

Board of Directors Meeting**May 12, 2016****3:30 p.m.****Agenda**

- 1 Roll Call
- 2 Public Comment
- 3 Approval of Minutes for the Meeting of April 14, 2016
- 4 Updates
 - 3rd Quarter Financial Report
 - Update on JMT Project
- 5 Approval to Convey:
 - 1908 E. York Street
- 6 Authorization to Acquire Certain Properties at Tax Foreclosure Sale
- 7 Approval of First Amendments to:
 - a. Memorandum of Understanding with Philadelphia Redevelopment Authority
 - b. Memorandum of Understanding with Division of Housing and Community Development
 - c. Management Agreement with Philadelphia Housing Development Corporation
- 8 Approval of Proposal with the Neighborhood Gardens Trust for Community Garden Program
- 9 Adjournment

This meeting is open to the public

PHILADELPHIA LAND BANK

BOARD MEETING MINUTES

A meeting of the Board of Directors of the Philadelphia Land Bank was held on Thursday, April 14, 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 3:40 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; Nora Lichtash; Angel Rodriguez; Herbert Wetzal and Courtney Voss.

The following members of PHDC and OHCD staff were present: Nicholas Scafidi, Esq., John Carpenter, Christi Jackson, Beau 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 March 10, 2016.

Upon motion made and duly seconded, the minutes of March 10, 2016 were approved as presented.

Agenda Item 4

Updates

JMT Project

Mr. Bradley reported that JMT is now creating an electronic survey to help collect more information in designing program for user groups.

Ms. Kates asked if there was a list of the user groups. Mr. Bradley stated that there are several including executive, board, Council staff, real estate, garden, and community. Another part of the team is meeting with OIT and others to assess the database and communications systems that were developed over the past five years.

Ms. Kates inquired if there was a timeframe when the board would see the next work products of this project. Beau stated that wireframes (the first stage of the design process) would be available in June.

Property Transfers

Ms. Saah reported that progress has been made with the transfer of properties. She stated that 122 additional properties have been formally transferred to the Land Bank, and 582 more are in the process of having deeds signed. In total, about 1,683 properties will be transferred into the Land Bank.

Mr. Badger inquired about the timeframe for completion of the transfer of properties. Mr. Scafidi responded that it would be by the end of June.

Changes to Land Bank Pricing Model

Mr. Scafidi stated that the Board previously approved updating the pricing model because many of the properties were being priced at the old model. Prices have been pulled until new pricing is available which should be in the next two weeks or more.

Ms. Kates inquired if staff will be cleaning up old Expressions of Interest that are no longer viable. Mr. Scafidi stated that staff will reach out to applicants to see if they are still interested.

Agenda 5

Proposal

Neighborhood Garden Trust

This matter was tabled.

High School Interns

Mastery Charter School sophomores including Chanelle Hawkins, Nicholas Carter, Claudelle Smallwood, Savonarry Chhen and Tanasha Richburg were introduced to the Board by Mr. Scafidi and Ms. Jackson. Mr. Scafidi noted that they were a tremendous help in the processing of deeds. Ms. Jackson who supervised the students, stated that Mastery requires all students to participate in an internship at a public or private corporation. She stated that the students worked very hard and did an outstanding job.

Agenda Item 6

Adjournment

There being no further business to come before the Board, Ms. Rashid declared the meeting adjourned.

SECRETARY TO THE BOARD

FY 2016 Revenue & Expenses: July 1, 2015 to June 30, 2016

	Budget	YTD Expenses through 03-31-2016	Available Balance
SALARIES	1,181,600	463,568	718,033
<i>Share of OHCD Support Salaries</i>	130,000	65,000	65,000
<i>Share of PHDC Admin Salaries</i>	253,000	63,727	189,273
Fringe Benefits			
FICA	90,400	36,764	53,636
Pensions	384,800	100,780	284,020
Health Benefits			
Major Medical	302,300	61,081	241,219
Prescription Plan	52,900	2,694	50,206
Dental	15,700	2,253	13,447
Vision	800	60	740
Life Insurance	12,000	172	11,828
Group Legal	2,160	360	1,800
Worker's Compensation	7,500	3,705	3,795
Unemployment Comp	16,000		16,000
Total Fringes	884,560	207,869	676,691
Purchase of Services			
Telephone	6,800	3,702	3,098
Training, Travel & Conferences	25,000	16,992	8,008
Parking & Mileage	15,800	5,999	9,801
Postage	5,100	25	5,075
Advertisement & Promotions	30,000	738	29,262
Professional Services			
Legal Fees	26,700	10,711	15,989
Strategic Planning for 2017	100,000		100,000
Communications	25,000		25,000
Audit and Accounting Consulting	40,000		40,000
Insurance broker fees	50,700	27,750	22,950
Other	6,400	2,472	3,928
Repair & Property Maintenance	6,400		6,400
Rent of Office Space	89,200	44,289	44,911
Insurance	309,000	164,106	144,894
Total Purchase of Services	736,100	276,784	459,316
Materials & Supplies			
Books, Publications, Dues	5,100	1,264	3,836
Office Material & Supplies	5,000	1,694	3,306
Printing	20,200	461	19,739
Total Materials & Supplies	30,300	3,419	26,881
Equipment			
Tools and Equipment	4,700	0	4,700
Auto	22,000	0	22,000
Total Equipment	26,700	0	26,700
Information Services & Technology			
Information technology improvement	175,000	40,118	134,882
Drexel Interns	75,000	68,500	6,500 *
Software licenses	32,500	1,160	31,340
Purchase of data services	23,100		23,100
Purchase and maintenance of equipment	18,300	10,243	8,057
	323,900	120,021	203,879
Real Estate			
Acquisition & disposition	407,500	2,591	404,909
Maintenance	350,000	108,511	241,489
	757,500	111,102	646,398
Total Costs All Categories	4,323,660	1,311,488	3,012,172
Revenue			
City: General Funds	500,000	350,000	150,000
Philadelphia Redevelopment Authority Funding	3,823,660	1,804,000	2,019,660 **
	4,323,660	2,154,000	2,169,660

Philadelphia Land Bank
Statement of Net Position

Year ended March 30th, 2016

Assets

Current Assets

Cash	\$	1,640,697
Accounts receivable, net of allowance for doubtful accounts of \$0 for 2015		1,239,061
Other current assets		-
Property held for development or sale		548

Total Current Assets 2,880,306

Noncurrent Assets

Capital assets, net of accumulated depreciation	49,568
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Total Noncurrent Assets 49,568

Total Assets \$ 2,929,874

Liabilities

Current Liabilities

Accounts payable	\$	3,000
Accrued liabilities		-
Compensated absences		-
Intercompany Payable		-

Total Current Liabilities 3,000

Noncurrent Liabilities

Unearned Revenue	2,872,261
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Total Noncurrent Liabilities -

Total Liabilities 2,875,261

Commitments and Contingencies

Net Position

Net investment in capital assets	-
Restricted	3,000
Unrestricted	51,613

Total Net Position \$ 54,613

PHILADELPHIA LAND BANK

Board of Directors

Thursday, April 14, 2015

3:30pm

GUEST SIGN-IN SHEET

NAME

E-MAIL ADDRESS

COMPANY

1) PHILIP RUSAK

PR27@hotmail.com

Self

2) Chris Rye

Pub

3) Claudette Smallwood

Mastery School

4) Nick Carter

Mastery School

5) Jenny Greenberg

jgreenberg@comcast.org

NGF

6) Tanesha Richburg

Rsanchez@impactseervices.org

Impact SE

7) Rolando Sanchez

rgoldstone.pa@gmail.com

CBRG Development Group

8) Richard Goldstone

Deonte@ELS1870.org

ELCS

9) Deonte Haynes

EricBorcar@PHILA.W

Cur Sanchez

10) Eric Borcar

11)

MEMORANDUM

Date: May 12, 2016
To: Board of Directors
From: John Carpenter
Re: Approval to convey 1908 E York St.

Jeffrey Marshall seeks to build a series of single family homes on this and several nearby properties on this block in the East Kensington neighborhood. He requested this property at the same time that he requested the five properties owned by the City. He already owns two properties adjacent and between the City-owned parcels. See list below:

1908 E York- Land Bank
1910 E York- City
1912 E York- Private
1914 E York- City
1916 E York- Marshall
1918 E York- Marshall
1920 E York- City
1922 E York- City
1924 E York- City

The City's Vacant Property Review Committee reviewed and approved the disposition of its properties early this year after securing an appraisal that established the price of each property to be \$60,000. The City requires that Mr. Marshall develop and use the property within one year of settlement.

As required by the Land Bank Ordinance, the sale of this property was approved by the Vacant Property Review Committee at its April 12, 2016 meeting and by City Council resolution on April 28, 2016.

Staff recommends that the board approve the sale of this property under the same conditions and price as the City's sale of its five properties.

Land Bank Property Conveyance Fact Sheet

Property Address: 1908 E. York St.
Council District 7

Property Type: Unimproved lot, 1,350 SF

Zoning: RSA5- Residential/Residential Mixed-Use

Proposed Use: New construction of single family homes as part of a larger site.

Proposed Price: Appraised value of \$60,000

Terms of Sale: Will match terms of VPRC sale of related properties, including requirement to develop and use within one year.

Applicant Name: Jeffrey Marshall
119 Blake Avenue, Meadowbrook, PA 19046

Discussion: Mr. Marshall owns 1916 and 1918 E York, and has recently been approved by the VPRC to purchase several City-owned properties on this block including the adjacent property at 1910.

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



RESOLUTION NO. 2016 –

**RESOLUTION AUTHORIZING CONVEYANCE OF 1908 E. YORK STREET TO
JEFFREY MARSHALL**

WHEREAS, Section 16-707 of the Philadelphia Code authorizes the Philadelphia 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;

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 1908 E. York Street (the “Property”) to Jeffery Marshall for the consideration of Sixty Thousand Dollars (\$60,000) 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 Interim 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 Interim Executive Director and General Counsel shall deem necessary or appropriate to protect the interests of the Land Bank.
4. The Interim Executive Director with the advice of General Counsel may allow modifications to this Resolution necessary or desirable to carry out its purposes and intents.

MEMORANDUM

Date: May 12, 2016
To: Board of Directors
From: Nicholas Scafidi
Re: Approval to acquire certain properties at the tax sale

One of the Land Bank's goals is to facilitate the acquisition and reuse of abandoned, tax delinquent properties, using authority created under the Pennsylvania Land bank Act of 2012 and the Philadelphia Land Bank Ordinance of 2013.

Over the past year the Land Bank worked closely with the City's Finance, Revenue, Planning and Law Departments to identify the attached list of properties that are eligible for the Land Bank to acquire. The team identified re-uses for each of these properties that strongly support the Land Bank's strategic plan. The Land Bank chose these properties to be part of a pilot project to establish and test the Land Bank's planning and acquisition tools. The Philadelphia Sheriff advertised these properties on their website and in print as part of their monthly tax sale program, and expects to consider them at the May 24th sale. This will be the first time that the Philadelphia Land Bank uses its authority to bid at tax sale.

The board is requested to authorize the Land Bank to bid and acquire the attached list of properties. The property on Duffield Street will be packaged with an adjacent Land Bank owned property for sale to a nearby business to support their operations. The remainder of these properties will be packaged with properties owned by the Land Bank and offered for development of workforce housing.

RESOLUTION NO. 2016 –

**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, 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.

Attachment A

1444 N 27th St

1448 N 27th St

1450 N 27th St

1409 N 28th St

1451 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., 17th Floor, Philadelphia PA 19107
philadelphialandbank.org

MEMORANDUM

Date: May 12, 2016
To: Board of Directors
From: Nicholas Scafidi
Re: Approval of agreement with Philadelphia Redevelopment Authority

In 2014, the Land Bank entered into a Memorandum of Understanding with the Philadelphia Redevelopment Authority. This agreement describes how the Authority shares staffing resources and funding with the Land Bank. It must be amended each year to reflect changes in the terms and amount of funding.

The attached amendment allows the Land Bank to keep all unspent funds that were provided to the Land Bank in FY2016, and authorizes the Authority to provide an additional \$1,900,000 in funding for the Land Bank's 2017 fiscal year.

A summary the terms of this agreement is attached.

Philadelphia Land Bank / PRA
Memorandum of Understanding
Summary of Major Terms

Transfer or Assignment of PRA staff to Land Bank	<p>Certain PRA staff will either be assigned or transferred to work under Land Bank Management</p> <p>Those staff members will remain PRA employees while performing Land Bank work</p> <p>If assigned/transferred PRA staff terminate employment with PRA, the Land Bank will hire replacement staff as PHDC employees</p> <p>No changes</p>
PRA Funding of Land Bank Operations	<p>PRA committed \$3,823,660 to support Land Bank operations for FY 16</p> <p>This amount is reduced to actual funding of approximately \$1,450,000, and a new section was added to reflect \$1,900,000 commitment for FY 2017.</p> <p>Under the prior MOU, PRA is entitled to a credit of approximately \$900,000 for its overfunding of Land Bank FY 15 operations and that \$900,000 will reduce PRA's FY 16 Funding Commitment to approximately \$2.9 million (a full accounting and reconciliation of FY 15 overfunding will be completed by 12/1/15)</p> <p>This section was removed</p> <p>The Land Bank will provide quarterly financial statements to PRA</p> <p>This section was removed</p> <p>If PRA has overfunded the Land Bank at the close of FY 16, PRA is entitled to a return of any excess funding</p> <p>This section was removed, and language added to allow the Land Bank to retain unspent funds to apply toward FY2017.</p> <p>Net income from the sale of City properties through VPRC will be retained by the Land Bank to fund future operations</p> <p>This section was removed</p>

Transfer of PRA Surplus Property	<p>PRA has identified surplus property that it is willing to convey to the Land Bank and has submitted that list of property to City Council</p> <p>Upon Council approval, PRA will convey those properties to the Land Bank for nominal consideration</p> <p>No changes</p>
Management of the “Front Door” Program	<p>Upon agreement of OHCD, PRA and the Land Bank, the Land Bank will assume responsibility for receiving, evaluating and processing Expressions of Interest for all available City, PRA and Land Bank properties</p> <p>No Changes</p>
Miscellaneous	<p>(1) PRA will continue its current use of specified computer hardware owned by the Land Bank</p> <p>(2) The Land Bank will cooperate with PRA to acquire property using the Land Bank’s foreclosure powers</p> <p>(3) The Land Bank will cooperate with PRA to support PRA’s use of LAMA</p> <p>No changes</p>
Term	<p>The agreement is effective as of July 1, 2015 and will terminate June 30, 2016</p> <p>Extended to June 30, 2017</p>

RESOLUTION NO. 2016 -

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.

MEMORANDUM

Date: May 12, 2016
To: Board of Directors
From: Nicholas Scafidi
Re: Approval of agreement with Division of Housing and Community Development (Formerly OHCD)

In 2015, the Land Bank entered into a Memorandum of Understanding with the Division of Housing and Community Development. This agreement allowed the Land Bank to be supported by some of DHCD's service departments, including Office Services, Communications, Human Resources, and Information Technology.

It also defined how the Land Bank shares the cost of these expenses in keeping with HUD's regulations.

This agreement renews each year so that the Land Bank and DHCD can reexamine the formula used to share expenses, and adjust the amount of the cost sharing if necessary. For 2017, the Land Bank's share of the DHCD's expenses will be approximately \$99,000.

A summary of the terms of this agreement is attached.

Philadelphia Land Bank / DHCD
Memorandum of Understanding
Summary of Major Terms

Management of VPRC Program and Staff	DHCD intends to transfer to the Land Bank responsibility for managing VPRC and, at that time
Allocation of VPRC Sale Proceeds	<p>(1) VPRC staff will either be assigned or transferred to work under Land Bank Management</p> <p>(2) If VPRC staff remain DHCD employees while performing Land Bank work the Land Bank will reimburse DHCD for staff salary and benefits</p> <p>(3) Net income from the sale of City properties through VPRC will be retained by the Land Bank to fund future operations</p> <p>This entire section is removed</p>
Support Staff	<p>DHCD will provide support services to the Land Bank including, Receptionist, IT, Communications, Human Resources and Office Services</p> <p>The Land Bank will reimburse DHCD for these expenses</p> <p>The amount of reimbursement is changed</p>
Management of the “Front Door” Program	<p>Upon agreement of DHCD, PRA and the Land Bank, the Land Bank will assume responsibility for receiving, evaluating and processing Expressions of Interest for all available City, PRA and Land Bank properties</p> <p>No Change</p>
Equipment	<p>DHCD will continue its current use of specified computer hardware owned by the Land Bank</p> <p>No Change</p>
Term	<p>Effective Date is July 1, 2015 with annual renewals unless terminated by either party with 90 days’ notice</p> <p>Extended to June 30, 2017</p>

RESOLUTION NO. 2016 -

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

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

WHEREAS, DHCD 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 Division 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.

MEMORANDUM

Date: May 12, 2016
To: Board of Directors
From: Nicholas Scafidi
Re: Approval of Management Agreement with Philadelphia Housing Development Corporation

In 2015, the Land Bank entered into a Management Agreement with PHDC. This agreement allows the Land Bank to be supported by PHDC staff. It also describes how the Land Bank shares the cost of some of PHDC's administrative expenses, like rent and insurance. This agreement renews each year.

The attached amendment to this management agreement changes the terms of the Land Bank's cost sharing agreement for both staff and administrative expenses. It also simplifies the recordkeeping requirements and streamlines the reimbursement process for PHDC.

A summary of the terms of this agreement is attached.

The Board is requested to approve the attached resolution and amendment.

Philadelphia Land Bank / PHDC
Management Agreement
Summary of Major Terms

Delegation of Authority By Land Bank Board to PHDC	<p>PHDC may, without further LB Board approval</p> <ul style="list-style-type: none"> • Manage the everyday activities of the LB • Appoint the LB Executive Director with the consent of a majority of the LB Board • Hire and dismiss PHDC staff to support the Land Bank, consistent with the approved LB budget, with notice to the LB Board upon such hiring/dismissal • Organize PHDC staff to efficiently support the LB • Maintain accounting systems and records • Pay LB expenses • File reports and tax returns, as approved by a LB authorized employee or Board member • Make presentations to the LB Board when requested <p>PHDC may perform other duties and responsibilities which are authorized by the State enabling legislation, as and when directed by the LB Board</p> <p>No changes</p>
Term	<p>Initial term: July 1, 2014 to June 30, 2015, with 4 one-year renewals unless terminated by either party 90 days in advance of the yearly end date</p> <p>Extended to June 30, 2017</p>
Compensation	<p>PHDC receives no direct payment for its services</p> <p>LB will pay:</p> <ul style="list-style-type: none"> • A pro-rata share of specifically identified PHDC administrative expenses • Staff costs of those PHDC employees serving the LB • All direct LB expenses <p>Modified to simplify documentation and increase frequency of reimbursement to PHDC</p>
Indemnifications	<p>Mutual indemnification by LB and PHDC, <i>i.e.</i>, LB indemnifies PHDC for all actions taken by PHDC staff on behalf of the LB and PHDC indemnifies LB for all PHDC-related actions</p> <p>No changes</p>
Records	<p>PHDC will maintain LB records, data, business plans, financial materials and similar information separate from PHDC's records</p> <p>LB Board will have access to, and full use and control over, all</p>

	<p>LB records, etc.</p> <p>PHDC retains control of HR records of its staff working for the LB</p> <p>No changes</p>
Insurance	<p>LB and PHDC will each add the other as an additional insured on their liability policies.</p> <p>PHDC will indemnify the LB from any claim by a PHDC employee to the extent that such claim is covered by PHDC's insurance policies</p> <p>No changes</p>

RESOLUTION NO. 2016 -

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.

MEMORANDUM

Date: May 12, 2016
To: Board of Directors
From: John Carpenter
Re: Garden Preservation and Development Program

One of the Land Bank's goals, articulated in both the Land Bank ordinance and the Land Bank's Strategic Plan, is to support the development and preservation of urban agriculture and open space. For some time now the Land Bank has been working with the Mayor's Office of Sustainability, the Food Policy Advisory Council, the City's Parks and Recreation and Health Departments and others to develop the capacity to support gardeners' access to City-owned land. As this work has progressed, it has become clear that the Land Bank needs to dedicate resources to this effort in order for it to be successful.

After careful consideration, staff recommends that the Land Bank engage the Neighborhood Gardens Trust (NGT) to assist in the review and assessment of the City's current expressions of interest for community gardens and to research existing gardens that are operating on Land Bank owned property. Last summer, NGT examined 328 gardens across the city as part of its property acquisition strategic planning process. This planning process gave NGT valuable information about the conditions, capacity, and suitability of these gardens for potential preservation efforts.

NGT will use the information that they gathered in this process, in conjunction with a written application developed by the Land Bank and site visits by NGT staff, to assess the capacity, interest and suitability of gardens located on publicly held property and to evaluate Expressions of Interest submitted by community garden applicants. This assessment will take place during the summer of 2016 and is expected to identify at least twenty existing community gardens that would benefit from long-term leases, liability insurance coverage, and technical support from NGT.

The Land Bank will share the list of community gardens identified during this assessment with the Land Bank board and City Council for consideration of long-term leases in the fall of 2016. The Land Bank intends to offer leases of up to five-year periods beginning in early 2017, potentially using NGT as the leasing conduit so that participating gardens are covered by NGT's liability insurance umbrella. NGT will separately seek support for technical assistance to these gardens, working with the team of City agencies listed above.

Staff requests that the Land Bank board approve a contract for an amount not to exceed \$20,000 with the Neighborhood Gardens Trust as described in the attached resolution.

RESOLUTION NO. 2016 –

**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.