

## **Board of Directors Meeting**

**June 9, 2016**

**3:30 p.m.**

### **Agenda**

1. Roll Call
2. Public Comment
3. Approval of Minutes for the Meeting of May 12, 2016
4. Updates
  - Update on JMT Project
  - Tax Sale Acquisitions
  - Property Transfers
5. Approval to Convey 1140 Mt. Vernon Street
6. Adoption of Disclosure and Disqualification Policy to Land Bank staff
7. Adjournment

**This meeting is open to the public**

# **PHILADELPHIA LAND BANK**

## **BOARD MEETING MINUTES**

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A meeting of the Board of Directors of the Philadelphia Land Bank was held on Thursday, May 12, 2016 commencing at 3:30 p.m. in the offices of the Philadelphia Housing Development Corporation, being its regular meeting place, 17th Floor, 1234 Market Street, Philadelphia, Pennsylvania, pursuant to proper notices.

### **CALL TO ORDER**

Ms. Rashid called the meeting to order at 3:30 p.m.

### **Agenda Item 1**

#### **Roll Call**

The following members of the Board of Directors reported present: Majeedah Rashid, Chair; Paul L. Badger, Jr., Vice Chair; Jennifer Kates, Secretary; Deborah McColloch, Treasurer; Christian Dunbar; Anjali Chainani Nora Lichtash; Jennifer Rodriguez; Herbert Wetzel and Courtney Voss (arriving 3:40 p.m.).

The following member of the Board of Directors was not present: Angel Rodriguez.

The following staff members were present: Nicholas Scafidi, Esq., John Carpenter, Christi Jackson, William Bradley, Victoria Welch and Paul Chrystie.

Public Attendees: The list of public attendees is attached to these minutes.

A quorum of directors was present and the meeting, having been duly convened, was ready to proceed with business.

### **Agenda Item 2**

#### **Public Comment**

Ms. Rashid asked if any member of the public wished to comment upon any item on the Board's agenda.

No attendee responded to Ms. Rashid's invitation to comment.

### **Agenda Item 3**

#### **Approval of Board Minutes**

##### **Board Action**

Ms. Rashid called for a motion to approve the minutes of the Board meeting of April 14, 2016.

Upon motion made and duly seconded, the minutes of April 14, 2016 were approved as presented.

### **Agenda Item 4**

#### **Updates**

##### **3<sup>rd</sup> Quarter Financial Report**

Mr. Carpenter reported on 3<sup>rd</sup> Quarter Financials for the Land Bank.

##### **JMT Project**

Mr. Bradley reported that JMT is in the first phase of conducting a survey to identify user needs and he encouraged those who receive the survey to respond. On a separate track, the JMT team is working with OIT to assess and plan for improvements in the Land Bank's IT infrastructure. He stated that JMT will work with staff to plan what direction these efforts will take over the next 3 months.

Mr. Bradley reported that the PhillyLandWorks website has been updated. He stated that the search tool is easier to find, and the advanced search tool is now accessible without requiring a login. The expression of interest form has been shortened.

##### **Transfer of Properties**

Ms. Saah reported that 812 parcels are now in the Land Bank inventory, with an additional 974 properties approved but not yet conveyed. Deeds to 140 of those properties are in various stages of review, execution, and filing. She further stated that 415 additional City and PRA parcels are in the process of being approved for transfer.

##### **Expressions of Interests**

Ms. Kates inquired about the status of the EOI's. Mr. Scafidi stated we have begun to identify EOI's which should be closed and will be notifying those applicants with the reason for that decision. We, in coordination with PRA, are also beginning to actively respond to EOI's on those properties which are available for acquisition.

Mr. Scafidi reported that just about all available properties in the 2<sup>nd</sup> and 7<sup>th</sup> Council Districts have been approved to be moved into the Land Bank.

### **Agenda Item 5**

#### **Approval to Convey**

Mr. Carpenter noted that the Board agenda that was posted on the Land Bank's website originally included an item seeking approval to sell 1140 Mount Vernon Street. This item was removed from the final agenda at the buyer's request who sought additional time to consider the sale price offered by the Land Bank.

#### **1908 E. York Street**

Mr. Carpenter reported that the buyer has requested a site control letter to allow him more time to refine and seek approval for his development plans. As a result, Mr. Carpenter asked that the Board table this agenda item. Mr. Scafidi reported that the Land Bank will issue a site control letter to the buyer to facilitate his planning through the rest of this calendar year.

### **Agenda Item 6**

#### **Authorization to Acquire Certain Properties at Tax Foreclosure Sale**

Mr. Scafidi requested authorization on behalf of the Land Bank to bid for and acquire a list of identified properties as a Tax Foreclosure Sale in accordance with the provisions of the Commonwealth Land Bank Act and the Philadelphia Code. He stated that properties on this list were reviewed by the City's Finance, Revenue and Planning Departments and the City's Finance Director has agreed to waive municipal taxes for the Land Bank. He noted that the list that was attached to the original resolution contained a typographic error, and requested that the Board amend the original resolution to correct this error.

Ms. Rodriguez inquired about the status of other tax delinquent properties that might be acquired by the Land Bank. Mr. Scafidi stated that the Administration is seeking a more efficient way to process additional requested properties.

Ms. Rodriguez asked if there is any limitation on the use of these properties. Mr. Scafidi stated that the Land Bank is free to convey these properties for any purpose it finds in the best interests of the Land Bank.

The revised list of properties was circulated to the Board and to all attending.

Ms. Rashid called for a motion to adopt the revised resolution. Upon motion made and duly seconded, the resolution was approved by unanimous vote of the Board as follows:

## **RESOLUTION NO. 2016 – 3**

### **RESOLUTION AUTHORIZING ACQUISITION OF TAX DELINQUENT PROPERTIES**

**WHEREAS**, the Commonwealth Land Bank Act, 68 Pa. C.S.A. §§ 2101, *et seq.*, authorizes a land bank to bid and acquire property exposed for sale pursuant to the Municipal Claim and Tax Lien Law, 53 P.S. §§ 7101, *et seq.*;

**WHEREAS**, Section 16-705(2) of the Philadelphia Code authorizes the Philadelphia Land Bank (“Land Bank”) to acquire real property or interests in real property through all legal means, subject to certain stated terms and conditions;

**WHEREAS**, Section 16-705(3)(b) of the Philadelphia Code authorizes the Land Bank to acquire tax delinquent properties at sales conducted by, or on behalf of, the City of Philadelphia; and

**WHEREAS**, the Land Bank desires to acquire certain properties which will be exposed at tax sale.

**NOW THEREFORE, BE IT RESOLVED** by the Board of Directors of the Philadelphia Land Bank that

1. The Land Bank is authorized to bid for and acquire the properties identified on the attachment to this Resolution in accordance with the provisions of the Commonwealth Land Bank Act and the Philadelphia Code.
2. The Interim Executive Director is authorized to prepare, execute and deliver all documentation necessary to effectuate the purposes of this Resolution.

#### **Agenda Item 7**

#### **Approval of First Amendment to Certain Memorandum of Understanding and Management Agreement**

##### **A) Memorandum of Understanding – Philadelphia Land Bank and Philadelphia Redevelopment Authority**

Mr. Scafidi requested authorization to enter into a First Amendment to the Memorandum Of Understanding between the Land Bank and PRA which would permit the Land Bank to retain all unspent funds given to the Land Bank by PRA in FY2016, and authorizing PRA to provide an additional \$1,900,000 in funding for the Land Bank in FY2017.

Ms. Rashid called for a motion to adopt the resolution. Upon motion made and duly seconded, the resolution was approved by unanimous vote of the Board as follows:

**RESOLUTION NO. 2016 - 4**

**RESOLUTION AUTHORIZING A FIRST AMENDMENT TO AMENDED AND RESTATED MEMORANDUM OF UNDERSTANDING BETWEEN THE PHILADELPHIA REDEVELOPMENT AUTHORITY AND THE PHILADELPHIA LAND BANK**

**WHEREAS**, the Philadelphia Redevelopment Authority and the Philadelphia Land Bank entered into a Memorandum of Understanding, effective as of October 3, 2014 (“Original Memorandum of Understanding”), through which the Redevelopment Authority agreed to: (i) provide staffing and funding support to the Land Bank; (ii) provide for the transfer of title to certain properties owned by the Redevelopment Authority to the Land Bank; and (iii) arrange for transfer of management and maintenance of certain software operational systems then controlled by the Redevelopment Authority;

**WHEREAS**, on July 1, 2015 the parties entered into an Amended and Restated Memorandum of Understanding which extended the agreements and conditions of the Original Memorandum of Understanding through Fiscal Year 2016;

**WHEREAS**, the parties now desire to renew, extend and modify certain provisions of the Amended and Restated Memorandum of Understanding as more specifically provided in the summary attached to this Resolution; and

**WHEREAS**, the Board has considered the First Amendment to the Amended and Restated Memorandum of Understanding and finds that its adoption is in the best interests of the Land Bank.

**NOW THEREFORE, BE IT RESOLVED** by the Board of Directors of the Philadelphia Land Bank that the Interim Executive Director of the Land Bank may enter into a First Amendment to the Amended and Restated Memorandum of Understanding with the Philadelphia Redevelopment Authority in form and substance acceptable to the Interim Executive Director consistent with the terms and conditions stated in the Executive Summary presented to the Board.

**B) Memorandum of Understanding – Department of Housing and Community Development**

Mr. Scafidi requested authorization to enter into a First Amendment to the Memorandum of Understanding between the Land Bank and the Department of Housing and Community Development to allow OHCD personnel to support the Land Bank operations. These eservices include Office Services, Communications, Human Resources and Information Technology,

Ms. Rashid called for a motion to adopt the resolution. Upon motion made and duly seconded, the resolution was approved by unanimous vote of the Board as follows:

**RESOLUTION NO. 2016 - 5**

**RESOLUTION AUTHORIZING A FIRST AMENDMENT TO MEMORANDUM OF UNDERSTANDING BETWEEN THE OFFICE OF HOUSING AND COMMUNITY DEVELOPMENT AND THE PHILADELPHIA LAND BANK**

**WHEREAS**, the Office of Housing and Community Development (“OHCD”) and the Philadelphia Land Bank entered into a Memorandum of Understanding dated as of July 1, 2016 through which OHCD has provided staffing and administrative services to the Land Bank and the Land Bank has agreed to reimburse OHCD for those services;

**WHEREAS**, OHCD and the Land Bank desire to renew, extend and modify certain provisions of the Memorandum of Understanding as more specifically provided in the summary attached to this Resolution; and

**WHEREAS**, the Board has considered the First Amendment to the Memorandum of Understanding and finds that its adoption to be in the best interests of the Land Bank.

**NOW THEREFORE, BE IT RESOLVED** by the Board of Directors of the Philadelphia Land Bank that the Interim Executive Director of the Land Bank may enter into a First Amendment to the Memorandum of Understanding with the Office of Housing and Community Development in form and substance acceptable to the Interim Executive Director consistent with the terms and conditions stated in the Executive Summary presented to the Board.

C) Management Agreement - Philadelphia Land Bank and Philadelphia Housing Development Corporation

Mr. Scafidi requested authorization to enter into a First Amendment to the Management Agreement between the Land Bank and the Philadelphia Housing Development Corporation to amend the terms of the parties’ cost sharing agreement for staff and administrative expenses. The terms of the Amendment are summarized in the Executive Summary presented to the Board.

Ms. Rashid called for a motion to adopt the resolution. Upon motion made and duly seconded, the resolution was approved by unanimous vote of the Board as follows:

**RESOLUTION NO. 2016 - 6**

**RESOLUTION APPROVING A FIRST AMENDMENT TO MANAGEMENT CONTRACT BETWEEN PHILADELPHIA LAND BANK AND PHILADELPHIA HOUSING DEVELOPMENT CORPORATION**

**WHEREAS**, the Philadelphia Land Bank and Philadelphia Housing Development Corporation (“PHDC”) entered into a Management Contract dated as of July 17, 2015 (“Management Contract”) which, among other things, provided for reimbursement by the Land Bank to PHDC for certain personnel costs and certain operational and office expenses;

**WHEREAS**, the Land Bank and PHDC desire to renew and modify certain provisions of the Management Contract as more specifically provided in the summary attached to this Resolution; and

**WHEREAS**, the Board has considered the First Amendment to Management Contract and finds that its adoption is in the best interests of the Land Bank.

**NOW THEREFORE, BE IT RESOLVED** by the Board of Directors of the Philadelphia Land Bank that the Interim Executive Director may enter into the First Amendment to Management Contract with PHDC in form and substance acceptable to the Interim Executive Director consistent with the terms and conditions stated in the Executive Summary presented to the Board.

#### **Agenda Item 8**

##### **Proposal with the Neighborhood Gardens Trust for Community Garden Program**

Ms. McColloch informed the Board that she submitted a Conflict of Interest Disclosure and Disqualification Letter and would not participate in this discussion or any decision. Ms. McColloch excused herself from this portion of the meeting.

Mr. Carpenter requested authorization on behalf of the Land Bank to enter into a professional services contract, in an amount not to exceed \$20,000, with Neighborhood Gardens Trust to provide screening of garden-related expressions of interest, develop a list of potential garden sites, conduct site visits, and produce a final set of recommendations for action.

Ms. Rashid called for a motion to adopt the resolution. Upon motion made and duly seconded, the resolution was approved by unanimous vote of the Board as follows:

#### **RESOLUTION NO. 2016 – 7**

##### **RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH NEIGHBORHOOD GARDENS TRUST**

**NOW THEREFORE, BE IT RESOLVED** by the Board of Directors of the Philadelphia Land Bank that authorization is hereby given for the Land Bank to enter into a professional services contract with Neighborhood Gardens Trust (“NGT”) to provide screening of garden-related expressions of interest, develop a list of other potential garden sites, coordinate leasing opportunities with community gardeners, and recommend sites best prepared to accept



leases for Land Bank owned properties, for a not-to-exceed maximum compensation, including out-of-pocket expenses, of Twenty Thousand Dollars (\$20,000).

**FURTHER RESOLVING**, that the Interim Executive Director is authorized to prepare, execute and deliver an Agreement necessary to effectuate the purposes of this Resolution which shall contain such terms and conditions as the Interim Executive Director and General Counsel shall deem necessary or appropriate to protect the interests of the Land Bank.

There being no further business to come before the Board, Ms. Rashid declared the meeting adjourned at 4:20 p.m.

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SECRETARY TO THE BOARD

PHILADELPHIA LAND BANK

Board of Directors

Thursday, May 12, 2015

3:30pm

GUEST SIGN-IN SHEET

NAME

E-MAIL ADDRESS

COMPANY

1) Jenny Greenberg  
2) Chushy Jackson  
3) Trevor McElroy

jgreenberg@penhamb.org

NGT  
PLB

~~Trevor~~ Trevor 14180 Yamacraw St. Beacon Garden

4)

5)

6)

7)

8)

9)

10)

11)

## Attachment A

1444 N 27th St

1448 N 27th St

1450 N 27th St

1409 N 28th St

1431 N 28th St

1455 N 28th St

2700 W Cabot St

4731 Duffield St

1213 N Etting St

1330 N Marston St

1332 N Marston St

1334 N Marston St

1336 N Marston St

1404 N Marston St

1426 N Marston St



1234 Market St., 17<sup>th</sup> Floor, Philadelphia PA 19107  
philadelphialandbank.org

Via Certified Mail

May 12, 2016

Majeedah Rashid  
Chair  
Philadelphia Land Bank  
1234 Market Street, 17<sup>th</sup> Floor  
Philadelphia, PA 19107

Nicholas J. Scafidi  
Interim Executive Director  
Philadelphia Land Bank  
1234 Market Street, 17<sup>th</sup> Floor  
Philadelphia, PA 19107

Maya Nayak  
General Counsel  
City of Philadelphia Board of Ethics  
One Parkway Building  
1515 Arch Street, 18th Floor  
Philadelphia, PA 19102-1504

James Leonard, Esquire  
Commissioner  
City of Philadelphia Department of Records  
Room 111, City Hall  
Philadelphia, PA 19107

Re: Conflict Disclosure Letter

Ladies/Gentlemen:

In accordance with the Land Bank's Public Disclosure and Disqualification Procedure for Conflict Issues, I write to disclose my interest in and association with Neighborhood Gardens Trust (NGT) as a member of its Board of Directors. I therefore disqualify myself from taking action as a Land Bank Board member that affects NGT with regard to its request to the Land Bank described below.

NGT is a non-profit corporation whose mission is to acquire and preserve community gardens and shared open space in order to enhance the quality of life in Philadelphia neighborhoods.

In response to the Land Bank's request, NGT has submitted a proposal to assist in the review and assessment of Expressions of Interest for community gardens and to research existing gardens currently operating on city land.



1234 Market St., 17<sup>th</sup> Floor, Philadelphia PA 19107  
philadelphialandbank.org

Majeedah Rashid  
Nicholas J. Scafidi  
Maya Nayak  
James Leonard

May 12, 2016  
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Land Bank Board members will be asked to vote whether to enter into a contract with NGT by which NGT will provide those services to the Land Bank for stated consideration.

Because I am Board member of NGT, I am disqualifying myself and abstaining from using the authority of my office or taking official action related to NGT's contract request as described above. I am removing myself from the opportunity to influence in any manner the Land Bank's actions related to NGT's contract request. This includes leaving the room while the Executive Director consults with Land Bank Board members and while the Land Bank Board otherwise considers the matter.

Please contact me if you require further clarification.

Sincerely,

Deborah McColloch

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**MEMORANDUM**

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Date: June 9, 2016  
To: Board of Directors  
From: John Carpenter  
Re: Approval to Convey 1140 Mt. Vernon Street

The applicants, Gary R. Clarke and Rachel S. Collins, will build a single family home as their primary residence on this vacant lot in the Spring Arts neighborhood. This property is situated between two privately owned properties in a rapidly developing area. 1138 Mt. Vernon is unimproved land recently acquired by an LLC, and 1142 Mt. Vernon (AKA 615 N. 12<sup>th</sup> St) was recently developed as a three-story residential structure.

The attached fact sheet describes 1140 Mt. Vernon Street, the proposed use, and the Land Bank's proposed terms of sale in further detail.

As required by the Land Bank Ordinance, this sale was approved by the Vacant Property Review Committee on April 12, 2016 and by City Council resolution on April 28, 2016. Notices were sent to all of the Registered Civic Organizations (RCOs) that serve this neighborhood.

Staff recommends that the Board approve the sale of this property.

## Land Bank Property Conveyance Fact Sheet

Property Address: 1140 Mount Vernon St.  
Council District 5

Property Type: Unimproved lot, 1,312 SF

Zoning: RM1- Residential/Residential Mixed-Use

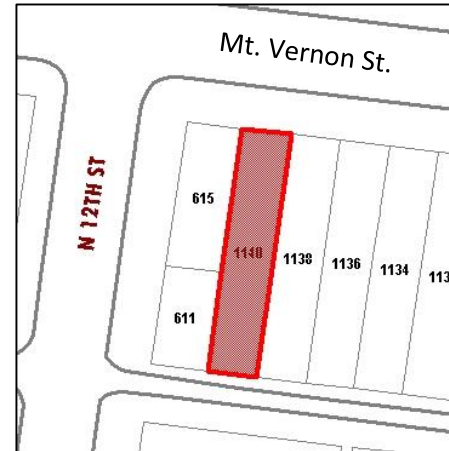
Proposed Use: New construction of a single family home to be occupied by the applicants.

Proposed Price: \$130,000, as determined by appraisal

Terms of Sale: Conveyance simultaneous with construction loan closing  
Construction to begin within 90 days of closing  
Requirement to occupy and use for a specified period of time

Applicant Name: Gary R. Clarke and Rachel S. Collins

Staff Recommendation: The Land Bank staff recommends approval of this transaction.



**Andrea Saah**

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**From:** Arthur Czapka <amczapka@gmail.com>  
**Sent:** Tuesday, April 26, 2016 7:44 PM  
**To:** Land Bank  
**Subject:** public comments regarding the sale of the property located

To whom it may concern,

As a long time resident of 1128 Mount Vernon Street Philadelphia PA 19123, I implore the Philadelphia Land Bank not to sell the property located at 1140 Mount Vernon Street Philadelphia 19123. Doing so would remove the last green space on the block and obscure a beautiful mural on the adjacent property.

r/s

Arthur Czapka  
267 342 1675



**RESOLUTION NO. 2016 –**

**RESOLUTION AUTHORIZING CONVEYANCE OF 1140 MT. VERNON STREET  
TO GARY R. CLARKE AND RACHEL S. COLLINS**

**WHEREAS**, Section 16-707 of the Philadelphia Code authorizes the Philadelphia Land Bank (“Land Bank”) to convey, exchange, sell, transfer, lease, grant or mortgage interests in real property of the Land Bank, subject to approval of the Vacant Property Review Committee and resolution by City Council, and subject further to certain stated terms and conditions; and

**WHEREAS**, the Vacant Property Review Committee approved transfer of 1140 Mt. Vernon Street at its public meeting held on April 12, 2016 and City Council approved this conveyance by resolution adopted on April 28, 2016.

**NOW THEREFORE, BE IT RESOLVED** by the Board of Directors of the Philadelphia Land Bank that:

1. The Land Bank determines that conveyance of 1140 Mt. Vernon Street (the “Property”) to Gary R. Clarke and Rachel S. Collins for the consideration of One Hundred Thirty Thousand Dollars (\$130,000) to be in the best interests of the Land Bank.
2. The conveyance of the Property complies with all terms and conditions of Section 16-707 of the Philadelphia Code.
3. The Executive Director is authorized to prepare, execute and deliver an agreement, deed all other documentation necessary to effectuate the purposes of this Resolution which shall contain such terms and conditions as the Executive Director and General Counsel shall deem necessary or appropriate to protect the interests of the Land Bank.
4. The Executive Director with the advice of General Counsel may allow modifications to this Resolution necessary or desirable to carry out its purposes and intents.



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## MEMORANDUM

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Date: June 9, 2016  
To: Board of Directors  
From: Nicholas Scafidi  
Re: Public Disclosure and Disqualification for Conflict Issues

The Pennsylvania Land Bank Act and the City's Land Bank Ordinance each require that the Board adopt policies regarding how Board members disclose and manage potential conflicts of interest. The Land Bank Ordinance further directs the Board to extend its ethical obligations to Land Bank staff.

In July 2015 the Board adopted a "Public Disclosure and Disqualification for Conflict Issues" policy applicable to Board members. The policy requires disclosure of matters which pose a potential conflict of interest and, in such cases, disqualification from participating in those matters.

Today, the Board will extend that policy to the employees who staff the Land Bank.

**RESOLUTION NO. 2016 -**

**RESOLUTION EXTENDING LAND BANK PUBLIC DISCLOSURE AND  
DISQUALIFICATION PROCEDURE FOR CONFLICT ISSUES  
TO LAND BANK STAFF**

**NOW THEREFORE, BE IT RESOLVED** by the Philadelphia Land Bank that:

1. The Public Disclosure and Disqualification Procedure for Conflict Issues adopted by the Board as Resolution No. 2015 - 21 shall be applicable to those employees who perform work on behalf of the Land Bank.
2. As applicable, the use of the term "Member" in the Policy shall be read to include any person who is considered Land Bank staff.