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COUNCIL OF THE CITY OF PHILADELPHIA

3

COMMITTEE ON PUBLIC PROPERTY and PUBLIC WORKS

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Room 400, City Hall
Philadelphia, Pennsylvania
Wednesday, June 9, 2010, 3:10 p.m.

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11 BILL 100375 - Held to the call of the Chair.

12 BILL 100378 - Held to the call of the Chair.

13 BILL 100466 - An ordinance authorizing the
14 Commissioner Public Property, on behalf of the
15 City of Philadelphia, to enter into a sublease
16 agreement with the Philadelphia Authority for
17 Industrial Development for use by the City of a
premises located at 2800 South 20th Street,
Philadelphia, Pennsylvania, all under certain
terms and conditions.

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COMMITTEE MEMBERS PRESENT:

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Darrell C. Clarke, Chair
James F. Kenney, Vice Chair
W. Wilson Goode, Jr.
William K. Greenlee
Donna Reed Miller
Frank Rizzo

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1 6/9/10- PUB PROP/PUB WORKS - BILL 100466

2 COUNCILMAN CLARKE: Good
3 afternoon. This is the meeting of the
4 Committee on Public Property and Public
5 Works public hearing.

6 For the record, we have
7 established a quorum: Councilman Rizzo,
8 Councilman Kenney, Councilman Greenlee,
9 and Councilwoman Miller.

10 Let me say now here that we
11 will be holding Bill No.'s 100375 and
12 100378 to the call of the Chair.

13 Mr. Carter, please read the
14 title of Bill No. 100466.

15 MR. CARTER: Bill No. 100466,
16 an ordinance authorizing the Commissioner
17 Public Property, on behalf of the City of
18 Philadelphia, to enter into a sublease
19 agreement with the Philadelphia Authority
20 for Industrial Development for use by the
21 City of a premises located at 2800 South
22 20th Street, Philadelphia, Pennsylvania,
23 all under certain terms and conditions.

24 COUNCILMAN CLARKE: Thank you.

25 (Witnesses come forward.)

1 6/9/10- PUB PROP/PUB WORKS - BILL 100466

2 COUNCILMAN CLARKE: Please
3 proceed.

4 COMM. SCHLOTTERBECK:
5 Mr. Chair, is there a reason for us to
6 discuss the amendment to the existing
7 ordinance, or have you covered that?
8 There's been an amendment to the bill.

9 COUNCILMAN CLARKE: You can
10 mention it.

11 COMM. SCHLOTTERBECK: Actually,
12 I don't know that I have the... I don't
13 have the language in front of me.

14 COUNCILMAN CLARKE: I will take
15 the responsibility of doing that.

16 This is an amendment offered by
17 the sponsor of the bill. Essentially the
18 amendment will reference the period not
19 to exceed 30 years as it relates to the
20 sublease in it.

21 Mr. Gillison, did you want to
22 speak on that?

23 DEPT. MAYOR GILLISON: Everett
24 Gillison, Deputy Mayor for Public Safety.
25 There's actually two

1 6/9/10- PUB PROP/PUB WORKS - BILL 100466

2 amendments, from what I have been told.

3 One is the amendment that you just

4 referenced. It is not to exceed.

5 The other is one that was just

6 recently agreed to. There was an

7 exclusive-use matter, where they will

8 allow the DVIC, or the Delaware Valley

9 Intelligence Center, to go forward, but

10 the expansive reading for public safety

11 purposes, it would exclude certain uses.

12 Those uses would not include things like

13 a correctional center, which is not in

14 any way, shape, or form supposed to be.

15 And it was just as a technical

16 matter to make sure that it would not be

17 used for that purpose. Those two

18 instances do not coalesce at all.

19 This is highly homeland

20 security focus-based, and I think that

21 you would hear that both from the

22 Commissioner's testimony --

23 COUNCILMAN CLARKE: Okay.

24 DEPT. MAYOR GILLISON: And I

25 have with me today Ed Atkins, who is the

1 6/9/10- PUB PROP/PUB WORKS - BILL 100466
2 regional coordinator for the Southeast
3 Task Force, to provide testimony as well
4 on that issue.

5 COUNCILMAN CLARKE: Okay,
6 great. Thank you.
7 Commissioner?

8 COMM. SCHLOTTERBECK: Good
9 afternoon, Chairman Clarke and members of
10 the Public Property and Public Works
11 Committee. My name is Joan
12 Schlotterbeck.

13 I'm here today, as Commissioner
14 of Public Property, to testify in support
15 of Bill No. 100446, as amended, that
16 authorizes me, as the Commissioner of
17 Public Property, on behalf of the City of
18 Philadelphia, to enter into a sublease
19 agreement with the Philadelphia Authority
20 for Industrial Development for the use of
21 by the City of a premises located at 28
22 South 20th Street, Philadelphia,
23 Pennsylvania, all under certain terms and
24 conditions.

25 With me today is Deputy Mayor

1 6/9/10- PUB PROP/PUB WORKS - BILL 100466

2 for Public Safety Everett Gillison.

3 This agreement will be a
4 long-term lease whereby the premises
5 shall be used as the Delaware Valley
6 Intelligence Center also known as DVIC.

7 The DVIC is an initiative of the
8 Southeastern Pennsylvania Regional Task
9 Force, or "Task Force." The City of
10 Philadelphia is one of the five counties
11 that compromise the task force.

12 The DVIC will function
13 primarily as a regional fusion center for
14 information and intelligence-gathering
15 from various criminal justice and public
16 safety agencies related to terroristic
17 threats, criminal activity, natural
18 disasters, and other hazards.

19 I would like to offer a
20 proposed amendment to the bill, which
21 limits the terms to not to exceed 30;
22 and, in addition, as mentioned, earlier,
23 there's a second amendment which
24 restricts the use of the premises.

25 The Department of Public

1 6/9/10- PUB PROP/PUB WORKS - BILL 100466

2 Property supports these measures and,
3 accordingly, respectfully request that
4 Council approve Bill No. 100446. And
5 that Council suspends the rules so as to
6 allow for first reading at the next
7 session of Council.

8 Thank you.

9 We're here to answer any
10 questions you may have.

11 COUNCILMAN CLARKE: Anyone else
12 to testify?

13 DEPT. MAYOR GILLISON: Just
14 Mr. Atkins can answer question as needed.

15 COUNCILMAN CLARKE: Okay. Real
16 quick. This space, this is the
17 quartermasters, in that vicinity?

18 DEPT. MAYOR GILLISON: Yes.

19 COUNCILMAN CLARKE: Is it a
20 space that needs to be fitted out or --

21 DEPT. MAYOR GILLISON: Yes.

22 COUNCILMAN CLARKE: What is the
23 extent of the fit-out, and who's paying
24 for the fit-out?

25 DEPT. MAYOR GILLISON: The task

1 6/9/10- PUB PROP/PUB WORKS - BILL 100466

2 force has accumulated approximately
3 \$11 million in federal funding that will
4 allow us to defray the cost when it comes
5 to the fit-out as well. And I can just
6 read a couple of things just so that the
7 committee is aware.

8 The full fit-out will cost us
9 somewhere around \$20 million to do in
10 general. What we are able to do now is
11 to use this money to begin that process.
12 We are applying for Homeland Security
13 dollars. And we have already, through
14 the task force and the regional
15 cooperation that we've had, they've
16 already said that they will be putting
17 about a million dollars to help us defray
18 various costs on a yearly basis to help
19 us with the -- amortize the operating
20 costs.

21 So not only do we have money in
22 hand right now to actually move the
23 project forward and help us with the
24 fit-out; but also, we are working
25 together to make sure that we are

1 6/9/10- PUB PROP/PUB WORKS - BILL 100466

2 minimizing the exposure to the City. And
3 by moving certain police functions into
4 this area, we hope to have a net cost,
5 and I'm looking for a net zero.

6 I know that Ms. Schlotterbeck
7 has said that we'll probably have to put
8 in about another 400 to \$500,000 as we go
9 forward, but I'm hoping for a net zero.
10 But having a brand-new building, fusing
11 all the intelligence together, that will
12 really enable us in homeland security and
13 in regular policing to push this matter
14 forward.

15 So I'm excited about the
16 possibilities that we have here. And I
17 know that, since we have the money in
18 federal grants, they're paying for the
19 majority of the work.

20 COUNCILMAN CLARKE: Okay.
21 Understanding that there's relatively
22 substantial costs associated with the
23 fit-out, what's the contractual
24 relationship with the entity, or
25 entities, who will do the fit-out?

1 6/9/10- PUB PROP/PUB WORKS - BILL 100466

2 DEPT. MAYOR GILLISON: The way
3 that the Southeast Task Force is
4 compromised -- and perhaps I should defer
5 to the chairman, but they now have a
6 financial agent that has been brought
7 onboard to manage all of the Southeast
8 Task Force dollars, the contractual
9 arrangements would be with the Southeast
10 Task Force appropriating those dollars
11 going forward.

12 And, obviously, with the City
13 being in the vice chair position that we
14 currently hold, along with working with
15 our partners, we will be pushing that
16 process forward.

17 But I'll defer to Chairman
18 Atkins to give any additional answers to
19 that question.

20 MR. ATKINS: Actually, the
21 Deputy Mayor has it exact -- I'm sorry.
22 I'm Ed Atkins, the Director of Emergency
23 Services for Chester County and Chairman
24 of the Southeast Pennsylvania Regional
25 Task Force.

1 6/9/10- PUB PROP/PUB WORKS - BILL 100466

2 And the Deputy Mayor has very
3 well articulated the way this will work.
4 We have a fiduciary agent that will be
5 handling the money, will be the
6 contractual obligations.

7 The task force has been behind
8 this since 2005, and we're very much
9 behind it now, as the Deputy Mayor said.

10 COUNCILMAN CLARKE: Okay. Let
11 me get a little more detail in terms of
12 where I'm going with this.

13 \$20 million retrofit. You have
14 a fiduciary agent who will handle that
15 \$20 million for the contract? Who will
16 be the contractor, or do you not know
17 that yet?

18 MR. ATKINS: We have --

19 COUNCILMAN CLARKE: And if you
20 don't know that yet --

21 MR. ATKINS: We don't know that
22 --

23 COUNCILMAN CLARKE: -- who will
24 be responsible for ensuring, as it
25 relates to subcontractors, the

1 6/9/10- PUB PROP/PUB WORKS - BILL 100466

2 participation of Philadelphians, the
3 whole nine yards, as it relates to --

4 MR. ATKINS: Okay.

5 COUNCILMAN CLARKE: -- 'cause
6 \$20 million is a nice --

7 MR. ATKINS: Oh, yeah.

8 COUNCILMAN CLARKE: It falls
9 within the guidelines of the EOP
10 language.

11 DEPT. MAYOR GILLISON: Oh, we
12 are -- obviously, this is one of those
13 areas that is highly specialized, but we
14 are making sure that as we go forward --
15 there has been a consultant that has been
16 engaged by the task force for the past
17 four years?

18 MR. ATKINS: Yes, sir.

19 DEPT. MAYOR GILLISON: And it's
20 been the (indiscernible) company, and
21 they are a national-security, basically,
22 kind of firm. They have been driving the
23 designs of what needs to be done. That
24 kind of stuff is -- now we have the plans
25 going forward, but we do not have, you

1 6/9/10- PUB PROP/PUB WORKS - BILL 100466

2 know, who's actually going to be the one
3 building the things, going forward.

4 COUNCILMAN KENNEY: Point of
5 information on that same point.

6 Are there any requirements or
7 restrictions on security clearances or --

8 DEPT. MAYOR GILLISON: Oh,
9 absolutely. To get into this facility?

10 COUNCILMAN KENNEY: No, no, no,
11 no. To get to build it.

12 COUNCILMAN CLARKE: The
13 structure.

14 COUNCILMAN KENNEY: The
15 structure of it, knowing the insides of
16 it, knowing the design. And I assume
17 there is some --

18 DEPT. MAYOR GILLISON: Yes.

19 COUNCILMAN KENNEY: So will
20 that constrict our ability to -- are
21 there certain contractors that have those
22 clearances and certain ones that don't?

23 DEPT. MAYOR GILLISON: There
24 will be because of the homeland security
25 nature of the building. The answer is

1 6/9/10- PUB PROP/PUB WORKS - BILL 100466

2 yes.

3 COUNCILMAN KENNEY: Okay.

4 DEPT. MAYOR GILLISON: Because
5 those are basically federal guidelines
6 that we have to be in parallel with.

7 COUNCILMAN KENNEY: Okay.

8 DEPT. MAYOR GILLISON: However,
9 I'm very sensitive, as the Chair knows,
10 to the fact that wherever we have the
11 opportunity, that our EOP materials and
12 our EOP guidelines would be followed.
13 And that's a part of the City's role in
14 this matter.

15 COUNCILMAN CLARKE: All right.
16 I want to get a little more detail. And
17 I understand there are certain federal
18 guidelines associated with the structure
19 because of the nature of the ultimate
20 operation.

21 But at the end of the day, it's
22 going to be \$20 million to retrofit a
23 building in the City of Philadelphia,
24 where the City is a partner in this. And
25 understanding, given the nature of the

1 6/9/10- PUB PROP/PUB WORKS - BILL 100466
2 funding -- and we just went through this
3 and would have had further discussion
4 today on the Family Court building 'cause
5 it was a State-funded project.

6 The question is: What will be
7 the guidelines associated with ensuring
8 that, as Councilman Kenney said, there
9 are people who will pass clearance or
10 whatever clearance is required?

11 And I'm sure that there are
12 people that are MBE/WBE-certified both in
13 terms of the ability to do the work and
14 the ability to pass clearance. What's
15 the strategy associated with that
16 retrofit in the hiring?

17 And not only that, and
18 Philadelphians, to construct or rehab the
19 building?

20 COUNCILMAN KENNEY:
21 Mr. Chairman, the point of my question
22 was that I know, in the past, we have
23 attempted to assist minority contractors
24 with bonding issues when they weren't
25 capable of achieving some levels of

1 6/9/10- PUB PROP/PUB WORKS - BILL 100466

2 bonding and insurance, and I'm wondering
3 if we can't include that assistance,
4 being getting clearance, in the same
5 thought process.

6 'Cause I think that if we leave
7 it out there and we don't attack the
8 problem of not having the clearance and
9 try to get them cleared, then they won't
10 ever qualify.

11 So I just wanted to add that
12 clearance issue to the other help that we
13 give and assist relative to bonding and
14 other types of things, 'cause I know that
15 would be an additional not usual hurdle
16 for a project like that, 'cause we
17 usually don't need security clearance for
18 EOP plans.

19 DEPT. MAYOR GILLISON: My
20 answer is going to be the same. It's
21 going to be that we are going to utilize
22 our role as the City, the way that we
23 have been doing it for the last four
24 years in pulling this project together,
25 to make sure when we finally are able to

1 6/9/10- PUB PROP/PUB WORKS - BILL 100466

2 award contracts, that our guidelines are
3 followed.

4 We are not at that point yet
5 because we're at the point of just right
6 now trying to negotiate where the place
7 is going to be. We've settled on the
8 fact that this is going to be in the City
9 of Philadelphia as opposed to a different
10 place.

11 Now that we're able to do that,
12 we're able to have -- and just to let you
13 know how quickly these things have come
14 together, we just had the financial
15 manager for the entire Southeast Task
16 Force just came on in the past two
17 months, so we now have the structure that
18 wasn't there before.

19 It used to be that Bucks County
20 was the financial agent for the entire
21 task force; now we have a separate agency
22 managing, to make sure that we all are at
23 the table, on an equal basis.

24 Where this project is located
25 makes it -- I will tell you, we will be

1 6/9/10- PUB PROP/PUB WORKS - BILL 100466
2 applying the City of Philadelphia
3 standards to this project going forward.
4 We haven't written 'em because none of
5 this is there yet but --

6 COUNCILMAN CLARKE: How can you
7 do that if it's not a City-funded
8 project?

9 DEPT. MAYOR GILLISON: Because
10 of our relationship with the Southeast
11 Task Force.

12 COUNCILMAN CLARKE: And you
13 know why I'm asking these questions,
14 because we had these conversations
15 about --

16 DEPT. MAYOR GILLISON: Right.
17 It's --

18 COUNCILMAN CLARKE: -- the
19 Family Court building and their
20 requirements are on the State level.

21 DEPT. MAYOR GILLISON: Right.

22 COUNCILMAN CLARKE: This is a
23 federally-funded program.

24 DEPT. MAYOR GILLISON: In
25 essence --

1 6/9/10- PUB PROP/PUB WORKS - BILL 100466

2 COUNCILMAN CLARKE: So I just
3 need to know, not only for myself, but my
4 assumption is, members of the committee,
5 what's the strategy and what's the plan?
6 'cause you guys are not coming back to
7 Council for any other additional
8 approvals; am I correct?

9 DEPT. MAYOR GILLISON: This is
10 the lease. We will need approvals for
11 the -- well, let's see. We've already
12 the grants. We won't need --

13 COMM. SCHLOTTERBECK: We won't
14 be coming back. This is --

15 COUNCILMAN CLARKE: So saying
16 that is that this is the last bite of the
17 apple for this committee in terms of
18 ensuring that there is a strategy plan --
19 i.e. plan -- associated with ensuring
20 reasonable participation on this and a
21 strategy, as Councilman Kenney said, to
22 that we do everything we can to maximize
23 those opportunities.

24 DEPT. MAYOR GILLISON: Mm-hmm.

25 COUNCILMAN CLARKE: So if you

1 6/9/10- PUB PROP/PUB WORKS - BILL 100466
2 can't give us that now -- and I hear you
3 verbally, and I trust you 'cause I've
4 interacted with you. We traditionally
5 require EOP; that's just what we do here
6 --

7 DEPT. MAYOR GILLISON: I
8 understand that. Believe me, I
9 understand.

10 COUNCILMAN CLARKE: -- before
11 we pass an ordinance. So I'm assuming
12 you don't have an EOP at this point in
13 time.

14 DEPT. MAYOR GILLISON: No. We
15 haven't --

16 COMM. SCHLOTTERBECK: We
17 haven't negotiated --

18 DEPT. MAYOR GILLISON: We
19 haven't negotiated. I mean, it's kind of
20 putting the cart before the horse. We
21 need to get this --

22 COUNCILMAN CLARKE: Well, it's
23 never putting the cart before the horse,
24 'cause I hear that and I've heard that
25 for the last ten years. When people come

1 6/9/10- PUB PROP/PUB WORKS - BILL 100466

2 here and they know that these questions
3 are going to be asked, they say, Well,
4 you know, we're not there yet. Well, why
5 don't you get there first and then do
6 everything else after, 'cause you know
7 that's going to be the question.

8 So if you can't do that, what
9 can you give members of this committee,
10 and subsequently members of Council, in
11 writing to ensure that there's some level
12 of commitment from all parties that will
13 not be circumvented by some federal
14 regulation that say, Well, we don't have
15 to -- frankly speaking, this is funded by
16 us, and we don't have to adhere to any of
17 that.

18 DEPT. MAYOR GILLISON: I
19 understand. And as I've said, and I'll
20 try and just make it plain: We are
21 committed to making sure that this
22 building, and all buildings, especially I
23 can tell you from public safety, 'cause
24 that's the area that I more than anything
25 else deal with.

1 6/9/10- PUB PROP/PUB WORKS - BILL 100466

2 We are committed to making sure
3 that our minority participation and all
4 of the goals that we can put on a project
5 are not only spelled out but spelled out
6 in advance. I will put that in writing.

7 COUNCILMAN CLARKE: All right.

8 DEPT. MAYOR GILLISON: And I
9 will give that to the Chair, and I will
10 have that done.

11 But I wanted to make sure what
12 we are able to do is -- and as I have
13 informed you, in our negotiations for
14 this lease, the part of the issues that
15 we have is that a lot of the money that
16 we have currently in this project are
17 monies that are being sunsetted if we are
18 to be able to move the project forward.
19 I believe it's about \$6 million that is
20 expiring, basically, by the end of this
21 year.

22 We are making sure, without
23 doing any public-lease negotiations, but
24 I think it's safe to say that we know the
25 place, we are active in making the

1 6/9/10- PUB PROP/PUB WORKS - BILL 100466
2 connections, we have other parties that
3 we are interested in joining us. And in
4 order to make sure that the project
5 moves, we -- that's why we are here, to
6 ask for permission to do the lease.

7 I think that to see that the
8 task force chair works with us and works
9 with us intricately, is very well aware
10 of our minority participation rules and
11 what we are asking for are here in the
12 City of Philadelphia.

13 We have done, I think, a
14 yeoman's work to make sure that people
15 understand that we're going to do this
16 building the right way. That's my
17 commitment.

18 And as soon as I'm able to push
19 the -- you know, I get past and the
20 Commissioner can negotiate the lease,
21 once I have the deal, then I can now sit
22 down and say, Okay, this is what we do
23 next, this is how we're going to
24 establish it.

25 And I will put those matters in

1 6/9/10- PUB PROP/PUB WORKS - BILL 100466
2 writing and send it to the Chair and each
3 member of Council so that you will be
4 comfortable with where we are.

5 COUNCILMAN CLARKE: Before the
6 passage of the bill.

7 DEPT. MAYOR GILLISON: I'm
8 sorry?

9 COUNCILMAN CLARKE: Before the
10 passage of the bill.

11 DEPT. MAYOR GILLISON: If the
12 bill doesn't pass, I won't be able to --

13 COUNCILMAN CLARKE: I said
14 before the pass-out.

15 Everett, we don't normally pass
16 anything out of here above a million
17 dollars unless it has a EOP attached.

18 DEPT. MAYOR GILLISON: I
19 understand.

20 COUNCILMAN CLARKE: I
21 understand the sensitivity and the sense
22 of urgency getting this done, all right?
23 And so, we're being asked, and I think
24 everybody supports it 'cause this is a
25 much-needed development.

1 6/9/10- PUB PROP/PUB WORKS - BILL 100466

2 DEPT. MAYOR GILLISON: Right.

3 COUNCILMAN CLARKE: To pass
4 something without a written document,
5 which we require for everybody, all
6 right? So --

7 DEPT. MAYOR GILLISON: I mean,
8 I can put that in writing to you.

9 COUNCILMAN CLARKE: If you can
10 put something in writing and --

11 DEPT. MAYOR GILLISON: Oh,
12 absolutely.

13 COUNCILMAN CLARKE: --
14 something that's going to be able to
15 withstand any challenges from any federal
16 sources. And, obviously, that will mean
17 you can't commit something beyond what is
18 within your capability as a member of is
19 this administration.

20 So I would really like to have
21 something prior to the passage of the
22 bill in writing; is that okay?

23 DEPT. MAYOR GILLISON: I'll put
24 it in writing. If you're looking for the
25 exact -- the numbers that we're looking

1 6/9/10- PUB PROP/PUB WORKS - BILL 100466

2 for in the areas where we believe we will
3 able to achieve minority participation in
4 the matter, I can turn to that point, and
5 I'll be able to do that; that's not a
6 problem.

7 Much like I had indicated to
8 the Chair to do with Family Court; I was
9 prepared to give the Chair on that issue
10 what the State requirements are and what
11 we had tried to be able to push things
12 down with the State.

13 So within the various guideline
14 areas we are working on that, and I can
15 provide that to the Chair. And I can do
16 that in writing.

17 That's not the issue that I was
18 here today to talk about, but I'm always
19 willing to talk about that.

20 COUNCILMAN CLARKE: You should
21 always expect to talk about that when you
22 come before this Council.

23 DEPT. MAYOR GILLISON: That's
24 not a problem.

25 COUNCILMAN CLARKE: All right?

1 6/9/10- PUB PROP/PUB WORKS - BILL 100466

2 DEPT. MAYOR GILLISON: I mean
3 I'm prepared to talk about it, obviously,
4 but I'm not prepared --

5 COUNCILMAN CLARKE: As
6 important as this matter is -- and it is
7 extremely important, but at the end of
8 the day, it's important for us that if
9 there's substantial dollars spent, or any
10 dollars spent in the City of
11 Philadelphia, that it should reflect --
12 the workforce should reflect the makeup
13 of the -- the demographics of the City of
14 Philadelphia.

15 DEPT. MAYOR GILLISON: You have
16 no argument from me.

17 COUNCILMAN CLARKE: That
18 doesn't seem like a unreasonable request.

19 Okay, Councilman Rizzo.

20 COUNCILMAN RIZZO: I want to
21 get beyond the construction. It's still
22 not clear to me who's going to occupy it.
23 Is it state, federal --

24 DEPT. MAYOR GILLISON: The
25 Philadelphia police primarily, and with

1 6/9/10- PUB PROP/PUB WORKS - BILL 100466

2 the members of the task force starting
3 out virtually and then moving in as
4 needed.

5 COUNCILMAN RIZZO: When you say
6 "members of the task force," are you
7 talking about law enforcement from other
8 communities?

9 DEPT. MAYOR GILLISON: Yes.

10 COUNCILMAN RIZZO: Well, then,
11 once we get it operational, who's going
12 to pay for the tab for the electric, the
13 utilities? It's obviously a tax-exempt
14 building. Who pays all the bills, going
15 into the future, the air-conditioning and
16 all of that stuff?

17 COMM. SCHLOTTERBECK: It's all
18 part of the lease negotiation.

19 COUNCILMAN RIZZO: Well, who
20 pays?

21 COMM. SCHLOTTERBECK: The City.

22 COUNCILMAN RIZZO: Why are we
23 paying for --

24 COMM. SCHLOTTERBECK: Well, we
25 will pay, and there will be other

1 6/9/10- PUB PROP/PUB WORKS - BILL 100466

2 relationships with the other tenants in
3 the building so we'll get reimbursed.

4 COUNCILMAN RIZZO: Well, I'd
5 like to see that arrangement, that
6 agreement, for the operating costs on how
7 we are going to get reimbursed and who
8 from.

9 DEPT. MAYOR GILLISON: And,
10 Councilman, perhaps I can just sum this
11 up.

12 The way that we're trying to
13 make sure this happens is at follows:
14 The building in and of itself, it's in
15 the City of Philadelphia, and we are
16 going to collapse certain groups.
17 Basically our Homeland Security office is
18 going to end up being part and parcel of
19 this building. That will form the core
20 basis of the building.

21 The Homeland Security Unit is
22 currently in another location that we pay
23 rent, so we're basically transferring the
24 rent that we pay at one building to the
25 other.

1 6/9/10- PUB PROP/PUB WORKS - BILL 100466

2 In addition to that, we are
3 actually taking money that we've worked
4 out with the task force, and they're
5 committing to approximately a million
6 dollars a year to help us with the
7 operating costs as we go forward.

8 So we have a million dollars
9 for the task force that they are
10 contributing, because this is not just
11 the City of Philadelphia operation; it is
12 a regional task force. So they are
13 putting, as they say, skin in the game to
14 help us with that, and we are putting the
15 bodies in.

16 As needed, we are also bringing
17 in other members, depending on what is
18 happening, depending on threat levels and
19 everything else from the federal
20 government.

21 The way that we have designed
22 this building is really unlike any other
23 building in the country. We are trying
24 to make sure that we invite other
25 partners to come in electronically at

1 6/9/10- PUB PROP/PUB WORKS - BILL 100466

2 first, so just virtually. We will invite
3 people from Jersey, Delaware, Maryland to
4 join us. So this building will basically
5 house virtually all of these public
6 safety entities together.

7 But primarily, this is a City
8 of Philadelphia task and City of
9 Philadelphia-manned function, and that's
10 why we have the kind of role to make sure
11 that things that happen for the City of
12 Philadelphia get to happen because we're
13 the primary tenants of the building.

14 COUNCILMAN RIZZO: So if you
15 wanted to, you could have just called
16 this a divisional building of the
17 Philadelphia Police Department and got
18 your assistance in another way for people
19 that would benefit from this facility
20 within the City of Philadelphia.

21 I'm concerned about the
22 utilities, I'm discerned about all of the
23 expenses to operate this building that
24 we're going to have the burden to take
25 care of.

1 6/9/10- PUB PROP/PUB WORKS - BILL 100466

2 And, you know, you're pushing
3 -- you're throwing a lot at me quickly.
4 How long has this process been going on?
5 This is the first time I heard of this
6 process, and I pay attention. So how
7 long has this been going on?

8 DEPT. MAYOR GILLISON: When you
9 say -- how long the task force has been
10 going on?

11 COUNCILMAN RIZZO: Well, no,
12 this --

13 DEPT. MAYOR GILLISON: Or the
14 project?

15 COUNCILMAN RIZZO: Yeah.

16 DEPT. MAYOR GILLISON: The
17 project goes back --

18 MR. ATKINS: Five years.

19 COMM. SCHLOTTERBECK: About
20 five years.

21 DEPT. MAYOR GILLISON: --
22 before I even got here. I mean, this was
23 in the previous administration when it
24 started.

25 I was given a briefing when I

1 6/9/10- PUB PROP/PUB WORKS - BILL 100466
2 got here, and I've been trying to make
3 sure that it didn't get derailed, quite
4 frankly.

5 COUNCILMAN RIZZO: Okay. But
6 those utility costs could be substantial
7 in the future and all of the other costs
8 to operate the building, and I think you
9 need to show us a document or at least
10 give us something that shows how all of
11 that is going to happen.

12 DEPT. MAYOR GILLISON: Well, I
13 believe, sir, that the idea is that
14 the -- that's exactly what the lease
15 negotiations allow us to do. I mean,
16 what you're talking about is what you're
17 giving us permission to negotiate.

18 COUNCILMAN RIZZO: But like my
19 colleague the Chair said, once we pass
20 this, it's kind of your deal, and we
21 can't really do much to correct things
22 that we don't like.

23 Like I want to -- before I vote
24 in favor of this, I would want to know,
25 and I would like to see something that

1 6/9/10- PUB PROP/PUB WORKS - BILL 100466
2 explains how the City gets reimbursed
3 from a task force that's going to spread
4 to New Jersey, to Bucks, Montgomery,
5 Chester, Delaware Counties, what their
6 piece of the pie is. And I don't know if
7 that's in here.

8 DEPT. MAYOR GILLISON: I can
9 provide that to the Chair, but I believe
10 the reason why we have the chairman here
11 and because of what I just said, the
12 million dollars is really what they are
13 saying they are saying, they're going
14 forward.

15 And depending on what the
16 dollar value is of the lease, we'll be
17 able to -- I think we'll be able to meet
18 all of those questions that you might
19 have, and we'll do it in writing. And I
20 can provide it to the Chair.

21 COUNCILMAN RIZZO: That million
22 dollars -- and I'm not questioning the
23 fact that that's going to be there when
24 they say it's going to be there, but I've
25 been around long enough to know that if

1 6/9/10- PUB PROP/PUB WORKS - BILL 100466

2 something happens with that million

3 dollars, we're going to eat it.

4 DEPT. MAYOR GILLISON: Okay.

5 But I can provide the outline to the

6 Chair, and I'll give that --

7 COUNCILMAN RIZZO: Thank you.

8 DEPT. MAYOR GILLISON: But I'm

9 quite -- I'm quite comfortable that we'll

10 be able to meet that question, given the

11 outliers of what I'm hoping we can get.

12 COUNCILMAN RIZZO: Okay. You

13 know the budget crunch we're having is

14 probably in all of those counties that

15 are going to be supporting this facility.

16 So that's my concern.

17 Mr. Chairman, I've said my

18 piece.

19 COUNCILMAN CLARKE: Thank you.

20 Thank you, Councilman.

21 MR. ATKINS: Just if I could,

22 sir, real quickly.

23 COUNCILMAN CLARKE: Yes.

24 MR. ATKINS: The million

25 dollars that we're talking about from the

1 6/9/10- PUB PROP/PUB WORKS - BILL 100466

2 task force, that's not the county
3 contributions to that; that's actually
4 federal money that we get through the
5 Department of Homeland Security.

6 COUNCILMAN RIZZO: (Not
7 entirely audible; off-mic.) Every year.
8 There's no guarantee that that --

9 MR. ATKINS: No, sir. I mean,
10 as best as we could tell, it will.

11 COUNCILMAN RIZZO: Who's going
12 to help us pay the utilities?

13 COMM. SCHLOTTERBECK:
14 Councilman, in order not to negotiate in
15 a public way, we have done a lot of
16 homework internally in the City,
17 understanding costs, understanding budget
18 impact, understanding the move from our
19 current rent into this building.

20 Believe me, I think we know
21 where we are and where we need to be.
22 And this million dollars is a part of our
23 budget forecast.

24 And I understand that you're
25 concerned about what if, at some point in

1 6/9/10- PUB PROP/PUB WORKS - BILL 100466

2 the future, federal dollars are moved.

3 We do -- I do leases like this all the

4 time, and I never know what's going to

5 happen in the future. We just have to

6 put our best foot forward.

7 So, I mean, we're going to

8 negotiate the best deal we can get for

9 the City.

10 COUNCILMAN RIZZO: Who's paying

11 the utilities?

12 COMM. SCHLOTTERBECK: The

13 operating expenses will be part of the

14 lease, and they will be shared with the

15 City and with the other tenants.

16 COUNCILMAN RIZZO: Again say

17 the tenants, besides the city.

18 COMM. SCHLOTTERBECK: The

19 tenants will be -- who are the other

20 people? Where's the other money coming;

21 that's the question he's asking, the

22 million dollars.

23 COUNCILMAN RIZZO: Beyond the

24 million. We know the million is from the

25 feds --

1 6/9/10- PUB PROP/PUB WORKS - BILL 100466

2 (Indiscernible; parties talking
3 over each other.) at once

4 MR. ATKINS: The million
5 dollars is all I can really speak to.
6 You know, the million dollars is part of
7 the money that comes down to the task
8 force.

9 We've put -- out of that
10 \$11 million the Deputy Mayor talked about
11 earlier, 4.7 came from the task force.
12 We've said this money we want to put into
13 the DVIC because we think that's
14 important enough and we need to make that
15 happen.

16 What we are looking going
17 forward is around a million a year,
18 continuing. And we view ourselves then
19 becoming more and more as a funding
20 partner in this, that there will be other
21 organizations, other things in a very
22 Philadelphia-centric facility.

23 But we, the task force, say we
24 want to put about a million of our money
25 every year into this to keep it going to

1 6/9/10- PUB PROP/PUB WORKS - BILL 100466

2 pay the utilities, to pay the rent, to do
3 all those kinds of things.

4 DEPT. MAYOR GILLISON: And the
5 uniqueness of it, if I may, Councilman,
6 is that when you're say who's ultimately
7 going to be responsible? yes, the City of
8 Philadelphia is the one that is
9 authorized to do the -- you know, sign on
10 the bottom line. But we also have the
11 task force as the financial fiduciary
12 that is managing the money.

13 One of the things that we were
14 able to do this year is to raise the
15 level of our tier participation from a
16 Tier 2 homeland security city to a Tier
17 1, which makes us more eligible for even
18 more dollars.

19 And one of the things that the
20 federal government has been doing is to
21 make sure that fusion centers like this
22 are their number-one priority, especially
23 when it comes to us now being a Tier 1.

24 We have a lot of work to do to
25 catch up with a lot of the dollars that

1 6/9/10- PUB PROP/PUB WORKS - BILL 100466

2 other Tier 1 cities got, and I'm looking
3 forward to, and have looked forward to,
4 going down to Washington, talking with
5 the secretary about the new investments
6 that are being made.

7 We are going to be able to
8 apply for -- and it has already worked
9 where we've gotten, through Congressman
10 Fattah, some additional money for cameras
11 as a result of us being already elevated
12 from a Tier 2 to a Tier 1. It was easier
13 for him to make that argument because of
14 our threat level and because of moving up
15 in that area.

16 I'm looking forward to other
17 opportunities. We're looking for formula
18 money. That's always going to be
19 happening through the Southeast Task
20 Force, but you can see that the way that
21 we work together here, and this is the
22 signature project not only for us as the
23 City of Philadelphia but for us as a
24 regional center.

25 And that's what the federal

1 6/9/10- PUB PROP/PUB WORKS - BILL 100466
2 government is really, really emphasizing.
3 And we're at the cutting edge now.

4 So I really don't have any
5 hesitation to say that we should not be
6 in the position to carry what we are
7 going to be able to carry. I'm trying to
8 make sure that we are using dollars,
9 obviously, in this budget environment,
10 especially in public safety, I want to
11 make sure that this becomes not only a
12 signature project but something that's
13 going to last long in excess of the time
14 that I'm gone and Ed is gone.

15 But we've written in our
16 relationship and written into the various
17 documents that we get that kind of
18 support.

19 COUNCILMAN RIZZO: And I hear
20 everything you're saying, and I'm going
21 to end it.

22 But I just want to make sure
23 that the taxpayers of this city and this
24 government don't carry the entire burden.

25 DEPT. MAYOR GILLISON:

1 6/9/10- PUB PROP/PUB WORKS - BILL 100466

2 Absolutely.

3 COUNCILMAN RIZZO: And that
4 it's clear as a bell whose responsibility
5 it is what, even though we were just told
6 that that million dollars could be pulled
7 anytime and we could be carrying the nut.

8 Thank you, Mr. Chair.

9 COUNCILMAN CLARKE: Thank you,
10 Councilman.

11 Councilwoman Miller.

12 COUNCILWOMAN MILLER: Thank
13 you, Mr. Chair.

14 I just had some of the same
15 concerns as Councilman Rizzo. I guess I
16 wanted to make sure that Philadelphia was
17 not going to carry the entire financial
18 burden, particularly when other counties
19 and cities are involved.

20 And I'm glad you did say --
21 'cause I was also going to ask the
22 questions, with us being raised to Tier
23 1, would that mean we'd be eligible for
24 additional cameras? We always ask you
25 about more and more and more and more

1 6/9/10- PUB PROP/PUB WORKS - BILL 100466

2 cameras 'cause we need them.

3 Who will ultimately be
4 supervising that center? Ed, are you
5 going to be the supervisor? What is your
6 title again?

7 MR. ATKINS: My daytime job is,
8 I'm the Director of Emergency Services
9 for Chester County.

10 COUNCILWOMAN MILLER: Okay.

11 MR. ATKINS: As one of the five
12 members of the executive board, my
13 colleagues elected me to be chairman of
14 the task force.

15 COUNCILWOMAN MILLER: Okay.

16 MR. ATKINS: But to answer your
17 specific question, no, no, ma'am, I will
18 not be the day-to-day operational
19 supervisor of the facility.

20 COUNCILWOMAN MILLER: Well, I
21 guess what city, county, or does the task
22 force have some type of organizational
23 setup, or will Philadelphia be in charge
24 of this infusion -- regional fusion
25 center?

1 6/9/10- PUB PROP/PUB WORKS - BILL 100466

2 MR. ATKINS: This will be a
3 Philadelphia operation.

4 COUNCILWOMAN MILLER: Okay.

5 MR. ATKINS: And there have
6 been some very talented, hardworking
7 folks in the Police Department that have
8 been helping us all along to make this a
9 reality.

10 COUNCILWOMAN MILLER: So where
11 will those police officers move from to
12 this center? Where are they now?

13 DEPT. MAYOR GILLISON: The
14 Homeland Security Unit is currently in
15 the Frankford Arsenal, and they will be
16 moving from there down to this facility
17 when it is stood up.

18 COUNCILWOMAN MILLER: Okay.
19 And will you have any other employment
20 opportunities other than the homeland
21 security officers?

22 DEPT. MAYOR GILLISON: In this
23 particular facility, it would only be the
24 homeland security officers. It would
25 only be the homeland security-related

1 6/9/10- PUB PROP/PUB WORKS - BILL 100466

2 matters.

3 It's a small, dedicated unit,
4 and they're moving on. We are hoping to
5 grow this into a larger public-safety
6 area, but it starts first with
7 Philadelphia and the square footage that
8 is needed for us to begin that process
9 and the investment that is needed.

10 COUNCILWOMAN MILLER: Okay.

11 And I don't expect you to negotiate the
12 lease in public, but I would assume the
13 \$20 million fit-out will, hopefully, be a
14 factor in the final cost of the rent.

15 COMM. SCHLOTTERBECK: Oh,
16 Absolutely.

17 COUNCILWOMAN MILLER: Okay.

18 COMM. SCHLOTTERBECK:
19 Absolutely.

20 COUNCILWOMAN MILLER: I think
21 that's it.

22 Thank you, Mr. Chair.

23 COUNCILMAN CLARKE: Sorry.

24 Thank you, Councilwoman.

25 Councilman Kenney.

1 6/9/10- PUB PROP/PUB WORKS - BILL 100466

2 COUNCILMAN KENNEY: Thank you
3 very much.

4 Let me try to summarize it to
5 my mind so I can -- I understand it.

6 I understand the concerns about
7 the cost of operating the building, but
8 it seems to me that one of the few areas
9 of government investment that goes up
10 regularly since 2001 is issues relative
11 to homeland security. I mean, we're
12 putting more and more money into these
13 types of operations.

14 And it seems to me likely that
15 that won't change anytime soon as long as
16 we're in Afghanistan and Iraq and we're
17 having even closer folks, American-born
18 Al-Qaeda-trained folks trying to leave
19 the country to get over to there. So it
20 seems like that won't be an area that the
21 government is going to get out of the
22 business of anytime soon.

23 But it also seems that this is
24 an opportunity, a unique opportunity, for
25 Philadelphia to be elevated not only in

1 6/9/10- PUB PROP/PUB WORKS - BILL 100466

2 threat level but in regional esteem,
3 because we're going to be the
4 headquarters of the facility or the unit
5 that's going to hopefully protect the
6 region.

7 So in many ways, I -- the way I
8 read it on the other side is that for all
9 the Philadelphia bashing that we get, at
10 least we'll have the opportunity to say
11 to the counties, We're here to protect
12 you and we're in this together.

13 So in other areas of
14 governmental funding, we have a
15 relationship, and we've dealt with the
16 Chester County folks, we're dealing with
17 the Montgomery County and Delaware County
18 folks, even the folks in New Jersey,
19 which don't affect our budgetary issues,
20 but maybe when it comes to raising a toll
21 on the DRPA, we won't get as much grief
22 if they know that we're all in this
23 together.

24 I also think logistically, the
25 selection of this site is opportune and

1 6/9/10- PUB PROP/PUB WORKS - BILL 100466

2 that it is so close to the airport, a
3 major -- a potential major target, close
4 to four major bridges and has highway
5 access to just about anywhere in the
6 region, it seems to be a kind of an
7 opportune place to deal with this.

8 But I also think -- again, I
9 can't underestimate the raising of
10 Philadelphia's profile as the
11 protector -- the locality of the
12 protectorate for the region; I think
13 that's very important not to lose sight
14 of.

15 And I'm glad that we're not
16 fighting Montgomery County or Chester
17 County over the location of this
18 facility, and I think Philadelphia should
19 be proud that, you know, not only are we
20 at the forefront of this and the cutting
21 edge of this technology, but it's going
22 to be based here.

23 MR. ATKINS: Thank you, sir.
24 That's something we've been pushing for a
25 long, long time. Not only will it give

1 6/9/10- PUB PROP/PUB WORKS - BILL 100466

2 us an opportunity to show the rest of the
3 Commonwealth and the surrounding state,
4 this is looking fairly unique in the
5 country.

6 And I'll be leaving in a couple
7 weeks to go to a National Urban Area
8 Conference, and we're doing a lot of
9 really good things, and we understand --
10 or I understand your concerns, very valid
11 concerns, but this is going to be a very
12 high-level, a national model. We're
13 doing great things to protect all of our
14 citizens.

15 And it's fairly unique that I
16 think we have such a high level of
17 cooperation in the region between the
18 City and the four surrounding counties.

19 So thank you, sir.

20 COUNCILMAN KENNEY: You're
21 welcome.

22 I would also suspect that this
23 is going to be a center for training,
24 where we're going to have folks come in
25 from around the country, perhaps even

1 6/9/10- PUB PROP/PUB WORKS - BILL 100466
2 around the world, that are going to come
3 in and view this facility, maybe train at
4 this facility, and put us more on a
5 national world stage as a city and as a
6 region.

7 MR. ATKINS: I would suspect
8 you're exactly right, sir. In fact,
9 there is a lot of training that goes on
10 in the southeast region. A large
11 majority of it, in fact, involves
12 Philadelphia. I think you're exactly
13 right. There will be more of that.

14 COUNCILMAN KENNEY: I'll have
15 to sleep in a hotel room, I guess.

16 DEPT. MAYOR GILLISON: I would
17 suggest that the reason why I was smiling
18 is because when you -- once we get past
19 Phase I and you start to imagine what the
20 possibilities are for us as not only a
21 city but as a region and as a regional
22 leader, it is exactly within the
23 parameters of not only the possible but
24 the probable that we will be able to
25 begin to really open up and see what the

1 6/9/10- PUB PROP/PUB WORKS - BILL 100466

2 parameters can be.

3 COUNCILMAN KENNEY: All right.

4 Thanks.

5 COUNCILMAN CLARKE: Thank you,

6 Councilman.

7 Real quick, based on the

8 amendments, at least one of the

9 amendments, my assumption is that there

10 have been some conversations with the

11 local community?

12 COMM. SCHLOTTERBECK:

13 Absolutely.

14 DEPT. MAYOR GILLISON: Oh, God,

15 yes.

16 COMM. SCHLOTTERBECK: Yes. We

17 have complete support of the community.

18 Kathy Murray is here if you want to talk

19 to her.

20 COUNCILMAN CLARKE: (Addressing

21 Ms. Murray.) You don't want to testify?

22 Okay.

23 DEPT. MAYOR GILLISON: We've

24 been able to meet all of those matters,

25 and we've worked very extensively with

1 6/9/10- PUB PROP/PUB WORKS - BILL 100466

2 the Council President.

3 COUNCILMAN CLARKE: Okay. All
4 right. If there are no other questions
5 of these witnesses, then we'll just ask
6 the representatives from the local
7 community to come up.

8 (Witnesses come forward.)

9 COUNCILMAN CLARKE: Good
10 afternoon.

11 MS. DELLA BARBA: Good
12 afternoon.

13 COUNCILMAN CLARKE: Just state
14 your name for the record.

15 MS. DELLA BARBA: Okay. My
16 name is Jody Della Barba. I'm the
17 president of Girard Estate Area
18 Residents. We represent the residential
19 area immediate to the north of the
20 facility.

21 COUNCILMAN CLARKE: Okay.
22 Please proceed with your testimony.

23 MS. DELLA BARBA: Okay. Based
24 on the letter agreement and deed
25 restrictions signed by GEAR, Broad Street

1 6/9/10- PUB PROP/PUB WORKS - BILL 100466

2 West, and Defense Realty in 2005, we
3 submit the following:

4 We the, undersigned members of
5 the Executive Board of Directors of the
6 Girard Estate Area Residents, a/k/a GEAR,
7 believe Bill No. 100446 would be a
8 win/win situation for both the community
9 served by GEAR, the City, and the
10 property owners.

11 In the past, the property was
12 occupied by the U.S. government as a
13 center for manufacturing uniforms for the
14 Army and other white-collar employees of
15 the Department of Defense.

16 At that time, our area was
17 booming with employees, who frequented
18 local businesses such as supermarkets,
19 restaurants, and retail establishments.
20 Also, it was well-maintained, and a
21 feeling of safety surrounded the
22 property.

23 Since the closing of the
24 facility, it has been mostly empty except
25 for a manufacturing facility in the rear

1 6/9/10- PUB PROP/PUB WORKS - BILL 100466
2 of the property, a high school training
3 center, and a shopping center that was
4 erected around 2003. None of the
5 previous venues have brought the boost to
6 the economy and general feeling of safety
7 back to our area that we believe the new
8 Intelligence Center DVIC will bring.

9 And we ask that this committee
10 vote for this project.

11 COUNCILMAN CLARKE: Okay, thank
12 you.

13 I guess having a Homeland
14 Security facility in your neighborhood
15 makes your home feel pretty safe.

16 MS. DELLA BARBA: Yes. Maybe
17 it will make our property values go up a
18 little bit, too, in this economy.

19 COUNCILMAN CLARKE: All right,
20 good. That works, that works.

21 Okay. Please proceed, sir.

22 MR. FURY: Good afternoon,
23 Mr. Chairman and members of the
24 committee. My name is John Fury,
25 President of the Broad Street West Civic

1 6/9/10- PUB PROP/PUB WORKS - BILL 100466

2 Association. We represent the
3 residential community adjoining GEAR,
4 close to the 20th Street location.

5 We've been interacting with the
6 owners of the location for a number of
7 years.

8 One of our biggest problems is
9 the -- rejuvenating Oregon Avenue Street
10 corridor. It's -- because of the
11 economy, there's a lot of empty
12 properties there, business properties.
13 And this particular property occupies a
14 large portion of that corridor. And it's
15 always been a military facility and it's
16 been vacant for years and years.

17 We're in the process, like I
18 said, of rejuvenating Oregon Avenue. And
19 we need the support of the business
20 community and especially a sizeable
21 property like this to help us with the
22 streetscapes and the employment and what
23 have you. We hope something of nature
24 and this scope will stimulate the economy
25 in the area and help us with all of these

1 6/9/10- PUB PROP/PUB WORKS - BILL 100466
2 vacant properties.

3 So we're looking forward to
4 supporting this project, and we submit a
5 letter of support for this.

6 COUNCILMAN CLARKE: Okay,
7 great.

8 MR. FURY: Thank you.

9 COUNCILMAN CLARKE: Okay.
10 Thank you very much for your testimony.
11 And I'll look forward to a future phase
12 of the Homeland Security locating in my
13 neighborhood.

14 MR. FURY: We'll open site
15 offices. Thank you so much.

16 COUNCILMAN CLARKE: Okay.

17 Anyone else to testify on this bill?

18 (No response.)

19 COUNCILMAN CLARKE: There being
20 none, this concludes the public hearing.
21 We will now go into the public meeting.

22 * * *

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25

1 6/9/10 PUBLIC PROPERTY PUBLIC MEETING

2 COUNCILMAN CLARKE: Councilman
3 Kenney, can I please have a motion on
4 Bill No. 100446.

5 COUNCILMAN KENNEY:
6 Mr. Chairman, I move that the amendments
7 offered to Bill No. 100446 be approved.

8 (Motion duly seconded.)

9 COUNCILMAN CLARKE: The
10 amendments to Bill No. 100446 have been
11 approved -- I'm sorry, have been offered
12 and approved. No, I'm sorry. Let me
13 slow down; it's been a long day.

14 All those in favor?

15 Those opposed?

16 The ayes have it. The
17 amendments to Bill No. 100446 are
18 approved.

19 Councilman Kenney.

20 COUNCILMAN KENNEY: Thank you,
21 Mr. Chair.

22 I move that Bill No. 100446, as
23 amended, be reported out of this
24 committee with a favorable recommendation
25 and a request made for a rules suspension

1 6/9/10 PUBLIC PROPERTY PUBLIC MEETING
2 to allow for first reading at our next
3 Council session.

4 (Motion duly seconded.)

5 COUNCILMAN CLARKE: Thank you.

6 Those approved?

7 Those opposed?

8 The ayes have it.

9 Bill No. 100446, as amended,
10 has been approved and will be reported
11 out of committee with a favorable
12 recommendation and with a rules
13 suspension to allow for first reading at
14 our next session of Council.

15 This concludes the public
16 meeting. Thank you very much.

17 (Proceedings end at 4:05 p.m.)

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I HEREBY CERTIFY that the

proceedings of the City of Philadelphia

Council Committee on Public Property and

Public Works are contained fully and

accurately in the stenographic notes taken by

me on Wednesday, June 9, 2010, and that this

is a true and correct statement of same.

JOSEPHINE CARDILLO
Registered Professional Reporter

(The foregoing certification of

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