

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON PARKS, RECREATION AND
CULTURAL AFFAIRS

Room 400, City Hall
Philadelphia, Pennsylvania
Wednesday, March 20, 2013
11:25 a.m.

PRESENT:

COUNCILWOMAN CINDY BASS, CHAIR
COUNCILMAN BOBBY HENON
COUNCILMAN CURTIS JONES, JR.
COUNCILWOMAN BLONDELL REYNOLDS BROWN

BILL 120825 - An ordinance authorizing the
Concession Agreement regarding the Burholme
Park Golf Center, between the City of
Philadelphia and Burholme Golf & Family
Entertainment Center, LLC, to have an Initial
Term of ten years and, at the City's option,
up to two Renewal Terms of five years each...

- - -

1

2

COUNCILWOMAN BASS: Good

3

afternoon. It's still morning. Good

4

morning. This hearing is called to

5

order. This is the public hearing of the

6

City Council Committee on Parks,

7

Recreation and Cultural Affairs. The

8

purpose of this public hearing is to hear

9

testimony on Bill No. 120825.

10

I want to recognize the

11

presence of a quorum of Committee

12

members. In attendance of the Committee

13

are Councilman Curtis Jones, Jr.,

14

Councilman Bobby Henon, and Councilwoman

15

Blondell Reynolds Brown.

16

And, Councilman Jones, do you

17

have any opening remarks?

18

COUNCILMAN JONES: No, Madam

19

Chair.

20

COUNCILWOMAN BASS: Okay. All

21

right. Will the Clerk now read the title

22

of Bill No. 120825.

23

THE CLERK: Bill No. 120825,

24

authorizing the Concession Agreement

25

regarding the Burholme Park Golf Center,

1 3/20/13 - PARKS - BILL 120825
2 between the City of Philadelphia and
3 Burholme Golf & Family Entertainment
4 Center, LLC, to have an Initial Term of
5 ten years and, at the City's option, up
6 to two Renewal Terms of five years each,
7 all under certain terms and conditions.

8 COUNCILWOMAN BASS: I want to
9 note that a copy of the concession
10 agreement was not attached to the
11 original bill. Copies of that agreement
12 are available at the table to my left.
13 And also I want to note that this
14 Committee hearing -- this Committee heard
15 testimony on this bill at our hearing in
16 January on the 30th of this year. At
17 that hearing, Ed Fagan and Bob Allen
18 testified on behalf of the
19 Administration. And we're going to have
20 our first witnesses come up to testify.

21 Can we have the Clerk call the
22 first witnesses.

23 THE CLERK: Ed Fagan and Bob
24 Allen.

25 (Witnesses approached witness

1 3/20/13 - PARKS - BILL 120825

2 table.)

3 MR. FAGAN: Good morning.

4 COUNCILWOMAN BASS: Good
5 morning. Please state your name for the
6 record and proceed with your testimony.

7 MR. FAGAN: My name is Ed
8 Fagan. I am the Director of the
9 Development Division for the Philadelphia
10 Parks and Recreation Department.

11 COUNCILWOMAN BASS: Thank you.

12 MR. FAGAN: I wanted to come
13 today in response to -- in addition to
14 the testimony we offered on January 30th
15 of this year regarding the bill that we
16 have placed before you and provide you a
17 copy of the concession agreement that was
18 not attached to the original copy of the
19 ordinance when we last testified and
20 answer any further questions you may
21 have.

22 COUNCILWOMAN BASS: Okay. And
23 why don't we wait to hear from Mr. Allen.

24 So, Mr. Allen, is there
25 additional testimony you'd like to add?

1 3/20/13 - PARKS - BILL 120825

2 MR. ALLEN: No. I'm Bob Allen.
3 I'm Director of Property and Concessions
4 Management for Parks and Recreation. I
5 have no additional testimony at this
6 time.

7 Thank you.

8 COUNCILWOMAN BASS: All right.
9 Councilman Jones.

10 COUNCILMAN JONES: Yes. Just
11 very briefly, Madam Chair.

12 Does this concessionaire
13 operate any of the other municipal golf
14 courses?

15 MR. FAGAN: No, Councilman.
16 This is just a driving range and a
17 batting facility. It's not affiliated
18 with a golf course, and they are not
19 associated with any other providers.

20 COUNCILMAN JONES: Thank you.

21 COUNCILWOMAN BASS: Councilman
22 Henon.

23 COUNCILMAN HENON: Thank you.

24 I just have a few questions
25 that I wanted to, I guess, talk about

1 3/20/13 - PARKS - BILL 120825

2 again from our last hearing.

3 So the concessionaire is a
4 long-term agreement; is that correct?

5 MR. FAGAN: That's what -- yes.

6 COUNCILMAN HENON: Can you
7 explain the terms of the agreement?

8 MR. FAGAN: The current
9 agreement is a one-year agreement with
10 renewals of one year length. We're
11 asking for an extended ten-year
12 agreement.

13 COUNCILMAN HENON: With a
14 ten-year option?

15 MR. FAGAN: Yes. Excuse me; a
16 five-year option.

17 COUNCILMAN HENON: A five-year
18 option?

19 MR. FAGAN: Yes.

20 COUNCILMAN HENON: How many
21 years have we had a one-year agreement?

22 MR. FAGAN: One year.

23 COUNCILMAN HENON: Just one
24 year?

25 MR. ALLEN: We're coming up on

1 3/20/13 - PARKS - BILL 120825

2 the one-year anniversary.

3 MR. FAGAN: We're coming up on
4 the anniversary of the start-up.

5 COUNCILMAN HENON: I just
6 wanted to recap real quick again from the
7 last hearing.

8 So the concessionaire is
9 committed to making capital improvements
10 on our public property to offer better
11 services --

12 MR. FAGAN: Yes.

13 COUNCILMAN HENON: -- for the
14 general public and we can maximize the
15 best rate of return on the investment; is
16 that correct?

17 MR. FAGAN: Absolutely. To
18 date, they've invested approximately
19 \$500,000 in improvements to the building
20 itself as well as to the amenities of the
21 golf tee boxes, rebuilt the batting cage,
22 the whole facility, and then also
23 interior further amenities. They've
24 upgraded the snack bar as well as other
25 concessions inside.

1 3/20/13 - PARKS - BILL 120825

2 COUNCILMAN HENON: And it is
3 public property?

4 MR. FAGAN: Oh, it is.
5 Absolutely.

6 COUNCILMAN HENON: So private
7 dollars are being invested to enhance our
8 public property --

9 MR. FAGAN: Correct.

10 COUNCILMAN HENON: -- with an
11 agreement that all parties have agreed
12 to?

13 MR. FAGAN: Yes.

14 COUNCILMAN HENON: Great. I
15 have no further questions.

16 COUNCILWOMAN BASS: Thank you.
17 Councilwoman Blondell Reynolds
18 Brown.

19 COUNCILWOMAN BROWN: Good
20 morning, gentlemen.

21 (Good morning.)

22 COUNCILWOMAN BROWN: What is
23 the norm with regards to leasing of these
24 type of outfits in the park on the
25 renewing of leases? What's the norm?

1 3/20/13 - PARKS - BILL 120825

2 This is a one-year lease with a
3 five-year --

4 MR. FAGAN: Well, we currently
5 went into a one-year agreement.

6 COUNCILWOMAN BROWN: Is it five
7 or is it ten years?

8 MR. FAGAN: We went into a
9 one-year agreement because that's within
10 our purview to do that. We can't extend
11 anything beyond the one-year agreement
12 without approval of City Council.

13 COUNCILWOMAN BROWN: Okay.

14 MR. FAGAN: And we were
15 requesting the long-term agreement so the
16 concessionaire would be able to recover
17 some of their initial investment.

18 COUNCILWOMAN BROWN: For ten
19 years?

20 MR. FAGAN: Yes.

21 COUNCILWOMAN BROWN: For ten
22 years?

23 MR. ALLEN: Councilwoman, we
24 wrote the agreement for one year so that
25 we could get the concessionaire in there

1 3/20/13 - PARKS - BILL 120825

2 and operating so there was no shutdown of
3 the facility, so we could keep it up and
4 running, and the agreement was written so
5 that when and if City Council approved a
6 long-term concession agreement and the
7 Mayor signed off on the bill, then it
8 would revert back to a ten-year deal.

9 So, in essence, they have an additional
10 nine-year term now, because we've already
11 had one year of the term. And that is
12 typical. The example would be for Billy
13 Casper Golf that operates our other golf
14 facilities. In fact, they put even less
15 in our other golf facilities and they
16 have a ten-year agreement because of the
17 capital that they have put in.

18 COUNCILWOMAN BROWN: Please,
19 sir.

20 MR. FAGAN: I was going to also
21 note that the capital investments that
22 have been made so far, there are
23 additional plans for them to invest
24 additional capital. They also have plans
25 for a restaurant, a big snack

1 3/20/13 - PARKS - BILL 120825

2 bar/restaurant, more extended offerings,
3 as part of the facility as well. So they
4 really -- they have not moved on that as
5 of yet, but there would be additional
6 investment on their part, which that
7 extended term would allow them to recover
8 some of that initial investment.

9 COUNCILWOMAN BROWN: Are they a
10 Philly-based company?

11 MR. ALLEN: They are, yes.

12 COUNCILWOMAN BROWN: And then
13 where are they with regard to MBE/WBE
14 participation in any aspect of the
15 outfit?

16 MR. ALLEN: We expect them to
17 be fully compliant, and their ability to
18 do that is based on the additional
19 build-out. They have about another
20 quarter of a million of improvements to
21 do. Fully one half of the building is
22 not utilized now and they intend to open
23 that up, and they have a minority
24 contractor signed up to do that.

25 COUNCILWOMAN BROWN: You say

1 3/20/13 - PARKS - BILL 120825

2 you expect them to be fully compliant?

3 MR. ALLEN: Yes.

4 COUNCILWOMAN BROWN: So what
5 does that mean?

6 MR. ALLEN: That means that
7 they made a commitment to a certain
8 percentage of the transaction overall,
9 and when they have the ability to build
10 out the rest of the facility, that will
11 satisfy their requirement.

12 COUNCILWOMAN BROWN: So that's
13 in writing some place?

14 MR. ALLEN: It is.

15 MR. FAGAN: Yes, it is.

16 MR. ALLEN: It's a legal
17 commitment.

18 MR. FAGAN: It is part of their
19 agreement with us. They anticipated a 50
20 percent participation rate, and up to
21 this point, I mean, some of the initial
22 investments that they have done, they've
23 already engaged minority-owned
24 businesses, but part of the overall plan
25 included the build-out of the restaurant.

1 3/20/13 - PARKS - BILL 120825

2 COUNCILWOMAN BROWN: Okay. All
3 right, then. Because Councilman Jones
4 and I operate on the belief that if it's
5 not in writing, it doesn't exist.

6 MR. ALLEN: Right.

7 COUNCILWOMAN BROWN: We've seen
8 too many instances where companies come
9 back and there's no indication that they
10 have any level of commitment with regards
11 to MBE/WBE effort.

12 MR. ALLEN: Well, that is in
13 all of our concession agreements. They
14 not only make a commitment when they do
15 an RFP, but they sign documents to
16 commit, and that gets incorporated in the
17 concession agreement. So they have a
18 legal commitment to follow through, and
19 we get monthly reports from them on how
20 they're doing.

21 COUNCILWOMAN BROWN: Are they
22 shared with members of Council, those
23 reports?

24 MR. ALLEN: Well, I know you
25 receive a report overall about Parks and

1 3/20/13 - PARKS - BILL 120825

2 Recreation's participation, contract
3 participation. So it would be included
4 in that.

5 COUNCILWOMAN BROWN: Okay.

6 MR. ALLEN: We don't send
7 separate reports for each and every
8 concession agreement. But it rolls up
9 into the report from the department.

10 COUNCILWOMAN BROWN: Very well.
11 So as we anticipate budget hearings, if
12 we could ask -- and Councilman Goode and
13 I have done this annually, send a formal
14 letter stipulating what and how well the
15 department is doing across all aspects of
16 the park around MBE/WBE participation and
17 break it down by the various units within
18 Parks and Recreation.

19 MR. ALLEN: Okay.

20 COUNCILWOMAN BROWN: And my
21 trigger for this is, I continue -- first
22 let me ask a different question. Is
23 Philadelphia Fairmount Park responsible
24 for the work done on the Parkway or is
25 that Center City District?

1 3/20/13 - PARKS - BILL 120825

2 MR. FAGAN: It is Parks and
3 Recreation.

4 COUNCILWOMAN BROWN: Parks and
5 Recreation. So as recently as Monday, on
6 the Parkway I saw men working from a
7 truck that had -- and I actually wrote it
8 down, so it's in my logbook upstairs, but
9 they were not a Philadelphia-based
10 landscaping outfit. And so I made
11 another mental note, because it was
12 obvious to me not a Philadelphia-based
13 outfit. And because I was unsure on
14 whether or not that's within the purview
15 of the Center City District or
16 Philadelphia Fairmount Park, I had to put
17 a brake on, because I didn't know.

18 So the Parkway does fall under
19 the jurisdiction, if you will, of
20 Philadelphia Fairmount Park?

21 MR. FAGAN: Yes.

22 MR. ALLEN: It does, but there
23 are certain areas that are licensed to
24 the Center City District. And so it
25 depends on where you saw that, whose

1 3/20/13 - PARKS - BILL 120825
2 people were operating there. And then
3 the additional complication is that it's
4 a PennDOT highway, so it could be PennDOT
5 people working on the street also, and in
6 fact, there have been PennDOT people
7 working on a curb area down near 16th and
8 JFK, toward that intersection.

9 COUNCILWOMAN BROWN: Okay. So
10 let me be more specific. So they were on
11 the Parkway between 21st and 22nd putting
12 down mulch around the trees that line the
13 Parkway underneath the flags.

14 MR. ALLEN: So that would be a
15 Parks and Recreation contractor, that's
16 correct.

17 COUNCILWOMAN BROWN: I see. So
18 in the testimony that you will be
19 bringing before us, stipulate in great
20 detail how you handle and manage
21 contracts of that type for the
22 department. Because it could be that
23 they were the lowest bidder, but we
24 wouldn't know that without a deeper
25 look-see into that.

1 3/20/13 - PARKS - BILL 120825

2 MR. ALLEN: It would be a
3 Procurement contract and it would be
4 based on bid in that case.

5 COUNCILWOMAN BROWN: So let me
6 seize the moment.

7 MR. ALLEN: What we do is a
8 little bit different. We do a request
9 for proposal and so our -- the vendors we
10 select are not always the vendors that
11 are providing the best financial
12 situation. It's what's best for the
13 public and Parks and Recreation overall,
14 the evaluation.

15 COUNCILWOMAN BROWN: Okay. So
16 if you could provide that or advise your
17 colleagues there in the department to be
18 prepared to bring that during budget
19 hearings, that would be helpful.

20 Thank you, Madam Chairwoman.

21 COUNCILWOMAN BASS: Thank you,
22 Councilwoman.

23 Councilman Henon.

24 COUNCILMAN HENON: Yes. Thank
25 you, Madam Chair.

1 3/20/13 - PARKS - BILL 120825

2 Just a couple follow-up
3 questions. You had said that nine years
4 left on the original term, and the
5 ten-year contract is to have that first
6 year in basically transition so we
7 weren't losing revenue; is that correct?

8 MR. FAGAN: Correct.

9 COUNCILMAN HENON: Is it the
10 same concessionaire who wound up winning
11 the public bid that was there before,
12 that was there prior that was on the
13 one-year extension?

14 MR. FAGAN: No.

15 COUNCILMAN HENON: Or is it a
16 new concessionaire?

17 MR. FAGAN: New concessionaire.

18 MR. ALLEN: Well, it's the same
19 firm that's been operating for one year,
20 because they won the concession. So they
21 won the right to the initial one-year
22 term pending approval of the ten-year
23 term.

24 MR. FAGAN: I'm sorry. I
25 misunderstood you.

1 3/20/13 - PARKS - BILL 120825

2 COUNCILMAN HENON: They won a
3 one-year contract, which was not subject
4 to Council approval; is that correct?

5 MR. FAGAN: That's correct.

6 COUNCILMAN HENON: Because the
7 length was one year.

8 MR. FAGAN: Right. And there
9 are one-year renewables allowed within
10 that agreement.

11 COUNCILMAN HENON: No. I
12 understand. But I asked you about the
13 renewables earlier. So there was no
14 renewable in this situation; it was just
15 a one-year contract that was --

16 MR. ALLEN: Converts to a
17 ten-year upon your approval.

18 COUNCILMAN HENON: Less the one
19 that they had?

20 MR. FAGAN: Well, no. It
21 includes the one. So the original --

22 COUNCILMAN HENON: It includes
23 it.

24 MR. FAGAN: So March 26th of
25 '12 is when they entered into the

1 3/20/13 - PARKS - BILL 120825

2 agreement, I believe, and then so the
3 contract still would be from March 26th,
4 2012 through March 25th of 2022.

5 Correct.

6 COUNCILMAN HENON: So there was
7 no real transition period. It was they
8 won -- the new concessionaire won the
9 public bid.

10 MR. FAGAN: Yes.

11 COUNCILMAN HENON: And they
12 were on a one-year contract.

13 MR. FAGAN: Right.

14 COUNCILMAN HENON: What was the
15 delay? Why one year as opposed to just
16 going right to a ten-year at the time?

17 MR. ALLEN: Because there
18 wasn't time. The bidding process was
19 tight and there wasn't time to get the
20 contract into City Council in order to
21 get the facility operating.

22 COUNCILMAN HENON: Just for --

23 MR. ALLEN: The idea was to get
24 the facility up and running for the
25 season so that the public didn't use

1 3/20/13 - PARKS - BILL 120825

2 any -- lose any use of it.

3 COUNCILMAN HENON: Which we
4 didn't, and I'm glad to hear that you're
5 sensitive of transitioning of vendors in
6 our public properties, and I'm also glad
7 to hear that you gave or you give an
8 offer to vendors who win contracts with
9 the City of Philadelphia on its public
10 property who invest private dollars,
11 which enhances the property's value and
12 service, time to recoup some of the money
13 that they invested in privately. That's
14 the intention of the longer-term
15 contract; is that correct?

16 MR. FAGAN: Exactly.

17 MR. ALLEN: That's correct.

18 MR. FAGAN: The value of that
19 is, these private vendors come in and
20 make those investments in a more timely
21 fashion and up front, where we'd be
22 really challenged to meet some of those
23 needs based on our current system.

24 COUNCILMAN HENON: So it's a
25 win-win for everybody here.

1 3/20/13 - PARKS - BILL 120825

2 MR. FAGAN: Right.

3 COUNCILMAN HENON: Thank you.

4 COUNCILWOMAN BASS: Thank you.

5 Councilman Jones.

6 COUNCILMAN JONES: Is there an
7 OEO report in this concession agreement
8 and, if so, where?

9 MR. ALLEN: There is. It
10 should be in the documentation. We have
11 it here. We have the file here, so we
12 can provide it if need be. It should be
13 an exhibit. It should be in the RFP
14 itself, Councilman.

15 MR. FAGAN: I'm sorry. I just
16 wanted to locate it. It's a rather
17 lengthy document.

18 So, Councilman, so the
19 requirement is in Section 6.5 about the
20 participation of minority, women, and
21 disabled-owned business enterprises.

22 COUNCILWOMAN BROWN: What page
23 is that at the bottom?

24 MR. FAGAN: Section 5. So it
25 would be Page 37.

1 3/20/13 - PARKS - BILL 120825

2 MR. ALLEN: Of the RFP
3 document.

4 MR. FAGAN: So that's the
5 requirement that we build into the
6 request for proposal. And then the
7 response is in Appendix 8 in the back.
8 Unfortunately, there's no easy way of
9 finding it. Actually, it's proposal
10 Appendix C, and there's the outline and
11 their response, which then becomes part
12 of the legal agreement.

13 COUNCILMAN JONES: So it's not
14 numbered.

15 MR. FAGAN: No, unfortunately,
16 it's not.

17 Would you like to see this
18 document?

19 COUNCILWOMAN BROWN: Please.
20 Scotland Yard Security?

21 MR. FAGAN: Right.

22 COUNCILWOMAN BROWN: So this
23 has nothing to do with your department
24 and more to do with -- I don't know whose
25 lap this would fall in, but here's the

1 3/20/13 - PARKS - BILL 120825

2 concern: We've had instances where the
3 prime contractor lists MBE/WBEs, to learn
4 that the MBE/WBE had no clue that they
5 were listed in documents like this. So
6 that becomes a technical item we have to
7 figure out how to fix on our end, because
8 there's nothing in here that says that
9 Scotland Yard Security -- they're listed
10 that they are, but we have no proof that
11 Scotland Yard Security is aware that they
12 are. You follow what I'm saying?

13 MR. FAGAN: I do. In this
14 instance, though, I know that Scotland
15 Yard is involved because at the
16 pre-proposal meeting, Scotland Yard
17 representatives attended with the
18 vendors.

19 COUNCILWOMAN BROWN: Okay.

20 MR. ALLEN: Councilwoman,
21 another check or safeguard is that
22 they're required by OEO to provide
23 letters from these firms.

24 COUNCILWOMAN BROWN: You're
25 talking about the prime contractor?

1 3/20/13 - PARKS - BILL 120825

2 MR. FAGAN: Yes.

3 MR. ALLEN: So if there's no
4 letter, I think what you said could
5 happen, but the OEO office should be
6 monitoring that and making sure that it's
7 valid.

8 COUNCILWOMAN BROWN: Agreed.
9 Agreed.

10 COUNCILMAN JONES: For future
11 reference, we'd like to see the
12 commitment letters in there, because you
13 can go in a book, put down a percentage,
14 never contact the firm, we approve a
15 ten-year contract, and that minority or
16 female contractor may have never been
17 engaged. And I understand that the
18 responsibility of compliance is on OEO.
19 I get that part. But our due diligence
20 can seek a little higher verification by
21 way of --

22 MR. WILKEN: They are.

23 COUNCILMAN JONES: They are?
24 Okay.

25 COUNCILWOMAN BROWN: He said

1 3/20/13 - PARKS - BILL 120825

2 they are in here?

3 COUNCILMAN JONES: Okay. Can
4 you point out where?

5 MR. WILKEN: They're in the --

6 COURT STENOGRAPHER: I'm sorry.
7 Can you come up to the microphone.

8 COUNCILWOMAN BASS: Can you
9 come up to the mic.

10 (Witness approached witness
11 table.)

12 COUNCILWOMAN BASS: And state
13 your name.

14 MR. WILKEN: Marc Wilken, Park
15 Concession Manager, Philadelphia Parks
16 and Rec.

17 It might be easier if I come
18 up. Would it be okay if I came up to
19 you?

20 COUNCILWOMAN BROWN:
21 Absolutely. Sure.

22 COUNCILMAN JONES: And this is
23 for all of the --

24 MR. WILKEN: Yeah. All the
25 vendors provide a letter documenting

1 3/20/13 - PARKS - BILL 120825

2 their proposal.

3 Starting here, right behind
4 this listing form they completed is their
5 letter and then --

6 COUNCILWOMAN BROWN: Signature
7 of the --

8 MR. WILKEN: And then behind
9 that is the scope of work.

10 COUNCILWOMAN BROWN: Very good.

11 COUNCILMAN JONES: We just want
12 you to know that we are looking for
13 compliance to these things and it's just
14 not a passing question, that from time to
15 time we're going to check, and we
16 appreciate that you came up on the right
17 side of history here.

18 MR. WILKEN: And we also, as
19 required in other contracts, they are to
20 submit to us quarterly reports of their
21 participation to date. Again, as Bob
22 Allen I think had mentioned, the bulk of
23 their work will begin once the restaurant
24 extension comes into the construction,
25 and then Scotland Yard will be the

1 3/20/13 - PARKS - BILL 120825

2 security firm to do security services for
3 the restaurant.

4 COUNCILMAN JONES: Thank you so
5 much, Madam Chair.

6 COUNCILWOMAN BASS: You're
7 welcome.

8 COUNCILWOMAN BROWN: And I
9 might say as a point of information --

10 COUNCILWOMAN BASS:
11 Councilwoman.

12 COUNCILWOMAN BROWN: -- that
13 there is a letter in here from Omar
14 Wilson, whom we know well.

15 MR. WILKEN: Scotland Yard,
16 yes.

17 COUNCILWOMAN BROWN: Yes, yes,
18 yes. Okay, then.

19 MR. ALLEN: We've used that
20 firm for --

21 MR. WILKEN: For other
22 concessions.

23 COUNCILWOMAN BROWN: Yes. We
24 are familiar with their presence in other
25 parts of Philadelphia Fairmount Park. So

1 3/20/13 - PARKS - BILL 120825

2 I join the members here in commending you
3 for being more than adequately prepared,
4 because in earlier years this would not
5 be in the documents during the moment of
6 testimony. So we thank you for being
7 fully prepared.

8 MR. FAGAN: Thank you.

9 COUNCILWOMAN BROWN: Thank you,
10 Madam Chair.

11 COUNCILWOMAN BASS: Absolutely.
12 Any other questions?

13 (No response.)

14 COUNCILWOMAN BASS: And I just
15 want to go back over something which I
16 just want to add to the record just as a
17 matter of procedure, and you've gone
18 through -- you've given your testimony.
19 Is there anything additional you'd like
20 to add to your testimony?

21 MR. FAGAN: No. Other than the
22 concessionaire that was chosen, I think
23 we made the right choice. They've been
24 very responsible. They've done quite a
25 bit of outreach with the community and

1 3/20/13 - PARKS - BILL 120825

2 really worked well with us around our
3 summer program, our golf programming, of
4 allowing us pretty unfettered access at a
5 very low cost to us of getting kids out
6 there to learn the skill of golf. So
7 they've been a very good partner.

8 COUNCILWOMAN BASS: Very good.

9 And, again, just another question I just
10 need to have on the record. You did have
11 an opportunity to review a copy of the
12 agreement prior to --

13 (Witnesses nod heads in the
14 affirmative.)

15 COUNCILWOMAN BASS: Okay. Do
16 you have any reason to believe that the
17 agreement is not the agreement that your
18 testimony addressed on January 30th of
19 2013?

20 MR. FAGAN: No, no reason to
21 believe so.

22 COUNCILWOMAN BASS: Okay.

23 Thank you very much.

24 Is there anyone else here to
25 testify on this bill?

1 3/20/13 - PARKS - BILL 120825

2 MR. ALLEN: There are not.

3 MR. ALI: Yes.

4 COUNCILWOMAN BASS: Okay. Mr.

5 Ali. Thank you.

6 (Witness approached witness

7 table.)

8 COUNCILWOMAN BASS: Good

9 morning.

10 MR. ALI: Good morning to all

11 you, Madam Chairwoman, members of the

12 Committee. I wanted to thank you all

13 for --

14 COUNCILWOMAN BASS: State your

15 name for the record.

16 MR. ALI: My name is Jihad Ali.

17 I'm with the National Association of

18 Minority Contractors, Philadelphia

19 Chapter.

20 I wanted to thank you all for

21 the line of question you put the

22 applicant through. The problem that I

23 have as a citizen is, when do I get a

24 chance to see those documents that are

25 submitted? There's a glitch in the

1 3/20/13 - PARKS - BILL 120825

2 system -- and I believe we covered this
3 prior years -- where they're supposed to
4 report this stuff over to the Chief
5 Clerk's Office. The problem with the
6 system is that depending on the cycle
7 when OEO gets the compliance documents,
8 it could be before that even got
9 executed, and it could be -- all could be
10 intent. Like they could identify the
11 vendor that they talked about on the
12 form. So that might proceed. So there's
13 really a whole issue of compliance as far
14 as OEO, but by having the documents --
15 because you can't do it all by yourself.
16 We have to have a team. We have to have
17 the people that live this stuff every day
18 to look at it to bring it to your
19 attention, our elected leaders. So what
20 I asked the gentleman that was here if I
21 could get a copy of that, and then I
22 could follow up with each of you and your
23 offices.

24 But when we talk about this
25 issue about compliance, it's really over

1 3/20/13 - PARKS - BILL 120825

2 the whole gamut of construction, both
3 union and non-union. We have some good
4 friends in the electric union. John
5 Dougherty is a good friend of ours. We
6 have minority contractors that are
7 electricians. Same with the carpenters
8 and all that. So we want to see that
9 that -- it's more than just security. We
10 want to see that it's really trickling
11 all the way down, and through your
12 leadership and us working together, we
13 can solve this problem.

14 Thank you.

15 COUNCILWOMAN BASS: Absolutely.
16 Well, I want to thank you for mentioning
17 that, and one of the things we could do
18 is offline work to try to resolve that
19 glitch in the system, as you put it, to
20 try to get in front of that. So I look
21 forward to talking to you and also
22 working with my colleagues to figure out
23 how do we make it a better system. So
24 thank you.

25 Oh, I'm sorry. Councilman

1 3/20/13 - PARKS - BILL 120825

2 Henon and then Councilwoman Brown.

3 COUNCILMAN HENON: Thank you,
4 Madam Chair.

5 I just wanted to make a quick
6 statement. Thank you, Mr. Ali, for
7 attending, and I hope from the way you
8 conduct yourself as a businessman, a
9 concerned citizen, and volunteer for the
10 City, that you continue to keep pressure
11 on the way you have in staying on point
12 and making people recognize the glitch,
13 as you put it so well, in the system and
14 making sure that folks are made aware of
15 what's going on down on the street level.

16 So I commend you for your
17 efforts and hope that you continue to
18 stay on top of this body and the proper
19 departments in all the procurements here
20 in the City of Philadelphia.

21 MR. ALI: Thank you.

22 COUNCILWOMAN BASS: Thank you.

23 Councilwoman Brown, did you
24 have a comment?

25 COUNCILWOMAN BROWN: No.

1 3/20/13 - PARKS - BILL 120825

2 COUNCILWOMAN BASS: Thank you
3 very much for your testimony.

4 Is there anyone else here to
5 testify on this bill?

6 (No response.)

7 COUNCILWOMAN BASS: That
8 concludes testimony on Bill No. 120825.
9 This now concludes the public hearing of
10 the Committee on Parks, Recreation and
11 Cultural Affairs and we'll now go into
12 our public meeting.

13 The Chair recognizes
14 Councilmember Jones for a motion on Bill
15 No. 120825.

16 COUNCILMAN JONES: Thank you,
17 Madam Chair. I offer an amendment to
18 Bill No. 120825, which is technical in
19 nature. I move that Bill No. 120825 be
20 amended as to attach the relevant
21 concession agreement.

22 (Duly seconded.)

23 COUNCILWOMAN BASS: It has been
24 moved and properly seconded that Bill No.
25 120825 be amended to attach the relevant

1 3/20/13 - PARKS - BILL 120825

2 concession agreement.

3 All those in favor say aye.

4 (Aye.)

5 COUNCILWOMAN BASS: Those

6 opposed?

7 (No response.)

8 COUNCILWOMAN BASS: The motion

9 carries. Bill No. 120825 is amended.

10 The Chair now recognizes

11 Councilmember Jones for a motion on Bill

12 No. 120825.

13 COUNCILMAN JONES: Again, thank

14 you, Madam Chair. I move that Bill No.

15 120825, as amended, be reported from this

16 Committee with a favorable recommendation

17 and further move that the rules of

18 Council be suspended to permit first

19 reading of this bill at our next session

20 of Council.

21 (Duly seconded.)

22 COUNCILWOMAN BASS: It's been

23 moved and properly seconded that Bill No.

24 120825, as amended, be reported from this

25 Committee with a favorable recommendation

1 3/20/13 - PARKS - BILL 120825

2 and further moved that the rules of
3 Council be suspended as to permit first
4 reading at the next scheduled session of
5 City Council.

6 All those in favor say aye.

7 (Aye.)

8 COUNCILWOMAN BASS: Those
9 opposed?

10 (No response.)

11 COUNCILWOMAN BASS: The motion
12 carries. Bill No. 120825, as amended,
13 will be reported from this Committee with
14 a favorable recommendation with a request
15 that the rules of Council be suspended to
16 permit first reading at the next session
17 of Council.

18 With that, the business of the
19 Committee is concluded. Thank you for
20 coming.

21 (Committee on Parks, Recreation
22 and Cultural Affairs concluded at 11:55
23 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, and that this is a true and
correct transcript of same.

MICHELE L. MURPHY
RPR-Notary Public

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direct control and/or supervision of the
certifying reporter.)

A ability 11:17 12:9 able 9:16 Absolutely 7:17 8:5 26:21 29:11 33:15 access 30:4 accurately 38:5 add 4:25 29:16,20 addition 4:13 additional 4:25 5:5 10:9,23,24 11:5,18 16:3 29:19 addressed 30:18 adequately 29:3 Administration 3:19 advise 17:16 Affairs 1:4 2:7 35:11 37:22 affiliated 5:17 affirmative 30:14 afternoon 2:3 agreed 8:11 25:8 25:9 agreement 1:15 2:24 3:10,11 4:17 6:4,7,9,9 6:12,21 8:11 9:5 9:9,11,15,24 10:4,6,16 12:19 13:17 14:8 19:10 20:2 22:7 23:12 30:12,17 30:17 35:21 36:2 agreements 13:13 Ali 31:3,5,10,16 31:16 34:6,21 Allen 3:17,24 4:23,24 5:2,2 6:25 9:23 11:11 11:16 12:3,6,14 12:16 13:6,12 13:24 14:6,19 15:22 16:14	17:2,7 18:18 19:16 20:17,23 21:17 22:9 23:2 24:20 25:3 27:22 28:19 31:2 allow 11:7 allowed 19:9 allowing 30:4 amended 35:20 35:25 36:9,15 36:24 37:12 amendment 35:17 amenities 7:20,23 and/or 38:22 anniversary 7:2,4 annually 14:13 answer 4:20 anticipate 14:11 anticipated 12:19 Appendix 23:7,10 applicant 31:22 apply 38:20 appreciate 27:16 approached 3:25 26:10 31:6 approval 9:12 18:22 19:4,17 approve 25:14 approved 10:5 approximately 7:18 area 16:7 areas 15:23 asked 19:12 32:20 asking 6:11 aspect 11:14 aspects 14:15 associated 5:19 Association 31:17 attach 35:20,25 attached 3:10 4:18 attendance 2:12 attended 24:17 attending 34:7	attention 32:19 authorizing 1:14 2:24 available 3:12 aware 24:11 34:14 aye 36:3,4 37:6,7 a.m 1:8 37:23 B back 10:8 13:9 23:7 29:15 bar 7:24 bar/restaurant 11:2 based 11:18 17:4 21:23 basically 18:6 BASS 1:11 2:2,20 3:8 4:4,11,22 5:8,21 8:16 17:21 22:4 26:8 26:12 28:6,10 29:11,14 30:8 30:15,22 31:4,8 31:14 33:15 34:22 35:2,7,23 36:5,8,22 37:8 37:11 batting 5:17 7:21 behalf 3:18 belief 13:4 believe 20:2 30:16 30:21 32:2 best 7:15 17:11,12 better 7:10 33:23 beyond 9:11 bid 17:4 18:11 20:9 bidder 16:23 bidding 20:18 big 10:25 bill 1:14 2:9,22,23 3:1,11,15 4:1,15 5:1 6:1 7:1 8:1 9:1 10:1,7 11:1 12:1 13:1 14:1	15:1 16:1 17:1 18:1 19:1 20:1 21:1 22:1 23:1 24:1 25:1 26:1 27:1 28:1 29:1 30:1,25 31:1 32:1 33:1 34:1 35:1,5,8,14,18 35:19,24 36:1,9 36:11,14,19,23 37:1,12 Billy 10:12 bit 17:8 29:25 Blondell 1:12 2:15 8:17 Bob 3:17,23 5:2 27:21 Bobby 1:11 2:14 body 34:18 book 25:13 bottom 22:23 boxes 7:21 brake 15:17 break 14:17 briefly 5:11 bring 17:18 32:18 bringing 16:19 Brown 1:12 2:15 8:18,19,22 9:6 9:13,18,21 10:18 11:9,12 11:25 12:4,12 13:2,7,21 14:5 14:10,20 15:4 16:9,17 17:5,15 22:22 23:19,22 24:19,24 25:8 25:25 26:20 27:6,10 28:8,12 28:17,23 29:9 34:2,23,25 budget 14:11 17:18 build 12:9 23:5 building 7:19 11:21 build-out 11:19	12:25 bulk 27:22 Burholme 1:15,16 2:25 3:3 business 22:21 37:18 businesses 12:24 businessman 34:8 C C 23:10 cage 7:21 call 3:21 called 2:4 capital 7:9 10:17 10:21,24 carpenters 33:7 carries 36:9 37:12 case 17:4 Casper 10:13 Center 1:15,16 2:25 3:4 14:25 15:15,24 certain 3:7 12:7 15:23 CERTIFICATE 38:2 certification 38:19 CERTIFY 38:3 certifying 38:23 Chair 1:11 2:19 5:11 17:25 28:5 29:10 34:4 35:13,17 36:10 36:14 Chairwoman 17:20 31:11 challenged 21:22 chance 31:24 Chapter 31:19 check 24:21 27:15 Chief 32:4 choice 29:23 chosen 29:22 CINDY 1:11 citizen 31:23 34:9
---	---	---	--	---

City 1:2,7,15 2:6 3:2 9:12 10:5 14:25 15:15,24 20:20 21:9 34:10,20 37:5 City's 1:17 3:5 Clerk 2:21,23 3:21,23 Clerk's 32:5 clue 24:4 colleagues 17:17 33:22 come 3:20 4:12 13:8 21:19 26:7 26:9,17 comes 27:24 coming 6:25 7:3 37:20 commend 34:16 commending 29:2 comment 34:24 commit 13:16 commitment 12:7 12:17 13:10,14 13:18 25:12 committed 7:9 Committee 1:3 2:6,11,12 3:14 3:14 31:12 35:10 36:16,25 37:13,19,21 community 29:25 companies 13:8 company 11:10 completed 27:4 compliance 25:18 27:13 32:7,13 32:25 compliant 11:17 12:2 complication 16:3 concern 24:2 concerned 34:9 concession 1:15 2:24 3:9 4:17 10:6 13:13,17 14:8 18:20 22:7	26:15 35:21 36:2 concessionaire 5:12 6:3 7:8 9:16,25 18:10 18:16,17 20:8 29:22 concessions 5:3 7:25 28:22 concluded 37:19 37:22 concludes 35:8,9 conditions 3:7 conduct 34:8 construction 27:24 33:2 contact 25:14 contained 38:5 continue 14:21 34:10,17 contract 14:2 17:3 18:5 19:3 19:15 20:3,12 20:20 21:15 25:15 contractor 11:24 16:15 24:3,25 25:16 contractors 31:18 33:6 contracts 16:21 21:8 27:19 control 38:22 Converts 19:16 Copies 3:11 copy 3:9 4:17,18 30:11 32:21 correct 6:4 7:16 8:9 16:16 18:7,8 19:4,5 20:5 21:15,17 38:8 cost 30:5 Council 1:2 2:6 9:12 10:5 13:22 19:4 20:20 36:18,20 37:3,5 37:15,17	Councilman 1:11 1:12 2:13,14,16 2:18 5:9,10,15 5:20,21,23 6:6 6:13,17,20,23 7:5,13 8:2,6,10 8:14 13:3 14:12 17:23,24 18:9 18:15 19:2,6,11 19:18,22 20:6 20:11,14,22 21:3,24 22:3,5,6 22:14,18 23:13 25:10,23 26:3 26:22 27:11 28:4 33:25 34:3 35:16 36:13 Councilmember 35:14 36:11 Councilwoman 1:11,12 2:2,14 2:20 3:8 4:4,11 4:22 5:8,21 8:16 8:17,19,22 9:6 9:13,18,21,23 10:18 11:9,12 11:25 12:4,12 13:2,7,21 14:5 14:10,20 15:4 16:9,17 17:5,15 17:21,22 22:4 22:22 23:19,22 24:19,20,24 25:8,25 26:8,12 26:20 27:6,10 28:6,8,10,11,12 28:17,23 29:9 29:11,14 30:8 30:15,22 31:4,8 31:14 33:15 34:2,22,23,25 35:2,7,23 36:5,8 36:22 37:8,11 couple 18:2 course 5:18 courses 5:14 COURT 26:6	covered 32:2 Cultural 1:4 2:7 35:11 37:22 curb 16:7 current 6:8 21:23 currently 9:4 Curtis 1:12 2:13 cycle 32:6	due 25:19 Duly 35:22 36:21
E				
earlier 19:13 29:4 easier 26:17 easy 23:8 Ed 3:17,23 4:7 effort 13:11 efforts 34:17 elected 32:19 electric 33:4 electricians 33:7 engaged 12:23 25:17 enhance 8:7 enhances 21:11 entered 19:25 enterprises 22:21 Entertainment 1:16 3:3 essence 10:9 evaluation 17:14 everybody 21:25 evidence 38:4 Exactly 21:16 example 10:12 Excuse 6:15 executed 32:9 exhibit 22:13 exist 13:5 expect 11:16 12:2 explain 6:7 extend 9:10 extended 6:11 11:2,7 extension 18:13 27:24				
F				
facilities 10:14,15 facility 5:17 7:22 10:3 11:3 12:10 20:21,24 fact 10:14 16:6 Fagan 3:17,23 4:3 4:7,8,12 5:15 6:5,8,15,19,22				

7:3,12,17 8:4,9 8:13 9:4,8,14,20 10:20 12:15,18 15:2,21 18:8,14 18:17,24 19:5,8 19:20,24 20:10 20:13 21:16,18 22:2,15,24 23:4 23:15,21 24:13 25:2 29:8,21 30:20 Fairmount 14:23 15:16,20 28:25 fall 15:18 23:25 familiar 28:24 Family 1:16 3:3 far 10:22 32:13 fashion 21:21 favor 36:3 37:6 favorable 36:16 36:25 37:14 female 25:16 figure 24:7 33:22 file 22:11 financial 17:11 finding 23:9 firm 18:19 25:14 28:2,20 firms 24:23 first 3:20,22 14:21 18:5 36:18 37:3,16 five 1:17 3:6 9:6 five-year 6:16,17 9:3 fix 24:7 flags 16:13 folks 34:14 follow 13:18 24:12 32:22 follow-up 18:2 foregoing 38:7,19 form 27:4 32:12 formal 14:13 forward 33:21 friend 33:5 friends 33:4	front 21:21 33:20 fully 11:17,21 12:2 29:7 38:5 further 4:20 7:23 8:15 36:17 37:2 future 25:10 G gamut 33:2 general 7:14 gentleman 32:20 gentlemen 8:20 getting 30:5 give 21:7 given 29:18 glad 21:4,6 glitch 31:25 33:19 34:12 go 25:13 29:15 35:11 going 3:19 10:20 20:16 27:15 34:15 golf 1:15,16 2:25 3:3 5:13,18 7:21 10:13,13,15 30:3,6 good 2:2,3 4:3,4 8:19,21 27:10 30:7,8 31:8,10 33:3,5 Goode 14:12 great 8:14 16:19 guess 5:25 H half 11:21 Hall 1:7 handle 16:20 happen 25:5 heads 30:13 hear 2:8 4:23 21:4 21:7 heard 3:14 hearing 2:4,5,8 3:14,15,17 6:2 7:7 35:9 hearings 14:11	17:19 helpful 17:19 Henon 1:11 2:14 5:22,23 6:6,13 6:17,20,23 7:5 7:13 8:2,6,10,14 17:23,24 18:9 18:15 19:2,6,11 19:18,22 20:6 20:11,14,22 21:3,24 22:3 34:2,3 higher 25:20 highway 16:4 history 27:17 hope 34:7,17 I idea 20:23 identify 32:10 improvements 7:9,19 11:20 included 12:25 14:3 includes 19:21,22 incorporated 13:16 indication 13:9 information 28:9 initial 1:16 3:4 9:17 11:8 12:21 18:21 inside 7:25 instance 24:14 instances 13:8 24:2 intend 11:22 intent 32:10 intention 21:14 interior 7:23 intersection 16:8 invest 10:23 21:10 invested 7:18 8:7 21:13 investment 7:15 9:17 11:6,8 investments	10:21 12:22 21:20 involved 24:15 issue 32:13,25 item 24:6 J January 3:16 4:14 30:18 JFK 16:8 Jihad 31:16 John 33:4 join 29:2 Jones 1:12 2:13 2:16,18 5:9,10 5:20 13:3 22:5,6 23:13 25:10,23 26:3,22 27:11 28:4 35:14,16 36:11,13 Jr 1:12 2:13 jurisdiction 15:19 K keep 10:3 34:10 kids 30:5 know 13:24 15:17 16:24 23:24 24:14 27:12 28:14 L L 38:14 landscaping 15:10 lap 23:25 leaders 32:19 leadership 33:12 learn 24:3 30:6 lease 9:2 leases 8:25 leasing 8:23 left 3:12 18:4 legal 12:16 13:18 23:12 length 6:10 19:7 lengthy 22:17 letter 14:14 25:4	26:25 27:5 28:13 letters 24:23 25:12 level 13:10 34:15 licensed 15:23 line 16:12 31:21 listed 24:5,9 listing 27:4 lists 24:3 little 17:8 25:20 live 32:17 LLC 1:16 3:4 locate 22:16 logbook 15:8 longer-term 21:14 long-term 6:4 9:15 10:6 look 32:18 33:20 looking 27:12 look-see 16:25 lose 21:2 losing 18:7 low 30:5 lowest 16:23 M Madam 2:18 5:11 17:20,25 28:5 29:10 31:11 34:4 35:17 36:14 making 7:9 25:6 34:12,14 manage 16:20 Management 5:4 Manager 26:15 Marc 26:14 March 1:8 19:24 20:3,4 matter 29:17 38:7 maximize 7:14 Mayor 10:7 MBE/WBE 11:13 13:11 14:16 24:4
---	---	---	--	--

MBE/WBEs 24:3 mean 12:5,21 means 12:6 38:21 meet 21:22 meeting 24:16 35:12 members 2:12 13:22 29:2 31:11 men 15:6 mental 15:11 mentioned 27:22 mentioning 33:16 mic 26:9 MICHELE 38:14 microphone 26:7 million 11:20 minority 11:23 22:20 25:15 31:18 33:6 minority-owned 12:23 misunderstood 18:25 moment 17:6 29:5 Monday 15:5 money 21:12 monitoring 25:6 monthly 13:19 morning 2:3,4 4:3 4:5 8:20,21 31:9 31:10 motion 35:14 36:8 36:11 37:11 move 35:19 36:14 36:17 moved 11:4 35:24 36:23 37:2 mulch 16:12 municipal 5:13 MURPHY 38:14	near 16:7 need 22:12 30:10 needs 21:23 never 25:14,16 new 18:16,17 20:8 nine 18:3 nine-year 10:10 nod 30:13 non-union 33:3 norm 8:23,25 note 3:9,13 10:21 15:11 notes 38:6 numbered 23:14	20:21 opportunity 30:11 opposed 20:15 36:6 37:9 option 1:17 3:5 6:14,16,18 order 2:5 20:20 ordinance 1:14 4:19 original 3:11 4:18 18:4 19:21 outfit 11:15 15:10 15:13 outfits 8:24 outline 23:10 outreach 29:25 overall 12:8,24 13:25 17:13	participation 11:14 12:20 14:2,3,16 22:20 27:21 parties 8:11 partner 30:7 parts 28:25 passing 27:14 pending 18:22 PennDOT 16:4,4 16:6 Pennsylvania 1:7 people 16:2,5,6 32:17 34:12 percent 12:20 percentage 12:8 25:13 period 20:7 permit 36:18 37:3 37:16 Philadelphia 1:2 1:7,16 3:2 4:9 14:23 15:16,20 21:9 26:15 28:25 31:18 34:20 Philadelphia-b... 15:9,12 Philly-based 11:10 place 12:13 placed 4:16 plan 12:24 plans 10:23,24 Please 4:5 10:18 23:19 point 12:21 26:4 28:9 34:11 prepared 17:18 29:3,7 presence 2:11 28:24 PRESENT 1:10 pressure 34:10 pretty 30:4 pre-proposal 24:16	prime 24:3,25 prior 18:12 30:12 32:3 private 8:6 21:10 21:19 privately 21:13 problem 31:22 32:5 33:13 procedure 29:17 proceed 4:6 32:12 proceedings 38:4 process 20:18 Procurement 17:3 procurements 34:19 program 30:3 programming 30:3 proof 24:10 proper 34:18 properly 35:24 36:23 properties 21:6 property 5:3 7:10 8:3,8 21:10 property's 21:11 proposal 17:9 23:6,9 27:2 provide 4:16 17:16 22:12 24:22 26:25 providers 5:19 providing 17:11 public 2:5,8 7:10 7:14 8:3,8 17:13 18:11 20:9,25 21:6,9 35:9,12 38:15 purpose 2:8 purview 9:10 15:14 put 10:14,17 15:16 25:13 31:21 33:19 34:13 putting 16:11
N name 4:5,7 26:13 31:15,16 National 31:17 nature 35:19	O objections 38:4 obvious 15:12 OEO 22:7 24:22 25:5,18 32:7,14 offer 7:10 21:8 35:17 offered 4:14 offerings 11:2 office 25:5 32:5 offices 32:23 offline 33:18 Oh 8:4 33:25 okay 2:20 4:22 9:13 13:2 14:5 14:19 16:9 17:15 24:19 25:24 26:3,18 28:18 30:15,22 31:4 Omar 28:13 once 27:23 one-year 6:9,21 7:2 9:2,5,9,11 18:13,21 19:3,9 19:15 20:12 open 11:22 opening 2:17 operate 5:13 13:4 operates 10:13 operating 10:2 16:2 18:19	P page 22:22,25 park 1:15 2:25 8:24 14:16,23 15:16,20 26:14 28:25 Parks 1:3 2:6 3:1 4:1,10 5:1,4 6:1 7:1 8:1 9:1 10:1 11:1 12:1 13:1 13:25 14:1,18 15:1,2,4 16:1,15 17:1,13 18:1 19:1 20:1 21:1 22:1 23:1 24:1 25:1 26:1,15 27:1 28:1 29:1 30:1 31:1 32:1 33:1 34:1 35:1 35:10 36:1 37:1 37:21 Parkway 14:24 15:6,18 16:11 16:13 part 11:3,6 12:18 12:24 23:11 25:19		

Q quarter 11:20 quarterly 27:20 question 14:22 27:14 30:9 31:21 questions 4:20 5:24 8:15 18:3 29:12 quick 7:6 34:5 quite 29:24 quorum 2:11	2:25 4:15 regards 8:23 13:10 relevant 35:20,25 remarks 2:17 renewable 19:14 renewables 19:9 19:13 Renewal 1:17 3:6 renewals 6:10 renewing 8:25 report 13:25 14:9 22:7 32:4 reported 36:15,24 37:13 reporter 38:23 reports 13:19,23 14:7 27:20 representatives 24:17 reproduction 38:20 request 17:8 23:6 37:14 requesting 9:15 required 24:22 27:19 requirement 12:11 22:19 23:5 resolve 33:18 response 4:13 23:7,11 29:13 35:6 36:7 37:10 responsibility 25:18 responsible 14:23 29:24 rest 12:10 restaurant 10:25 12:25 27:23 28:3 return 7:15 revenue 18:7 revert 10:8 review 30:11 Reynolds 1:12	2:15 8:17 RFP 13:15 22:13 23:2 right 2:21 5:8 13:3,6 18:21 19:8 20:13,16 22:2 23:21 27:3 27:16 29:23 rolls 14:8 Room 1:7 RPR-Notary 38:15 rules 36:17 37:2 37:15 running 10:4 20:24	session 36:19 37:4 37:16 shared 13:22 shutdown 10:2 side 27:17 sign 13:15 Signature 27:6 signed 10:7 11:24 sir 10:19 situation 17:12 19:14 skill 30:6 snack 7:24 10:25 solve 33:13 sorry 18:24 22:15 26:6 33:25 specific 16:10 Starting 27:3 start-up 7:4 state 4:5 26:12 31:14 statement 34:6 stay 34:18 staying 34:11 STENOGRAP... 26:6 stenographic 38:6 stipulate 16:19 stipulating 14:14 street 16:5 34:15 stuff 32:4,17 subject 19:3 submit 27:20 submitted 31:25 summer 30:3 supervision 38:22 supposed 32:3 sure 25:6 26:21 34:14 suspended 36:18 37:3,15 system 21:23 32:2 32:6 33:19,23 34:13	26:11 31:7 taken 38:6 talk 5:25 32:24 talked 32:11 talking 24:25 33:21 team 32:16 technical 24:6 35:18 tee 7:21 ten 1:17 3:5 9:7 9:18,21 ten-year 6:11,14 10:8,16 18:5,22 19:17 20:16 25:15 term 1:17 3:4 10:10,11 11:7 18:4,22,23 terms 1:17 3:6,7 6:7 testified 3:18 4:19 testify 3:20 30:25 35:5 testimony 2:9 3:15 4:6,14,25 5:5 16:18 29:6 29:18,20 30:18 35:3,8 thank 4:11 5:7,20 5:23 8:16 17:20 17:21,24 22:3,4 28:4 29:6,8,9 30:23 31:5,12 31:20 33:14,16 33:24 34:3,6,21 34:22 35:2,16 36:13 37:19 things 27:13 33:17 think 25:4 27:22 29:22 tight 20:19 time 5:6 20:16,18 20:19 21:12 27:14,15 timely 21:20
R range 5:16 rate 7:15 12:20 read 2:21 reading 36:19 37:4,16 real 7:6 20:7 really 11:4 21:22 30:2 32:13,25 33:10 reason 30:16,20 rebuilt 7:21 Rec 26:16 recap 7:6 receive 13:25 recognize 2:10 34:12 recognizes 35:13 36:10 recommendation 36:16,25 37:14 record 4:6 29:16 30:10 31:15 recoup 21:12 recover 9:16 11:7 Recreation 1:3 2:7 4:10 5:4 14:18 15:3,5 16:15 17:13 35:10 37:21 Recreation's 14:2 reference 25:11 regard 11:13 regarding 1:15	S safeguard 24:21 satisfy 12:11 saw 15:6,25 saying 24:12 says 24:8 scheduled 37:4 scope 27:9 Scotland 23:20 24:9,11,14,16 27:25 28:15 season 20:25 seconded 35:22 35:24 36:21,23 Section 22:19,24 security 23:20 24:9,11 28:2,2 33:9 see 16:17 23:17 25:11 31:24 33:8,10 seek 25:20 seen 13:7 seize 17:6 select 17:10 send 14:6,13 sensitive 21:5 separate 14:7 service 21:12 services 7:11 28:2	T table 3:12 4:2		

title 2:21	33:8,10,16	Yeah 26:24	12:1 13:1 14:1
today 4:13	wanted 4:12 5:25	year 3:16 4:15	15:1 16:1 17:1
top 34:18	7:6 22:16 31:12	6:10,22,24 9:24	18:1 19:1 20:1
transaction 12:8	31:20 34:5	10:11 18:6,19	21:1 22:1 23:1
transcript 38:8,20	wasn't 20:18,19	19:7 20:15	24:1 25:1 26:1
transition 18:6	way 23:8 25:21	years 1:17,17 3:5	27:1 28:1 29:1
20:7	33:11 34:7,11	3:6 6:21 9:7,19	30:1 31:1 32:1
transitioning 21:5	Wednesday 1:8	9:22 18:3 29:4	33:1 34:1 35:1
trees 16:12	welcome 28:7	32:3	36:1 37:1
trickling 33:10	went 9:5,8		30th 3:16 4:14
trigger 14:21	weren't 18:7	\$	30:18
truck 15:7	we'll 35:11	\$500,000 7:19	37 22:25
true 38:7	we're 3:19 6:10		
try 33:18,20	6:25 7:3 27:15	1	4
two 1:17 3:6	we've 10:10 13:7	11:25 1:8	400 1:7
type 8:24 16:21	24:2 28:19	11:55 37:22	
typical 10:12	Wilken 25:22	12 19:25	5
	26:5,14,14,24	120825 1:14 2:9	5 22:24
U	27:8,18 28:15	2:22,23 3:1 4:1	50 12:19
underneath 16:13	28:21	5:1 6:1 7:1 8:1	
understand 19:12	Wilson 28:14	9:1 10:1 11:1	6
25:17	win 21:8	12:1 13:1 14:1	6.5 22:19
unfettered 30:4	winning 18:10	15:1 16:1 17:1	
unfortunately	win-win 21:25	18:1 19:1 20:1	8
23:8,15	witness 3:25	21:1 22:1 23:1	8 23:7
union 33:3,4	26:10,10 31:6,6	24:1 25:1 26:1	
units 14:17	witnesses 3:20,22	27:1 28:1 29:1	
unsure 15:13	3:25 30:13	30:1 31:1 32:1	
upgraded 7:24	women 22:20	33:1 34:1 35:1,8	
upstairs 15:8	won 18:20,21	35:15,18,19,25	
use 20:25 21:2	19:2 20:8,8	36:1,9,12,15,24	
utilized 11:22	work 14:24 27:9	37:1,12	
	27:23 33:18	16th 16:7	
V	worked 30:2		
valid 25:7	working 15:6	2	
value 21:11,18	16:5,7 33:12,22	20 1:8	
various 14:17	wouldn't 16:24	2012 20:4	
vendor 32:11	wound 18:10	2013 1:8 30:19	
vendors 17:9,10	writing 12:13	2022 20:4	
21:5,8,19 24:18	13:5	21st 16:11	
26:25	written 10:4	22nd 16:11	
verification 25:20	wrote 9:24 15:7	25th 20:4	
volunteer 34:9		26th 19:24 20:3	
	Y		
W	Yard 23:20 24:9	3	
wait 4:23	24:11,15,16	3/20/13 3:1 4:1	
want 2:10 3:8,13	27:25 28:15	5:1 6:1 7:1 8:1	
27:11 29:15,16		9:1 10:1 11:1	