COUNCIL OF THE CITY OF PHILADELPHIA

JOINT COMMITTEES ON PUBLIC PROPERTY AND PUBLIC WORKS AND PARKS, RECREATION AND CULTURAL AFFAIRS

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Room 400, City Hall
Philadelphia, Pennsylvania
Tuesday, June 5, 2007
11:30 a.m.

- - -

PRESENT:

COUNCILMAN DARRELL L. CLARKE, CO-CHAIR
COUNCILWOMAN BLONDELL REYNOLDS BROWN, CO-CHAIR
COUNCILMAN FRANK DiCICCO
COUNCILMAN WILLIAM GREENLEE
COUNCILMAN JACK KELLY
COUNCILMAN JAMES F. KENNEY
COUNCILWOMAN DONNA REED MILLER
COUNCILMAN FRANK RIZZO
COUNCILWOMAN MARIAN B. TASCO

BILL 070462 - An ordinance authorizing the President of the Fairmount Park Commission, the Executive Director of Fairmount Park, and the Commissioner of Public Property, on behalf of the City of Philadelphia, to enter into a Master Ground Lease with the Philadelphia Authority for Industrial Development...

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COUNCILMAN CLARKE: Good morning. This is the Committee on Public Property and Public Works and Parks, Recreation and Cultural Affairs. This will be a joint committee because of the nature of the issue at hand.

I'd like to say for the record there's a quorum present: Councilman Kenney, Councilman Rizzo, Councilman Kelly, Councilwoman Tasco, Councilman Greenlee and I think Councilman DiCicco. This Committee will be co-chaired by Councilwoman Blondell Reynolds Brown and myself. Thank you.

Will the Clerk please read the title of the first bill.

THE CLERK: Bill 070462, an ordinance authorizing the President of the Fairmount Park Commission, the Executive Director of the Fairmount Park and the Commissioner of Public Property, on behalf of the City of Philadelphia, to enter into a Master Ground Lease with the Philadelphia Authority for Industrial

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Development, PAID, providing for the leasing by the City to PAID of certain land and the improvements owned by the City, and under which PAID will be required to enter into a Ground Sublease between PAID and The Barnes Foundation, pursuant to which PAID will sublease the land and improvements to the Foundation for the development, construction and operation of an art education facility; authorizing the City officials to take actions necessary to accomplish the intent and purpose of this ordinance; all under certain terms and conditions.

COUNCILMAN CLARKE: Thank you. I'd like to call our first witness. Madam Chief.

MS. WILKERSON: Thank you. My name is Joyce Wilkerson. I'm Mayor Street's Chief of Staff. I'm ably assisted by our City Solicitor, Romy Diaz.

Committee Chairs Clarke and Reynolds Brown and members of both

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Committees, good morning. As I said, I'm Joyce Wilkerson, Chief of Staff to Mayor Street. Also here today are Fairmount Park Executive Director Mark Focht, who will be submitting testimony; City Solicitor Romy Diaz; MBEC Executive Director, Carolyn Nichols; and Commerce Director, Stephanie Naidoff, all of whom are prepared to answer any questions you might have. We're all delighted to be here today to testify in support of Bill 070462, the next critical step in bringing the renowned Barnes collection to the City of Philadelphia's Benjamin Franklin Parkway.

Bill 070462, if approved by Council, would permit the City to lease to the Barnes Foundation the block of land between 20th and 21st Street, Benjamin Franklin Parkway and Pennsylvania Avenue, the site where the Youth Study Center currently stands. To be more precise, the legislation would authorize the execution of a Master Lease

between the City and Philadelphia Authority for Industrial Development, PAID, under which PAID would then execute a sublease with the Barnes Foundation.

At this point, I would like to offer an amendment to Bill 070462 inserting Exhibit A to the bill consisting of the proposed Master Lease with the proposed Sublease attached to it, and I will refer to it collectively as the "agreement" in my testimony today.

We have circulated these documents to Councilmembers' offices before and have also circulated summaries, and then the other day we had a briefing for Councilmembers. So the documents I'm handing in today reflect the conversations that we've had. I'll also note that the Agreement has been available in the Clerk's Office and also on the Fairmount Park Commission's website.

A companion bill to this legislation, Bill No. 070463, would

change the zoning designation of the site to enable the proposed use of the site as a gallery for the Barnes collection. That bill is scheduled for a public hearing before the Rules Committee at 10:00 a.m. one week from today.

This is truly a watershed moment for Philadelphia. As you may recall, on December 14, 2004, the day after the Barnes Foundation received court permission to move its collection to Center City, Mayor Street announced at a packed press conference the Administration's intention to provide the Foundation with the site we're discussing here today. Together, we now have opportunity to bring to Philadelphia a priceless and breathtaking collection with more than 9,000 pieces of original art, including 181 Renoirs, 69 Cezannes, as well as a number of other rare pieces. As importantly, the collection also includes rare African, Asian and Native American art, unique sculpture, antique

furniture, ironwork and delicate Green and Roman antiquities.

The Barnes Foundation offer far more than a home for magnificent art, however. The Foundation was created to be an accessible institution based on the premise that art should be a part of the daily lives of all people. This mission will remain the Foundation's central purpose on the Parkway, and what a superb location for it. With heightened accessibility and greatly expanded exhibition and teaching space, the Foundation will be able to reach and inspire so many more people from all walks of life than is now possible. When one considers that the space dedicated to programming will be almost four times greater than that at the Merion facility, one begins to realize the potential of this new site.

The Fairmount Park Commission recently recognized the potential value of the Barnes collection to the City and

the Parkway. In a special meeting on May 24th, the Commission overwhelmingly voted to authorize the appropriate Park officials to sign an agreement in the event Council approves this bill.

At this point, I would like to summarize the key elements of the proposed agreement.

The agreement imposes no financial obligation on the City or PAID. Instead, the Barnes Foundation will bear all costs, including the cost of demolishing the Youth Study Center, remediating hazardous substances and preparing the site, and constructing and operating the new facility. The City's contribution to the project is the very substantial one of making the land itself available.

The site would be leased, not sold, to the Barnes Foundation through PAID for a nominal fee of $10. The term of the agreement would have two parts: The initial term that could last up to

four years and a 99-year operating term. During the initial term, the Foundation would demolish the Youth Study Center at its own expense. The initial term would begin five days after the City vacates the Youth Study Center, but not later than May 30, 2008. If for some reason the City cannot vacate the Youth Study Center by the deadline, the Foundation can give the City more time or it can terminate the agreement.

After the initial term will come the 99-year operating term, during which the Foundation will build and operate its new facility. The operating term will begin once the Foundation meets a series of conditions, and it is only at that point that the construction can begin. Those conditions are meaningful and substantial. Three of the key ones include the final external design must be approved by both the Fairmount Park Commission and the Art Commission. We don't know what the design is right now.

We do know that it will be an expanded facility, but we're watching with excitement as the Foundation works to identify a world-class architect to create something truly wonderful on the Parkway.

Second, the agreement requires that the Barnes Foundation address the extremely important issue of parking before construction begins. The Foundation must submit a study that provides one or more alternatives to address the parking needs for all the employees, guests and patrons of the new facility, and the study must be satisfactory to the Mayor and the President of the Fairmount Park Commission. Only after the Foundation and City approve a parking plan can construction begin, and the implementation of that solution will be done at the Foundation's expense.

Third, the Foundation must satisfy the City that it has obtained

sufficient funds to complete the new facility's construction before it can begin to build the facility.

There are other extremely encouraging elements of the agreement that I want to highlight.

The proposed agreement includes an Economic Opportunity Plan that MBEC has reviewed and approved and characterized as aggressive in its participation goals. The EOP is Exhibit G to the Sublease.

With respect to the contract opportunities, the EOP establishes the following: for construction management, a goal of at least 30 percent participation, 20 percent by MBEs, ten percent by WBEs; for the architecture, engineering and other professional services, a goal of not less than 20 percent participation by minorities and not less than eight percent by WBEs and two percent by DSBEs; and for demolition and construction, the stated goals are 20

percent by MBEs, eight percent by WBEs and two percent by DSBEs. The EOP also provides workforce goal hours of 25 percent for minority persons and five percent for female in the demolition, environmental, remediation and construction. Further, of the 52 new full-time jobs expected to be created, the EOP establishes minimum employment goals of 30 percent for minority persons, 45 percent for female and two percent for disabled persons. These are highly encouraging targets and we believe the Barnes Foundation is to be commended for stepping forward to the plate.

The Barnes also acknowledges its responsibility to operate the facility in a way that is accessible to students and persons of all means. In the agreement, it commits to adopting rules and regulations to ensure that persons of all means have affordable access to the galleries displaying the Barnes collection. The City will have an

opportunity to comment on those rules at least 30 days before they take effect.

A key component of the Foundation mission is its commitment to arboreal education. In fact, the Arboretum and Arboretum School will continue at Merion after the move. Given the Foundation's sensitivity to environmental matters, the Foundation has committed to incorporate green building designs into the design of its new facility, including a good-faith effort to meet at least the minimum certification under the LEEDs standards.

The Foundation has committed to protect the open space of the site during demolition and construction as much as feasible. During demolition, the Foundation may need to put up a security fence around the site, but once the Youth Study Center is demolished, the Foundation will reopen the front half of the site, which is currently part of Fairmount Park.

At the end of the 99-year lease, the lease would expire and the facility would become the City's property. At that time and for two years thereafter, if, and only if, the City decides to sell or lease the site, the Foundation will have the right to meet any first offer that the City receives. In effect, this will give the Barnes Foundation an opportunity to continue to operate the facility. The provision does not obligate the City ever to sell the site.

All told, the agreement shows remarkable sensitivity to the Barnes Foundation's part to the neighborhood and residents nearby and to the special character and importance of the Parkway and to our concerns about design accessibility and exclusiveness. The agreement will provide the assurance of site control that the Foundation needs now to move forward while protecting the City's interest. And representatives

from the Barnes Foundation are here to discuss that in more detail.

As inspiring as this project is for our hearts and minds, it's equally exciting from the perspective of economic development and the opportunity it represents to further enhance Philadelphia's reputation as a cultural destination. And I won't go into that. We have representatives here from GPTMC and other organizations that are prepared to address those issues in more detail.

In addition to being a world-class attraction in its own right, the Barnes, as the newest addition to the cultural institutions along the Parkway, will create an even stronger synergy among those other great institutions.

Looking ahead and in anticipation of this incredible growth and development, we will continue to improve the pedestrian conditions along the Parkway with implementation of the Fairmount Park's design guidelines and

other streetscape improvements. Other cities can only dream about the cultural education and recreational resources that we possess on the Parkway. We envision the Barnes' relocation to Philadelphia as a giant step in making Philadelphia truly one of the world's great cities. Not the next great city, "the great city."

With City Council's approval, we'll be poised to welcome a new inspiring neighbor to Philadelphia, one that enriches generations across the decades.

I respectfully urge the joint Committees to vote Bill 070462 out of the Committee with a favorable recommendation and I ask that there be a suspension of the rules to allow for first reading at the next session of Council.

I'd be happy to answer any questions or pass them off to Mr. Diaz or some of the other Administration people who are here.

COUNCILMAN CLARKE: Thank you.

Mr. Diaz, are you testifying?

MR. DIAZ: No.

COUNCILMAN CLARKE: Just back-up.

MR. DIAZ: That's right, sir, back-up.

COUNCILMAN CLARKE: Briefly, I know there are a number of questions. Ms. Wilkerson, you referenced the parking plan and you talked about the fact that it must be approved by Fairmount Park, the Mayor and the Foundation. What role will City Council play, particularly the District Councilperson?

MS. WILKERSON: We anticipate working closely. The parking issue was framed most clearly by you as Councilperson to the Fifth District, although there is no explicit provision in the documents for Council approval.

MR. DIAZ: That's correct, Councilman Clarke. There are ten conditions precedent; in other words, ten conditions that have to be met by the

Barnes Foundation before the so-called initial term is completed and an operating term of 99 years can commence. One of those ten conditions precedent is that a parking plan has to be presented which is acceptable to both the Mayor and the President of Fairmount Park Commission will accept it, and presumably as part of the outreach to the community and working with you, as I believe we have already initiated, that process, I would expect that to continue in cooperation with you and your office.

After the plan has been presented and accepted by the Mayor and the President of Fairmount Park Commission, there has to be approval by the City and the Barnes Foundation in connection with the implementation of particular alternatives in that plan for addressing parking by employees and patrons and guests of the Barnes Foundation going forward.

So I think there will be ample

opportunity for that consultation with you and your constituents, and it's certainly our anticipation that we will work closely with you and looking forward to those approvals of the plan and the options that would be implemented thereafter.

COUNCILMAN CLARKE: Then you don't have a problem with incorporating the language that references consultation with City Council, understanding that your preference is not to have us in the approval process, and I'm not sure I want to be in that position.

MR. DIAZ: I don't think there's any objection. I only hesitated because the Master Lease and, more particularly, the Sublease which are attached were the subject of extensive negotiations between the City and the Barnes Foundation attorneys, but I'm sure that with their agreement, we'd be happy to incorporate that provision as well.

COUNCILMAN CLARKE: I only

reference that because that's one of the biggest issues with respect to the surrounding community, the impact on parking and pedestrian and vehicular traffic.

MR. DIAZ: Absolutely. I agree. Understood.

COUNCILMAN CLARKE: Councilman Rizzo.

COUNCILMAN RIZZO: Thank you, Mr. Chairman.

One of the issues that I would like information about is the proposed budget for the closure of the Youth Study Center, the situation with temporary versus permanent housing, how much it's going to cost to accomplish that, because I believe that's on us. So could you please explain the process of the relocation of the Youth Study Center?

MS. WILKERSON: Over the course of the last year when it became clear that we weren't going to be able to move to a permanent site in a timely way, we

began surveying for appropriate alternative sites. We've identified two. We have not reached a final negotiation with the owner of either site, so we don't have a specific budget that we can present.

Part of the costs will be offset by lease payments that are reimbursed by the Commonwealth, but there will be some expense to the City. We don't have a firm number on that yet. We'll work closely with Council so that to the extent there is exposure for the City, you will know about that.

COUNCILMAN RIZZO: Thank you, Mr. Chairman.

COUNCILMAN CLARKE: Thank you.

Councilman Kenney.

COUNCILMAN KENNEY: Thank you, Mr. Chairman.

This is probably one of the few and pleasant times in the course of our business that we run into a no-brainer. I mean, there's nothing within this lease

or the potential that it's going to bring to the Parkway and the City that should ever slow this down a second.

The question I have is relative to discussions on the design of the building. Has it been determined or discussed whether or not this building will be a more modern type of stand-out iconic building or something that would be more likely to blend in to what the Parkway's architectural design scheme is now?

MS. WILKERSON: I'd like to call -- I don't think we're the best people to offer that testimony. We have representatives from the Barnes who can talk both about the program and the vision for the building. We also have --

COUNCILMAN KENNEY: If you look at other famous art collection and buildings, there are things like the New York Museum of Art but also the new MoMA. So I'm just trying to get an idea on what the Foundation people are thinking. Is

this something that pops out of the Parkway, wow, or is this something that kind of blends in with the architecture that's there?

MS. WILKERSON: If you can wait, then we will -- I'm sure they can address it much more.

COUNCILMAN KENNEY: Okay. Thank you.

MS. WILKERSON: You kind of hate to see another Family Court building.

COUNCILMAN KENNEY: I don't know. I don't know. I mean, I'm sure there's schools of thought on both sides, whether or not this is something that we need to maintain the look of the Parkway or it's something that needs to be a wow factor that really pops out. But I was just curious as to where their heads were.

MS. WILKERSON: They could address that.

COUNCILMAN KENNEY: Thank you.

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COUNCILMAN CLARKE: Thank you.

Ms. Wilkerson, on the EOP plan I know you submitted earlier to a number of members, the numbers again on the construction phase?

MS. WILKERSON: For the construction management, it's 30 percent participation, 20 percent by MBEs, ten percent by WBEs. For architecture and engineering and other professional services, the goal is not less than 20 percent participation by MBEs, not less than eight percent participation by WBEs and two percent by DSBEs. For demolition and construction, the goals are 20 percent participation by MBEs and eight percent by WBEs, two percent for persons with disabilities. And then we have workforce hour goals, which provide 25 percent for minority persons, five percent for female. And then I spoke of the goals once the property moves into operation, once the Foundation moves into its operation phase.

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COUNCILMAN CLARKE: That's the best we can do?

MS. WILKERSON: We have looked at all the numbers, think that they in some instances in fact are very aggressive numbers. And we can have the MBEC work more closely, but we were satisfied that the goals were in fact aggressive.

One of the things that I find particularly encouraging is very often we'll come to this hearing and there won't be anything. The minority participation will be something that we want to append later on. This is an instance where the representatives from the Barnes came to the table with a plan that in some respects is very aggressive, and we want to acknowledge that they did that. I think we're comfortable that they will make a good-faith effort to achieve at least this and we'll work with them to do better than that.

COUNCILMAN CLARKE: What were

the numbers on the stadiums?

MS. WILKERSON: I don't have those in front of me. I can get you a report on what other projects have articulated as a goal and in fact have accomplished, but I don't have those in front of me right now.

COUNCILMAN CLARKE: All right. I know that the numbers were higher, and this is not necessarily a comparable project in size, but it is, to a large degree, a privately financed development, and personally my contention is if we can aggressively suggest to the Phillies and the Eagles that they do numbers in the 30's, I think that we should, at a minimum, have that level of discussion with the Barnes Foundation.

MS. WILKERSON: We will go back and --

COUNCILMAN CLARKE: So I would like you to re-address those numbers. I think we can do a little better.

MS. WILKERSON: We will talk

with the representatives from the Barnes and put a sharper pencil on those numbers and get back to you.

COUNCILMAN CLARKE: All right.

MR. DIAZ: If I can just add one more thing, Councilman, one of the things that frequently you will see when we do have an Economic Opportunity Plan appended to a bill is that the focus will be on construction and contracting. What is I think noteworthy here is that in addition to those two participation ranges, included in the EOP we actually have permanent employment ranges for the Barnes Foundation and the Museum, which is beyond what we normally would anticipate with an EOP. So in that way in particular, we would also consider this to be aggressive. But as the Chief indicated, we certainly will go back and talk to the Barnes about it.

COUNCILMAN CLARKE: I only asked about the construction, so I wasn't referencing and I appreciate the fact

that they were being very proactive in this approach, but I just think the construction numbers are relatively low.

MS. WILKERSON: We will work on that and before first reading get back to you.

COUNCILMAN CLARKE: Thank you.

Councilman DiCicco.

COUNCILMAN DiCICCO: Thank you. Thank you, Mr. Chairman.

Good morning, Ms. Wilkerson. In relationship to Councilman Rizzo's question, I may have misunderstood you. You mentioned one or two sites. Are they temporary sites you were referring to?

MS. WILKERSON: We're looking at them as temporary sites.

COUNCILMAN DiCICCO: Notwithstanding everything in your testimony -- and certainly I support this project -- if all the issues in your testimony are addressed and resolved, nothing will happen until we have a permanent facility for the Youth Study

Center to be relocated to?

MS. WILKERSON: No. We would be prepared to move out on a temporary basis, allowing this project to move forward while -- even if we were to have a permanent site tomorrow, the construction of a permanent project will take at least two years, and so we have worked to identify something that can be a temporary site.

COUNCILMAN DiCICCO: Where are we with negotiations on the permanent site that has been recommended in Councilwoman Blackwell's district?

MS. WILKERSON: I don't have anything new to report on that.

COUNCILMAN DiCICCO: She is still not accepting that as a site?

MS. WILKERSON: I have not had -- I don't want to characterize her current position, but I don't have anything new to report on that. I know that there have been concerns expressed about providing resources for a

neighborhood that is absorbing -- that would be absorbing a Youth Study Center use, and I have not talked with her recently about that.

COUNCILMAN DiCICCO: Do we have a cost estimate for the permanent Youth Study Center facility if it were to be built? Do we know what that will cost, approximately?

MS. WILKERSON: The construction portion of it, the mid to high 50 million.

COUNCILMAN DiCICCO: And the Barnes Foundation facility will cost about how much to build?

MS. WILKERSON: It was 150 million, 50 of that is in endowment and 100 million is the cost of construction.

COUNCILMAN DiCICCO: So between the two facilities, we have about $200 million in construction?

MS. WILKERSON: That's correct.

COUNCILMAN DiCICCO: And no resolution on the permanent site yet?

MS. WILKERSON: Correct.

COUNCILMAN DiCICCO: Thank you. No further questions.

COUNCILMAN RIZZO: Point of information.

COUNCILMAN CLARKE: Councilman Rizzo.

COUNCILMAN RIZZO: Ms. Wilkerson, there must be at least an estimate for the temporary move. There's got to be. So could you tell us what the temporary -- there must be some number to support what a temporary move is going to cost since we can't make it to a permanent facility. There's got to be some number.

MS. WILKERSON: Five to seven million dollars would be a pure guesstimate, though. There are -- that's a guesstimate.

COUNCILMAN RIZZO: Thank you, Mr. Chairman.

COUNCILMAN CLARKE: Councilman Kenney.

COUNCILMAN KENNEY: Thank you.

Just tongue-in-cheek, if you want to speed the process up on the permanent site, maybe you could find an at-large member willing to introduce the legislation, tongue-in-cheek.

Let me go back to the EOP numbers again and following on Councilman Clarke's line of questioning. Are we talking on construction numbers employees or contractors? Because it's easy to create a minority contractor that doesn't employ minorities.

MR. DIAZ: We're talking about both.

COUNCILMAN KENNEY: Are you talking about bodies on the scaffold or names on a contract?

MR. DIAZ: In connection with the construction employment opportunities, we're talking about good-faith and non-discriminatory efforts to actually do the employment, and the general contractor is to reference the

work hour goals in all of its subcontracts. So we're talking about both.

In terms of the contract opportunities, we're talking about the construction management as one grouping. We're talking about architecture and engineering and other professional services as another grouping of contracting efforts, and then separately we've talked about construction both as to contracting as well as employees and building operations.

So we're talking about significant construction employment opportunities focused on bodies and hours and contracting opportunities that are related to construction as well.

COUNCILMAN KENNEY: Certainly I would like to see both the contractors and the employees, those goals met, but I would rather have a non-minority contractor who is going to meet the goals of the workforce if I can't do both,

because if I have minority participation with one person in name only as a contractor and the majority of the people that are on those scaffoldings or pulling those wheelbarrows or doing the cement are white guys from the suburbs, I don't think it gets us anywhere. And unless I can get partnerships with the School District, Urban Affairs Coalition, those organizations that have traditionally helped minorities access these type of jobs, I am going to be skeptical as to what the success is going to be, because I don't think the success was that great on the stadiums. Perhaps numbers-wise and contract-wise we may have been able to make a case, but when I go through the parking lot and they're all Jersey tags, it just doesn't do us any good.

MR. DIAZ: I hear you, Councilman Kenney. I would also point out that there is an Oversight Committee which is to be established as part of the Economic Opportunity Plan. I believe

there will be not only an opportunity for consultation between the Minority Business Enterprise Council and the City and others with the Barnes Foundation as they move forward, but the Foundation has also committed to establishing an Oversight Committee to meet and review all phases of the project. Clearly, these are issues that will be looked at in a commonsense way so that the results are what we are looking for, not technical compliance with the letter of the agreement.

COUNCILMAN KENNEY: I think it would be appropriate considering Dr. Barnes' efforts in his life work that this be the break-through project where we actually get kids from Philadelphia who happen to be minority in steel-toed work boots and hard hats for a long-term employment, not just meeting some goals. So I would urge you to make sure that that happens, and I'm sure Councilman Clarke and some others will follow that

progress, but I just wanted to state it for the record, because I think sometimes we make an effort to comply to the letter of the law, not the spirit.

Thank you.

COUNCILMAN DiCICCO: Councilman, one quick follow-up.

COUNCILMAN CLARKE: Councilman DiCicco.

COUNCILMAN DiCICCO: Thank you.

In relationship to --

COUNCILMAN CLARKE: I'm sorry, Councilman.

Councilwoman Brown.

COUNCILMAN DiCICCO: I didn't see your light. I apologize.

COUNCILWOMAN BROWN: Thank you, Mr. Chairman.

Councilman Jim Kenney's remarks need to be in bold letters, underscored with exclamation points, because we've heard before with projects of this scale what's called good-faith effort and then midway down the road, we discover the

kinds of observations that Councilman Jim Kenney has put on the record.

So to that, I'm curious to know who the members of the Oversight Committee might be, any consideration, provisions given to specifically Philadelphia residents, which is another concern that's raised repeatedly here, and provisions or considerations given specifically to Philadelphia-based firms?

MR. DIAZ: In connection with the Oversight Committee insofar as the EOP is concerned -- and this is, again, Appendix G to the Sublease, Councilwoman -- the Oversight Committee is to include representatives of the Foundation, the Fairmount Park Commission, the general contractor. There is an expressed provision that the Foundation will contract with the Greater Philadelphia Urban Affairs Coalition to assist the Foundation and the project Oversight Committee in monitoring and reporting for the project.

I don't know that particular names have been put forward in connection with members of the Oversight Committee, but I think there is a clear express and legal commitment, as I read it, on the part of the Foundation, the City and the Fairmount Park Commission to find representatives who will not only be committed to the spirit of this, but who are going to help us to monitor and report and ensure compliance with the EOP on an ongoing basis.

COUNCILWOMAN BROWN: To Councilman Jim Kenney's report regarding the School District?

MR. DIAZ: Well, it isn't identified, but certainly there's no reason why we couldn't incorporate those representatives as well.

COUNCILWOMAN BROWN: So does that call for a formal amendment to this document or can that be handled in another way so to ensure the involvement of the Philadelphia public school system?

MR. DIAZ: I don't think there's a need to amend the document. I think when we talk about the City, I think that's expansive enough that we would understand that to incorporate the School District representatives, and I'm sure that working with the Foundation we can make that happen.

COUNCILWOMAN BROWN: Thank you. Thank you, Mr. Chairman.

COUNCILMAN CLARKE: You're welcome, Madam Co-Chair.

Oversight Committee, I noticed that there is not a representative from City Council.

MR. DIAZ: Again, I sometimes have to be reminded that as counsel to the City, sometimes that's at variance with counsel to City Council. I believe that City as used here is sufficiently expansive as to include City Council. If there's a desire to have an expressed provision relating to City Council, I don't believe that that would be an issue

with representatives of the Barnes Foundation.

COUNCILMAN CLARKE: We're all the City, but we're different branches of government.

MS. WILKERSON: I think that would be consistent with what we've done on most major projects. I think City Council has had a representative on those committees that attends the monthly meetings.

COUNCILMAN CLARKE: So we'll add that.

MS. WILKERSON: Yeah.

COUNCILMAN CLARKE: Thank you.

Councilman DiCicco.

COUNCILMAN DiCICCO: Thank you. Thank you, Mr. Chairman.

The temporary facilities for the Youth Study Center, are you at liberty to tell us where those sites are?

MS. WILKERSON: No.

COUNCILMAN DiCICCO: I didn't think so. Okay. Thank you. They're not

at the SugarHouse or Foxwoods site, are they?

MS. WILKERSON: No.

COUNCILMAN KENNEY: Mr. Chairman?

COUNCILMAN CLARKE: Councilman Kenney.

COUNCILMAN KENNEY: Just following up on Councilman DiCicco's question relative to the temporary sites, is there a possibility we would be sending some of these young people out of the state?

MS. WILKERSON: No. We're not talking about that.

COUNCILMAN KENNEY: Will it be within the state, within the City limits?

MS. WILKERSON: We're not looking at anything outside the City.

COUNCILMAN KENNEY: So the situation of having this protracted issue on the permanent site won't wind up running up a bill of enormous proportions for temporary housing?

MS. WILKERSON: That's my expectation.

COUNCILMAN KENNEY: Great. Thank you.

COUNCILMAN CLARKE: Councilman Rizzo.

COUNCILMAN RIZZO: Again, I want to go back at that. Five to seven for the temporary site.

MS. WILKERSON: That's a guesstimate.

COUNCILMAN RIZZO: Okay. Guesstimate. So we'll make it ten since it's a lowball maybe.

MS. WILKERSON: Yeah. I will communicate with Council as soon as the numbers are refined.

COUNCILMAN RIZZO: I think it would be helpful if we could figure out a way to avoid spending a guesstimate and finding a permanent site, but I think also we need to know where these two locations could be and we need them during the course of this hearing, at

least I would like that, to know where you plan to put these temporary facilities, because we have an obligation to our constituents to know where you plan to put this temporary facility.

MS. WILKERSON: I'm not able to discuss that right now.

COUNCILMAN RIZZO: Well, that will certainly affect my decision here.

Thank you.

COUNCILWOMAN BROWN: Any other questions for these witnesses?

(No response.)

COUNCILWOMAN BROWN: We thank you both for your opening testimony.

MS. WILKERSON: Thank you.

COUNCILWOMAN BROWN: If we could ask representatives of the Barnes Foundation to please come to the witness table, Derek Watson and Derek Gillman.

Please forgive our inaccurate record up here, Dr. Bernard Watson.

So if you would please state your names for the record and proceed

with your testimony.

DR. WATSON: I am Bernard Watson and I am the Chair of the Barnes Foundation. Madam Chair and Co-Chair and members of the Committee, thank you for this opportunity to present.

I joined the Barnes Foundation in 1999. I was elected to the Board in September. I became Chair in December of that year. And as those of you that watch this, you know that we came from a Board of five to now a Board that's authorized as 15. We came from a distressed financial situation to the point where we are now able to say to you that we've raised enough money to build a $100 million building and $50 million for an endowment, and we're actively engaged in raising an additional $50 million for this project.

I want to thank the Council and the Administration and the Fairmount Park Commission and everyone else who has been supportive of us in this long journey to

bring this world-class operation where it belongs, which is on the Parkway, where it will be able to carry out Dr. Barnes' vision of what should happen, that art should be available to everybody, that it affects our everyday lives and, in his own words, that it would be available to plain people, and he defined plain people as those who go to work every morning in the factories and the offices of Philadelphia.

Let me make a few points, and I will be brief. I believe it would be important for you to understand that this world-class collection, which has no peer anywhere on earth, will now be available to ordinary people at a cost that they can afford. The Barnes Foundation is primarily an educational institution, although we have the world's greatest collection of impressionist and post-impressionist art. In our new facility, which will be located at the site which you are considering making

available to us, we will have not only the gallery for this world-class collection but also classrooms and other facilities that will be available to the school children and the youth of this City, to ordinary people and in an environment where they can be exposed to it, learn about it and carry out, again, Dr. Barnes' vision of having it available to plain people.

You should also know that as we move forward to answer some of your questions about the size of the building and the nature of the building, we have engaged in a worldwide competition of architects to design this building. That number of architects has been now reduced from 30 to six, and our Building Committee, chaired by Aileen Roberts, who is here, has been very diligent in pursuing this effort. They have been all over the world where these architects have designed buildings so that they can look at them, get the feel of them, talk

to the people who use them and see how they work. And we have an aggressive plan to move forward and we will have the architect selected by August of this year, and at that point, we can answer the kinds of questions, which are appropriate questions, that we can raise. We want it to be not a wow factor or something unusual that stands out, but we want it to be a part of what I describe as America's Champs Elysee, which is the Parkway, and you look down that Parkway from the Fairmount Art Museum to City Hall and you see that as a jewel, and we will become a part of that and we're delighted to be here able to do that.

You should also know that in addition to making the facility and the art available to ordinary people at prices they can afford, in our fundraising we have funds that are committed to providing that kind of subsidy for school children and for others who may not be able to afford that

and at a price that is available for ordinary people.

You should also know that Lincoln University is our partner in putting together a program that will provide three degrees for this HBCU, this historically black university, so that they will be able to offer degrees so that we can increase the number of minorities in the pipeline who go into the business of running museums and providing all of the other kinds of services that we provide in this area.

We intend to be a very good neighbor. We have a very diverse Board. As a matter of fact, we have the most diverse Board of any major arts institution in America, and we intend to have an employment force which is just as diverse. And as you have indicated, you want an aggressive attempt on minority and women participation, and we're going to be aggressive in that. We're aggressive now. We came forward with

that without prompting, and we intend to work with the existing institutions to help us not only meet those goals but, if it's possible, to exceed those goals.

I understand exactly the point that you made about working. I used to belong to a construction union, started when I was 15, and I know how those games get played, worked there all my life at a time when it was not possible to move from those laboring jobs even when you had the skill to go up and I know a little about the games that get played in that, and we're not going to have it.

And you should know also that in terms of informed instruction about how to proceed with this, one of the members of the Board of Trustees of the Barnes Foundation is Agnes Gund, who is the Chair of the Board that built MoMA in New York. We intend to bring the best advice, the best intelligence that we can get to make this something not only that the Barnes Foundation is proud of but

something which the City of Philadelphia and its environs would be proud of.

And I thank you for the opportunity of presenting this to you today.

Sitting to my left is Derek Gillman, our President and CEO. I have members of the Board here. We have Aileen Roberts, who is an architect herself and who is the Chair of our Building Committee. And that is the hardest working committee I have ever seen, and we intend to make you proud of what we bring to the Parkway and to become your partners as we move forward.

COUNCILWOMAN BROWN: Could we please ask her to please stand.

(Ms. Aileen Roberts stood.)

COUNCILWOMAN BROWN: Welcome.

DR. WATSON: And one of my other Board members is the Honorable Jackie Allen, who is a Common Pleas Court judge and a graduate of Lincoln University.

And is Shelly still here? He's gone.

So thank you very much. I'll be happy to entertain any questions. And I would beg your indulgence. I flew up here from Florida to make this presentation and answer any questions and I have a flight at 1 o'clock. So I'd be happy to answer any questions that you might have.

COUNCILMAN CLARKE: Good luck.

Any questions?

(No response.)

COUNCILMAN CLARKE: Thank you, Doctor.

DR. WATSON: Thank you very much.

COUNCILMAN CLARKE: Doctor, one question.

DR. WATSON: Oh, sure.

COUNCILWOMAN MILLER: Thank you, Dr. Anderson. I have two questions, actually.

DR. WATSON: Excuse me, Madam

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Councilperson --

COUNCILWOMAN MILLER: I mean Watson. I'm sorry.

DR. WATSON: Dr. Anderson is the young one who is good looking.

COUNCILWOMAN MILLER: I'm sorry. I used to work for Dave Richardson and you were --

DR. WATSON: Dave is a good friend, as you know.

COUNCILWOMAN MILLER: I just have a couple questions about the parking. How many spaces are you estimating that you're going to need for parking?

DR. WATSON: I can't answer that until we are further along with the architects and how that's going to look on the configuration, but we know that that is a requirement and a consideration.

COUNCILWOMAN MILLER: And it's actually probably very, very important to what's already there.

And the other question I have is regarding the 52 new permanent jobs. What types of jobs will they be? Does anybody know?

DR. WATSON: I can't answer that. I'm not --

COUNCILWOMAN MILLER: Someone from Barnes.

DR. WATSON: There are people who are expert in that, but I can tell you one thing, I will be a part of the Oversight Committee and we will see to it that the kinds of goals that were designated earlier today are met and hopefully exceeded, and we will have not only the permanent jobs as that goal, but the construction jobs and the jobs that are in place at the Barnes Foundation.

We're serious about making this operation as diverse as it can be, just as our Board is.

COUNCILWOMAN MILLER: Great.

COUNCILMAN CLARKE: Is there anyone here from the Barnes that can talk

about the specific --

MR. GILLMAN: Councilman Clarke --

DR. WATSON: May I be excused?

COUNCILMAN CLARKE: Yes, sir. Please. Catch your flight.

DR. WATSON: Thank you.

MR. GILLMAN: I'll try and fit in some of the answers and also --

COUNCILMAN CLARKE: State your name for the record, please.

MR. GILLMAN: -- make some comments. I'm Derek Gillman. I'm the Executive Director and President to the Barnes Foundation. And I would like to thank City Council men and women for allowing us to come before you to consider this ordinance.

Just to answer the Councilwoman's question about the types of positions, amongst the positions which will be added will be education positions, but also add positions in other areas of professional activity

within the art education and art professional area, like conservation, curatorial, but also because of the nature of the facility, there will be more people engaged in visitor services and general services. The idea is, of course, to make the Foundation truly welcoming, and to do that we will indeed need a star of which fits with the scale of the new facility.

Does that help with that question?

COUNCILWOMAN MILLER: Yes, it does.

MR. GILLMAN: If I could make a -- with your indulgence, may I make a few comments to add on to Dr. Watson's?

COUNCILMAN CLARKE: Absolutely.

MR. GILLMAN: There's a degree of overlap between the two of us. It's the nature of the Foundation.

The mission of the Foundation is to promote the advancement of education and appreciation of the fine

arts, but Barnes was passionate about contemporary art and about helping us to understand and appreciate it. When he formed his collection, it was too easy for people to dismiss the extraordinary talents of Cezanne, Picasso, Matisse, Modigliani and Soutine. They preferred often earlier and safe art.

Dr. Barnes' mission and his method was to help people see the value of those painters he collected and especially those individuals without formal training in art appreciation. And it's sometimes easy to forget this now, because the painters who we've heard who are in the Barnes are now regarded as the old masters of modern art. But Barnes' purpose was to make these often difficult paintings available to students for study and discussion, and in consequence, the Barnes Foundation is an art education facility and institution rather than an art museum as such. It was an experiment where ordinary people were urged to make

sense of the newest and most challenging art and to relate it to art of previous generations.

Beyond that, Albert Barnes wished the students to bring what they had learned in their daily lives, as did the philosophy John Dewey, a long-standing friend and the first Director of Education at the Barnes.

On the days when there weren't classes, the Foundation was open to visitors. Albert Barnes wanted to ensure that people of all means had access to the collection and the opportunity to see great modern art. We shall certainly try to realize that vision of creating opportunities for aesthetic experience by the public of all classes and stations in life, as he himself put it. Indeed, the Foundation was established according to John Dewey's educational ideals of democracy education and educational method, and the Foundation is very clear about that in its founding documents.

Dewey believed in equal opportunities for all and in the importance of individual experience.

So we want all Philadelphian children from whatever their backgrounds to be offered the opportunity to experience and to learn about great art. We shall indeed deliver the traditional Barnes classes within the Parkway galleries replicated from Merion, as mandated by Judge Ott. We shall provide educational opportunities dreamt over the 1920s with the new classrooms and an auditorium.

And this will also help us deliver our contribution to the new degree program that Dr. Watson talked about in individual arts offered by Lincoln University. This is a collaboration which will bring to fruition the dream of encouraging study of the fine arts by African-American undergraduates, a dream first thought about by Albert Barnes and Horace Mann

Bond more than 50 years ago. We hope thereby to become a leader in the field of art education and also to increase the diversity of that field within the United States, a point which is related to the questions about the Equal Opportunity Plan raised by Councilman Kenney.

The building will also contain a splendid conservation studio, curatorial education offices, as well as spaces for a restaurant and a store. It will have a gallery for special exhibitions, which will include contemporary art, drawing on Albert Barnes' passion for communicating the value and significance of new art.

He was an early collector of the self-taught painter Horace Pippin, and I don't doubt that we shall want to mount exhibitions on the Parkway that lead to a greater understanding and appreciation of African-American art.

One thing that's crucial to the Parkway location, which I don't think

we've dealt with quite yet, will be the landscaping. His wife, Albert Barnes' wife, Laura Barnes, was responsible for developing Captain Lapsley Wilson's arboretum, and under the name of the Barnes Arboretum, making it a serious center for horticultural study. Mrs. Barnes had a great grasp of landscape and garden design, as well as horticultural science, and the Board and I will ensure that there will be a marvelous landscaped environment on the Parkway site. There are many authorities to help with this task, not least those who work at our own Arboretum in Merion, at the Horticultural Society and at the Fairmount Park Commission.

And, finally, word about the process. Dr. Watson noted that we've short-listed some marvelous firms, six architectural practices, who are now visiting Merion and the Parkway. In turn, we are looking at their buildings, and we will announce a successful

candidate at the end of this summer. We are being guided in this process by the Director of the Pritzker Prize.

Whatever architect is chosen, we have every confidence that the new building will make a great contribution to the landscape of Philadelphia. As the Chairman of the Board, as Dr. Watson has previously indicated, our intention is to open the new building towards the end of 2009.

With my thanks to you for your consideration, I'll take any further questions.

COUNCILMAN CLARKE: Thank you.

Any questions of this witness?

(No response.)

COUNCILMAN CLARKE: There being none, thank you very much for your testimony.

Mr. Focht, are you testifying?

MR. FOCHT: Yes.

COUNCILMAN CLARKE: I thought you were going to be with Ms. Wilkerson.

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Please come forward.

COUNCILWOMAN BROWN: Proceed with your testimony.

MR. FOCHT: Good afternoon, Chairwoman Reynolds Brown and Chairman Clarke and members of the Committee. I am Mark Focht, the Executive Director of the Fairmount Park Commission, and I am pleased to appear before you today on behalf of the Fairmount Park Commission to testify in strong support of Council Bill No. 070462.

The bill, as you know, will allow the City, through the Fairmount Park Commission and Public Property Department, to enter into a Master Ground Lease with the Philadelphia Authority for Industrial Development, PAID, for the parcel of land located on the Benjamin Franklin Parkway between 20th and 21st Streets and extending to Pennsylvania Avenue. Under the Master Ground Lease, PAID will be required to enter into a Ground Sublease with the Barnes

Foundation for the development, construction and operation of a gallery to display the world-renowned Barnes collection and art education facility.

In addition to City Solicitor Diaz, who was here previously, I would like to acknowledge Lawrence Copeland from the Law Department, who spent countless hours working with the Barnes Foundation in negotiating this agreement and ultimately bringing it to fruition.

The addition of the Barnes collection and education facility on the Parkway positions the Parkway as a globally significant center for arts and culture. Standing in proximity to the Philadelphia Museum of Art, the Rodin Museum and other institutions and sculptures along the Parkway, the inclusion of the Barnes art collection to the City's cultural corridor will make the Parkway not only a desired destination for the arts but an essential destination and firmly place the Parkway

among the world's greatest cultural centers.

Under the terms of the Sublease between PAID and the Barnes Foundation, the Barnes Foundation will be required to demolish the Youth Study Center currently located on the premises, without cost to the City or PAID. The new gallery and art education facility will be constructed, maintained and operated at the sole cost of the Barnes Foundation. Under the Sublease, the Barnes Foundation may not begin construction without satisfactory evidence of sufficient funding to complete construction of the facility. Further, prior to construction, the Barnes Foundation, as you have heard, must provide a parking plan satisfactory to the Park Commission and the City. In addition, the Fairmount Park Commission and the Art Commission will have approval over the exterior design of both the facility and the grounds.

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Although the City stands to benefit economically from this new facility, the benefit to the City will extend beyond dollars. The Barnes Foundation will make rules and regulations to ensure that persons of all means have affordable access to the galleries in the new facility, and located in its new home the Barnes collection will be readily accessible to persons of all means. Visitors and community residents alike will also benefit from improvements to the landscape and grounds surrounding the new facility. Together with the improvements being made at the Rodin Museum, the Philadelphia Museum of Art and our recently completed landscape improvements at Logan Square, this project will further add luster to the already thriving Parkway.

In continuing our role as stewards of the Benjamin Franklin Parkway since its inception, the Fairmount Park

Commission two weeks ago enthusiastically passed a resolution approving the agreement before you today with the Foundation because the Commission believes that the Barnes Foundation's new facility promises to be a wonderful addition to the Parkway and an enhancement to the entire Fairmount Park system.

It is with great satisfaction that I appear before you today to pledge the wholehearted support of the Fairmount Park Commission and staff for this legislation and respectfully ask City Council for approval of Bill 070462.

I would also like to thank all the Commissioners and staff of Fairmount Park, the Law and Commerce Department, the Mayor's Office and the Barnes Foundation for their hard work and diligence in making this project become a reality.

I also ask that the rules be suspended so this ordinance may be passed

upon the second reading of Council, and I'd be pleased to answer any questions you may have.

Thank you.

COUNCILMAN CLARKE: Thank you, Mr. Focht.

Any questions of the witness from the Committee?

(No response.)

COUNCILMAN CLARKE: There being none, thank you very much for your testimony.

MR. FOCHT: Thank you.

COUNCILMAN CLARKE: We call up Tom Muldoon for the Philadelphia Convention and Visitors Bureau and Denise Earley from the Greater Philadelphia Chamber of Commerce, please.

Thank you. Please proceed.

MR. SMITH: Good afternoon. I'm Fred Smith, the Vice-President of Tourism for the Philadelphia Convention and Visitors Bureau, and on behalf of Tom Muldoon, the President, I'd like to

submit testimony or a statement to Council.

COUNCILMAN CLARKE: Thank you.

Ms. Earley.

MS. EARLEY: Good afternoon, Chairman Clarke and Chairwoman Reynolds Brown and members of the Committee. For the record, I am Denise Earley from the Greater Philadelphia Chamber of Commerce and I am pleased to be here this afternoon to offer support for City Council Bill 070462 creating a Master Ground Lease and Sublease which would bring the Barnes Foundation one step closer to Philadelphia.

The Chamber has always been supportive of the effort to move the Barnes Foundation art collection to Philadelphia. We believe that this is a regional issue and will allow the collection to be viewed by many more individuals than present conditions allow.

Dr. Barnes wanted art to

inspire the common man. This relocation of the collection will provide better access to the common man. Dr. Barnes was adamant that plain people; that is, men and women who gain their livelihood by daily toil, should have free access to the art gallery. The current location has limited access and limited space. The limited space restricts access to approximately 1,200 visitors per week to experience one of the finest art collections in the world. Barnes' art is a world treasure, and Barnes' vision of using art to bring people together is not being truly fulfilled at its current location.

Having the Barnes join such treasured company as the Academy of Natural Sciences, the Franklin Institute, the Pennsylvania Academy of Fine Arts, the Philadelphia Museum of Art and the Rodin Museum along the Parkway would truly place our City among the great venues worldwide.

The proposed site on the Parkway can be developed in a way to protect the integrity of the collection as well as the manner in which Dr. Barnes wanted it displayed to the public. His treasure can be situated in a way that will make a truly educational experience for all of our citizens. In addition, the move will have a positive impact on tourism in Philadelphia.

The relocation of the Barnes Foundation collection is a win-win situation for all parties. Such a move will raise the profile of the Foundation and expose it to a wider audience, as well as enhance the institutions and businesses along the Parkway.

Again, the Chamber supports Bill 070462, and thank you for the opportunity.

COUNCILMAN CLARKE: Thank you.

Any questions of these witnesses by members of the Committee?

(No response.)

COUNCILMAN CLARKE: There being none, thank you so much for your testimony.

MS. EARLEY: Thank you.

COUNCILMAN CLARKE: Next I'd like to have the representatives from the Franklin Institute, the Art Museum and the Free Library Foundation.

MS. JOHNSON: Good afternoon. Councilmembers of the joint Committees on Public Property and Public Works and Public Recreation and Cultural Affairs, thank you for giving me the opportunity to appear before you. My name is Linda Johnson. I am the Chief Executive Officer of the Free Library Foundation, which through a lease agreement with Philadelphia Authority for Industrial Development is the developer of the new Central Library.

I am here today on behalf of the Free Library to formally offer support and express enthusiasm for the Barnes Foundation's plan to build a new

world-class facility on the Benjamin Franklin Parkway. It is my pleasure to say to everybody at the Barnes Foundation, Welcome to the neighborhood.

The Parkway is undergoing a 21st century renaissance, and the presence of the Barnes Foundation is certain to improve upon a thriving atmosphere centering upon arts and knowledge. With a new Center City home for its educational programs and its exceptional collections of impressionist, post-impressionist and early modern paintings, the Barnes Foundation will be well positioned to carry out its mission of promoting education and appreciation of fine art, while simultaneously benefiting from and enhancing the area's cultural vitality.

Additionally, the construction of a new Barnes Foundation facility, in conjunction with our own Central Library renovation and expansion project, will bring a new level of great architecture

to the cultural corridor of the Parkway. Moshe Safdie, world-renowned architect and designer of the Central Library's expansion project, will work with whichever of the six highly respected architectural firms the Barnes Foundation selects from its short list.

We at the Central Library are looking forward to having the Barnes Foundation as a neighbor. As both institutions are similarly focused on education and community enrichment, we anticipate exciting opportunities to coordinate programming that will capitalize on our new proximity. We also look forward to working with the Barnes Foundation on coordinating logistical matters of mutual concern, such as transportation, parking, landscaping and food service. The Central Library's plan to offer a new Visitors Center for all Parkway institutions will support the Barnes Foundation as well.

In short, this is an exciting

time in the revitalization of the Benjamin Franklin Parkway, and we are thrilled the Barnes Foundation will soon be part of it.

Thank you.

COUNCILWOMAN BROWN: You mention in your testimony -- I'm actually looking for a copy -- discussion given to, and I quote, "coordinating programming in a number of different areas." What has been the nature of your discussions thus far with the Barnes representatives?

MS. JOHNSON: To date we've merely begun to explore the various opportunities. Obviously the Barnes has been focused on securing its site, but we're very hopeful that we'll be continuing those discussions on matters such as parking, which we know are of grand concern to City Council, as well as various educational opportunities. We both provide education about art. The Library has a very strong art department,

prints and pictures department, and I'm quite certain that we will be able to enhance each other's educational mission.

COUNCILWOMAN BROWN: Does the Free Library Foundation already have any type of partnerships with any of the neighbor institutions on the Parkway in the area you just described?

MS. JOHNSON: Not yet, but the Library is very focused these days on working collaboratively with other cultural institutions in the City.

COUNCILWOMAN BROWN: Such as?

MS. JOHNSON: We've been talking to WHYY, but there are many opportunities which we're just beginning to explore.

COUNCILWOMAN BROWN: So you say the Free Library and then I hear the Free Library Foundation. Describe for us the distinction between the two.

MS. JOHNSON: The Foundation is actually the arm that is responsible for the expansion and the renovation of the

Library and is also a private 501(c)(3) which raises money to augment the operating budget that comes from the City to the Library and the 54 branches.

I would also just add that our One Book, One Philadelphia program, which is a program funded by the Foundation, has 400 partners throughout the City, so working collaboratively with other cultural institutions in the City is not something that will be new to us.

COUNCILWOMAN BROWN: Any other questions for this witness?

(No response.)

COUNCILWOMAN BROWN: Thank you. Please.

MR. BRONK: Chairwoman Reynolds Brown and distinguished members of the joint Committees on Public Property, Parks, Recreation and Cultural Affairs, my name is Bart Bronk. I'm the Director of Institutional Giving and Government Relations for the Franklin Institute pleased to represent Dennis Wint, who

could not be here today, our President and CEO.

As an anchor institution of the Benjamin Franklin Parkway and future neighbor of the Barnes Foundation, the Franklin Institute enthusiastically endorses Bill 070462. The Benjamin Franklin Parkway is truly the cultural backbone of the City of Philadelphia, with attractions like the Philadelphia Museum of Art, the Academy of Natural Sciences, the Rodin, the Free Library and the Franklin Institute, which together attract, educate and amaze millions of visitors, including hundreds of thousands of school children each year. What better home for the inspiring treasures that are contained within the Barnes collection.

Indeed, through the addition of the Barnes Foundation and through other notable projects, including the proposed expansions of the Art Museum, the Free Library and the Franklin Institute, the

Parkway will come ever closer to meeting its creator's original vision of an unequalled cultural boulevard.

Further, I encourage you to consider the economic benefit that is driven by the arts and culture community in Philadelphia. As employers, tax generators and tourism-spending drivers, cultural organizations contribute significantly to Philadelphia's economy. Adding such a distinguished and noteworthy institute as the Barnes to the City's portfolio of cultural attractions will only increase this important economic return.

In approving this legislation and welcoming the Barnes Foundation to Philadelphia with open arms, you will not only help to make the Parkway one of the great cultural corridors in the nation and the world, but also will continue to support Philadelphia's growing renaissance as an international destination city with truly world-class

cultural attractions.

Thank you for your consideration.

COUNCILWOMAN BROWN: Any questions for this witness?

(No response.)

COUNCILWOMAN BROWN: Thank you for your testimony and thank you for King Tut.

MR. BRONK: You're welcome.

COUNCILWOMAN BROWN: Please.

MS. McCLENNEY-BROOKER: Committee Chair Reynolds Brown and Councilman Clarke, in his absence, members of the Committee, my name is Cheryl McClenney-Brooker. I'm Director of External Affairs at the Philadelphia Museum of Art and I am representing Anne d'Harnoncourt and Gail Harrity, who wish they could be present here today.

The Museum looks forward to welcoming the Barnes Foundation as a new member of the family of cultural and educational institutions on the Benjamin

Franklin Parkway. I am here today with my colleague, William Valerio, Assistant Director for Administration at the Philadelphia Museum of Art, and he has a few words.

COUNCILWOMAN BROWN: Good afternoon. State your full name for the record.

MR. VALERIO: Good afternoon. My name is Bill Valerio. I am Assistant Director for Administration at the Philadelphia Museum of Art, and I will add briefly in support of the bill that the Museum anticipates with enthusiasm working, continuing to work closely with our sister institution, the Barnes, to serve the citizens of Philadelphia and our visitors from near and far with programs and cultural experiences of delight, illumination and life-long learning.

Thank you.

COUNCILWOMAN BROWN: Could you please speak to the -- let me not jump.

Could you please speak to the rich after-school programming you have there in light of the testimony provided by Dr. Bernard Watson that the Barnes too will make sure that young people of all stripes and from all walks of life have the opportunity to see that institution?

MR. VALERIO: What I would say is that the Art Museum works together with the Barnes as well as the ICA Gallery, the University Museum of the University of Pennsylvania on joint programs that are exhibition oriented and education oriented as well. I'll get to after-school programs, but I would mention our current shared initiative developing a curriculum for all fourth grade students across the City of Philadelphia. Our Education Department at the Art Museum is working with the Barnes, is working with the art departments across the City at many museums to ensure that every fourth grader has a deep, rich and meaningful

art experience at that time, which educators deem to be a very important time in a child's development and so they've identified that fourth grade moment as the crucial one and are working together on this citywide program, and I anticipate that when the Barnes moves to the Parkway, we will have more experiences working together, easier access to each other as we develop these programs up and down sort of the phases of life at which people have different kinds of experiences with art.

I would say our fourth grade initiative that's current and very exciting will be a model as we expand after-school programs, for example. Currently, the Museum has after-school programs, has teen sketch clubs, has programs, art classes on Friday afternoons, and we are delighted to know some of the things that I learned here today, that I think many of us learned here today, that there will be expanded

education facilities at the Barnes on the Parkway and I'm sure we will work together, as we already work together.

COUNCILWOMAN BROWN: I think a unique opportunity exists given the struggles of all school systems but in particular the Philadelphia public school system and the challenges they continue to face with regards to the availability and accessibility to arts. There's a unique opportunity here for a blending of a partnership that could potentially seek to fill some of that void, knowing that there is no universal answer or utopia type of answer for meeting the needs, desires and wants of young people who want to be involved with the arts and culture, but when you look at the possibility that comes with the synergy that could come from Barnes and the Art Museum and Moore College of Art, it's pretty exciting.

MR. VALERIO: It is exciting.

COUNCILWOMAN BROWN: Councilman

Jack Kelly.

COUNCILMAN KELLY: Yes. First of all, it's nice to see you, Ms. Brooker and Mr. Valerio, in our Chambers again.

I have a question, and maybe either one could answer this. Being that you're going to be a competitor of the Art Museum, do you see any negative impact that this is going to have on the attendance of the Art Museum?

MR. VALERIO: In fact, we view this as a --

COUNCILMAN KELLY: Or do you think it's going to have a positive effect of drawing more people so they could --

MR. VALERIO: Absolutely. In our experience, when the Museum has an exhibition that is attracting large numbers of people into the City of Philadelphia, we know that those visitors then also go to other institutions. And as an example, I would cite our Wyeth exhibition that took place about a year

ago, and at that time people were attracted to Philadelphia for that exhibition and then went to the Brandywine Museum to see other Wyeth exhibitions there and went to the Pennsylvania Academy of Art to see that magnificent collection of American art there.

So we know from our experience at the Museum that when one institution does well in terms of attracting visitors, those visitors also go to other museums, and we would be glad to provide Council with --

COUNCILMAN KELLY: It was actually --

MR. VALERIO: -- some statistics on that.

COUNCILMAN KELLY: It was actually proved with the Dali exhibit that over $54 million in revenue growth of the City because of that, because of that exhibition alone. But what I wanted to -- and I'm looking forward, of course,

to the opening of the Perelman wing of the Museum. I think that's going to be another great asset to the City, and I can't wait for that to open. You're to be congratulated on that accomplishment.

MR. VALERIO: Thank you very much.

COUNCILMAN KELLY: Thank you, Madam Chair.

COUNCILWOMAN BROWN: You're welcome, Councilman Kelly.

Any other questions of these witnesses?

(No response.)

COUNCILWOMAN BROWN: We thank you all very much for your testimony.

If we could please ask Mr. Brian Gordon, Commissioner for Merion, to please come forward.

Good afternoon. If you could state your name for the record. Welcome.

MR. GORDON: Good afternoon. My name is Brian Gordon. I am the Township Commissioner for the 12th Ward,

which includes the Barnes Foundation in Lower Merion, and thank you for the opportunity to speak with you today. I am the first to speak in opposition of the bill for the Ground Lease, 070462.

Lower Merion is the proud home of the Barnes Foundation. It's an important part of our cultural heritage. Over the years, over 70 -- actually, longer. Since 1920, over many years, it's become woven into the fabric of Lower Merion and it's a wonderful part of Lower Merion and the Philadelphia art scene already, which is part of the point of my coming here today.

We are determined to keep the Barnes Foundation as the founder wished and as expressed by many of the speakers today. The founder cited the museum with intent in Merion, together with a 12-acre arboretum in a building designed for the collection by Architect Paul Cret. It is an historic and aesthetic masterpiece, which is really designed to house this

collection of art, and if the art is removed, the experience is going to be destroyed forever. It's like having a beautiful classic diamond ring and taking the diamond out of the ring and putting it in another setting. The other setting is nice, but something is going to be lost, very significant is going to be lost in the process.

The Township of Lower Merion has passed a resolution which outlines why the Barnes Foundation must not be moved. We have offered suggestions to make the Barnes financially viable in Merion. We have asked that the plans to move the Foundation be forever abandoned. We want the Barnes and Philadelphia to both benefit from this extraordinary cultural institution.

It is available. The Barnes Foundation is available to plain people and school children now from every walk of life. At my instigation -- I've only been a Commissioner for a year and a

half -- I have introduced a resolution to dramatically expand visitation. Even before taking office, after my election, I reached out to Chairman Watson and others and invited them to reopen a dialogue to figure out how we can open this institution, get past any differences, any friction there was between the neighbors and the Barnes administration and make and realize Barnes' dream in the neighborhood in a way that increases visitation, and the dialogue has been very limited. For years, it's been limited because a decision was made many years ago to try to move the Barnes.

The ordinance which I've authored would at this point increase visitation up to 140,000 people per year. This would more than cover the Foundation's purported shortfall and it would include thousands upon thousands of school children.

The Barnes is a short 12-minute

train ride or direct bus ride from Center City. It could be just a shuttle bus ride away from the Parkway. All tourists visiting the Foundation would stay in hotels and eat in restaurants in Philadelphia at absolutely no cost to the City.

I have a different vision for the Barnes Foundation and how it could be integrated in Philadelphia's cultural scene and be part of, I would say, our arts engine, and that is to leave the Barnes where it is, which is only 12 minutes away from the Parkway, have people get tickets for the Barnes Foundation, whether in the Philadelphia Museum of Art, which has a wonderful ticketing operation already, and have them go to the Museum and get onto a shuttle bus and go, or come straight out to the neighborhood and come to Lower Merion and see this beautiful jewel where it is, as intended by Dr. Barnes, or have school children have buses go right

there, as they do already.

You have an opportunity. If you deny this lease and really consider what it is you're doing, you have an opportunity to carrying out all of the same goals and all of the desires which you intend to desire without spending additional funds and preserving this wonderful institution.

The shuttle bus could include not only the institutions along the Parkway but then connect up with the new Please Touch Museum in the middle of Fairmount -- in Fairmount Park at the site of the Centennial Hall, which is a direct shot en route to the Barnes Foundation, which is just really about a thousand yards over City Avenue.

The other set of reasons I wanted to come to you -- and this is as a friend of Philadelphia who lived in Philadelphia for 18 years and someone who cares very much for the City, and, that is, there are enormous financial needs

and pressures which Philadelphia now has, and although the lease has been presented as a no-brainer, it's presented as something that will not cost the City a dime, it will cost Philadelphia millions of dollars, because it will necessarily involve a construction of a new Youth Detention Center, one which is away from Family Court and away from the connectivity of having the Family Court and Youth Detention Center right next to each other and the convenience of the -- and one which is going to cost a tremendous amount of money, which hasn't been cited yet.

Also, as I understand it, if you enact the bill and approve the Ground Lease today, then you're going to be under the gun to find a new Youth Detention Center and maybe forced to build a temporary one at the cost of millions of dollars and then a permanent one at even greater cost. There is another way, which I have mentioned, that

will save millions of dollars, and I as Commissioner commit to you that we will welcome all school children, as we do now -- not well publicized, but we do now -- to come to Merion to experience the Barnes and to enjoy this wonderful institution as it is.

Thank you very much.

COUNCILWOMAN BROWN:

Mr. Gordon, could you please tell me you're here today representing whom?

MR. GORDON: I am here representing really the 12th Ward but also Lower Merion Township. Lower Merion Township is the township just on the western border of Philadelphia extending from City Avenue to Gladwyne.

COUNCILWOMAN BROWN: And so let me make sure I understand this. Lower Merion Township citizens took a vote and rendered a decision by way of the majority that they wanted to see Barnes moved?

MR. GORDON: No. They wanted

to see Barnes stay. I'm sorry if I misspoke. Let me restate that. Lower Merion has a Council similar to this, which is called a Board of Commissioners consisting of 14 Commissioners, and by a unanimous vote of the Commissioners last summer and a previous resolution, resolutions were passed encouraging, if not beseeching, the Barnes Foundation to remain in Lower Merion and let us work with them to open their doors. And then presently what we're working on is a resolution to dramatically increase visitation limits, which are controlled both by zoning decisions, as Philadelphia has a zoning framework, and also the Orphans Court of Montgomery through Judge Ott's supervision.

So the short answer is, the Board of Commissioners voted unanimously to ask that the plans to move the Barnes be abandoned and that the Barnes stay in Merion. We very, very much want the Barnes to stay, the collection to stay.

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COUNCILWOMAN BROWN: Councilman Frank Rizzo.

COUNCILMAN RIZZO: Commissioner Gordon, thanks for visiting us.

Could you please describe the environment that the Barnes Foundation currently exists in and the relationship with the near neighbors?

MR. GORDON: I'd be happy to. The Barnes Foundation currently is a jewel of an institution on Latches Lane, which is about equivalent of three city blocks into Philadelphia on Philadelphia's western border. It is sited in an arboretum that was designed in and laid out by Laura Barnes where there exists a horticultural school, which is part of the overall experience.

When you walk into the -- when you actually approach the museum, you approach up a curved driveway to this large gallery that has Jacques Lipchitz's reliefs adorning the walls, and when you walk into the immediate gallery -- I have

to mention this. When you walk into the great hall, what you see is a Matisse painting of the dancers that was designed, painted just for this location, and it is -- it's sited in such a way to take advantage of light that crosses the gallery in various points of the day and it is really routed.

Now, as far as the community is concerned, many people, from my mother-in-law to others, to my mom, have taken us kids there to see the art when we were little. There are many members of the community that have taught there, that are docents there, that are part of the museum experience and very much care and love the institution and would like to keep it and would like to share it.

COUNCILMAN RIZZO: Weren't there some issues in the past years, some --

MR. GORDON: Oh, yes. I would like to address that. There were, and it's a fair question. The Barnes really

lived in harmony with the neighborhood up until the early '90s from the 1920s, and at that point, Barnes' friend and person who carried on his vision after he died, whose name is Vialetta DiMasia, passed away and there were a series of directors and a director took charge of the institution named Richard Glanton, who seemed to have a different vision, and the institution was moved from being more primarily an educational institution to one where he wanted to make it more of a world-class museum. And in so doing, there was an immediate increase in the number of visitors, without making any request to the township or to the court, simply just doing it, and that led to a reaction where the neighbors partly trying to preserve the old Barnes as an institution, as an educational institution, and others opposed those efforts at expansion initially, and then at some point, the Barnes Foundation actually brought legal action against the

neighbors, many of the neighbors, and the township Commissioners and a lawsuit ensued. And the saddest part of the lawsuit is the dialogue between the neighbors and the Barnes ended, and it ended for a number of years because people were afraid to -- they were advised by counsel not to talk because they were being sued, and it was during that time of silence that the plan was really born to move the institution to Philadelphia. And by the time the lawsuits ended and the dialogue restarted, the train had left the station.

COUNCILMAN RIZZO: So you're suggesting that during that period of time of silence, that the decision was made to move the Barnes and if probably this incident hadn't occurred, we probably wouldn't be here today?

MR. GORDON: I believe so. As I recall, there was a dialogue about where to park buses and they were working

through those issues, and the same way that you're going to have to work through parking issues as well, and that's when the lawsuit was filed against the neighbors and the Commissioners. And it led to really an end of -- at least a suspension of dialogue.

COUNCILMAN RIZZO: Well, as you know, we're very pleased to have the Barnes here and it's unfortunate that that occurred that created that environment to look for a new home, but I think we're going to be happy to have it, but thanks for trying.

MR. GORDON: I understand this is an uphill battle, but I have to speak out, and I encourage you to consider even deferring the signing of this lease so that you don't put yourselves in a bind and this can be considered more thoroughly. Thank you for the opportunity.

COUNCILWOMAN BROWN: Any other questions for this witness?

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COUNCILMAN KELLY: I have a question.

COUNCILWOMAN BROWN: Councilman Jack Kelly.

COUNCILMAN KELLY: Thank you, Madam Chair.

Commissioner, I just want to know if you could give me a figure on the attendance of visitors over the last few years at the Barnes. Do you have any idea? Do you have a ballpark?

MR. GORDON: I could not, but I know there are members of the Friends of the Barnes who are here.

COUNCILMAN KELLY: Well, you mentioned in your testimony that you're looking for 140,000. And that would make it sustainable or profitable?

MR. GORDON: Yes.

COUNCILMAN KELLY: I'm just wondering how many people have been attending over the last few years.

MR. GORDON: Sorry. If I could try to answer it. Sixty-two thousand is

the present ceiling.

COUNCILMAN KELLY: So you're more than doubling it at that point?

MR. GORDON: Yes.

COUNCILMAN KELLY: My point is, parking spaces, would they also be doubled at your present location?

MR. GORDON: No. There wouldn't be a need to double parking spaces at this location, because as probably what happened after the museum -- if the museum moved, the tickets are on a time-ticketed basis and there's a parking lot that could sustain that many visitors.

COUNCILMAN KELLY: There would be?

MR. GORDON: Yes.

COUNCILMAN KELLY: Okay. I'm just curious -- you could be honest with me, if you can -- did you receive any complaints from the immediate neighbors due to parking or other complaints that they may have had, either you or one of

the many Commissioners that are out there?

MR. GORDON: Well, I've only served for a year and a half, and the relationship and the period where there was some friction goes back really more than 15 or 16 years. The neighbors are actually here, as is the --

COUNCILMAN KELLY: I'm sure of that.

MR. GORDON: -- head of the Merion Civic Association.

COUNCILMAN KELLY: But it's safe to say that there were people or were some people or maybe still some people out there who don't favor the Barnes being in Montgomery County?

MR. GORDON: I can honestly tell you that the answer is no.

COUNCILMAN KELLY: Okay.

MR. GORDON: When I say the vast overwhelming -- I mean, as the Commissioner who has run for office and walked and gone door to door through that

and other neighborhoods, it was -- I mean, the numbers are in the upper 90 percentile that want the Barnes to stay.

COUNCILMAN KELLY: Good. Thank you for the insight.

MR. GORDON: I appreciate the questions.

COUNCILMAN KELLY: And your honesty. Thank you.

Thank you, Madam Chair.

COUNCILWOMAN BROWN: Any other questions for this witness?

(No response.)

COUNCILWOMAN BROWN: And we thank you for your testimony.

MR. GORDON: Thank you very much.

COUNCILWOMAN BROWN: You're very welcome, Mr. Gordon.

Now if we could please ask the representatives for the Cultural Alliance, the Parkway Council and Logan Square to please come to the witness table. Peggy Amsterdam, Judy Rogers and

Rob Stuart.

My understanding, the Moore College of Art is prepared to offer testimony as well. We welcome you to this panel.

MR. GORDON: If I may ask.

COUNCILWOMAN BROWN:

Mr. Gordon.

MR. GORDON: Councilperson, would the other members of this group be permitted to testify?

COUNCILWOMAN BROWN: Yes. We'll have our staff person get the names and we'd be happy to call you up. Everyone who has a voice, we're here to hear the voices.

MR. GORDON: Thank you.

COUNCILWOMAN BROWN: Okay?

MS. AMSTERDAM: Good morning.

COUNCILWOMAN BROWN: Good afternoon.

MS. AMSTERDAM: Good afternoon. My name is Peggy Amsterdam and I'm President of the Greater Philadelphia

Cultural Alliance, which is an alliance of 330 non-profit arts and cultural groups in the region.

The Cultural Alliance supports the decision of the Barnes Foundation to move to the Benjamin Franklin Parkway. This move will ensure the long-term sustainability of the Barnes collection and allow the educational work of the Foundation to continue. The new location will also have a tremendous impact on Greater Philadelphia, serving as an educational resource drawing hundreds of thousands of visitors to the Parkway annually and further cementing our region's reputation as one of the great cultural destinations in the world.

I'd like to respond to Councilman Kelly's comment about the competition between the other organizations. I am very proud of the cultural groups in this region, because we work very collaboratively. This is a new way that we work, because we

understand that we're not competing against one another. We're all working together for the benefit of the children, the residents of the region, and the economic impact that we have is outstanding. We are a large sector here, and I think you'll find that we are terrific at collaboration, and I think the show of support of the other cultural institutions is really very unique among other cities our size and that's why we are well recognized around the country as a great cultural capital.

So we strongly urge the Council and these committees to approve this ordinance and allow this important project to move forward.

Thank you very much.

COUNCILWOMAN BROWN: Thank you for your testimony.

Please.

MR. MEDDIN: Hi. My name is Russell Meddin and I'm here for Rob Stuart, who had to leave. I'm with the

Logan Square Neighborhood Association and we are the community group that lives next to where the Barnes Foundation will be constructed if you approve this Ground Lease and it goes through, and we do hope that you will. I'd like to consider myself one of the plain people who will be going to the Barnes Foundation.

I'd like to remind this group that it was our organization who, as Mr. Gordon said, after Richard Glanton had been the President of the Barnes Foundation, we sent a letter to Kimberly Camp, who succeeded him, and invited her to bring the Barnes to the Parkway, because we thought this neighborhood would love to have it if that neighborhood did not want it.

The Logan Square Neighborhood Association is just in the heart of this part of the City, and the Parkway is our main street, and we really believe that this is a wonderful thing and great addition to the neighbors in this area.

But besides that, besides all the wonderful things that you've heard today, this is going to bring more jobs to Philadelphia. There's construction jobs, museum jobs, brings people in to see the City, going to bring more money to the tourist industry here, and this is a fabulous thing. But not only that, you've heard they're going to do education there, and, boy, our kids sorely need to have more opportunities in education.

So this is a fantastic thing for the City of Philadelphia. I ask that you please consider approving this lease.

COUNCILWOMAN BROWN: Thank you for your testimony. You did state your name for the record?

MR. MEDDIN: I did state my name for the record.

COUNCILWOMAN BROWN: And that would be?

MR. MEDDIN: Russell Meddin.

COUNCILWOMAN BROWN: Thank you

very much.

Please proceed with your testimony.

MS. ROGERS: Good afternoon. My name is Judy Rogers and I serve as Executive Director of the Parkway Council Foundation. I have a very brief statement on behalf of our Board of Directors.

For those of you who are not familiar with our organization, we were formed in 2003 as a coalition that represents the cultural and educational institutions in the Parkway area, as well as select businesses and residences. The Parkway Council is dedicated to ensuring that the Parkway realizes its potential as a truly unique cultural destination.

Our members are committed to creating a distinctive, vibrant and welcoming place for local residents, visitors and the institutions and businesses that share the Parkway. With that in mind, we strongly support the

Barnes Foundation's move to the Parkway and have in fact already welcomed them as a critical member of our organization. Their presence on the Parkway will bring new attention, excitement and obviously visitors to our unique cultural campus, and we believe that all of the Parkway institutions will benefit from having the extraordinary Barnes as a neighbor.

Thank you very much.

COUNCILWOMAN BROWN: Thank you for your testimony.

If we could please ask the Moore College of Art to come to the witness table.

Good afternoon.

MS. MORTESS: Good afternoon. My name is Lauri Mortess. I am the recently appointed Director and Chief Curator at Moore College of Art and Design. I'm speaking to you today on behalf of Moore College of Art and Design community and Happy Craven Fernandez, President of the College. Dr. Fernandez

also currently serves as the elected President of the Parkway Council Foundation Board of Directors.

I would like to express Moore's enthusiastic support of the Barnes Foundation's move to the Benjamin Franklin Parkway. As the nation's first and only college for women, Moore College of Art and Design prepares students for life-long learning and leadership in fine arts, design, art history, art education and curatorial studies. This extraordinary collection and school on the Parkway will expand accessibility to a world-class collection for Moore's BFA students and those enrolled in Moore's Young Artist Workshop and will offer residents and visitors within three walkable square miles and one of the largest concentrations of educational and cultural attractions in any city in the world.

With this move, we are confident that the Barnes Foundation will

thrive in its role as an educational institution and outstanding museum. The many major Parkway improvements already underway will ensure that the Parkway and the Barnes' new location is visitor friendly, with easy pedestrian access and ample parking. The presence of the Barnes on the Parkway will greatly enhance the educational and cultural opportunities for our residents and help further enhance and affirm Philadelphia's standing as a world-class art center.

Thank you for the opportunity to speak before you.

COUNCILWOMAN BROWN: Any questions for this witness?

(No response.)

COUNCILWOMAN BROWN: We thank you, Moore College of Art.

Next panel up, Sandy Bressler, Barbara Rosin and Margo Flaks. And we have a panel after this. Our final panel is after the next panel I've just called.

MR. ZALLER: Could we set them

up the way we think?

COUNCILWOMAN BROWN: Forgive me, sir?

MR. ZALLER: Could we set the thing up the way we thought we'd like to do it? I mean, we all signed up for it.

COUNCILMAN CLARKE: We have an overlap. We had three people earlier.

COUNCILWOMAN BROWN: Robert Zaller, Walter Herman, Sandy Bressler, Barbara Rosin, Margo Flaks and Jay Raymond.

We would ask that you please state your name for the record and offer your testimony.

MR. ZALLER: Good afternoon. My name is Robert Zaller. I am here today to ask you to help stop a robbery in progress. The object being stolen is the Barnes Foundation. It is located as it has been since 1922 on North Latches Lane in Lower Merion Township, a part of Greater Philadelphia. Its effects include $30 billion worth of art. And

you, the members of the City Council, have just been asked to become the receivers of stolen goods. I ask you to reject this role. I ask it on behalf of Lower Merion Township, the community in which I live, but also on behalf of Philadelphia itself, the community where I work and earn my living. I ask it on behalf of the Barnes Trust itself, whose interests I believe that I and my colleagues now best represent. I ask it, finally, on behalf of the general art community, both here and abroad, which values the Barnes Foundation as one of the great and unique sites of modern art in the world.

The persons who have presented the bill now before you do not represent these interests. They represent the court-sanctioned hostile takeover of the Barnes that occurred three years ago. They represent a systematic campaign of fraud, misrepresentation and abuse. The course they propose to you would rob

Lower Merion Township and Montgomery County of their proudest cultural treasure, a treasure that belongs to us and to you and to the world, but whose rightful custodians we in Lower Merion are and have been for more than 80 years.

A lie has been deliberately spread about our community. The lie is that we do not care about the treasure that Dr. Barnes entrusted to us, that we are indifferent to its fate, and that we are even hostile toward it. This is one of the lies we are here to expose today. You have heard from Lower Merion Township Commissioner Brian Gordon and you will hear from others about the determination of our community to keep the Barnes Foundation in its historic home and about the plans we have put forward to remedy the wounds inflicted on the Foundation by its current and recent administrations, to ensure the financial health and stability of the Foundation, and to preserve it in its inimitable and

irreplaceable home forever, in the words of the resolution you have heard about. This resolution was passed unanimously by the Lower Merion Township Commission on the 2nd of August 2006, and it calls specifically on plans to move the Barnes Foundation from its present home to be, I quote, "abandoned forever."

This is the first reason why we come before you today, to ask that you halt a robbery in progress. Greater Philadelphia rests on the concept of regionalism, and regionalism begins with a respect for the diversity of the communities that compose it. Our community has not, to this point, been accorded that respect in this matter. It has been treated as a political, cultural and social void. It has been treated as if its greatest treasure was no part of its own history, its identity and its civic pride. It has been treated simply as if it did not exist.

Lower Merion Township does

exist. Montgomery County does exist. And we ask of you today in the simplest terms for a recognition of that fact. Our mutual dependence and common growth as a region depend upon that recognition and the respect that flows from it in both directions, yours and ours. It is a matter of comity that you consult with our appropriate representatives before embarking on a course of action that will affect us, especially when we believe and have repeatedly stated that we are affected adversely, grossly and irreparably.

Lower Merion Township has gone on record in opposition to the planned move of the Barnes Foundation in three separate resolutions, the most recent of which has called for those plans, as I've said, to be abandoned forever. The Montgomery County Commission has joined its voice to that of the Township. So have Montgomery County's three state representatives and its national

congressional representative, Jim Gerlach. So have citizens throughout the county and the civic organizations that represent them. We are united as a community in opposition to the proposed move. We are united as a political jurisdiction speaking as one county to another. We are united as part of the general commonwealth that we all share in our determination to halt a course of action that would impoverish us without enriching you.

You will not be enriched, because our loss cannot be your gain, any more than it would be our gain to put Independence Hall or the Liberty Bell in one of our town squares. You will not be enriched, but rather the reverse, because you are being asked to surrender a piece of prime real estate, the city's most precious financial asset, for less than a pittance. You are asked to surrender that real estate and all its rich potential for a 99-year lease that offers

you the munificent sum of $10 a year. And what, in dollars and cents, the hard coin of reality that you ladies and gentlemen confronted only a week ago from outraged parents and community leaders protesting cuts in public education, what do the robbers suggest you will receive?

Not a single study exists to support the extravagant and unsubstantiated claims that 200 to 250 thousand visitors will attend the Barnes each year. No study exists to show how the Barnes will impact other cultural institutions in the City, particularly the Philadelphia Museum of Art, which would become its prime competitor. You just heard representation from someone from the Philadelphia Museum of Art that no, no, no, we're not going to be competitors. How do they know that? On what basis do they make that assertion? What study has indicated the distribution of tourist time and tourist attention in this City? It's our assertion that the

Philadelphia Museum of Art and every other institution in this town will be impacted by the move of the Barnes, but how do we know what that impact will be? No study exists to assess the impact of an institution that, on its own most optimistic assumptions, will run an annual operating deficit of $4.5 million in perpetuity. Those are not my figures. Those are the figures of the Barnes Foundation attested in open court, $4.5 million in perpetuity.

How would such a greedy orphan affect the funding needs of the Philadelphia Orchestra, the Kimmel Center, the Pennsylvania Academy of the Fine Arts, the Museum of Art itself? What will be the impact on these institutions and on all the other cultural, educational and community needs of the City of spending the, yes, more than $300 million when all costs are truly added up in public and in private funds needed to relocate the Barnes? Is

that really a better, more cost-efficient solution than providing a daily shuttle bus to Lower Merion, where visitors to our community could see the real authentic Barnes in its original majestic setting?

Lower Merion Township has already endorsed, as you have heard, plans to more than double the attendance levels at the Barnes, which are not being met even now. A cooperative partnership between Philadelphia and Lower Merion could accommodate all the visitors that could be reasonably expected to the Barnes at no cost to the City, at no risk to its other institutions and involving no surrender of its own assets. This partnership is within reach. We extend it to you with the hand of friendship and on the basis of our shared community interest.

What, then, do we ask of you today? Talk to us. Initiate the dialogue that up to this moment has been

absent between us. Work with us to make the Barnes Foundation of the 21st century not only the incontestable art masterwork it is in itself, but a world-class tourist destination, a destination of whose profits you alone will be the recipient. Lower Merion has no hotels and few restaurants. It will help provide tourist dollars for the Greater Philadelphia without siphoning them away itself. Keeping the Barnes in Merion is a win-win solution for Philadelphia. Anything else would be a tragic defeat for us both.

We ask you as well to defer any action on the bill before you today until the move's sponsors can present responsible evidence for their claims in a public forum, a credible plan of financial operation and an impact study that will address the actual costs as well as the alleged benefits of their proposal. Until such time, action on your part would, I believe, be imprudent

in terms of your interests and disrespectful in terms of ours. There is no need for haste. There is every reason for careful evaluation and calm reflection and for the exploration of the alternatives we present to you today.

Thank you.

COUNCILMAN CLARKE: Councilman Rizzo.

COUNCILMAN RIZZO: Has there been any indication if the Barnes leaves its current site what will happen to that site?

MR. ZALLER: I believe there's a plan to use it as an administrative center and to use the galleries to hang certain artifacts, but you would have to ask the administration of the Barnes Foundation what their plans are. There are all kinds of rumors about what will ultimately happen to that --

COUNCILMAN RIZZO: I want to know what you know.

MR. ZALLER: -- that it would

be acquired by St. Joe's and so forth, but that's -- the point is that the Barnes Foundation building emptied of its art would be as meaningful as the Louvre emptied of the Mona Lisa and all the rest of its paintings. The Barnes Foundation is its art. It's inseparable from it. The art is inseparable from that building.

COUNCILMAN RIZZO: I understand that, but I just would like to know -- and we'll ask the Barnes eventually -- what exactly the plan is after the museum is vacated.

Thank you.

MR. ZALLER: I might add that $12 million has just been spent renovating the Barnes itself in its current home. So it's state of the art.

COUNCILMAN RIZZO: Thank you.

MR. ZALLER: Even though its fences aren't being painted on a very regular basis.

COUNCILMAN CLARKE: Thank you.

Any other questions of this witness?

(No response.)

COUNCILMAN CLARKE: There being none, next witness.

MR. HERMAN: Thank you. Good afternoon. My name is Walter Herman.

I'd like to add, Mr. Rizzo, I knew your father when he was, I guess, Inspector at West Philadelphia. I also met him in his office as the Mayor when I was a physician cardiologist in Philadelphia. I also was a plain person for a few years, having lived the first 23 years of my life at 16th and Mount Vernon.

Good morning. My name is Walter Herman. I am a neighbor of the Barnes Foundation.

The Montgomery County Commissioners have passed a resolution which states in part "be it resolved that the Barnes Foundation Board of Trustees should explore avenues to integrate

visitation into the Philadelphia tourist experience without relocating the Barnes."

I won't bore you with the resolution in its entirety, as you have a copy of the information packet that the Barnes Friends have given out.

This week, Montgomery County will be voting on the choice of a lawyer to represent their interests in this matter. This move of the Barnes' artwork is not a done deal by any means.

Those sponsoring the move claim that they are doing so in order that the common man will be able to see the artwork more easily. This sounds good, except that the common man actually knows how to take a train and a bus, and if they want to see the Barnes Foundation and experience it in its totality in the 12 beautiful acres that surround the property, they can do that now. With the increased numbers suggested by the neighbors and the township, 140,000

people a year could experience the real thing. If it is destroyed, no common man will ever experience it again.

We all need to fill our eyes and ears with the beauty of art and nature in order to be the best that we can be. At the Barnes in Merion, there is space and time to do that. There it is possible to breathe the air of another time and experience the depth of one man's vision.

Can we afford to destroy his dream? He had a taste and intelligence to collect this world-class art and house it in a jewel box of gallery. We must not do it.

Additionally, I must add that if there is such a thing as regionalism and if it does exist, subjects such as SEPTA and the Delaware Valley Regional Planning Commission certainly are important cooperative issues which should you so choose to deal with with Montgomery County.

Lastly, Philadelphia may need to insert itself into the litigation which is soon to be filed.

Thank you for your time. I also am a neighbor and have been sued by the Barnes Foundation. So in answer to your questions about the hostility of the neighbors, I'd be happy to answer any questions that are proffered.

COUNCILMAN CLARKE: Thank you. Thank you for your testimony.

Next witness.

MS. GROSS BRESSLER: Good afternoon, members of City Council. My name is Sandy Gross Bressler. I'm a Philadelphian. I've lived here for over 35 years, and I love this city. I am an arts professional, having worked in museums and for this City's Office of Arts and Culture and as Executive Director of the Art Commission. I've also been a student at the Barnes Foundation in both the horticulture and art programs. I would like to share some

thoughts as you consider the lease of City land for the Barnes Foundation.

The proposed lease is fundamentally misconceived because it is based on a false premise. The false premise is that the Barnes art collection should be moved to the Parkway.

If the Barnes art collection is moved to Philadelphia, it will be the destruction of the Barnes Foundation. This is because the art collection is one part of an interrelated, integrated and indivisible whole. This fact was conveniently omitted by Mr. Gillman in his testimony.

The Barnes is an absolutely unique institution, composed of two schools, art and horticulture; the superb art collection and its special installation; the mature arboretum with wonderful gardens and collections of rare plants; and the art gallery building itself, which was designed specifically for this collection in this location by

Paul Philippe Cret, the noted Philadelphia architect.

I'd like to try to explain how all of these elements are seamlessly integrated at the Barnes. Art students are taken out to the gardens to get a sense of entering into a painting. Horticulture students study composition and design in the art gallery. Trees and plants reflect artistic principles, relate to specific artworks and echo elements of the gallery. The gallery building is itself a piece of art, with sculptures and African motifs integrated into the facade and throughout the interior. Inside the gallery, the individual works of art and their spectacular arrangement are the subject of the education program.

As an aside, the gallery rooms are where the art classes are taught. There are no separate classrooms at the Barnes Foundation.

It is this essential unity,

this overwhelming aesthetic experience that will be destroyed if the art collection is moved. The Barnes Foundation in its totality is a work of art and a historic treasure. As Peter Schjeldahl, art critic of the New Yorker stated, "altering so much as a molecule of one of the greatest art installations I have ever seen would be an aesthetic crime." To remove the art collection is to eviscerate the Barnes, literally to rip the guts out of the institution. It is contrary to every precept of historic preservation and responsible art stewardship. To move the art collection is wrong and it is unnecessary.

There is such an easy solution, and it would benefit both Philadelphia and the Barnes. A shuttle bus from the Art Museum to the Barnes Foundation would do it. You could take one of the most beautiful and fascinating rides anyone could experience anywhere in the world. You can think about it in your mind, I

think, along the river, looking up at the Art Museum, past the boathouses, through the park, by the Japanese House and Garden or by Memorial Hall and the soon-to-be Please Touch Museum and travel up the street that was the entrance to the Centennial Exposition. This is the real Philadelphia. These are our own cultural treasures and resources, and we should be proud to show them off.

And there are other options that have not been explored and that would offer more for both Philadelphia and the Barnes. For instance, create a satellite Barnes on the Parkway or a Barnes Visitor's Center. Let's think of ideas that would offer more for both rather than less. The Barnes cannot be replicated. It can only be diminished and ultimately destroyed. As Richard Lacayo of Time Magazine put it, "the snatch and grab solution of relocating the collection to Philadelphia is no solution at all. It isn't salvation. It

isn't even euthanasia. It's death by disembowelment."

You know, the true story of Albert Barnes and his long-running feud with Walter Annenberg and his animosity toward the Philadelphia art establishment is a great story. You couldn't make it up. And it would delight tourists. Let's not accept the fanciful tales and revisionist history that moving the Barnes will save it and that this is what Dr. Barnes would have really wanted. That is simply not true, and it flies in the face of Dr. Barnes' stated wishes in his Will and Indenture.

Just as we are not covering up the site of George Washington's slave quarters in Independence Mall, let's not cover up what is really going on with the proposed move. As Congressman Brady said after visiting the Washington site, "We need to stop and rethink what we're doing." I urge you to step back and do the same for the Barnes.

Thank you.

COUNCILMAN CLARKE: Thank you for your testimony.

You have three additional witnesses?

MS. ROSIN: Good afternoon.

COUNCILMAN CLARKE: Good afternoon.

MS. ROSIN: I feel like this has been an endurance contest for the past four and a half hours. Those of you who have been here all that long, thank you.

My name is Barbara Rosin. I'm a landscape painter and an art teacher. I pay Philadelphia real estate and wage taxes. And I think it would be gross financial mismanagement to use taxpayer money to help finance a Barnes move.

In June 2006, on the very same day that the Governor announced a $25 million state gift to assist this move into Center City, which requires the City to pay an additional $25 million in

additional matching money, on that very same day, the Pennsylvania Legislature announced a $25 million cut for the Philadelphia School District. How ironic. Well, I want my taxpayer money to help the schools improve so that families will want to stay in Philadelphia.

Less than two weeks ago, the Fairmount Park Commission voted to lease prime Parkway land to Barnes for $10 a year for 99 years. How absurd. Yet, last week, President of the Commission, Robert N.C. Nix, said funding is the Park Commission's major problem. Thirty years ago, Park employees numbered more than 600. Today that number is 175.

Those of us who have been here since 9:15 heard about the horrible problems of violence and dogs who are being trained on the leather straps of swings. I mean, these are real problems that the Park Commission is facing, that if they had more money, maybe could be

better addressed.

I would like my money, my tax money, to help the Park system be the best that it can be and attract all kinds of Philadelphia citizens to it at all hours of the day, all over the City.

As I said, I'm a landscape painter and that's really why I'm here today. I travel a great deal and meet other artists from all over the world literally, many of whom have come to Philadelphia to see the Barnes. Contrary to what you may have heard, we are the laughing stock of the international art world to have taken this ridiculous idea this far.

The Barnes is our region's gem, a unique treasure in the world of aesthetics and art history. This setting makes it so, as you've heard, the arboretum and the famous architect Paul Cret's magnificent building. When natural light comes through windows in one of these small rooms to reflect the

blues or rose pinks in a Matisse landscape and the eye also glimpses at an old copper beech tree just yards away out the window, it affects the viewer in a rare way, and the memory of that experience remains. To try to recreate anything remotely similar is impossible. And why would you want to? How can an Epcot-like reproduction of Italy compare with the real thing? And why would you want to spend all together $300 million or probably more to destroy, I think, our country's unique art experience when if your goal is more tourists, then offer them, as we've said, the 10- to 15-minute shuttle trolley through beautiful West Fairmount Park so that tourists will experience the magical place of the real Barnes.

A minuscule fraction of the money would be spent. Not even minuscule. You can't compare how little money that would cost. The sanctity of a man's Will would be upheld, which is no

small matter, I would think, and we would be one step closer as a great city to being the best we can be. This cannot be a King Solomon issue of deciding who owns the baby. To move the artwork out of its necessary setting destroys the jewel, and the whole Philadelphia region loses.

I would like to just close with urging those of you who have never been to the Barnes, or maybe haven't been in a long while, to delay any decision you make and take a field trip out there as a group, and I think you'll see what we're talking about.

Thank you.

COUNCILMAN CLARKE: Thank you.

Please proceed, ma'am.

MS. FLAKS: Thank you. Good afternoon and thank you for allowing me to come and speak. My name is Margo Flaks and I was born, raised and educated in Philadelphia, a product of its public schools and two of its universities. I have long visited and loved its museums

and libraries, its parks and magnificent drives along the river. The Symphony and Chamber orchestras nourish my spirit, while many theatre offerings provide both entertainment and thought. And though currently a resident of Lower Merion, I treasure Philadelphia and will continue to enjoy and financially support a number of its splendid cultural institutions.

I also like to think I have contributed to the City in some small way through my 40 years as a teacher, teacher trainer and mentor to beginning teachers. I suspect I'm one of the few people speaking today who actually has worked with the school children of Philadelphia.

As an educator, I found the cultural resources both within and outside the City invaluable aids in my teaching. The encyclopedic range of the collections of the Philadelphia Museum of Art, the history to be gleaned from the paintings at the Pennsylvania Academy, the warmth and intensity of the Todd and

Bishop White Houses, the look of the mid 19th century at the Hagley Museum near Wilmington, the tranquility of Longwood Gardens, all within the City and outside the City, made school so much more alive and compelling for my students.

We seem now to be in an era of shortfalls. In our schools, budgets are cut. There are insufficient number of counselors. Library personnel have been decreased and music and art programs drastically reduced. Where are the patrons of the arts to come from in the future if we do so little to introduce art to our children today?

And our cultural institutions are also suffering. The Free Library's building plans have needed to be revised. The Academy of Natural Sciences considers selling its fine mineral collection and reducing its research programs. The Kimmel Center is in need of funds. Fairmount Park has not the funds to maintain adequate staff.

Yet, there are plans to spend upwards of 200 million, if indeed it can be done for that amount, to move an art collection from its 80-year-old stately home to a location just 15 minutes away and, in so doing, destroy a truly unique and beautiful institution. Nowhere in our area, perhaps the world, exists an institution quite like the Barnes, with the galleries and gardens all expressing the thought and aesthetic of one particular individual. The paintings, furniture and metal objects are arranged not so much with regard to an idea with period or historic context, but rather with an eye to shape, line, color and relationships. There are individuals who have found the arrangements quirky or puzzling, but many have found it enormously satisfying to discover the lessons within the galleries for themselves. And then there are those who have had the opportunity to study at the Barnes who have stated plainly it changed

their lives.

Some time ago Michael Nutter, then a member of City Council, introduced a bill to create a special services district along City Avenue. Its major aims were to provide a suitable environment for existing businesses, encourage new development and to provide safer streets for the expanding St. Joseph's University and the residents on both sides of the street. It was a great opportunity to introduce a spirit of cooperation and appreciation between city and suburb which would benefit all. Much hard work has gone into the development of the area and there have been many discussions and some disagreements along the way, but the district, still planning, as changes continue is considered a great success. It is safer. Many areas are more attractive, and both sides of the avenue are learning to work together.

The Barnes Foundation offers

still another opportunity for city and suburb to work together to solve the financial difficulties that have beset it. I urge you, if you have not already done so, or even if you have, to again walk through the arboretum, visit the Jacques Lipchitz sculptures and then go in and visit the galleries, glancing from time to time at the gardens and try to discern their relationship to the paintings. Understand for yourselves the reasons why it makes so little economic or artistic sense to relocate this jewel. I ask you please consider all of this before you cast your vote.

Thank you.

COUNCILMAN CLARKE: Thank you for your testimony.

Please proceed, sir.

MR. RAYMOND: My name is Jay Raymond. I brought prepared remarks, but I'm going to skip them for the moment, because I would just be repeating many of the things that my colleagues here have

already said.

I do want to respectfully disagree with the remark that was made that this is a no-brainer, because as we've seen, the Barnes Foundation brought a lot of brainpower here to convince you that this is the right thing to do, and I think our side should be accorded the same respect.

I also happen -- I don't know that I'm one of the plain people that Dr. Barnes -- that the people in charge of the Barnes Foundation keep reminding you that that place is supposed to be for, but I am plainer than most. My parents grew up mostly in Philadelphia, working in shops and factories, and I've spent 23 years of my working life being a heating mechanic and a heating contractor repairing the heating systems of low-income families in Philadelphia. I worked for two non-profits providing those services and did so myself as a contractor to PHDC. So I have a great

deal of familiarity with this entire City.

I also was a student at the Barnes Foundation in the '70s when I was at Temple University, and I have been a teacher in the faculty at the Barnes Foundation. I have studied at the Barnes Foundation for a long time. I am currently a student. I've also read nearly everything that Dr. Barnes ever published. So I consider myself nearly an expert on his ideas, having read his ideas and studied his ideas.

Make no mistake, please. There is nothing in this plan that has anything to do with what Dr. Barnes intended for his art. The folks in charge over there repeat that line, for the appreciation and education in the fine arts. They don't know what that means. They think that education is building classrooms and filling it with kids. The classrooms at the Barnes Foundation are the galleries. The kind of education that the Barnes

Foundation has nothing to do with the kind of education that they're intending to create there. I'm not denigrating that kind of education that they're intending to create. It already exists in many places and in many fine institutions. The Philadelphia Museum of Art has a fantastic program. And so will the Barnes no matter where it is. But the kind of education that Dr. Barnes sought for the plain people and for everyone is the kind of education that changes your life, that changes the way that you view yourselves, the way you view the world, the kind of education that lifts you up. It doesn't just fill your head with some polite information about who the artist was or where he came from or who she was.

That sort of education is not being supported at the current Barnes Foundation and it will not be supported at the new Barnes Foundation. The new Barnes Foundation will have nothing to do

with the old Barnes Foundation in any way.

Dr. Barnes' ideas are often sort of ridiculed and played down. Yet, it is those ideas that form that institution. The man wasn't a genius at collecting art and an idiot when it came to talking about it. He understood what he was doing, and he understood what kind of school actually would benefit people.

So you get a choice here. You get a choice to decide to listen to the folks who came before us and gave you all the reasons why this was going to do all this good for the City of Philadelphia or you get to listen to us, the people who live near the Barnes Foundation, the people who have been to school at the Barnes Foundation, people who take a day off of work, such as myself, to talk to you folks.

I hardly see any of them still here. They've gone on.

So I'll just now go to my

remarks.

Philadelphia cannot build its future on arts tourism by poaching paintings from its neighbor. It is already understood by the world art community that a Barnes on the Parkway means a desecration of a world treasure. It will always be understood. No matter how expensive and prestigious and beautiful the new container for the paintings is, the Barnes on the Parkway will not be the work of art that Albert Barnes created. It will be the work of vandalism that Pew, Lenfest and Annenberg created, subverting Barnes' legacy so it can become their own.

The elected representatives of the township of Lower Merion and of Montgomery County have unanimously made their position on this clear: A Barnes on the Parkway is against the wishes of those communities.

A Barnes anywhere else than where it is will never be for the

profound educational benefit of anyone, including the plain people. It will be an intellectually impoverished place. It will have lost its soul as someplace special.

The Barnes could thrive in Merion if only its Board would commit themselves to it, something they have not done for nearly ten years and with appalling results.

There is no sound justification or benefit to this scheme. If a deal sounds too good to be true, it probably is, and I am certain this is one of those cases. The world would cheer now and forever if you decline to approve the bill before you. You have more than enough reasons to vote against this bill. You only need to do so.

Thank you very much.

COUNCILMAN CLARKE: Thank you for your testimony.

Thank you all very much.

I think Councilman Rizzo would

like to hear from Mr. Gillman. He had a question about the reuse or the potential use of the existing site.

MR. GILLMAN: Councilman, you asked about the use of the Merion building and the grounds after the collection is moved to the Parkway. The arboretum will obviously stay. I say "obviously." There's no intention of moving trees. It will continue to be the center of horticultural education of the Barnes Foundation. But I would say that the intention is to create a very fine landscaped environment on the Parkway as well. So, in fact, the horticultural activities would increase at the Barnes, because not only will we have our country estate Ker-Feal out in Chester County, which has many horticultural specimens and active horticultural work, but will continue to develop the arboretum, as we do continually, and will also work on the Parkway to make sure that really is a remarkable and integrated environment for

art and the collection.

We shall move the archive, which is currently housed in the administration building, into the main gallery to create a research center, and I am sure that we shall develop more programs going forward. It's a capacious building. It's a building that I'm sure over the next many decades will see more and more activities. But I think one thing that's really important -- and I say this as somebody who has lived in Merion for nearly eight years -- we will make it more accessible to the neighbors in terms of people being able to come onto the grounds and actually enjoy the arboretum. So it's not, in any sense, that the wonderful country house atmosphere is going away. If anything, it will be more part of the environment, and we look forward to really making it -- continue to make it a major center of horticultural activity.

COUNCILMAN RIZZO: So then the

possibility of that relationship between the Barnes Philadelphia and the Barnes Lower Merion could still occur where the shuttle could bring people back and forth?

MR. GILLMAN: Absolutely.

COUNCILMAN RIZZO: And there could be developed a relationship during this process to hopefully continue on in Lower Merion? I see a lot of heads shaking back there. But that is something that you would consider?

MR. GILLMAN: Absolutely. And there was one comment which was made about there have been rumors and fears about sale of the land to St. Joe's. It is very clear that we will continue that maintain the property. We will continue to maintain the arboretum. We'll continue to develop the horticultural programs.

COUNCILMAN RIZZO: That's good. Thank you.

MR. GILLMAN: Thank you.

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COUNCILMAN RIZZO: Thank you, Mr. Chairman.

COUNCILMAN CLARKE: I believe we have one more witness. It is GPTMC.

MS. WASHINGTON: Thank you, Chairman.

COUNCILMAN CLARKE: Sorry to keep you waiting.

MS. WASHINGTON: And Chairwoman, Councilwoman Brown. My name is Patricia Washington. I'm representing Meryl Levitz, the President and CEO of Greater Philadelphia Tourism Marketing Corporation. I am Vice-President of Grants and Development at GPTMC, and as the organization charged with promoting Philadelphia to regional, national and global audiences, I am here to express GPTMC's support for Bill 070462 related to the Barnes Foundation's move to the City of Philadelphia.

The move means that the Barnes, one of the world's most significant art collections, will be relocated to the

Benjamin Franklin Parkway. Here, the singular and priceless asset cannot only survive but thrive, free of the strict limitations on visitation, accessible to all and at a place where it can leverage the greatest value for our City and region.

To be competitive in a global market, Philadelphia must constantly and strategically invest in new attractions and amenities. Tourism is a major economic engine for our City and region, generating $16 billion a year. That's $16 million per day in direct, indirect and induced visitor spending, employing 126,986 people, generating over a billion dollars in local, state and federal taxes. We've seen overnight visitation increase 55 percent between 1997 and 2005.

Adding the Barnes Foundation to the cultural jewels on the Parkway will help continue this momentum and increase the attention paid to and attendance at

other museums and cultural attractions around it. It would also enhance Philadelphia's image as a cultural city with a robust and richly diverse cultural environment, and would also enhance Philadelphia's image as a destination of national and international importance.

Thank you.

COUNCILMAN CLARKE: Thank you so much for your testimony.

Any questions?

(No response.)

COUNCILMAN CLARKE: There being none --

MS. FLAKS: Can I ask a question?

COUNCILMAN CLARKE: No, you can't ask a question, ma'am. I was asking members of the Committee. You can answer a question in the audience, but --

MS. FLAKS: I'd like for you to hear our answer.

COUNCILMAN CLARKE: Thank you.

If there are no other

witnesses, this concludes the public hearing of the joint Committee on Public Property and Public Works and Recreation and Cultural Affairs. We will now go into the public meeting.

Councilwoman Brown, may I ask for a motion on the amendment to Bill No. 070462.

COUNCILWOMAN BROWN: Chairman Clarke, I would like to make a motion that Bill No. 070 --

COUNCILMAN CLARKE: For the record, there is an amendment. The attached Master Lease that is listed as Exhibit A will be an amendment.

COUNCILWOMAN BROWN: That Bill No. 070462 be amended -- Chairman Clarke, I make a motion on the amendment.

(Duly seconded.)

COUNCILMAN CLARKE: There's a motion and a second.

All in favor of the amendment to Bill No. 070462?

(Aye.)

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COUNCILMAN CLARKE: Those opposed?

(No response.)

COUNCILMAN CLARKE: The ayes have it.

Councilwoman Brown, can I ask for a motion on Bill No. 070462 as amended.

COUNCILWOMAN BROWN: Chairman Clarke, I make a motion that Bill No. 070462 as amended be moved out of Committee with a favorable recommendation and further move that the rules of Council be suspended so as to permit first reading at our next scheduled session.

(Duly seconded.)

COUNCILMAN CLARKE: It's been moved and seconded.

All in favor?

(Aye.)

COUNCILMAN CLARKE: Those opposed?

(No response.)

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COUNCILMAN CLARKE: The ayes have it. Bill 070462 is reported out of Committee with a favorable recommendation with a rules suspension to allow reading at the next session of Council.

Thank you all very much. This concludes the public meeting.

(Joint Committees on Public Property and Public Works and Parks, Recreation and Cultural Affairs adjourned at 2:00 p.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 June 5, 2007, and that this is a true and correct transcript of same.

_____

MICHELE L. MURPHY

RPR-Notary Public

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