

Councilman Bobby Henon

April 20, 2017

Bobby Henon:

Hello everybody, how you doing? My name is Bobby Henon and I'm the councilperson representing the 6th Councilmanic district in Northeast Philadelphia. I'm the sponsor of this bill, which is Bill number 170285. I'm here tonight with Mason Austin, and Andrew Maloney from the city's Planning Department. They're going to help answer a lot of the questions that you may have about this legislation. I'm also joined here with my dear, good friend, Lisa Deeley, who is our City Commissioner, who is also joining us tonight. She's going to help read some questions to start off at our call. This telephone Town Hall call is intended to provide the community with an opportunity to learn more about this legislation and to ask any questions that you may have. Transcripts of this call will be posted on my website and distributed to each RCO. If your question does not get answered on this call, please email me or call my office. My email is info@bobbyhenon.com. That's B-O-B-B-Y H-E-N-O-N.com or you can call my office at (215) 686-2078.

I'm going to begin by summarizing the legislation. If you have any questions that you want to ask please press *3. Press *3 and that'll get you in the cue for any questions that you might have. The existing RCO process is designed to ensure communities who are engaged and given a strong voice in the zoning appeal process. In the past, we have worked together to design a system of registration, notification and participation that is fair, transparent and efficient. The existing system needs three important changes, which are accomplished through this legislation.

First, this bill changes the requirements for wards that wish to be RCOs. Presently, wards are permitted to register as RCOs and their status as a ward satisfies a requirement for that status. Other groups must have an adopted statement of purpose concerning zoning. A finite geographic region that defined in governing rules, that regulate regular open meetings to the public that are announced through media, and leadership, chosen by the body at large. This bill will require that wards meet all the same requirements to be an RCO. Second, currently the Planning Commission issues regulations on how groups register as an RCO. This bill expands the oversight of planning, allowing them through a process to unregister a group if they are failing to meet requirements of being an RCO and explicitly allows Planning to design a code of conduct. Third, there is currently a notification of neighbors requirement in the code for all appeals that are going to the ZBA. The area to be notified is described as, block face bird's eye view. Everybody across the street from everything within 200 feet of the property needs to be notified. To simplify this process, this bill proposes a 300 foot radius and clarifies that radius, is to capture any parcel that is within 300 feet of any part of the boundaries of the appealing process rather than the center point, to avoid large parcels having few neighbors.

At this time I'm going to answer, first, a few questions that were submitted. Commissioner Deeley will read the questions. If you have a different question ... I'm going to remind everybody, if you have a different question please hit *3 and the operator will put you into the queue to ask your question.

Lisa Deeley: Question number one, there are some areas of the city that only have wards to serve as RCOs. Why do you want to eliminate wards as RCOs?

Bobby Henon: The purpose of this legislation is not to eliminate wards as an RCO. The goal is to simply ensure that wards are meeting the same standards for transparency and engagement that all other RCOs are required to meet. The requirements are, one, have an adopted statement of purpose concerning zoning. Two, have a specific geographic region that is defined in governing rules. Three, have a regular open meeting that is publicly announced through media. Four, leadership chosen by the body at large.

Lisa Deeley: Are Special Service Districts also going to be required to meet the same requirements as other RCOs?

Bobby Henon: Yes, Special Service Districts are going to be required to meet the same requirements as other RCOs. All right, the goal is to make sure that any entity, that is serving as an RCO, meet the RCO requirements.

Lisa Deeley: You said that the Planning Commission would be able to unregister groups and that the Planning Commission will be able to create a code of conduct. Under what circumstances will groups be unregistered and what will the code of conduct require?

Bobby Henon: That's a good question. All right, the Planning Commission has already prepared some regulations related to this particular issue. I'm going to ask the Planning Commission staff to answer this question. Andy who is here ... Andy, if you could please discuss this, and a little more in detail and explain that there is regulation to an appeal process as well.

Andrew Maloney: Sure, sure, certainly. Thank you very much for having me. There is regulations that the Planning Commission has created in the past that would cover the procedure that would be in place if groups were not able to fulfill the requirements of the zoning code that you, when you become an RCO you have to sign on to do. Some of these violations would include things like, not being responsive to applicants. If someone were to contact you and say there was a development, you have to respond back and start the process. Second would be, failure to coordinate meetings with other RCOs who are registered and have their boundaries cover the property effected. This would be for coordinating RCOs. There's an RCO chosen, if there are overlapping RCOs, to coordinate the meeting. If an RCO refuses to coordinate a meeting with RCOs that are sharing their boundaries, then that could be an offense where they would be warned for.

Bobby Henon 04/20/17: Another one would be a failure to publicize meetings. Meeting have to be publicized. If you're going to have a meeting about a zoning hearing, you need to make sure that people are aware of it. You can do this in many ways, but you have to do it in some way. That could be flyers, it could be emails, it could be telephone calls, but you need to use some form of outreach to contact people. Another one would be failure to hold a meeting within 45 days of the appeal. That's in the RCO legislation. It says that, in the code itself, that in 45 days a meeting is to be held. Now, this is only if the applicant upholds their end of the

bargain though. If the applicant is not responsive to the RCO, you will not be held accountable in any way. It's only when someone contacts you, you have to work to schedule a meeting within 45 days.

Another one would be a failure to submit a meeting summary form. Once you have a meeting with a developer, you have to tell the Zoning Board that you've had that meeting. There's a meeting summary form available and you need to fill that out and submit it to the Zoning Board of Adjustment. Those are items that could lead to violations. Now, that does not mean that you have only one shot. Following any incident of an RCO's failure to follow the procedure requirements, the Planning Commission shall notify the RCO of such a failure, in writing. If an RCO fails to follow the procedure requirements of these rules three or more times, during a two year period, that RCO may be subject to a one year suspension of the RCO's registration. Any such suspension would be at the discretion of the Executive Director and that would be appealable to the Planning Commission. Any time that an RCO violates the code for which they've signed on, there will be a warning, a written warning and with three warnings your suspension could be put in place, that would be appealable to the Planning Commission.

Bobby Henon: If I could just add on to that. Again, thank you all for joining us. You know, there are two other conditions that are part of the code of conduct that we developed during the regulations process, that was vetted through an extensive public outreach process last year. That would also be looked at on what is ... if a group violates the Philadelphia Fair Practices Ordinance. The other is, engaging in unlawful ... more like extortionary behavior. I also want to emphasize that in this process, the Planning Commission is not looking to be punitive. The goal is to expand the capacity of RCOs and make sure that they're working as effectively and properly as possible, to serve the critical role that they play in the city.

Lisa Deeley: Can you explain the change to the notification requirements?

Bobby Henon: The question was, can you explain the change of the notification requirement? The answer is, yes. There is currently a notification of neighbors requirement, in the code, for all appeals that are going to the ZBA. That requirement is complicated because it requires both a block face and a 200 foot measurement. The current requirement is problematic for the city staff that ... You know, they have to generate a list of addresses to developers and it doesn't work when we are dealing with areas in the city that doesn't have a straight block face. The proposed change is, that the owner of anyone that is within 300 feet of any boundaries of the property will get a notification. I'm going to ask the Planning Commission staff to weigh in on why this change is important and what the impact will have and what that change will mean.

Andrew Maloney: Currently, the Planning Commission staff has a system to select
Bobby Henon 04/20/17 properties within 200 feet. That is done through a system using computerized mapping and then there is a process to select properties on a block face, across the street from a property and on an existing block. That is problematic because blocks in Philadelphia ... While in

some place are very regular and other places are very irregular, and when you go to locations in the Northeast and the Northwest and the Southwest and parts of West Philadelphia, near City Avenue and others, there are locations where blocks are very large and do not stop for hundreds and hundreds of feet. There are other locations where there are corners and the block across the street is very small so you actually would not be notifying many people. And so, it becomes a system though, where for every single case the Planning Commission must make a decision and that decision isn't based on data, it's based on just looking at a map.

We want to make sure that decision gets made equally and fairly for everyone. What we would like to do is expand the amount of distance away from the property and make that the only requirement. That's something that could be automated. It could be done fairly for every single application and it would allow the Planning Commission to create an online application through the city's Office of Information Technology that would be able to run a notification list for any property in the city at any time. If you had a case in your area, you could tell who would be notified. RCOs could look this up. Persons living in the community could look it up. It would be available on mobile devices. Anyone could see the queue, the list of properties that are scheduled for notification. This could also be developers, who would be developing the area. It would make it so this is a process that was more clear and transparent and allow for people to have a better understanding of who gets notified.

Bobby Henon: Andy, this is Bobby Henon. I just wanted to make that as clear as possible. Any person can look up online with the new change. All right, put in an address that's going to be an appeal going to the Zoning Board, and we'll see the 300 foot radius and know which blocks will be included, which nobody will be eliminating?

Andrew Maloney: Yes, there will be no way to do anything that isn't done exactly the way it could happen for any properties. There would be no decisions made that are subjective. It would always be anything within 300 feet.

Bobby Henon: So which [inaudible 00:13:53] ... [inaudible 00:13:54] the problem of having a radius and block face ...

Andrew Maloney: Yes.

Bobby Henon: ... which was complicated and cumbersome on staff, which made it a little more difficult to provide that kind of information. Now, 200 feet will be included 100%. We're moving to 300 feet and it'll be ready and available for anybody who goes on a website or mobile devices to see who was included.

Andrew Maloney: I will say that we will ... Once this were to pass we would work on that application to exist. It doesn't exist yet, because this is not the current situation, but we will have it up and running shortly.

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Bobby Henon: So, if this law passes everybody will have access to it and know exactly who was supposed to be notified ...

Andrew Maloney: Exactly.

Bobby Henon: ... without question or gray area.

Andrew Maloney: Yes, that's perfectly it.

Bobby Henon: Okay great.

Lisa Deeley: Okay.

Chakumba: Hello?

Bobby Henon: Yep. We have a caller. Who am I speaking with?

Chakumba: This [Chakumba 00:14:53] speaking.

Bobby Henon: Chakumba, how you doing? It's Bobby Henon.

Chakumba: I'm doing okay baby, how about yourself?

Bobby Henon: I'm doing good. I'm doing good.

Chakumba: Okay, well, first of all, I do have a question. I was very disappointed, not on time you gave us the notification. That notification didn't come out until yesterday. Lucky thing for me, I managed to catch it when I got home, but a lot of people probably missed it. Anyway, my problem is this. You saying that it's 300 feet, that's fine, but already there are procedure requirements that the PCPC has already talked about and initiated, but they're not implementing. Okay? I've had several complaints of people who've gone to them about coordinating RCOs not coordinating with them and they talking about, "We can't enforce it this." Now, why you going to have these here rules and regulations and then you don't enforce the doggone things? Okay? Also, they were supposed to go in the place in March of last year, 2016, because we attended the doggone hearings that they had on these things, okay? We made some suggestions, and our suggestions were totally ignored on some of the things that they wanted to implement. We gave them, in writing, the suggestions that we wanted. Like I said, they were totally ignored and not even ... If they were considered, we were not even bothered about it. I'm talking specifically about section 12.5.2, 12.5.22 to 12.5.25 and section 12.5.3 and section 12.5.4. Okay? And ...

Andrew Maloney: All right. Thank you very much for ...

Chakumba: ... I'd like to hear them explain why they're not enforcing their own regulations, because we have coordinating RCOs that are not coordinating. They are acting as though they are independent and they don't have to listen to other RCOs. They don't convene meetings with them, nor contact them.

Bobby Henon 04/20/17: Okay, so, let's hear from the Planning Commission, hear what they have to say.

Andrew Maloney: Thank you. Yeah, we ran through our regulation process in the spring of last year. There was legislation, at that point in time, that was introduced that would allow for the Planning Commission to enforce a standard of conduct and hold RCOs accountable to whether or not they were following the rules that are in the zoning code. That legislation was never moved or passed and so, the Planning Commission was not able to enact those regulations that were put in place. Councilman Henon has those regulations in mind when he makes this change to the code. It now does allow the Planning Commission to enact the disciplinary actions of holding groups accountable when they are not involving the other groups that are in their area. If you have a group that is a coordinating RCO and is not notifying you of cases, is not reaching out and coordinating ... It's in the name there, they have to coordinate with you. If they are not doing that, we will be asking in the future, if when this legislation passes, that you notify the Planning Commission, we will start an inquiry and we will notify them if they are in violation of the zoning code. At that point, as I stated earlier, there will be three chances that a group will have to violate the code itself before they are considered for a one year suspension.

Bobby Henon: That's three violation or infractions within two years.

Andrew Maloney: Within two years, yeah.

Bobby Henon: Within two years, so it's not like a real ... like three months in a row and the Planning Commission's going to decide that somebody's going to have their status revoked.

Andrew Maloney: Mm-hmm (affirmative).

Mason Austin: That's three infractions, intentionally, all right, in two years. We have a few callers that are in the queue. Again, anybody that's on the line, please press *3 to get into queue and have your question get heard. One of the questions was asked about notification, you know, for this meeting, all right? I just want to say that my office has posted this information and shared it with every councilperson earlier this week and the legislation was discussed at the Planning Commission. All right, the legislation has been and will continue to be advertised by City Council. Furthermore, there's still an opportunity to provide feedback to me and my council office from tonight and at our hearing that's going to be next week.

Lisa Deeley: Todd?

Bobby Henon: Todd?

Todd: Yes, hello.

Bobby Henon: How are you doing Todd? How are you?

Bobby Henon 04/20/17: Good.

Bobby Henon: It's Bobby Henon.

Todd: Hello Councilman, thank you for conducting this meeting. It's very informative and I think the legislation is much improved. Really quick, I just want to make sure ... I'd like to confirm that the onus of notifying RCO, or excuse me, notifying the community is still on the developer. Is that still the same?

Andrew Maloney: Yes, it is. The developer will have to notify the list of properties that are submitted. They still have to do that. Community groups will work with the developer to schedule the meeting, and then community groups will advertise that they're having a meeting, but the developer is responsible for the immediate neighbor notification.

Todd: Thank you very much.

Bobby Henon: Thank you.

Todd: Have a great day.

Bobby Henon: You too. Take care.

Mason Austin: Thanks Todd.

Bobby Henon: We're trying ...

Lisa Deeley: Eric?

Bobby Henon: Eric, are you there?

Eric: Yes, I am.

Lisa Deeley: You have a question for the Councilman, Eric?

Eric: Yes. I have a follow-up on that last question, aside from the question I originally intend to ask. Regarding the notification of developers responsibility to notify the residents, how do we verify that? Because we've had situations we entrusted the developer to do the right thing and notify the residents of their development and turns out that they did not do it. We had to go behind them and made sure with the residents, find out if they received any kind of notification. How do we hold their feet to the fire and hold them accountable to make sure that they do actually do the notification?

The question I originally called for was, the loophole in the current legislation that doesn't prevent developers themselves from becoming RCOs. We've had situations like that, where the developers decided that in order for them to have a leg up or an inside track on the development or anything that they want to participate on a development level in the community, that they themselves create their own RCO. There's nothing to stop them.

Bobby Henon 04/20/17 Well, I mean, couple good questions there. You know, with the conflict of interest I, you know ... I'll let the Planning Commission answer that. I mean, there are strict rules for eligibility with defined boundaries, with reporting requirements. You know, I'll let the Planning opine a little

more on what the rules and eligibilities are. All right, but look, you hear or see anything like that, make sure you contact your councilperson and the Planning Commissioner ASAP and they'll look into it a little bit deeper. I'll let the conflict question get answered by Planning, as well as the follow-up to whether a developer or applicant has notified, properly, the community.

Andrew Maloney:

Sure, so the developer has to notify the properties around them. The real way that communities can make note of that the developer hasn't been doing this, is to include that in their letter to the Zoning Board of Adjustment and come to the Zoning Board of Adjustment to make sure the Zoning Board knows that. The developer's required to do these things in order to get a hearing at the Zoning Board. Therefore, the Zoning Board needs to know that they have not done what they are put in place to do. That is the main way that we have to do it. Though I will say, with this change to 200 feet and a block face to 300 feet, we will be able to make an online application out of this. It will be easier for people to go online and to know if they were supposed to be notified. Any community member can click on a property at the end of the block that's being changed and see if they were supposed to receive a notification and then they can tell the Zoning Board themselves, "I was supposed to receive a notification, and I never did." That'll be a feature that you would be able to use an online application for, that you currently can't.

As far as conflict of interest goes, we have a number of things in place. You have to create bylaws, you have to have membership that's derived from the community, business owners, tenants and the like. You have to select leadership on a regular basis. There are a lot of things that are put in there to make it difficult for someone who is only in this for the short-term, for a single project, to go through the process to create an RCO just for a specific development case. We try to do everything we can to do that. If any group is to falsify information on their application, they are ... you know, if we can prove that's falsified information, that they are not really a community group, we can remove any RCO that has falsified their application document. That is something that if you are aware of one of those in your community, any issues around that, please let your council office and the Planning Commission know. These regulations are created so that good community groups can become a part of the process. If people are using that in a way that is nefarious in any situation, that's something we'd like to take care of.

Mason Austin:

Yeah, and just to piggy back on that, two quick things. One is, one of the improvements that this legislation seeks to make is clarifying exactly what membership means and what by and large it is, because there have indeed been some cases where people have been able to squeak through on technicalities. This would be more explicit, so that when it comes time to re-register, it would actually have to be a legitimate group that has membership and is open to the community. Then secondly, we already have an regulations that if a RCO is involved directly with a specific project, they are required to recuse themselves from the process, so not eligible to hear that case.

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Bobby Henon: Well thank you for your questions. We're going to take our next call, Denise?

Lisa Deeley: Denise? Denise?

Denise: Hello. Yes, hi.

Bobby Henon: How you doing Denise? Thanks for calling in.

Denise: Oh, I'm well. How are you? Thank you for having us. I'm calling on the behalf from Fishtown, SNA, the zoning there. I do have a few questions and I may add one more. It was stated that the RCO is required to publicize the meeting? It was mentioned, through emails, flyers and phone calls. Does on the web and social media count?

Andrew Maloney: Yes, it does.

Mason Austin: Yes, it does.

Denise: Oh, okay. Then, how long prior to the meeting is the RCO supposed to notify the public?

Andrew Maloney: There is no time period in the current zoning code about notification to the public of a meeting. In most cases, RCOs meet monthly and people are pretty well aware of when their meeting is and this would just be something that we'd get on an agenda. In some cases, an RCO will schedule a specific meeting for a Zoning Board hearing or a case that comes up. We ask that they get notification out as soon as they can, but there is no specific regulation, in the code, that states how far ahead of time an RCO must notify their constituency.

Denise: [inaudible 00:27:15].

Bobby Henon: Vashe?

Vashe: Hi, so yeah, I was calling ... Thank you for having this. This is really informative. I was calling in reference to 11A.7 and, I guess, I was just looking for a little clarification in regards to ... You said people had been slipping through on a technicality by chosen by the body at large, so that was removed. But now, I am not sure who would be choosing leadership, is that ... If it's not the body at large of the RCO, what does that mean? Also, how is a routinely scheduled basis being defined in this case?

Andrew Maloney: Thank you for your question. Yeah, we've clarified what the body at large means. It used to just say, "The body at large," and it was left open, sort of that could be anything.

Vashe: Right.

Andrew Maloney: The body at large now sort of defined to be residence, property owners ...

Vashe: Oh okay, okay. Got it.

Andrew Maloney: ... business owners or operators.

Vashe: Oh, I see. Okay.

Andrew Maloney: They have to be within the geography ... Yeah, okay.

Vashe: Got it. That makes sense. Okay. All right.

Andrew Maloney: All right.

Vashe: In the second, what ...

Andrew Maloney: Oh yeah.

Vashe: ... what would be a reasonable routinely schedule basis, like what would you be expecting?

Andrew Maloney: I think, you know, we wanted to see that there was a schedule for election.

Vashe: Oh okay.

Andrew Maloney: RCOs are up for a ... When you register as an RCO, it's a two year registration period. We want to see that you have a schedule in place for when elections are going to be held.

Vashe: Okay.

Andrew Maloney: How often you can make that happen is up to the bylaws of each organization, but we want to see that you have something on the schedule that says you are selecting leadership and this is how you do it.

Vashe: Okay.

Mason Austin: A registered RCO is up for renewal every two years.

Andrew Maloney: Yeah.

Vashe: Right.

Mason Austin: So, that'll be part of the review with the Commission.

Andrew Maloney: Yeah, if they have ...

Vashe: Got it.

Andrew Maloney: ... If they don't have anything in their bylaws that say they choose a leadership within two years then that would be probably at least be the minimum.

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Bobby Henon: All right, thanks for joining us. We have Alice on the line.

Alice Udovich: Hello Councilman, Commissioner and members of Planning Commission. Alice Udovich, from Councilman Brian O'Neill's office. My question ...

Andrew Maloney: Hello. How are you?

Alice Udovich: Hello, how are you? My question mainly deals with wards. Do you anticipate that there will be wards that will step out of this RCO status because of these new regulations? Wards don't typically post public meetings, and, you know, it almost seems as though wards are the target here.

Bobby Henon: Well ...

Alice Udovich: Is that in fact the case?

Bobby Henon: So, I don't ...

Alice Udovich: Have they been problematic?

Bobby Henon: Alice, this is Bobby Henon. How you doing? All right so ...

Alice Udovich: Good, how are you?

Bobby Henon: ... I don't know if wards are being targeted, so to speak, as to trying to have an equal playing field and fairness across the board. Originally, in 2013, when the original RCO bill was passed 14 to three in City Council, there was a lot of conversation regarding the wards. Wards, absolutely served a purpose when it came to planning and some zoning because there was gaps. They filled the gaps and they were active, responsible, everything we have now. There was a proliferation of wards without any statements of mission, you know, there was no real publicized meetings when came to ... now zoning, not its political purpose but zoning.

Alice Udovich: Right.

Bobby Henon: Words were popping up all over the place, and they weren't having meetings and then they were selectively having meetings at different times for different reasons. I think it became ...

Alice Udovich: Okay.

Bobby Henon: ... a little problem when overlapping wards became an issue, not necessarily when wards filled the gap of a non-existing RCO for a different track of territory. I think that's what the purpose is here ...

Alice Udovich: Okay.

Bobby Henon: ... and we're still trying to work out ... There've been some other questions raised with the wards, within the last two days, as we approach the hearing next week. I think we're going to hopefully vet some of them out and not punish, all right? But have equal playing field for those good actors.

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Alice Udovich: Okay. Thank you.

Andrew Maloney: I will say, it's interesting that we ... A comment that we received from a number of community groups, including the Crosstown Coalition, which is sort of a number of CDCs and community groups put together, who stated that at a times they've had issues with some wards who have become RCOs but don't have the capacity to do meetings, do not have interest in zoning, just kind of became an RCO because the process was specifically catered to be easy for wards to become RCOs. By having them have the same requirements as other RCOs, it shows that wards have to be able to host meetings and the like, and so that they can be ... We don't want wards not to be part of the process, they just have to understand that they need to be able to host public meetings and to do things like that, that they might not be used to doing.

Alice Udovich: Right.

Bobby Henon: Alice, this is Bobby again. You know, we're not trying to push wards aside. I want their ... We want their representation to be recognized and for people to attend. We're going to work through some of the remaining issues ...

Alice Udovich: Okay.

Bobby Henon: ... and, you know, to Andy's, and the Planning Commission's comment about those who may not have had the wherewithal, I mean, the Planning Commission, is eager to help those who are struggling to comply, who are not eligible, to become eligible. All right?

Alice Udovich: Okay.

Bobby Henon: To help get people up and advise them and guide them, and help shepherd them along the way until they feel comfortable on their own as an active RCO.

Andrew Maloney: Just one thing to add there, that statement kind of leads into the Planning Commission is hosting RCO training at the end of the month of May and the beginning of the month of June. It's going to be on May 31, and June 5, so for any RCO that's interested in coming out to training. We will be sending information out to all RCOs that are currently registered and we're going to be posting information on our website and sending it to council offices, and trying to get the word out for anybody who's interested. We want to be able to have training to try and improve ... You know, to give everybody the same understanding that they all want to have.

Alice Udovich: Okay.

Andrew Maloney: Thank you.

Bobby Henon: Thanks Alice. We have Connie on the line. Connie, how are you? Thanks for calling in.

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Connie: Councilman, thank you very much for hosting this.

Bobby Henon: My pleasure.

Connie: The boundary of 300 feet, can I assume that that's a minimum of 300 feet, if the development is large enough that it will effect a much larger percentage of the neighborhood? Can we go beyond that 300 feet for input?

Bobby Henon: Well, look, I'm not going to speak on the Planning Commission but I'm going to jump ahead of them here and they can chime in. So, 300 feet is the minimum requirement that the applicant or developer will be required to notify. It doesn't preclude anybody at 301 feet, up to a thousand feet, or within the total boundary range of the particular RCO, especially when it comes to overlapping RCOs. That's where it gets a little bit complicated and, you know, your district councilperson will be able to, hopefully, mitigate some of that. I think that, you know, the 300 feet is the minimum requirement for notification. It does not preclude anybody else within the RCOs, especially when there's overlapping RCOs, come to the public open meeting, and voice their concern.

Connie: Okay. Thank you very much. Thank you.

Andrew Maloney: Thank you.

Bobby Henon: You got it. Ariel? Hello?

Ariel Vazquez: Yeah.

Bobby Henon: Ariel? Hello, this is Bobby Henon.

Ariel Vazquez: Hi.

Bobby Henon: Thanks for calling in. You have a question?

Ariel Vazquez: Thank you very much ... Yes, I do. My name is Ariel Vazquez. I am the chair for zoning and planning for South Kensington Community Partners. We are a registered RCO in South Kensington. Thank you very much for having this meeting. I have a couple of questions but one of my first question is about the enforcement on irregularities between coordinating RCOs and how enforceable that will be. How other RCOs will know whether an RCO that step over the boundary is not offering the same process that are required, and whether or not the other RCOs will know if one RCO has loss their status?

Andrew Maloney: So ...

Bobby Henon: Before the Planning Commission answers your questions, which are very good questions, I just want to remind everybody that's listening, that's joined us here tonight on this telephone Town Hall, one, thank you. Two, please press *3 to get into queue to ask any questions.

Andrew Maloney: Thank you Councilman. To answer your question, every time that a Zoning Board case is scheduled or that a developer or an applicant appeals a Zoning Board case or appeals a referral and is scheduled for Zoning Board case, we send out notification to the developer and to every RCO who's boundaries touch that property. And so, every RCO gets

notification at that point, from the Planning Commission, that there is a case. If there is an RCO ... And in that notification it says which of the overlapping RCOs is the coordinating RCO, if you ... The RCOs are notified of this and then if they don't hear anything back again, that means that the coordinating RCO is not doing their job. And so, if you're in another RCO and you heard from the Planning Commission there's a case, and then weeks go by and you're hearing nothing, reach out to the Planning Commission, reach out to your councilperson, let them know that the coordinating RCO is not contacting you and is not being forthcoming with the information about an upcoming meeting. What they're supposed to be doing is, actually scheduling that, coordinating that schedule with you, so it's a time that works for everybody, not just the coordinating RCO. The idea is that everybody is told at first from the Planning Commission and then, you know, if you're not receiving any more information after that, please let us and your councilperson know.

Lisa Deeley: Councilman, I have another couple questions that people left while ... They couldn't wait on hold any longer. The Planning Commission just asked for a 45 day extension to review this legislation. Can you explain why they asked for this extension and what your response is?

Bobby Henon: Well, I'm going to pump that over to the Planning Commission. Why did the Planning Commission ask for the 45 day extension?

Andrew Maloney: The Commission, that the Planning staff works for, asked for an extra 45 days of time so that ... They knew this tele Town Hall was going to be today, they wanted to make sure that we had outreach like this in place so that RCOs have the correct means of getting information. We will be hearing this bill at our next Commission meeting. It's going to be on May 16, and at that point, we will welcome anyone to come who would like to testify. The Planning Commission just wanted to make sure that on an issue like this, that everyone had a chance to be a part of the process. Thank you for that question.

Bobby Henon: Well, great. As far as notification here, I just want to remind those who are still on here that we posted this information about tonight's call earlier this week. It's been distributed to all council members and it's been posted on City Council's website, my website, and through the RCO list from the Planning Commission. We will also have another opportunity to hear from you all, if you couldn't make it tonight. Again, this call is going to be transcribed and posted on my website and City Council's website as well. We have our hearing for this bill, which is going to be next Friday at 10:00 a.m., right here at City Hall, room 400.

Alice Udovich: Councilman, we have one more question. There is language in the legislation about RCO membership and leadership. What does that language mean?

Bobby Henon: That's a pretty good question. The language is actually a lot ... there's more clarity on what membership means in this legislation than it was before, as far as who was a member and what leadership is. The language is inserted to be consistent with the Planning Commission's regulations that do exist now, all right, to membership and leadership. I'll, again, defer to Andy or Mason to answer that definition a little more

clearly. I think we touched on it earlier but if you can, be clear with that again.

Andrew Maloney: Sure, sure, so point seven of the code said before that an organization that has a leadership chosen by the body at large. We wanted to clarify that to say, who the body at large is, and to make sure that no one could be excluded from that. That body of large includes, residents, property owners, business owners or operators, and/or tenants, from the organization's geographic area of concern. So, those are people who live within the boundaries or who work or who own or operators or tenants, people that have a connection to that area, for which the group covers. And make sure that those are the people that are not excluded from any organization that covers their area, and that they are involved in the process of choosing that leadership. Which, as we said earlier, is on a regular scheduled basis.

Bobby Henon: All right, and to be clear, the existing law says, "Body at large." Your regulations currently are what's in this new proposal legislation.

Andrew Maloney: Yeah.

Bobby Henon: We're just codifying the regs that you've been enforcing for several years.

Andrew Maloney: That is very true.

Bobby Henon: Again, please, press *3 to get into queue, *3. Andy, again, could you talk about the RCO training, when it is and a little bit about it.

Andrew Maloney: Sure. Sure, yeah. We have done this for a number of years. We'll do an RCO training right before the June application period, so that's another thing to sort of plug. In June every year, the application period to be an RCO is open and you can apply to the Planning Commission and we will be posting the application itself. You can apply both online, you can apply in person. We'll have it in flyers. You can apply hand or over fax. We'll get you as much information as we can about that, but that starts in June and lasts for the entire month.

Bobby Henon 04/20/17: Before that, and during that application period, we like to have a training to make sure that there are groups, either prospective groups or groups that are already RCOs, get a training on what it takes to be an RCO, some of the best practices with being an RCO, some good questions to talk to developers about, how to run an effective meeting. You know, we get a chance to answer questions and we get a chance to make sure that you have an opportunity to interact with the Planning Commission staff that's going to be notifying you of zoning cases. We think it's a great way for groups to meet other groups as well. It's a good way to sort of talk to your fellow community groups. Those will be on May 31 and on June 5. One of which is during the day, and the other one is in the evening. It escapes me, at this moment, exactly which one is during the day and which one is during the evening. We like to make sure that one allows people who work during the day. We will be posting that information. I will make sure the Councilman's office gets exactly when that is. Check our website, phila.gov/cityplanning, at any

time. We will start posting when that actually takes place, and you'll hearing from that soon and we'll take registration for it.

Bobby Henon: We will get that out, as you state. We're pretty good with notification, all right? We do it well. We're pretty good at these telephone calls. I've been doing these since 2012, especially when it comes to RCOs, because I feel it's extremely important, all right, that every RCO in the City of Philadelphia understand what the change is and what the corrections, whether technical or global changes in the zoning code, what they are. It's important, that's why I do these telephone Town Halls. Again, it's not my first one, it's not going to be my last one. We have Chakumba on the line one more time and we're going to wrap it up, unless there's anybody else that wants get in the queue, please press *3. Chakumba?

Chakumba: Oh yeah. What I'm asking is this, is that, PCPC's having a meeting on the 16th, okay? Now, will we be allowed to make our presentations for consideration, in terms of rules and regulations that we feel that are missing in this thing, that would be making us even better RCOs than what we are? Because, there are a lot of things that we made suggestions on the last time, that was, how do you say ... ignored. We feel as though, that we should have an opportunity again to re-present those things because we feel that they're important enough to make our RCOs a more effective groups than what they have been. Will they doing the same thing as holding these hearings and then having us go down to make a request for hearings at the Records Department, like they did the last time?

Bobby Henon: This is Bobby Henon again.

Chakumba: Yes.

Bobby Henon: We have a hearing next Friday. City Council can choose to vote this bill at a committee as is, or with changes. We're still looking at things, and we're taking a lot of good information in tonight here, by callers included, including yourself. I believe any citizen in the City of Philadelphia is always welcome to come to the Planning Commission and voice their concerns, especially when it comes to RCO and development in the City of Philadelphia. In addition, they post a proposed agenda that people are welcome to come and voice their concerns, you know, pro and con, and add suggestions. When it comes to this RCO legislation, there are three main issues here. One, is dealing with wards as RCOs. Two, dealing with notifications and three, dealing with the Planning Commission's authority to review and revoke or suspend for due cause, anybody who is willfully not represented and offering to help as well. You know ...

Chakumba: Well, what I'm talking about is these regulations, are they going to be adding additional regulations or they just going to stay with the ones they have?

Bobby Henon 04/20/17: No, there are not going to be additional regulations. This is Page 16 of 18 the ... and the meat of the legislation, so no new regulations. Chakumba, I'm not going to deal with overlapping RCOs or some of the

outside of the scope of this legislation, details, you know, next Friday ...

Chakumba: Okay.

Bobby Henon: ... but by all means, you know ...

Chakumba: I'll be there.

Bobby Henon: ... if you have concerns about some of that stuff, show up on Friday and show up on the 16th at the Planning Commission and let them know that you have long-going concerns about whatever issues that are important to you and your community. [Inez 00:48:08]. Hello, Inez, you joining us on the line?

Inez: I'm still here. My question is, what will be happening with the RCOs that are registered RCOs and been registered for over a year but do not participate in any of the coordination or meetings, or notification?

Bobby Henon: I'll let the Planning Commission ask that, but I think there was a couple things in your question. One, being inactive, like I don't think anything's wrong with that. Two, you may have a concern with lack of other RCOs coordinating with you and inviting you to the meetings. You'll have a chance to answer that, but I'm going to punt it over to Andy to see if he can address the requirements of even inactive RCO, what is required of them. I don't know.

Andrew Maloney: Every RCO that registers is required to take part in the process. If an RCO refuses to be a part of a process, then they ... that's okay, but you are no longer interested in being an RCO. An RCO means that you have to be able to hold community meetings. You have to be able to tell the people that you represent that there is a meeting coming up. You have to be willing to talk to applicants about their proposals, and you have to be willing to submit a letter to the Zoning Board to say you had this meeting, it's because it's a required part of the process. If that's something that community groups don't want to be a part of, that's okay. Not all community groups need to be RCOs to be a part of the process, but if you have a group that is not doing what they signed up to do, and it's causing any trouble, you can let us know.

Bobby Henon 04/20/17: Like I said earlier, some of the things, the procedural requirements that RCOs have to follow include, being responsive to applicants when there is a request for an appeal. They have to coordinate with the other RCOs. If the group fails to be a coordinating RCO and fails to coordinate with other RCOs, it's another issue. They have to publicize meetings. If they don't feel like publicizing their meetings then that is something that we'd like to see fixed. They have to work with the applicant to hold a meeting within 45 days, unless it's the applicant who's not being responsive and they've got to submit, like I said, that meeting summary form to the Zoning Board. All of those things in there are procedural requirements and any RCO that fails to follow those requirements will get a notification, from the Planning Commission, stating that they're not fulfilling their role.

We hope that'll help RCOs to see how important it is to be a part of the process and if they would like to inactivate, they just can't do it at this time, or they only ... you know, they want to be a civic association that doesn't have a role in the RCO process or being a coordinating RCO, that's okay. We would allow them to de-register at any moment if they were no longer interested in fulfilling their duties.

Bobby Henon:

All right, well, thank you for your call. It's about time to close the conference call tonight and telephone Town Hall. I'm going to thank everybody who participated. For those who just joined us, and listened and got a chance to understand the legislation a little more, a little more about RCOs and the Planning Commission, I think that's fantastic. I appreciate you all taking the time out. I'm going to get a big thank you out to Andy and Mason, who was here tonight, from the Planning Commission and to help answer some of the technical questions. And our own City Commissioner, Commissioner Lisa Deeley, for making the time, taking out the time for being here.

Transcripts from this call will be made available on my website and distributed by the Planning to all RCOs, as contact persons. That'll be distributed out as soon as we can get it out to you. Finally, if your question did not get answered tonight, please know that I will review all the questions that are posted and the responses online. You can also contact my office, (215) 686-2078 or email info@bobbyhenon.com, B-O-B-B-Y H-E-N-O-N.com, if you want to provide any additional information, comments or feedback. Again, I appreciate you all for taking your time out to support an issue. I think it's important for me and my office, that the entire RCO community is notified and has a chance and an opportunity to have a conversation about any legislation, all right, that is put in front of City Council. Thank you all. Have a safe night, and God bless.