

ALLEGHENY COUNTY COUNCIL

REGULAR MEETING

- - -

BEFORE:

Patrick Catena	-	President, District 4
Robert J. Macey	-	Vice-President, District 9
Samuel DeMarco, III	-	Council-at-Large
Bethany Hallam	-	Council-at-Large
Thomas Baker	-	District 1
Cindy Kirk	-	District 2
Anita Prizio	-	District 3
Tom Duerr	-	District 5
John F. Palmiere	-	District 6
Nicholas Futules	-	District 7
Paul Zavarella	-	District 8
DeWitt Walton	-	District 10
Paul Klein	-	District 11
Robert Palmosina	-	District 12
Olivia "Liv" Bennett	-	District 13

Allegheny County Courthouse
436 Grant Street
Fourth Floor, Gold Room
Pittsburgh, Pennsylvania 15219

Tuesday, May 11, 2021 - 5:05 p.m.

SARGENT'S COURT REPORTING SERVICE, INC.
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Pittsburgh, PA 15219
(412) 232-3882 FAX (412) 471-8733

IN ATTENDANCE:

Jared Barker - Director of Legislative Services
Jack Cambest - Allegheny County Council Solicitor
Ken Varhola - Chief of Staff

PRESIDENT CATENA: I'd like to call this meeting of Allegheny County Council to order. Please rise for the Pledge of Allegiance.

(Pledge of Allegiance.)

PRESIDENT CATENA: Please remain standing for a moment of silence.

(Moment of Silence.)

PRESIDENT CATENA: Thank you. Please be seated. Jared, please take roll.

MR. BARKER:	Mr. Baker?
MR. BAKER:	Here.
MR. BARKER:	Ms. Bennett?
MS. BENNETT:	Here.
MR. BARKER:	Mr. DeMarco?
MR. DEMARCO:	Here.
MR. BARKER:	Mr. Duerr?
MR. DUERR:	Here.
MR. BARKER:	Mr. Futules?
MR. FUTULES:	Here in the room.
MR. BARKER:	Ms. Hallam?
MS. HALLAM:	Here on my computer.
MR. BARKER:	Ms. Kirk?
MS. KIRK:	Here.
MR. BARKER:	Mr. Klein?
MR. KLEIN:	Here.
MR. BARKER:	Mr. Macey?
MR. MACEY:	Present.
MR. BARKER:	Mr. Palmiere?
MR. PALMIERE:	Here.
MR. BARKER:	Mr. Palmosina?
MR. PALMOSINA:	Here.
MR. BARKER:	Ms. Prizio?
MS. PRIZIO:	Here.
MR. BARKER:	Mr. Walton?
MR. WALTON:	Here.
MR. BARKER:	Mr. Zavarella?
MR. ZAVARELLA:	Here.
MR. BARKER:	President Catena?
PRESIDENT CATENA:	Here.

MR. BARKER: All 15 members present.

PRESIDENT CATENA: Thank you. We'll now begin with proclamations and certificates. We have one proclamation to be presented. 11850-21.

MR. BARKER: Recognizing and congratulating the Allegheny County Department of Public Works and its

dedicated employees for successfully being granted accredited status by the APWA Accreditation Council for the fourth time sponsored by Councilmember Macey and all other members of council.

MR. MACEY: Good afternoon. I've had my shots and seven times I've been tested negative, so you can feel free to get close. This is the fourth year in a row that we on county council recognize the Allegheny County Department of Public works for the work that they do in our county but also recognized by work they do in the United States. This proclamation is indicative of work that goes on day-after-day-after-day. One of the things that tells me that public works here is doing their job is as chairman of public works I don't get those negative phone calls anymore. They're out there working. They're fixing the potholes. They're taking care of our bridges. They're resolving land slide issues and I can't say enough about this department. With me is Cathy Drexler and Director Steven Shanley. Whereas Allegheny County Department of Public works services provided throughout the Allegheny County are an integral part of our resident's everyday lives and whereas the Allegheny County Department of Public works is responsible for the administration of all contracts involving the construction --- reconstruction, alteration, repair and improvement of county roads and bridges. And understanding the informed citizenry is vital to the efforts and operations of public works in this function and whereas Allegheny County Department of Public works ensures the safety and reliability of the county's vehicle fleet of 781 vehicles and heavy equipment while being responsible for approximately 408 miles of county roads and 533 bridges and culverts.

Whereas the quality and effectiveness of these facilities as well as their planning, design and construction is vitally dependent on the efforts and skill of the Allegheny County Department of Public works employees. And whereas Department of Public Works reassesses its practices every four years to maintain an accredited status with the American Public Works association and whereas during the latest review for accreditation with the APWA the Department of Public Works responded to 597 practices of which 322 are applicable to the department.

Of those 116 practices they were found to be in full compliance and 206 --- excuse me --- were selected for review. Six practices earned a Department of Public works model status practice in the areas of communications, right of way management, snow and ice control, strategic planning, emergency management and asset management.

And whereas thanks to the unwavering dedication and determination of the Allegheny Department of Public Works employees, the department was successfully granted accredited status by the APWA Accredited Council making it the department's fourth accreditation. Now, therefore be it resolved that we, Allegheny County Council, members and public works committee chair Robert Macey, me and all members of council, do hereby congratulate the Allegheny County Department of Public works for receiving accredited status by the American Public Works association accreditation council. Thank you.

I'm a rather traditional kind of guy so I'm going to let ladies go first. Would you like to say something, Cathy? You always do.

MS. DREXLER: Yeah. I want to say that I'm very proud that we were able to successfully achieve this status again, and we had a great team working on it with me this year. And I also wanted to point out too, that this comes at a good time, because next week beginning May 16 is the National Public Works --- so it came at a good time and I'll be here.

MR. MACEY: I think Council will do National Public Works Week for next week in Allegheny County. What do you think? Like it? Good idea.

MS. DREXLER: Yeah.

MR. MACEY: All right. Thank you. Director Steven Shanley please.

MR. SHANLEY: I'd like to thank Councilman Macey and Council President and County Council for sponsoring us for this proclamation. We'd also like to thank the APWA for their thorough review of our practices and their continued support. It's a great accomplishment for our department. It was challenging to fit in all these duties while we're doing our regular busy schedule. So a special thanks to Jason Molinero our engineering deputy director, George Thompson, our operations deputy director and Brookbank Holk, our financial manager and their teams. The support was phenomenal to get this done, but Cathy

spearheaded this operation. It was very challenging and she pushed me along the way so she did a great job and there was a lot to do with all the practice we had to go through so special thanks to Cathy. And our department personnel are dedicated in this brief accreditation, confirmation that the staff is doing a great job, so I'm proud of the staff of public works. They make my job easier. They do a great job so a special thanks here to Council for their continued support, the county executive and county manager. Without all the support we couldn't get all the work done so we appreciate all the support you give us so thank you.

MR. MACEY: Generally we have a photo-op that we take but unfortunately we don't have our photographer here today but we do have our trusty chief of staff here that can use his phone and take a picture of us.

PRESIDENT CATENA: The remaining proclamations and certificates will be read into the record this evening.

11846-21.

MR. BARKER: Recognizing the efforts of Ms. Laura Burdwood for her dedication in volunteering to make sure over 300 individuals received the COVID-19 vaccine, sponsored by Council Member Baker.

PRESIDENT CATENNA: 11847-21.

MR. BARKER: Recognizing the efforts of Ms. Nikki Jasklewicz for her dedication in volunteering to make sure over 300 individuals received the COVID-19 vaccine, sponsored by Council Member Baker.

PRESIDENT CATENA: 11849-21.

MR. BARKER: Recognizing and thanking Althea Worthy on her 20 years of dedicated volunteerism on behalf of North Hills Community Outreach, sponsored by Council Members Kirk and Baker.

PRESIDENT CATENA: 11851-21.

MR. BARKER: Honoring the life and memory on his passing of Robert "Skip" Daniels, a long-time resident of the Allentown neighborhood of Pittsburgh who was a beloved family man and extremely hard worker, sponsored by Council Member Bennett.

PRESIDENT CATENA: 11852-21.

MR. BARKER: Recognizing the service and efforts of the Town of McCandless police officers David Machesny, Michael Cavaliere, Neal Corll, Carl Yeaney, Richard Waite

Jason Evey and Eric Margolin for their brave acts in the line of duty, sponsored by Council Member Kirk.

PRESIDENT CATENA: 11853-21.

MR. BARKER: Congratulating Daniel Martin O'Brien for having met all the necessary requirements to advance to the rank of Eagle Scout, sponsored by Council Member Palmosina.

PRESIDENT CATENA: 11854-21.

MR. BARKER: Congratulating Oliver Louis Casadei for having met all the necessary requirements to advance to the rank of Eagle Scout, sponsored by Council Member Palmosina.

PRESIDENT CATENA: 11855-21.

MR. BARKER: Congratulating Peter R. Lesnett for having met all the necessary requirements to advance to the rank of Eagle Scout, sponsored by Council Members Baker and Kirk.

PRESIDENT CATENA: 11856-21.

MR. BARKER: Congratulating Nathan A. Elway for having met all the necessary requirements to advance to the rank of Eagle Scout, sponsored by Council Members Baker and Kirk.

PRESIDENT CATENA: 11857-21.

MR. BARKER: Congratulating Adam J. Larson for having met all the necessary requirements to advance to the rank of Eagle Scout, sponsored by Council Members Baker and Kirk.

PRESIDENT CATENA: 11858-21.

MR. BARKER: Congratulating Christopher W. Coholich for having met all the necessary requirements to advance to the rank of Eagle Scout, sponsored by Council Members Baker and Kirk.

PRESIDENT CATENA: 11859-21.

MR. BARKER: Recognizing the week of May 9, 2021 through May 15, 2021, as National Police Week in Allegheny County, sponsored by Council Members Bennett, Baker, Catena, DeMarco, Duerr, Futules, Kirk, Macey, Palmiere, Zavarella and Palmosina.

PRESIDENT CATENA: 11864-21.

MR. BARKER: Recognizing Single Mom Defined for their dedication in creating a comprehensive resource directory for single mothers, sponsored by Council Member Bennett.

PRESIDENT CATENA: We'll now move on to public comment on agenda items.

Mr. Stevens, I believe you had a comment?

MR. STEVENS: Thank you, Mr. President, for the opportunity. Hopefully you all received our letter regarding the potentially use of the you and the police brochure, our executive summary of the coalition against violence anti-violence document, and the quiz from the Pittsburgh Police Bureau that I'm hoping all of you will consider sharing with your police departments and hopefully preventing some of the negative interactions that occur during the interaction between our citizens and police.

I wanted to be here today to ask council in order to assist in gaining a new level of confidence for the citizens of Allegheny County with regard to police who work in approximately 130 police departments throughout our county. The Black Political Empowerment Project urges passage of legislation which will help finance body cams for these police departments. It is important for both citizens and police that there exists a video of interactions between both parties. Our hope is that the video cams will help lead to the truth in any potentially controversial stop or interaction between citizens and police officers. Our hope is that the existence of body cams will remind officers on a daily basis of their awesome power --- their awesome police powers and that the misuse and abuse of such powers might be recorded on video and that such will serve as a deterrent to any negative behavior.

Thank you for your consideration recommendation, and I thank you Councilman for your wisdom in proposing this legislation. Thank you very much.

PRESIDENT CATENA: Thank you.

Any other comments this evening? None? Okay.

We'll now move on for presentation of appointments.

MR. BARKER: We have none.

PRESIDENT CATENA: Okay. Unfinished Business. Committee on Public Safety for the second reading.

11806-21.

MR. BARKER: An ordinance of the County of Allegheny Commonwealth of Pennsylvania establishing policy for the County Police and providing for the creation of a working group to assist municipal police departments operating within Allegheny County in the evaluation and potential acquisition of camera devices, sponsored by

Council Members DeMarco, Catena, Kirk, Prizio, Macey, Futules and Bennett.

PRESIDENT CATENA: Councilwoman Bennett?

MS. BENNETT: Thank you, President Catena.

We did --- on April 29 and --- public safety affirmatively recommended this legislation be brought back up before council for a vote. And so I motion for us to approve this, this motion --- bill.

MR. DEMARCO: Second.

PRESIDENT CATENA: Motion has been made and seconded. Is there any discussion?

Councilman DeMarco?

MR. DEMARCO: Thank you very much, Mr. President. You know, echoing what Mr. Stevens, our speaker, just said. I sponsored this bill and I appreciate all the cosponsors for this bill as well, in the interest of improving better relations between our community and our law enforcement community. In many of our communities today, there is a lack of trust and confidence in law enforcement. This lack of confidence is exacerbated by questions of encounters between officers and the community members, and particularly around things that involve the use of force and often times deadly force. Video footage captured during these officer-community interactions might provide better documentation to help confirm the nature of events and support accounts articulated by officers and community residents. I think this is only something that can serve to better help the relations between the community and law enforcement. I think it's also a fantastic training aid because I had talked to and spoke to the folks at the Pittsburgh Bureau of Police and they used this. They take and record with the body cams the interactions of their officers with the citizens and then they have the ability to review that, the supervisors, and then to coach and counsel the officers of how to better handle these interactions going forward.

So this is a fantastic step. But passing this legislation, Mr. President, is only the first step. There's going to be a tremendous amount of work that's going to be required and involved here, reaching out and understanding how many departments in Allegheny County, how many officers don't have body cameras, how many are looking to deploy them, you know, investigate with the various companies what the cost is going to be and then

come back and try to acquire funding. So I think it's a lot of work on the sight and looking forward here. I think it's the right thing to do for Allegheny County and I appreciate you, Mr. President, in cosponsoring this as well. Thank you very much.

PRESIDENT CATENA: Thank you. Anyone else wishing to make a comment?

Hearing none, I would just like to say that I'm a proud sponsor of this bill and I believe in the true benefit of body cameras and to go to the one word that Councilman DeMarco mentioned. I think it goes back to that one word, trust. Not only for everyone to basically have faith and have accountability with the cameras because like I said in committee a picture does speak a thousand words and with that video we can get to the bottom of the situation very easily very quickly.

So therefore, I'm in favor of it so we'll take a roll call vote please, Jared.

MR. BARKER: On the motion to approve, Mr. Baker?

MR. BAKER:	Yes.
MR. BARKER:	Ms. Bennett?
MS. BENNETT:	Yes.
MR. BARKER:	Mr. DeMarco?
MR. DEMARCO:	Yes.
MR. BARKER:	Mr. Duerr?
MR. DUERR:	Yes.
MR. BARKER:	Mr. Futules?
MR. FUTULES:	Yes.
MR. BARKER:	Ms. Hallam?
MS. HALLAM:	No.
MR. BARKER:	Ms. Kirk?
MS. KIRK:	Yes.
MR. BARKER:	Mr. Klein?
MR. KLEIN:	Yes.
MR. BARKER:	Mr. Macey?
MR. MACEY:	Yes.
MR. BARKER:	Mr. Palmiere?
MR. PALMIERE:	Yes.
MR. BARKER:	Mr. Pamosina?
MR. PALMOSINA:	Yes.
MR. BARKER:	Ms. Prizio?
MS. PRIZIO:	Yes.
MR. BARKER:	Mr. Walton?
MR. WALTON:	Yes.

MR. BARKER: Mr. Zavarella?
MR. ZAVARELLA: Yes.
MR. BARKER: President Catena?
PRESIDENT CATENA: Yes.
MR. BARKER: Ayes 14, no's 1. The bill passes.
PRESIDENT CATENA: Thank you.

We'll now have liaison reports. Councilwoman Kirk, I believe you have a report this evening?

MS. KIRK: Yes. It's a little bit different of liaison. It's nurse week, and we used to invite all the county nurses to come and join us and come and recognize them personally but due to the pandemic we didn't think that'd be very prudent. But I did want to do a shout out to all of the nurses especially during this times.

Nurse week starts on the 6th of May and lasts until the 12th which is Florence Nightingale's birthday, the founder of modern day nursing. And of interest, one of the practices she's credited with is hygiene and handwashing. Something we've all learned and heard a lot more about this past year and that's where it all started based on what science they had.

We celebrate Nurse's Week every year to shine a spotlight on the incredible nurses, the RN's, the LPN's, the Nurse Practitioners and others across the country that have devoted their lives to the betterment of the lives of others. It's our time to recognize, appreciate and invest in the nurses we know and work with every day, as well as the entire nursing industry as a whole.

The theme this year is frontier --- frontline warriors #WeAnsweredtheCall which is very fitting for what's gone on last year. As a society we've asked more of nurses than we ever have by asking them to put their lives on the front lines in the fight against COVID-19 pandemic. This is especially true when there was so little known about this virus and there was no vaccine initially.

We again want to use this opportunity to highlight all the nurses are and have been and will be in our society. 2021 is the time to celebrate the efforts made by nurses everywhere to improve health conditions globally. Recognize and reflect upon the challenging conditions nurses face in practice; whether they be physical, mental or emotional and then take strides towards increasing and better caring for the existing nurse workforce.

We have seen nurses struggling with incredible challenges to their mental health and well-being and although not locally, but as a country we have had hospital systems pushed to the brink.

But despite all this nurses and other healthcare practitioners are continued to step forward in support. They never gave up and they're not backing down now as we see the cases dropping. Plain and simple nurses are doers and they will keep on doing until everyone receives the care they need. Nurse week 2020 was a very tough one, but nurse week 2021 is a week of celebration and of reflection. A reflection of everything we've been through this past year and what nurses are truly capable of. Nurses are more deserving than ever because of our --- of our support, our respect and appreciation. Nurses are incredible and they are the core of the healthcare system.

What is a nurse? The definition of a nurse, to go above and beyond the call of duty, the first to work and the last to leave, the heart and soul of caring who will pass through your life for a minute and impact it for an eternity. An empowered individual who you may need for only a 12 hour shift, but who will put you and yours above theirs. Author unknown.

Our county nurses work throughout the county including in the department of aging, the health department, the jail infirmary and CCAC. They work hard to take care of some of our most vulnerable residents and the others are teaching and training the next generation of nurses. We send our most sincere gratitude to all of you and we thank you all from the county council members. Thank you and thank you, President.

PRESIDENT CATENA: Thank you, Councilwoman Kirk.

Is there anyone else wishing to make a liaison report this evening? Hearing none ---

MS. BENNETT: Mr. President?

PRESIDENT CATENA: Go ahead.

MS. BENNETT: This is Liv.

PRESIDENT CATENA: Go ahead, Councilwoman Bennett.

MS. BENNETT: Thank you.

I would just like to once again acknowledge Single Mom Defined and Women and Girls Foundation in their unveiling of their resource directory over mother's day weekend. This was fitting for them and as a group they have provided so many resources to single moms in the

region and especially during the pandemic, including getting the night off by providing dinner, self-care and facials. And so I just want to make sure that they're adequately acknowledged for their work, and especially the hard work that they've done to help such a group of folks that normally probably not receive such help if it were not for their efforts. So thank you, Mr. President for allowing me this time to just acknowledge those groups.

PRESIDENT CATENA: No problem, Councilwoman Bennett.

Is there anyone else this evening? Hearing no one else we'll move on to new business, ordinances and resolutions?

11860-21.

MR. BARKER: A resolution of the County of Allegheny amending the grants and special accounts budget for 2021 submission number 04-21, sponsored by the Chief Executive.

PRESIDENT CATENA: That will go to budget and finance. We'll now have new business.

11861-21.

MR. BARKER: A motion of the Council of Allegheny County requesting that the general assembly consider and enact legislation to either regulate certain entities that undertake real estate wholesale transactions through the creation of a licensure system and establishment of required disclosures relating to these transactions. Or to statutorily authorize Allegheny County to do so in order to provide protections to homeowners from undesired solicitation and its deleterious effects, sponsored by Council Members DeMarco and Macey.

PRESIDENT CATENNA: Councilman DeMarco, I believe you're fine with this going to committee?

MR. DEMARCO: Yes, Mr. President, but I'd like to comment on this so folks understand what this is about.

PRESIDENT CATENA: Go ahead.

MR. DEMARCO: Over the past several years homeowners in Allegheny County have been increasingly harassed and threatened by people offering to buy their homes in quick cash deals. These are the same people that plastered Allegheny County with We Buy House signs all over our street signs and telephone poles. These residential property wholesalers commonly use high pressure and often deceptive sales techniques to convince homeowners to sell their homes for far less than market

value. Many homeowners have been victims of these predatory and aggressive techniques. They are being dragged into court to perform under contracts they did not understand or that they signed after being subjected to high pressure and deceptive sales tactics. Often wholesalers target especially vulnerable homeowners, seniors, those who do not speak or read English, those who are still grieving lost family members and those who are at risk of mortgage foreclosure or tax sale.

Typically these wholesalers who operate anonymously, behind layers of LLCs, are not the ones buying someone's house. Instead they make an offer to buy from the homeowner and then they turn around and assign or sell that sales contract to someone else for a fee and/or higher price. The home owner is left with far less cash than their home is worth and the wholesaler walks away with thousands or more often tens of thousands of dollars in profit on a single deal. Some wholesaler LLCs pop in and out of existence making it difficult to track them down for any legal action.

Now, Mr. President, I have documentation here for as an example, where wholesale got someone to sign over the contract to their home, paid the owner \$52,000, never took ownership of it, turned around and assigned the contract to someone else for \$113,000. So this person because they never took ownership they don't pay transfer taxes and it's not subject to income tax documentation for income tax purposes.

Mr. President, I took and looked and I worked with our solicitor to try to see if we could write an ordinance here, but as I've come before you before when I voted against things that we put up we don't have the statutory authority to regulate business here under the state code. So for that reason I'm recommending this motion here to try to push the legislators in Harrisburg to do something to enact some sort of regulation of this or to give us express statutory authority to do so on our own. I appreciate you sending this to a committee where we can hold a hearing on it and we can allow folks to come in and understand how deep this problem is and how many people in Allegheny County are being victimized this way.

Thank you very much, Mr. President.

PRESIDENT CATENA: Thank you. Councilman Macey?

MR. MACEY: Thank you, Mr. President.

A lot of communities of modest means, people who are financially stressed, find themselves in this awkward situation and especially in my area it was brought to my attention and I talked to Councilman DeMarco. He's well aware of it, on top of the ball as usual, and he advised me that we should put something together. And I certainly --- this came about rather quickly and I certainly wanted to cosponsor it. Our biggest concern of course is people being used and abused and there's a lot of money in these communities that leave based on fraudulent (sic) interpretations. Thank you.

PRESIDENT CATENA: Anyone else? Hearing no one else this is going to go to economic development and housing.

11862-21.

MR. BARKER: A motion of the Council of Allegheny County urging the Fifth Judicial District of Pennsylvania to evaluate and implement a mandatory diversion program with the goal of resolving eviction matters short of displacing large numbers of county residents from their homes, sponsored by Council Members Hallam and Bennett.

PRESIDENT CATENA: Councilwoman Hallam?

MS. HALLAM: Thank you, President Catena.

So similar to what Councilman DeMarco was saying I would like to do this via ordinance but we do not have the authority to do that. That is why it is a motion urging the courts to actually implement this mandatory diversion program for evictions. So basically it would be modelled off of Philadelphia's eviction diversion program and what it is is it utilizes mediators. So the landlords when they go to file an eviction and it's for non-payments they will within --- they do this program and the way it works is there is an outside group that does the mediation between the landlords and the tenants to be sure that following the COVID-19 pandemic we are able to keep people in their homes. So what it is is they work out via mediation either a payment plan or there's a housing counselor that is part of the diversion program that actually helps the tenant out with getting unemployment and help the landlord get rental assistance. And so basically the end goal is just preventing eviction while making sure that the landlord doesn't lose out on their money either.

So with that I would like to motion to approve this motion.

PRESIDENT CATENA: Thank you. Is there a second?

MS. BENNETT: Second. Liv.

PRESIDENT CATENA: Motion has been made and seconded.

Any discussion? Seeing no discussion ---.

MS. KIRK: I just have a question. Do we have the full motion? Is this the full motion or is there more to it? I don't recall seeing it.

PRESIDENT CATENA: Councilwoman Hallam, did you hear the question? Is there a more expansive motion or is this the subject?

MS. HALLAM: No. This is the whole motion that's in the new business motion packet. Basically there's the whereas clauses and then the actual motion is just saying that Council urges the Fifth Judicial District of PA to create and implement a mandatory diversion program for landlord tenant cases.

And so it mentions the Philadelphia eviction diversion program as a model, but that will be wholly up to the court. That's not under our jurisdiction actually to lead the program. We would leave it up to the courts to decide how to, like, do it because they're inevitably the only ones who can make that determination.

MS. KIRK: Councilwoman Hallam, just a question.

Do we know if the judiciary is doing anything now or have any kind of similar program at this point?

MS. HALLAM: There is no mandatory diversion program at this time. There are certain magistrates throughout the county who when the landlord comes in to file for an eviction, they --- the presence of mediation so there are mediations that take place now. But this is a mandatory diversion program which means that they have to at least try mediation and there's a 30 day time period from when they file the eviction and when the mediation happens so it is a quick process and ensures the landlord gets their money while the tenant is able to stay in their home.

PRESIDENT CATENA: Councilman Futules?

MR. FUTULES: You know, I think it's already mandatory. As a landlord you just can't unlock the door and say get out. You have to take them to a magistrate. You have to file a complaint then you have to go to court

with the tenant. The tenant either pays their rent or they come up with a payment plan or they go through the eviction process. This is already in place. The landlord doesn't have the right to throw anybody out of their house by law already.

MS. HALLAM: President Catena?

PRESIDENT CATENA: Go ahead.

MS. HALLAM: This is not already in place here. They have the option to do mediation, but what this is --- so if you have an eviction filed against you, that is something that follows you around for the rest of your life just like a criminal record does and so this is to prevent the eviction from happening. So what you're talking about by going to the court, the process, you know, following all those steps, this would just add a step before that happens, where they try to mediate it without having to go through the court process. Often times it's costly for the landlord and the tenant to have representation at the court hearings and at the end of the day a lot of times all that happens is there is an eviction and there is no payment to the landlord.

And so this would be a mediation to ensure they get their money and no one is dragged through the court proceeding.

PRESIDENT CATENA: Councilman DeMarco?

MR. DEMARCO: Mr. President, I'm reading the supporting documentation here and so I am able to see it. I guess the concern I have is it says that it's injecting this in between the current legal process that's already in place. So I think we all share the goal, an objective that nobody wants to see someone just kicked out of their home, but I don't know that by saying we're going to take and change this for everybody by creating this mandatory diversionary program --- and I don't know that the court is the right vehicle or the right folks to do this in the first place.

PRESIDENT CATENA: Okay.

Is there anyone else wishing to make a comment this evening?

MS. HALLAM: President Catena?

PRESIDENT CATENA: Go ahead.

MS. HALLAM: Yes. So I just want to clarify this would not change the current process in case they decide that mediation is unsuccessful and they need to go through with the eviction process. This would not change

anything with the eviction process, and this is also not for everyone. This is only for folks who are being evicted for non-payment of rent, so those are the only folks who would actually even qualify for this.

PRESIDENT CATENA: Thank you.
Councilman DeMarco?

MR. DEMARCO: I would just ask --- again it says it's mandatory here. I think we're technically saying we're going to put this in place while we're concerned about the people that aren't able to pay their rent what are we doing for the landlords to try to ensure that at least these folks can keep those homes? Because many of these people that are landlords they're paying mortgages on those homes as they are, you know.

So Councilwoman Hallam, is there anything that you have or you're doing here to try to help those folks as well so that they can maintain or retake those properties if they don't have any income coming in to be able to pay their mortgages?

MS. HALLAM: Yeah. Actually there is a reference in the motion actually to what being done for that and it talks about the --- let me tell you which whereas clause it is here, but it's to prevent foreclosures on defaulting mortgages. It's called residential mortgage foreclosure program, so that is something that they would help them with that but also there are a lot of costs associated with evicting someone. There are a lot of costs associated with transient tenants and having to fill vacancies and cleaning costs and doing everything that you need to do as a landlord every time you have turnover of tenants. So this does actually save them money and there are actually programs like the one I just mentioned that's listed on the second page. It is the third to last whereas clause, that references residential mortgage foreclosure programs so that is in existence already.

And so this acts as the housing counselor if we're basing it off of Philly's model and it does provide support for both the tenant and the landlord for that stuff as well. So they can help the landlord apply for the foreclosure prevention program. They help the tenant apply for their unemployment and their rental assistance. And so really at the end of the day this will save the landlords money and if they go through the regular eviction process there is a strong likelihood that they

will not ever receive the back rent that they will not ever receive the back rent that they would hope. But with this mediation process it doesn't waive rent, it makes them come to an agreement so that the person can get caught up and can get the support that they need to pay their rent.

In Philadelphia since they started their program over 70 percent of the attempts at mediation have been successful. And again, if it's not successful then it goes through the same process that's in existence already with the court hearing and the eviction.

PRESIDENT CATENA: Councilman Futules?

MR. FUTULES: Yeah. I know that between the landlord and the tenant that this program would be helpful. But the part that I don't like is the fact that you're calling it mandatory. That's the part I'm not good with. I think that between the landlord and a magistrate or the tenant to be worked out amongst themselves, but when you talk about mandatory that's a little different. I think it should be more voluntary.

MS. KIRK: We have that now, voluntary mediation; correct?

MR. FUTULES: Yeah.

PRESIDENT CATENA: Is there anyone else wishing to make comment? Okay.

Let's do a roll call vote.

MR. BARKER: On the motion to approve, Mr. Baker?

MR. BAKER:	No.
MR. BARKER:	Ms. Bennett?
MS. BENNETT:	Yes.
MR. BARKER:	Mr. DeMarco?
MR. DEMARCO:	No.
MR. BARKER:	Mr. Duerr?
MR. DUERR:	Yes.
MR. BARKER:	Mr. Futules?
MR. FUTULES:	No.
MR. BARKER:	Ms. Hallam?
MS. HALLAM:	Yes.
MR. BARKER:	Ms. Kirk?
MS. KIRK:	No.
MR. BARKER:	Mr. Klein?
MR. KLEIN:	Yes.
MR. BARKER:	Mr. Macey?
MR. MACEY:	No.

MR. BARKER: Mr. Palmiere?
MR. PALMIERE: No.
MR. BARKER: Mr. Palmosina?
MR. PALMOSINA: Yes.
MR. BARKER: Ms. Prizio?
MS. PRIZIO: Yes.
MR. BARKER: Mr. Walton?
MR. WALTON: Yes.
MR. BARKER: Mr. Zavarella?
MR. ZAVARELLA: I abstain as I've said

in the past, my practice, I represent both tenants and landlords so therefore I abstain.

MR. BARKER: President Catena?

PRESIDENT CATENA: Yes.

MR. BARKER: Ayes 8, No's 6 with one abstention.

The motion passes.

PRESIDENT CATENA: We'll now have notification of contracts.

11863-21.

MR. BARKER: A communication summarizing approved executive actions for April 2021.

PRESIDENT CATENA: Is there a motion to receive?

MR. MACEY: Motion to receive and file.

MR. DEMARCO: Second.

PRESIDENT CATENA: Motion has been made and seconded. All those in favor signify by saying aye.

(Chorus of ayes.)

PRESIDENT CATENA: All those opposed?

Motion carries. Public comment on general items? None this evening? Okay.

MR. MACEY: Motion to adjourn.

MR. DEMARCO: Second.

PRESIDENT CATENA: Motion has been made and seconded. All those in favor signify by saying aye.

(Chorus of ayes.)

PRESIDENT CATENA: All those opposed? Thank you everyone. Have a safe evening.

MEETING CONCLUDED AT 5:45 P.M.

CERTIFICATE

I hereby certify, as the stenographic reporter, that the foregoing proceedings were taken stenographically by me, and thereafter reduced to typewriting by me or under my direction; and that this transcript is a true and accurate record to the best of my ability.

Dated the 9th day of June, 2021

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Jeremy Harris,

Court Reporter