

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON RULES

Room 400, City Hall
Philadelphia, Pennsylvania
Tuesday, September 18, 2012
10:15 a.m.

PRESENT:

COUNCILMAN WILLIAM K. GREENLEE, CHAIR
COUNCILMAN W. WILSON GOODE, JR.
COUNCILMAN JAMES KENNEY
COUNCILWOMAN BLONDELL REYNOLDS BROWN
COUNCILWOMAN MARIAN B. TASCO

BILL 120301 - An ordinance continuing the Mt. Airy Business Improvement District beyond its termination date, in an area that generally includes both sides of Germantown Avenue from 6300 to 7631 and certain blocks of streets that intersect that portion of Germantown Avenue...

BILL 120615 - An ordinance approving the fifth amendment of the redevelopment proposal for the American Street Industrial Corridor Urban Renewal Area, being the area generally bounded by Lehigh avenue, Berks street and Montgomery avenue on the north, by Second street and Philip street on the east, by Girard avenue, Oxford street and Jefferson street on the south and by Germantown avenue, Sixth street and Third street on the west...

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COUNCILMAN GREENLEE: Good

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morning, everyone. This is the Committee

4

on Rules. Sorry we're getting started

5

just a tad late.

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For the record, we have a

7

quorum with Councilman Kenney, the Vice

8

Chair of the Committee; Councilwoman

9

Reynolds Brown; Councilwoman Tasco; and

10

Councilman Goode.

11

Ms. Marconi, could you please

12

read the title of the first bill before

13

us today.

14

THE CLERK: Bill No. 120301, an

15

ordinance continuing the Mt. Airy

16

Business Improvement District beyond its

17

termination date in an area that

18

generally includes both sides of

19

Germantown Avenue from 6300 to 7631 and

20

certain blocks of streets that intersect

21

that portion of Germantown Avenue and for

22

which Mt. Airy Improvement District,

23

Incorporated, a Pennsylvania non-profit

24

corporation, is the Neighborhood

25

Improvement District Management

1 9/18/12 - RULES - BILLS 120301 and 120615
2 Association for the District; approving a
3 final plan and report for the District,
4 including a list of proposed improvements
5 and their estimated cost, and providing
6 for assessment fees to be levied on
7 property owners within the District;
8 authorizing the Director of Commerce, on
9 behalf of the City, to execute an
10 agreement with Mt. Airy Improvement
11 District, Incorporated relating to the
12 District; and authorizing Mt. Airy
13 Improvement District, Incorporated to
14 assess certain property owners within the
15 District a special property assessment
16 fee to be used in accordance with the
17 approved final plan; all in accordance
18 with the provisions of the Community and
19 Economic Improvement Act, and under
20 certain terms and conditions.

21 COUNCILMAN GREENLEE: Thank
22 you.

23 I have no -- we have no
24 witnesses that have previously asked to
25 testify on this bill. We have people

1 9/18/12 - RULES - BILLS 120301 and 120615
2 from the Mt. Airy Business Improvement
3 District that are here if there's any
4 questions. This is the second hearing,
5 as required by law.

6 Are there any witnesses on this
7 bill, the Mt. Airy Business Improvement
8 District, that would like to be heard?

9 (No response.)

10 COUNCILMAN GREENLEE: Okay.
11 Seeing none, just for the record, this
12 bill, anticipating it will be reported
13 out of committee today, but there will be
14 still 45 days where opposition can
15 express their feelings if they feel
16 necessary.

17 So with that and, again, one
18 more time, anybody on this bill?

19 (No response.)

20 COUNCILMAN GREENLEE: Seeing
21 none, thank you for those who did come in
22 case there were questions.

23 Ms. Marconi, please read the
24 other bill before us today, title of the
25 other bill.

1 9/18/12 - RULES - BILLS 120301 and 120615

2 THE CLERK: Bill No. 120615, an
3 ordinance approving the fifth amendment
4 of the redevelopment proposal for the
5 American Street Industrial Corridor Urban
6 Renewal Area, being the area generally
7 bounded by Lehigh avenue, Berks street
8 and Montgomery avenue on the north, by
9 Second street and Philip street on the
10 east, by Girard avenue, Oxford street and
11 Jefferson street on the south and by
12 Germantown avenue, Sixth street and Third
13 street on the west, including the fifth
14 amendment to the urban renewal plan and
15 the third amendment to the relocation
16 plan, which provides, inter alia, for the
17 additional land acquisition of
18 approximately forty-nine properties for
19 residential, institutional, industrial
20 and related uses; the provision of
21 certain relocation services, as required
22 by law and declaring that condemnation is
23 not imminent with respect to the Project.

24 COUNCILMAN GREENLEE: Thank
25 you.

1 9/18/12 - RULES - BILLS 120301 and 120615

2 For the record, this is
3 Councilwoman Sanchez's district and she
4 sponsored this bill. She cannot come
5 today, but she wanted to go on record in
6 support of it, and I think there is a
7 statement that will be distributed during
8 the hearing from the Councilwoman.

9 I also have, for the
10 Committee's information, all the detail
11 on this. Rather than drown everybody
12 with paper, we have one copy here, if
13 anybody would like to take a look at the
14 information on this bill.

15 Ms. Marconi, do you want to
16 call -- I think we're going to hear from
17 two people first -- the first two
18 witnesses on this bill.

19 THE CLERK: Ed Covington and
20 Charles Lewis.

21 (Witnesses approached witness
22 table.)

23 COUNCILMAN GREENLEE: Good
24 morning, gentlemen.

25 (Good morning.)

1 9/18/12 - RULES - BILLS 120301 and 120615

2 COUNCILMAN GREENLEE: Mr.

3 Covington, why don't you go first.

4 Identify yourself for the record and
5 proceed.

6 MR. COVINGTON: Good morning,
7 Chairman Greenlee and members of the
8 Rules Committee. My name is Ed
9 Covington. I am the Executive Director
10 of the Philadelphia Redevelopment
11 Authority.

12 COUNCILMAN GREENLEE: Go ahead,
13 you go first, make your statement.

14 MR. COVINGTON: I am here to
15 speak in support of Bill No. 120615.
16 This is the fifth amendment to the
17 redevelopment proposal and fifth
18 amendment to the urban renewal plan for
19 the American Street Industrial Corridor
20 Urban Renewal Area.

21 The proposal and plan provide
22 for the acquisition of 49 properties,
23 which are identified in the list that has
24 been distributed.

25 Forty-six of the properties to

1 9/18/12 - RULES - BILLS 120301 and 120615
2 be acquired will be acquired on behalf of
3 Arab American CDC. That's 35 vacant
4 lots, one vacant building, six occupied
5 lots, and four occupied buildings. With
6 the exception of one occupied residential
7 structure and three occupied side yard
8 lots, the occupied structure and lots are
9 occupied by one business owner, an auto
10 repair shop. These parcels will be
11 assembled with others in City ownership
12 for the development of new construction,
13 mixed-use, and affordable rental units.

14 Separately, there is a vacant
15 lot which will be acquired in support of
16 a business person, Osvaldo DeJesus.
17 Mr. DeJesus wants to acquire this lot for
18 business expansion, and this vacant lot
19 sits directly adjacent to his current
20 restaurant.

21 These 47 properties will be
22 acquired utilizing funds from the
23 Neighborhood Transformation Initiative.

24 In addition, there are two
25 vacant lots which will be acquired on

1 9/18/12 - RULES - BILLS 120301 and 120615
2 behalf of the Department of Commerce.
3 These parcels will be assembled with
4 others in PRA ownership for the
5 development of future projects along the
6 American Street Corridor. These parcels
7 will be acquired utilizing funds from the
8 Department of Commerce.

9 Mr. Chair and members of the
10 Committee, I respectfully request
11 favorable consideration of Bill No.
12 120615 and ask the suspension of Council
13 rules to allow first reading on September
14 20th, 2012.

15 COUNCILMAN GREENLEE: Thank
16 you.

17 Mr. Lewis, why don't you give
18 your statement too and then if we have
19 any questions.

20 MS. LEWIS: Good morning. My
21 name is Charles Lewis. I'm Vice
22 President of Conifer Realty. Conifer is
23 an affordable housing developer that's
24 been in existence for 35 years. We've
25 developed over 13,000 apartments in

1 9/18/12 - RULES - BILLS 120301 and 120615
2 Pennsylvania, New Jersey, New York, Ohio,
3 and Maryland.

4 We were selected by the Arab
5 American Community Development
6 Corporation to serve as a joint venture
7 partner on this development. The Arab
8 American Community Development
9 Corporation is a secular non-profit
10 corporation which was formed by Al-Aqsa
11 mosque, which is located at 1501
12 Germantown Avenue, directly across the
13 street from our proposed development.

14 We're proposing to do a 45-unit
15 affordable rental development. We have
16 an application pending with the City's
17 Office of Housing and Community
18 Development for HOME funds and intend to
19 apply for Low Income Housing Tax Credits
20 in November.

21 It is a family development. We
22 have one one-bedroom unit, seven
23 two-bedroom units, 32 three-bedroom
24 units, and five four-bedroom units.

25 COUNCILMAN GREENLEE: Okay.

1 9/18/12 - RULES - BILLS 120301 and 120615

2 Thank you.

3 Are there any questions from
4 members of the Committee?

5 Councilwoman Reynolds Brown.

6 COUNCILWOMAN BROWN: Good
7 morning. I made particular note of the
8 district that you're in. Is this your
9 first time doing work with this
10 particular -- in this particular area?

11 MS. LEWIS: Yes, it is.

12 COUNCILWOMAN BROWN: And what
13 about Philadelphia?

14 MS. LEWIS: I'm sorry?

15 COUNCILWOMAN BROWN: Is this
16 your first time doing work --

17 MR. LEWIS: This is our
18 company's first development in
19 Philadelphia. I did some work in
20 Philadelphia with my former firm, Penrose
21 Properties, and prior to that, I was
22 general counsel for the Philadelphia
23 Housing Development Corporation, going
24 back almost 20 years. So I do have some
25 familiarity with Philadelphia. But this

1 9/18/12 - RULES - BILLS 120301 and 120615
2 is our -- just to be clear, it is our
3 first attempted development in the City
4 of Philadelphia.

5 COUNCILWOMAN BROWN: And how
6 long have you been in negotiations or the
7 discussion process that led you to this
8 point? How long has the homework been
9 taking place?

10 MS. LEWIS: I believe that the
11 community development corporation put out
12 the request for proposals about a year
13 ago. So we've been working with them and
14 with the Councilwoman's office all during
15 that time. In fact, Jennifer Kates from
16 the Councilwoman's office was part of the
17 selection committee and has been at
18 virtually every meeting we've been
19 involved with.

20 COUNCILWOMAN BROWN: Okay,
21 then. Thank you.

22 MS. LEWIS: Thank you, ma'am.

23 COUNCILMAN GREENLEE: Any other
24 questions for either Mr. Covington or
25 Mr. Lewis?

1 9/18/12 - RULES - BILLS 120301 and 120615

2 (No response.)

3 COUNCILMAN GREENLEE: Seeing
4 none, thank you both for coming. And
5 just stay here in case there's any other
6 questions that come up. I appreciate it.

7 MS. LEWIS: Thank you.

8 COUNCILMAN GREENLEE:

9 Ms. Marconi, who is our next witness?

10 THE CLERK: Nicolasa Doheny.

11 COUNCILMAN GREENLEE: Yes.
12 Come on up.

13 And while she's coming up, we
14 only have one other witness on the list,
15 and that's who, Ms. Marconi?

16 THE CLERK: Henry Asta.

17 COUNCILMAN GREENLEE: Is Henry
18 Asta here?

19 UNIDENTIFIED SPEAKER: I'm
20 representing him.

21 COUNCILMAN GREENLEE: Okay.
22 You'll be called next then. Okay?

23 (Witness approached witness
24 table.)

25 COUNCILMAN GREENLEE: Ma'am,

1 9/18/12 - RULES - BILLS 120301 and 120615
2 please have a seat, identify -- speak
3 right into the microphone so we can hear
4 you. Just identify yourself for the
5 record and then proceed with what you'd
6 like to say.

7 MS. DOHENY: My name is
8 Nicolasa Doheny. I live 1505 North
9 Bodine Street. I own the properties 1506
10 and 1508 Bodine Street.

11 COUNCILMAN GREENLEE: Okay.

12 MS. DOHENY: I'm just here
13 because I received a letter in the mail
14 acquiring my two properties for
15 development. I had it up for sale, and
16 I'm just here to get some information on
17 what's going on in the area.

18 COUNCILMAN GREENLEE: The
19 properties you have, are they developed
20 at all?

21 MS. DOHENY: No. It's just two
22 vacant lots.

23 COUNCILMAN GREENLEE: Two
24 vacant lots, okay. If I could ask, what
25 about the tax situation? Are the taxes

1 9/18/12 - RULES - BILLS 120301 and 120615
2 paid?

3 MS. DOHENY: It's about
4 \$200-and-something dollars on taxes.
5 Nothing else.

6 COUNCILMAN GREENLEE: So what
7 is your -- are you opposed to this
8 happening or what --

9 MS. DOHENY: Well, it depends
10 on the market value that you guys -- the
11 development company or business is
12 assessing to what the value is. I mean,
13 if it's reasonable, I have no problems
14 with agreeing.

15 COUNCILMAN GREENLEE: Have you
16 had any conversations with the
17 Redevelopment Authority on this?

18 MS. DOHENY: No. I would like
19 to.

20 COUNCILMAN GREENLEE: All
21 right.

22 If I could suggest maybe
23 someone from the Redevelopment Authority
24 talk to the young lady after the hearing.

25 MS. DOHENY: Yes. That would

1 9/18/12 - RULES - BILLS 120301 and 120615
2 be suitable.

3 COUNCILMAN GREENLEE: Okay?

4 MS. DOHENY: Yes. Thank you.

5 COUNCILMAN GREENLEE: Any other
6 questions or comments?

7 (No response.)

8 COUNCILMAN GREENLEE: All
9 right. Thank you. Thank you for coming.

10 MS. DOHENY: Have a nice day.
11 Thank you.

12 COUNCILMAN GREENLEE: You can
13 see someone right now.

14 MS. DOHENY: Oh, okay. Thank
15 you.

16 COUNCILMAN GREENLEE: Ma'am,
17 you wanted to have a statement?

18 UNIDENTIFIED SPEAKER: No.

19 COUNCILMAN GREENLEE: You
20 don't?

21 UNIDENTIFIED SPEAKER: No. I
22 would like to talk to somebody after the
23 hearing.

24 COUNCILMAN GREENLEE: All
25 right.

1 9/18/12 - RULES - BILLS 120301 and 120615

2 Is there anyone else here who
3 wants to testify on record?

4 (No response.)

5 COUNCILMAN GREENLEE: Seeing
6 none, that concludes our hearing on these
7 two bills and the hearing of the
8 Committee on Rules. We will now proceed
9 to our public meeting.

10 The Chair recognizes Councilman
11 Kenney on Bill 120301.

12 COUNCILMAN KENNEY: Thank you,
13 Mr. Chairman. I move that Bill No.
14 120301 be reported out of the Committee
15 with a favorable recommendation.

16 (Duly seconded.)

17 COUNCILMAN GREENLEE: It's been
18 moved and seconded.

19 All in favor?

20 (Aye.)

21 COUNCILMAN GREENLEE: Opposed?

22 (No response.)

23 COUNCILMAN GREENLEE: Hearing
24 none, Bill No. 120301 is reported out of
25 this committee with a favorable

1 9/18/12 - RULES - BILLS 120301 and 120615
2 recommendation. And, again, I want to
3 emphasize that the final passage of this
4 bill will be held up for 45 days per the
5 law.

6 Again, the Chair recognizes
7 Councilman Kenney.

8 COUNCILMAN KENNEY: Thank you,
9 Mr. Chairman. I move that Bill No.
10 120615 be reported out of this committee
11 favorably and a request made for rules
12 suspension to allow first reading at our
13 next Council session.

14 (Duly seconded.)

15 COUNCILMAN GREENLEE: It's been
16 moved and seconded.

17 All in favor?

18 (Aye.)

19 COUNCILMAN GREENLEE: Opposed?

20 (No response.)

21 COUNCILMAN GREENLEE: Hearing
22 none, Bill No. 120615 is reported out of
23 this committee with a favorable
24 recommendation and with a rules
25 suspension.

1 9/18/12 - RULES - BILLS 120301 and 120615

2 There being no further business
3 before this committee, that adjourns our
4 meeting.

5 Thank you very much for coming.

6 (Committee on Rules adjourned
7 at 10:30 a.m.)

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CERTIFICATE

I HEREBY CERTIFY that the
proceedings, evidence and objections are
contained fully and accurately in the
stenographic notes taken by me upon the
foregoing matter on September 18, 2012, and
that this is a true and correct transcript of
same.

MICHELE L. MURPHY
RPR-Notary Public

(The foregoing certification of this
transcript does not apply to any reproduction
of the same by any means, unless under the
direct control and/or supervision of the
certifying reporter.)

A accurately 20:5 acquire 8:17 acquired 8:2,2,15 8:22,25 9:7 acquiring 14:14 acquisition 5:17 7:22 Act 3:19 addition 8:24 additional 5:17 adjacent 8:19 adjourned 19:6 adjourns 19:3 affordable 8:13 9:23 10:15 ago 12:13 agreeing 15:14 agreement 3:10 ahead 7:12 Airy 1:14 2:15,22 3:10,12 4:2,7 alia 5:16 allow 9:13 18:12 Al-Aqsa 10:10 amendment 1:18 5:3,14,15 7:16 7:18 American 1:18 5:5 7:19 8:3 9:6 10:5,8 and/or 20:22 anticipating 4:12 anybody 4:18 6:13 apartments 9:25 application 10:16 apply 10:19 20:20 appreciate 13:6 approached 6:21 13:23 approved 3:17 approving 1:17 3:2 5:3 approximately 5:18 Arab 8:3 10:4,7	area 1:14,19,19 2:17 5:6,6 7:20 11:10 14:17 asked 3:24 assembled 8:11 9:3 assess 3:14 assessing 15:12 assessment 3:6,15 Association 3:2 Asta 13:16,18 attempted 12:3 Authority 7:11 15:17,23 authorizing 3:8 3:12 auto 8:9 avenue 1:15,16,19 1:20,20,21 2:19 2:21 5:7,8,10,12 10:12 Aye 17:20 18:18 a.m 1:7 19:7 B B 1:12 back 11:24 behalf 3:9 8:2 9:2 believe 12:10 Berks 1:19 5:7 beyond 1:14 2:16 bill 1:13,17 2:12 2:14 3:25 4:7,12 4:18,24,25 5:2 6:4,14,18 7:15 9:11 17:11,13 17:24 18:4,9,22 bills 3:1 4:1 5:1 6:1 7:1 8:1 9:1 10:1 11:1 12:1 13:1 14:1 15:1 16:1 17:1,7 18:1 19:1 blocks 1:15 2:20 BLONDELL 1:11 Bodine 14:9,10	bounded 1:19 5:7 Brown 1:11 2:9 11:5,6,12,15 12:5,20 building 8:4 buildings 8:5 business 1:14 2:16 4:2,7 8:9 8:16,18 15:11 19:2 C call 6:16 called 13:22 case 4:22 13:5 CDC 8:3 certain 1:15 2:20 3:14,20 5:21 CERTIFICATE 20:2 certification 20:19 CERTIFY 20:3 certifying 20:23 Chair 1:10 2:8 9:9 17:10 18:6 Chairman 7:7 17:13 18:9 Charles 6:20 9:21 City 1:2,6 3:9 8:11 12:3 City's 10:16 clear 12:2 CLERK 2:14 5:2 6:19 13:10,16 come 4:21 6:4 13:6,12 coming 13:4,13 16:9 19:5 comments 16:6 Commerce 3:8 9:2,8 committee 1:3 2:3 2:8 4:13 7:8 9:10 11:4 12:17 17:8,14,25 18:10,23 19:3,6	Committee's 6:10 community 3:18 10:5,8,17 12:11 company 15:11 company's 11:18 concludes 17:6 condemnation 5:22 conditions 3:20 Conifer 9:22,22 consideration 9:11 construction 8:12 contained 20:5 continuing 1:13 2:15 control 20:22 conversations 15:16 copy 6:12 corporation 2:24 10:6,9,10 11:23 12:11 correct 20:8 Corridor 1:18 5:5 7:19 9:6 cost 3:5 Council 1:2 9:12 18:13 Councilman 1:10 1:10,11 2:2,7,10 3:21 4:10,20 5:24 6:23 7:2,12 9:15 10:25 12:23 13:3,8,11 13:17,21,25 14:11,18,23 15:6,15,20 16:3 16:5,8,12,16,19 16:24 17:5,10 17:12,17,21,23 18:7,8,15,19,21 Councilwoman 1:11,12 2:8,9 6:3,8 11:5,6,12 11:15 12:5,20 Councilwoman's	12:14,16 counsel 11:22 Covington 6:19 7:3,6,9,14 12:24 Credits 10:19 current 8:19 D date 1:14 2:17 day 16:10 days 4:14 18:4 declaring 5:22 DeJesus 8:16,17 Department 9:2,8 depends 15:9 detail 6:10 developed 9:25 14:19 developer 9:23 development 8:12 9:5 10:5,7,8,13 10:15,18,21 11:18,23 12:3 12:11 14:15 15:11 direct 20:22 directly 8:19 10:12 Director 3:8 7:9 discussion 12:7 distributed 6:7 7:24 district 1:14 2:16 2:22,25 3:2,3,7 3:11,12,13,15 4:3,8 6:3 11:8 Doheny 13:10 14:7,8,12,21 15:3,9,18,25 16:4,10,14 doing 11:9,16 dollars 15:4 drown 6:11 Duly 17:16 18:14 E east 1:20 5:10 Economic 3:19
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