D5.31-TheftofRRP.pdf>) which advises responding officers on proper procedure to be followed in this rather specific scenario advises officers thus:

4) If after consultation with the responding supervisor, reasonable suspicion CANNOT BE ESTABLISHED that a crime is occurring or being attempted, the officer will:

- a) Inform the complainant that the matter is not criminal at this time and, therefore, no immediate police action can be taken
- b) Advise the complainant that the matter is a civil matter that must be addressed by the Courts and instruct the complainant to that an Ejection or Eviction legal action will need to be initiated to resolve the dispute.
- c) Recommend that it is in the complainant's best interest to contact an attorney as soon as possible. Do not provide legal advice.

So, barring a situation where a resident is engaged in some other kind of criminal activity within the property, such as renting out the property to another party as though it was theirs, stealing items from or otherwise damaging the property, selling drugs or prostitution out of the property, the Philadelphia Police Department recognizes that the matter is to be handled in civil court through the ejection process and not a criminal matter to be resolved through a police action.

The Philadelphia Housing Authority, along with its private Police Department, on the other hand, has a decades long practice of intimidating residents who have established residency in a formerly vacant property owned by the Housing Authority with the threat of felony criminal charges. Typically, if any notice is given at all, a letter is passed through the mail slot advising the resident that they are not lawfully in the building and that they will be arrested with felony charges if they do not vacate within 48 hours. On the day of the ejection, PHA workers and PHA Police will arrive at the property and forcibly enter and remove the resident if they have not left already. PHA workers will then proceed to remove and destroy a resident's property and seal the building.

I will state again, for the record, that this practice by the Philadelphia Housing Authority is ILLEGAL and not in conformity with either local or state laws. What I mean when I refer to this as an extra-judicial ejection is that the Housing Authority has taken the law into its own hands, circumvented the civil court process and served an ejection without judicial oversight. The only thing allowing the housing authority to perform such an illegal action is the possession of their own private and unaccountable police department. If the Housing Authority had to rely upon the legal process established in the courts of Philadelphia and Pennsylvania, they would never be able to resolve the matter in this way and would instead, like any other landlord, have to file paperwork and pursue a court judgement to remove such a resident.

I ask that the Board take up this matter and if not move to disband it's Police Department, saving tens of millions of dollars anually [sic] in the process, then at least consult with its own legal department and put forward and pass a resolution barring the Housing Authority from engaging in this illegal activity which flouts state and local laws as well as the rights of Philadelphia residents moving forward.

Thank you for your time.

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*From Lynda White - Northwest Neighbors of Germantown and
Allison Weiss - SoLo Germantown Civic Association*

We are requesting the following topical issues be presented formally in the January 21, 2021 board meeting for review and resolution:

Action Request # 1:

Action to lead, commit, and communicate strategic plan to create a Tenants Council at Queen Lane Development to represent and promote quality of life interests for residents and to partner with the consulting parties in the resolution of use agreements and resurrection of HUD consulting agreement for Potters Field: See communication below from 2017 that remains unanswered :

To Date Copy Remains Unanswered [2017 email from Yvonne Haskins to Michael Johns, former PHA employee]

From: aw fromhh <awfromhh@gmail.com>

Date: Mon, Mar 6, 2017 at 9:36 AM

Subject: Thanks/Future Sustainability Potters Field 201 W Queen La.-Meeting

To: Michael Johns <michael.johns@pha.phila.gov>

Cc: kelvin.jeremiah@pha.phila.gov, "Hawkins, Monica A" <monica.a.hawkins@hud.gov>, "Schlosnagle, Brian J" <Brian.J.Schlosnagle@hud.gov>, Cindy Bass <cindy.bass@phila.gov>

Hello Michael Johns, Hope all is well.

We are all very happy to have the memorial marker commemorating Germantown Potter's Field installed so the residents, neighbors and visitors know the significance of the beautiful open green space at 301 W Queen La.

Thank you for your part.

We think it is now time to meet and consider the future sustainability of the Potter's Field.

Over the years there have been many suggestions but nothing finalized to ensure long term sustainability of the site. Installation of the marker has rekindled community discussion about its use and recreational needs.

We would like for PHA, as owner of the property, to convene a community meeting in order for the community to learn, discuss and decide from the various options how this space will be used in perpetuity.

We feel it is important this be done asap since spring is almost here and focus will turn to spaces for outdoor activity.

We suggest a meeting before the Philly Spring CleanUp April 8, 2017. We hope to hear back from you regarding this matter by the end of this week March 10, 2017.

Thank you in advance.

Sincerely,

Yvonne Haskins, NW Neighbors/Consulting Party

Allison Weiss, SoLo/Germantown Civic Assoc-Wayne Ave Merchant Assoc (WAM), Consulting Party

cc: Kelvin Jeremiah, Cindy Bass, Monica Hawkins, Brian Schlosnagle

Action Request # 2:

Action to identify PHA administrative and or resident/community contact to partner with community groups to ensure information is distributed to residents to properly store and dispose of trash and recyclables and to ensure the property and adjoining street is free of litter, quality of life improvements, and to provide recreational space for residents. Review purchase of property located at intersection of Priscilla St and W. Queen Lane , 333-335 W. Queen Lane (Chickens Place) for use by tenants as recreation space recommended to PHA and Councilwoman Cindy Bass during meeting 6/2019 and remains unanswered.

Respectfully submitted,

Lynda White - Northwest Neighbors of Germantown

Allison Weiss - SoLo Germantown Civic Association

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Email from Judith Robinson was not read, as it was received after a voicemail from her, which was played at the meeting, and covered the same topic(s).