

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON PUBLIC PROPERTY AND
PUBLIC WORKS

Room 400, City Hall
Philadelphia, Pennsylvania
Monday, March 23, 2015
10:10 a.m.

PRESENT:

COUNCILMAN WILLIAM K. GREENLEE, VICE CHAIR
COUNCILWOMAN JANNIE BLACKWELL
COUNCILMAN DAVID OH
COUNCILWOMAN MARIA D. QUINONES-SANCHEZ
COUNCILMAN MARK SQUILLA

BILL 150161 - An ordinance amending Chapter
16-700 of The Philadelphia Code, entitled
"Philadelphia Land Bank," to allow the City to
transfer property to the Philadelphia
Redevelopment Authority for subsequent
transfer to the Land Bank...

BILL 150169 - An ordinance authorizing the
Commissioner of Public Property, on behalf of
the City, to enter into an amendment to a
sublease agreement with the Philadelphia
Municipal Authority, for the use by the City
of the premises located at 701 Market
Street...

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COUNCILMAN GREENLEE: Good morning, everyone. Can I have your attention, please. This is the Committee on Public Property and Public Works. I'm Bill Greenlee, the Vice Chair. Councilman Henon cannot be here today.

We have established a quorum with Councilwoman Blackwell, Councilman Squilla, and Councilwoman Sanchez.

Mr. Krielman, will you please read the title of the first bill before us today.

THE CLERK: Bill No. 150161, an ordinance amending Chapter 16-700 of The Philadelphia Code, entitled "Philadelphia Land Bank," to allow the City to transfer property to the Philadelphia Redevelopment Authority for subsequent transfer to the Land Bank; all under certain terms and conditions.

COUNCILMAN GREENLEE: Thank you.

Who is our first witness?
(Witness approached witness

1 3/23/15 - PUBLIC PROPERTY - BILL 150161, etc.
2 table.)

3 COUNCILMAN GREENLEE: The
4 record will reflect that Councilman Oh, a
5 member of the Committee, is also present.

6 Good morning, Mr. Koonce.
7 Please identify yourself and proceed.

8 MR. KOONCE: Good morning,
9 Councilman and members of the Committee
10 on Public Property and Public Works. I'm
11 Michael Koonce, Executive Director of the
12 Philadelphia Land Bank, and I am here to
13 present testimony on behalf of the
14 Administration on Bill No. 150161, which
15 would establish a process by which City
16 property is conveyed to the Land Bank.

17 Bill No. 150161 will not change
18 the goal of the original Land Bank
19 ordinance, which of course expected the
20 conveyance of City property to the Land
21 Bank. However, that original ordinance
22 did not state the mechanism through which
23 these conveyances would occur. Bill
24 150161 provides that mechanism.

25 This bill will allow the City

1 3/23/15 - PUBLIC PROPERTY - BILL 150161, etc.

2 to convey City properties to the
3 Redevelopment Authority for further
4 conveyance by the Redevelopment Authority
5 to the Land Bank. The amendment further
6 intends that these conveyances be made
7 without consideration and with no
8 City-imposed restrictions on title or
9 use. All conveyances by PRA to the Land
10 Bank must be approved by Council
11 resolution.

12 The Administration recommends
13 one technical amendment to the bill,
14 however. As currently written, the bill
15 would cause the City to remove from their
16 deeds all pre-existing restrictions such
17 as easements for roads or utilities. The
18 technical amendment proposed would
19 instead clarify that the City is to
20 impose no additional conditions on the
21 transfer, which would leave any
22 pre-existing deed restrictions in place.

23 I urge the Committee to report
24 Bill No. 150161 favorably and to suspend
25 the rules so as to permit first reading

1 3/23/15 - PUBLIC PROPERTY - BILL 150161, etc.
2 of this bill at the next session of
3 Council.

4 I would be happy to answer any
5 questions from members of the Committee.

6 COUNCILMAN GREENLEE: Thank
7 you, sir.

8 Councilwoman Blackwell.

9 COUNCILWOMAN BLACKWELL: Thank
10 you.

11 Good morning, Mr. Koonce.

12 MR. KOONCE: Good morning,
13 Councilwoman.

14 COUNCILWOMAN BLACKWELL: I know
15 that each time we deal with issues and
16 terms of employees for the Land Bank, I
17 know this establishes a process. Do I
18 assume that while negotiations are taking
19 place, nobody is affected and that we
20 will know about all of that before
21 anything happens?

22 MR. KOONCE: That is correct.
23 As we discussed earlier, three of the
24 four agreements are in place now and
25 we're negotiating the final fourth one.

1 3/23/15 - PUBLIC PROPERTY - BILL 150161, etc.

2 COUNCILWOMAN BLACKWELL: Thank
3 you.

4 So that's my point to members
5 of the Committee. As from the beginning,
6 we just have to make sure that our
7 workers are protected. Thank you.

8 Thank you, Mr. Chairman.

9 COUNCILMAN GREENLEE: Thank
10 you, Councilwoman.

11 Councilman Squilla.

12 COUNCILMAN SQUILLA: Thank you,
13 Mr. Chair.

14 Good morning, Mr. Koonce. My
15 question is a little different. Not
16 compared to this legislation, but as far
17 as the private property going into the
18 Land Bank, has that mechanism been vetted
19 yet and processed where they could
20 foreclose on an abandoned lot or they
21 can't find the owners, so forth and so
22 on, to be able to accept them into the
23 Land Bank at this time?

24 MR. KOONCE: No. We've just
25 begun working the last several months to

1 3/23/15 - PUBLIC PROPERTY - BILL 150161, etc.

2 put that -- or at least to vet that
3 process. It will involve, of course,
4 City's Revenue, Finance Department,
5 School District.

6 COUNCILMAN SQUILLA: So at this
7 time, there's nothing in place in the --

8 MR. KOONCE: There's nothing in
9 place now.

10 COUNCILMAN SQUILLA: But in the
11 future the Land Bank will be able to do
12 that?

13 MR. KOONCE: That's our
14 anticipation.

15 COUNCILMAN SQUILLA: All right.
16 Thank you.

17 COUNCILMAN GREENLEE: Thank
18 you, Councilman.

19 Any other questions?

20 (No response.)

21 COUNCILMAN GREENLEE: Seeing
22 none, thank you, Mr. Koonce. Thank you
23 for your testimony.

24 MR. KOONCE: Thank you.

25 COUNCILMAN GREENLEE: Is there

1 3/23/15 - PUBLIC PROPERTY - BILL 150161, etc.

2 anyone else here to testify on Bill No.

3 150161?

4 MR. ALI: Yes.

5 (Witness approached witness
6 table.)

7 COUNCILMAN GREENLEE: Good
8 morning. Please identify yourself and
9 proceed.

10 MR. ALI: Good morning. My
11 name is Jihad Ali. I am a citizen here
12 of Philadelphia. I'm here to testify and
13 put my comments in the record.

14 I'm here to testify on behalf
15 of Bill 150161. I have been an active
16 citizen participant in the creation of
17 the Land Bank. After the year-long
18 campaign to establish the Land Bank, City
19 Council finalized the authorization of
20 its creation in December 2014. Members
21 of Council were clear that they required
22 transparency to the Land Bank in this
23 transaction. Some of you sitting here
24 today were principals in that
25 authorization.

1 3/23/15 - PUBLIC PROPERTY - BILL 150161, etc.

2 But what has occurred since the
3 creation of the Land Bank has not been
4 transparent. There seems to be a hidden
5 agenda over at the Land Bank. This was
6 evident to me on December 18th, 2014 when
7 members of the Interim Board attempted to
8 pass a resolution giving all of its
9 management decisions to Philadelphia
10 Housing Development Corporation, PHDC.
11 Thankfully, this was stopped by the
12 Chairman, Mr. Bobby Henon, Councilman
13 Bobby Henon, who went over and
14 intervened, because the citizens weren't
15 given access to the management agreement.
16 So that was tabled. And as of this day,
17 it still has not come back in front of
18 the Land Bank -- the permanent Land Bank
19 Board.

20 This, in my opinion, was a
21 blatant attempt to circumvent the
22 Sunshine Laws and to take authority away
23 from the permanent Board, which was to be
24 seated after Council had authorized
25 the -- and the Mayor's nomination of

1 3/23/15 - PUBLIC PROPERTY - BILL 150161, etc.

2 permanent Board members.

3 Further attempts to take
4 control of the Board occurred on January
5 26th, 2015 at the meeting, which earned
6 contrast to parliamentary rules of order
7 when Board member, new Board member I
8 might add, Deborah McColloch, an
9 Executive Director of the Office of
10 Housing and Community Development, in one
11 move made a motion to nominate herself
12 and all the officers of the Board without
13 any discussion nor nominations from other
14 Board members for multiple officer
15 positions. She also nominated the Chair,
16 who was not even present at the meeting
17 and did not officially accept the
18 nomination.

19 In addition, the CDC person,
20 who was also the Chair, is an interested
21 party of OHCD. One by one interested
22 party of the Board members nominates
23 multiple officials, without asking any
24 Board members are there any other
25 nominations. There's no discussion. It

1 3/23/15 - PUBLIC PROPERTY - BILL 150161, etc.

2 was just one swift move, power was taken
3 from City Council and given to all the
4 people who are interested or members of
5 OHCD, RDA or PHDC.

6 And was this ethical, is my
7 question, in accordance with
8 parliamentary rules of order? This one
9 motion took away Council and gave all
10 power to OHCD and PHDC. The question is,
11 where is the Office of the Inspector
12 General? Where is the FBI? Where are
13 the guardians of the people?

14 Today, this bill is authorizing
15 the transfer of City land to an
16 organization that has exhibited that it's
17 not following the rules.

18 Mr. Chairman, let me say for
19 the record and for your staff and Land
20 Board member, Courtney Voss has safely
21 carried out her three responsibilities as
22 a Board member, and those are duty of
23 care, duty of loyalty, and duty of
24 obedience. The other representatives of
25 City Council have tried to also guard the

1 3/23/15 - PUBLIC PROPERTY - BILL 150161, etc.

2 interest of the people. I think it's
3 shocking that the staff of OHCD and PHDC
4 have literally tried to take over such a
5 valuable institution.

6 I'm here today to ask you to
7 hold this bill in Committee until you and
8 other members of Council are assured that
9 there are systems and procedures in place
10 that will allow Council to have a voice
11 and a monitor to supervise the Land Bank.

12 Last week the Office of
13 Economic Opportunity released a report
14 mandated by 17-500 through the actions of
15 this Council, which was a summary of
16 Economic Opportunity plans and assessment
17 of goals. What was troubling was the
18 summary of the land and the developments
19 that OHCD, RDA, and PHDC have awarded
20 have failed the citizens of Philadelphia
21 who need the help the most. These
22 agencies have development of over \$465
23 million and failed to have their
24 contractors and developers achieve any of
25 the Economic Opportunity Plans. What a

1 3/23/15 - PUBLIC PROPERTY - BILL 150161, etc.

2 failure that was. Time after time you
3 hear citizens cry outrage over the
4 building trades about inclusion, only to
5 be told by OHCD, RDA, PHDC that through
6 the authorization of non-union labor,
7 that diversity can be achieved. Now with
8 the publicizing of the City report, we
9 find out it's all been a lie.

10 Now before you, Mr. Chairman,
11 these agencies are asking you to trust
12 them again, authorize this transaction.
13 You need to say no. I'm suggesting that
14 you hold this bill until the call of the
15 Chair and you let yourself and other
16 members of this Committee be assured that
17 there are systems and procedures in place
18 to stop these types of actions from
19 occurring. Also let you examine how the
20 office of this Land Bank was selected.
21 In fact, have them hold another election
22 with input from Board members that wants
23 responsibility of the office, not
24 handpicked self-dealing officers that are
25 in place now.

1 3/23/15 - PUBLIC PROPERTY - BILL 150161, etc.

2 The Land Bank Board attorney,
3 the former general counsel for the
4 Redevelopment Authority, has put in place
5 a briefing prior to every scheduled Board
6 meeting to get around the requirements of
7 the Sunshine Law and, in fact, conducting
8 business prior to the public meetings.

9 In addition, there's a strong link
10 between PHDC and the management of the
11 Land Bank. I've been asking for the last
12 year how is it possible to have a
13 developer, Ken Weinstein, be the Chairman
14 of PHDC and at the same time be an active
15 participant in the real estate
16 development field, having negotiation
17 with City agencies and not disclose his
18 apparent conflict of interest. In the
19 last few months, there has been an
20 ongoing attempt by this developer, Ken
21 Weinstein, to get control of the YMCA
22 building in Germantown. This occurred
23 without any disclosure of the apparent
24 conflict of existing rules and
25 regulations, such as the State Adverse

1 3/23/15 - PUBLIC PROPERTY - BILL 150161, etc.

2 Interest Act, Public Law 1107 No. 451 at
3 Ethics and Standard and Financial
4 Disclosures.

5 I've asked for -- I've asked
6 the Chairman of the Land Bank, has any
7 member since they've been empowered
8 submitted their financial disclosure
9 reports. You know, I'm only a citizen.
10 You have the power, but history gives the
11 citizens an ability to speak to the
12 record. So a day may come to pass when
13 they'll say -- somebody will look in the
14 record and see there was one person that
15 saw this. And this is a really unique
16 situation, because I support the Land
17 Bank. I think it's much needed. But I
18 do not support the lack of transparency.
19 I do not support the lack of inclusion of
20 citizens to be able to voice their
21 concerns down there. When you come to
22 this Council, you can talk, just like
23 you're giving me the opportunity to talk
24 now. You go to the Land Bank, I got
25 three minutes to talk about something

1 3/23/15 - PUBLIC PROPERTY - BILL 150161, etc.

2 that they might put on the website on
3 Friday. I have three minutes to talk,
4 and at the end of the meeting, I'm not
5 allowed to speak. It's only through the
6 actions of Councilmembers like Courtney
7 Voss -- or Council representatives like
8 Courtney Voss that allows me the
9 opportunity.

10 All I'm here today is as a
11 citizen to say you, the ones with power,
12 you should at least look and make sure
13 that you have systems and procedures in
14 place to stop this abuse of power.

15 Thank you.

16 COUNCILMAN GREENLEE: Thank
17 you. Thank you for your comments.

18 Anyone else here to testify on
19 Bill No. 150161?

20 Yes, sir.

21 (Witness approached witness
22 table.)

23 COUNCILMAN GREENLEE: Please
24 identify yourself and proceed.

25 MR. SAUER: Good morning,

1 3/23/15 - PUBLIC PROPERTY - BILL 150161, etc.

2 members of Council. Thank you for the
3 opportunity to testify. My name is Rick
4 Sauer and I'm the Executive Director of
5 the Philadelphia Association of Community
6 Development Corporations.

7 COUNCILMAN GREENLEE: A little
8 closer to the microphone, Mr. Sauer.

9 MR. SAUER: As you know, PACDC
10 was one of the many groups that advocated
11 for the creation of the Land Bank. So we
12 support Bill No. 150161 to make a
13 technical amendment to allow for the
14 transfer of properties into the Land Bank
15 from the Department of Public Property,
16 and we appreciate all of the hard work
17 over the past year to make the
18 Philadelphia Land Bank operational.

19 I think Council has weighed in
20 in many ways, whether through the
21 development of the strategic plan that
22 was approved, by representation on City
23 Council, et cetera. And so we urge
24 Council to approve this bill as soon as
25 possible and then work also to approve

1 3/23/15 - PUBLIC PROPERTY - BILL 150161, etc.

2 related ordinances to transfer existing
3 publicly owned property into the Land
4 Bank inventory so it can begin its
5 important work of proactively turning
6 vacant properties into assets.

7 We hope we can count on the
8 commitment of both the Administration and
9 City Council to make the Land Bank a
10 success this year, which will require the
11 transfer in the Land Bank of every vacant
12 surplus public property for which there
13 is not an active disposition process
14 already in place.

15 Thank you for the opportunity
16 to testify.

17 COUNCILMAN GREENLEE: Thank
18 you. Thank you for your comments.
19 Appreciate it.

20 Anyone else here to testify on
21 Bill No. 150161?

22 (No response.)

23 COUNCILMAN GREENLEE: Seeing
24 none, Mr. Krielman, our second bill
25 today.

1 3/23/15 - PUBLIC PROPERTY - BILL 150161, etc.

2 THE CLERK: Bill No. 150169, an
3 ordinance authorizing the Commissioner of
4 Public Property, on behalf of the City,
5 to enter into an amendment to a sublease
6 agreement with the Philadelphia Municipal
7 Authority, for the use by the City of the
8 premises located at 701 Market Street,
9 under certain terms and conditions.

10 COUNCILMAN GREENLEE: Thank
11 you.

12 Commissioner.
13 (Witnesses approached witness
14 table.)

15 COUNCILMAN GREENLEE:
16 Commissioner, good morning, and Deputy
17 Commissioner. Please identify yourself
18 and proceed.

19 COMMISSIONER GREENWALD: Good
20 morning, Councilman Greenlee and other
21 members of the Committee on Public
22 Property and Public Works. My name is
23 Bridget Collins-Greenwald and I am the
24 Commissioner of the Department of Public
25 Property. I am here today representing

1 3/23/15 - PUBLIC PROPERTY - BILL 150161, etc.

2 the Department of Public Property to
3 testify in support of Bill No. 150169, an
4 ordinance authorizing the Commissioner of
5 Public Property to enter into an
6 amendment to the sublease agreement with
7 the Philadelphia Municipal Authority, for
8 the use by the City of the premises
9 located at 701 Market Street,
10 Philadelphia, PA, under certain terms and
11 conditions.

12 The current lease term expires
13 June 27th, 2015. The Department of
14 Behavioral Health and Intellectual
15 disAbility Services desires to remain
16 within the premises and extend the lease
17 for an additional ten-year term.

18 Tenant improvements will be
19 completed within the space at the
20 landlord's expense. The tenant
21 improvements will include repainting and
22 recarpeting the entire premises,
23 initiating a compatible new entry data
24 card system, and regulating office air
25 flow by installing multiple thermostats

1 3/23/15 - PUBLIC PROPERTY - BILL 150161, etc.

2 throughout the premises.

3 The Department of Public
4 Property supports this measure and,
5 accordingly, I respectfully ask that City
6 Council approve Bill No. 150169.

7 I am requesting a suspension of
8 the rules so as to allow for second
9 reading and final passage at the next
10 session of Council.

11 Thank you. I will be happy to
12 answer any questions you may have.

13 COUNCILMAN GREENLEE: Thank
14 you, Commissioner. How much of the
15 building will this department occupy; do
16 you know?

17 DEPUTY COMMISSIONER HERZINS:
18 John Herzins, Deputy Commissioner.

19 It's one floor, the fifth
20 floor. It's about a little over 26,000
21 square feet.

22 COUNCILMAN GREENLEE: So you're
23 saying just the fifth floor?

24 DEPUTY COMMISSIONER HERZINS:
25 Yes.

Committee on Public Property & Public Works
March 25, 2015

Page 22

1 3/23/15 - PUBLIC PROPERTY - BILL 150161, etc.

2 COUNCILMAN GREENLEE: Thank
3 you.

4 Any other questions?

5 The question is how much per
6 square foot?

7 COMMISSIONER GREENWALD: It's
8 \$21.37. That's all in, base plus
9 operating.

10 COUNCILMAN GREENLEE: Thank
11 you.

12 Any other questions?

13 (No response.)

14 COUNCILMAN GREENLEE: Seeing
15 none, thank you both.

16 COMMISSIONER GREENWALD: Thank
17 you.

18 COUNCILMAN GREENLEE: Anyone
19 else here to testify on Bill No. 150169?

20 (No response.)

21 COUNCILMAN GREENLEE: Seeing
22 none, that will conclude the hearing of
23 the Committee on Public Property and
24 Public Works. We will now go into a
25 public meeting, and the Chair recognizes

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1 3/23/15 - PUBLIC PROPERTY - BILL 150161, etc.

2 Councilwoman Sanchez.

3 COUNCILWOMAN SANCHEZ: Thank
4 you, Mr. Chair. Before I move for the
5 motion of the amendment, I want to thank
6 everyone who has been involved,
7 particularly Public Property Chairman
8 Councilman Henon for his leadership and
9 that of Courtney Voss, Herb Wetzel from
10 Council President's Office, Jennifer
11 Kates from my office, and Anjali from
12 Councilwoman Blackwell's office, and the
13 entire team. I think in the creation of
14 the Land Bank legislation, we were very,
15 very deliberate about protocols and
16 procedures, and I am proud to say that we
17 have complied with all of them in this
18 entire process.

19 So with that, I move for the
20 amendment on 150161.

21 (Duly seconded.)

22 COUNCILMAN GREENLEE: It's been
23 moved and seconded.

24 All in favor?

25 (Aye.)

Committee on Public Property & Public Works
March 25, 2015

Page 24

1 3/23/15 - PUBLIC PROPERTY - BILL 150161, etc.

2 COUNCILMAN GREENLEE: Opposed?

3 (No response.)

4 COUNCILMAN GREENLEE: Hearing

5 none, the amendment is approved.

6 Councilwoman Sanchez.

7 COUNCILWOMAN SANCHEZ: Yes,

8 Mr. Chair. I move that 150161, as

9 amended, be moved out of this Committee

10 with a favorable recommendation and

11 further move that the rules of Council be

12 suspended to allow first reading at our

13 next Council session.

14 (Duly seconded.)

15 COUNCILMAN GREENLEE: It's been

16 moved and seconded.

17 All in favor?

18 (Aye.)

19 COUNCILMAN GREENLEE: Opposed?

20 (No response.)

21 COUNCILMAN GREENLEE: Hearing

22 none, Bill No. 150161, as amended, is

23 reported out of this Committee favorably

24 with a rules suspension.

25 Councilwoman Sanchez.

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Committee on Public Property & Public Works
March 25, 2015

Page 25

1 3/23/15 - PUBLIC PROPERTY - BILL 150161, etc.

2 COUNCILWOMAN SANCHEZ: Thank
3 you, Mr. Chair. I move that Bill 150169
4 be moved out of this Committee with a
5 favorable recommendation and further move
6 that the rules of Council be suspended to
7 allow first reading at our next Council
8 session.

9 (Duly seconded.)

10 COUNCILMAN GREENLEE: It's been
11 moved and seconded.

12 All in favor?

13 (Aye.)

14 COUNCILMAN GREENLEE: Opposed?

15 (No response.)

16 COUNCILMAN GREENLEE: Hearing
17 none, Bill No. 150169 is reported out of
18 this Committee favorably with a rules
19 suspension.

20 That concludes the business of
21 the Committee on Public Property and
22 Public Works.

23 Thank you all for your
24 participation.

25 (Committee on Public Property

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Committee on Public Property & Public Works
March 25, 2015

Page 26

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and Public Works concluded at 10:30 a.m.)

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CERTIFICATE

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

MICHELE L. MURPHY
RPR-Notary Public

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Committee on Public Property & Public Works
March 25, 2015

Page 1

A	1:19 4:5,13 4:18 17:13 19:5 20:6 23:5,20 24:5 anjali 23:11 answer 5:4 21:12 anticipation 7:14 apparent 14:18,23 apply 27:21 appreciate 17:16 18:19 approached 2:25 8:5 16:21 19:13 approve 17:24,25 21:6 approved 4:10 17:22 24:5 asked 15:5,5 asking 10:23 13:11 14:11 assessment 12:16 assets 18:6 association 17:5 assume 5:18 assured 12:8 13:16 attempt 9:21 14:20 attempted 9:7 attempts 10:3 attention 2:4 attorney 14:2 authority 1:17,20 2:19 4:3,4 9:22 14:4 19:7 20:7 authorization 8:19,25 13:6 authorize 13:12 authorized	9:24 authorizing 1:18 11:14 19:3 20:4 awarded 12:19 aye 23:25 24:18 25:13 B back 9:17 bank 1:16,17 2:17,20 3:12,16,18 3:21 4:5,10 5:16 6:18 6:23 7:11 8:17,18,22 9:3,5,18,18 12:11 13:20 14:2,11 15:6,17,24 17:11,14,18 18:4,9,11 23:14 base 22:8 beginning 6:5 begun 6:25 behalf 1:19 3:13 8:14 19:4 behavioral 20:14 bill 1:15,18 2:6,12,14 3:1,14,17 3:23,25 4:1 4:13,14,24 5:1,2 6:1 7:1 8:1,2,15 9:1 10:1 11:1,14 12:1,7 13:1 13:14 14:1 15:1 16:1 16:19 17:1 17:12,24 18:1,21,24 19:1,2 20:1 20:3 21:1,6 22:1,19 23:1 24:1 24:22 25:1 25:3,17	blackwell 1:11 2:9 5:8 5:9,14 6:2 blackwells 23:12 blatant 9:21 board 9:7,19 9:23 10:2,4 10:7,7,12 10:14,22,24 11:20,22 13:22 14:2 14:5 bobby 9:12 9:13 bridget 19:23 briefing 14:5 building 13:4 14:22 21:15 business 14:8 25:20 C call 13:14 campaign 8:18 cant 6:21 card 20:24 care 11:23 carried 11:21 cause 4:15 cdc 10:19 certain 2:21 19:9 20:10 certificate 27:2 certification 27:20 certify 27:3 certifying 27:24 cetera 17:23 chair 1:11 2:6 6:13 10:15 10:20 13:15 22:25 23:4 24:8 25:3 chairman 6:8 9:12 11:18 13:10 14:13 15:6 23:7 change 3:17 chapter 1:15 2:15	circumvent 9:21 citizen 8:11 8:16 15:9 16:11 citizens 9:14 12:20 13:3 15:11,20 city 1:2,7,16 1:19,20 2:17 3:15 3:20,25 4:2 4:15,19 8:18 11:3 11:15,25 13:8 14:17 17:22 18:9 19:4,7 20:8 21:5 cityimposed 4:8 citys 7:4 clarify 4:19 clear 8:21 clerk 2:14 19:2 closer 17:8 code 1:15 2:16 collinsgreen... 19:23 come 9:17 15:12,21 comments 8:13 16:17 18:18 commissioner 1:19 19:3 19:12,16,17 19:19,24 20:4 21:14 21:17,18,24 22:7,16 commitment 18:8 committee 1:3 2:4 3:5 3:9 4:23 5:5 6:5 12:7 13:16 19:21 22:23 24:9 24:23 25:4 25:18,21,25	community 10:10 17:5 compared 6:16 compatible 20:23 completed 20:19 complied 23:17 concerns 15:21 conclude 22:22 concluded 26:2 concludes 25:20 conditions 2:21 4:20 19:9 20:11 conducting 14:7 conflict 14:18 14:24 consideration 4:7 contained 27:5 contractors 12:24 contrast 10:6 control 10:4 14:21 27:23 convey 4:2 conveyance 3:20 4:4 conveyances 3:23 4:6,9 conveyed 3:16 corporation 9:10 corporations 17:6 correct 5:22 27:8 council 1:2 4:10 5:3 8:19,21 9:24 11:3,9 11:25 12:8 12:10,15	15:22 16:7 17:2,19,23 17:24 18:9 21:6,10 23:10 24:11 24:13 25:6 25:7 councilman 1:11,12,13 2:2,7,9,22 3:3,4,9 5:6 6:9,11,12 7:6,10,15 7:17,18,21 7:25 8:7 9:12 16:16 16:23 17:7 18:17,23 19:10,15,20 21:13,22 22:2,10,14 22:18,21 23:8,22 24:2,4,15 24:19,21 25:10,14,16 16:6 councilwom... 1:11,12 2:9 2:10 5:8,9 5:13,14 6:2 6:10 23:2,3 23:12 24:6 24:7,25 25:2 counsel 14:3 count 18:7 course 3:19 7:3 courtney 11:20 16:6 16:8 23:9 creation 8:16 8:20 9:3 17:11 23:13 cry 13:3 current 20:12 currently 4:14 D d 1:12 data 20:23	david 1:12 day 9:16 15:12 deal 5:15 deborah 10:8 december 8:20 9:6 decisions 9:9 deed 4:22 deeds 4:16 deliberate 23:15 department 7:4 17:15 19:24 20:2 20:13 21:3 21:15 deputy 19:16 21:17,18,24 desires 20:15 developer 14:13,20 developers 12:24 development 9:10 10:10 12:22 14:16 17:6,21 developments 12:18 different 6:15 direct 27:23 director 3:11 10:9 17:4 disability 20:15 disclose 14:17 disclosure 14:23 15:8 disclosures 15:4 discussed 5:23 discussion 10:13,25 disposition 18:13 district 7:5 diversity 13:7 duly 23:21 24:14 25:9 duty 11:22,23 11:23
----------	--	--	---	---	--	---	--

STREHLOW & ASSOCIATES, INC.
(215) 504-4622

Committee on Public Property & Public Works
March 25, 2015

Page 2

E	favor 23:24 24:17 25:12 favorable 24:10 25:5 favorably 4:24 24:23 25:18 fbi 11:12 feet 21:21 field 14:16 fifth 21:19,23 final 5:25 21:9 finalized 8:19 finance 7:4 financial 15:3 15:8 find 6:21 13:9 first 2:12,24 4:25 24:12 25:7 floor 21:19,20 21:23 flow 20:25 following 11:17 foot 22:6 foreclose 6:20 foregoing 27:7,20 former 14:3 forth 6:21 four 5:24 fourth 5:25 friday 16:3 front 9:17 fully 27:5 further 4:3,5 10:3 24:11 25:5 future 7:11	goal 3:18 goals 12:17 going 6:17 good 2:2 3:6 3:8 5:11,12 6:14 8:7,10 16:25 19:16 19:19 greenlee 1:11 2:2,6,22 3:3 5:6 6:9 7:17 7:21,25 8:7 16:16,23 17:7 18:17 18:23 19:10 19:15,20 21:13,22 22:2,10,14 22:18,21 23:22 24:2 24:4,15,19 24:21 25:10 25:14,16 greenwald 19:19 22:7 22:16 groups 17:10 guard 11:25 guardians 11:13	13:14,21 hope 18:7 housing 9:10 10:10	23:10 ji 8:11 john 21:18 june 20:13	little 6:15 17:7 21:20 located 1:21 19:8 20:9 look 15:13 16:12 lot 6:20 loyalty 11:23	12:11 months 6:25 14:19 morning 2:3 3:6,8 5:11 5:12 6:14 8:8,10 16:25 19:16 19:20 motion 10:11 11:9 23:5 move 10:11 11:2 23:4 23:19 24:8 24:11 25:3 25:5 moved 23:23 24:9,16 25:4,11 multiple 10:14,23 20:25 municipal 1:20 19:6 20:7 murphy 27:14	notes 27:6
earlier 5:23 earned 10:5 easements 4:17 economic 12:13,16,25 election 13:21 employees 5:16 empowered 15:7 enter 1:19 19:5 20:5 entire 20:22 23:13,18 entitled 1:15 2:16 entry 20:23 establish 3:15 8:18 established 2:8 establishes 5:17 estate 14:15 et 17:23 ethical 11:6 ethics 15:3 evidence 27:4 evident 9:6 examine 13:19 executive 3:11 10:9 17:4 exhibited 11:16 existing 14:24 18:2 expected 3:19 expense 20:20 expires 20:12 extend 20:16	general 11:12 14:3 germantown 14:22 given 9:15 11:3 gives 15:10 giving 9:8 15:23 go 15:24 22:24	I identify 3:7 8:8 16:24 19:17 im 2:5 3:10 8:12,14 12:6 13:13 15:9 16:4 16:10 17:4 important 18:5 impose 4:20 improvement 20:18,21 include 20:21 inclusion 13:4 15:19 initiating 20:23 input 13:22 inspector 11:11 installing 20:25 institution 12:5 intellectual 20:14 intends 4:6 interest 12:2 14:18 15:2 interested 10:20,21 11:4 interim 9:7 intervened 9:14 inventory 18:4 involve 7:3 involved 23:6 issues 5:15 ive 14:11 15:5 15:5	K k 1:11 kates 23:11 ken 14:13,20 know 5:14,17 5:20 15:9 17:9 21:16 koonce 3:6,8 3:11 5:11 5:12,22 6:14,24 7:8 7:13,22,24 krielman 2:11 18:24	M m 1:8 26:2 management 9:9,15 14:10 mandated 12:14 march 1:8 maria 1:12 mark 1:13 market 1:21 19:8 20:9 matter 27:7 mayors 9:25 mccolloch 10:8 means 27:22 measure 21:4 mechanism 3:22,24 6:18 meeting 10:5 10:16 14:6 16:4 22:25 meetings 14:8 member 3:5 10:7,7 11:20,22 15:7 members 3:9 5:5 6:4 8:20 9:7 10:2,14 10:22,24 11:4 12:8 13:16,22 17:2 19:21 michael 3:11 michele 27:14 microphone 17:8 million 12:23 minutes 15:25 16:3 monday 1:8 monitor	N name 8:11 17:3 19:22 need 12:21 13:13 needed 15:17 negotiating 5:25 negotiation 14:16 negotiations 5:18 new 10:7 20:23 nominate 10:11 nominated 10:15 nominates 10:22 nomination 9:25 10:18 nominations 10:13,25 nonunion 13:6	O obedience 11:24 objections 27:4 occupy 21:15 occur 3:23 occurred 9:2 10:4 14:22 occurring 13:19 office 10:9 11:11 12:12 13:20,23 20:24 23:10 23:11,12 officer 10:14 officers 10:12 13:24 officially 10:17 officials 10:23 oh 1:12 3:4 ohcd 10:21 11:5,10 12:3,19 13:5 ones 16:11 ongoing 14:20 operating 22:9 operational 17:18 opinion 9:20 opportunity 12:13,16,25 15:23 16:9 17:3 18:15 opposed 24:2 24:19 25:14 order 10:6 11:8 ordinance 1:15,18 2:15 3:19 3:21 19:3 20:4 ordinances 18:2 organization 11:16	
F	fact 13:21 14:7 failed 12:20 12:23 failure 13:2 far 6:16	herb 23:9 herzins 21:17 21:18,24 hidden 9:4 history 15:10 hold 12:7	J jannie 1:11 january 10:4 jennifer				

STREHLOW & ASSOCIATES, INC.
(215) 504-4622

Committee on Public Property & Public Works
March 25, 2015

Page 3

original 3:18 3:21 outrage 13:3 owned 18:3 owners 6:21	12:25 please 2:4,11 3:7 8:8 16:23 19:17 plus 22:8 point 6:4 positions 10:15 possible 14:12 17:25 power 11:2 11:10 15:10 16:11,14 pra 4:9 preexisting 4:16,22 premises 1:21 19:8 20:8 20:16,22 21:2 present 1:10 3:5,13 10:16 presidents 23:10 principals 8:24 prior 14:5,8 private 6:17 proactively 18:5 procedures 12:9 13:17 16:13 23:16 proceed 3:7 8:9 16:24 19:18 proceedings 27:4 process 3:15 5:17 7:3 18:13 23:18 processed 6:19 properties 4:2 17:14 18:6 property 1:3 1:16,19 2:5 2:18 3:1,10 3:16,20 4:1 5:1 6:1,17 7:1 8:1 9:1	10:1 11:1 12:1 13:1 14:1 15:1 16:1 17:1 17:15 18:1 18:3,12 19:1,4,22 19:25 20:1 20:2,5 21:1 21:4 22:1 22:23 23:1 23:7 24:1 25:1,21,25 proposed 4:18 protected 6:7 protocols 23:15 proud 23:16 provides 3:24 public 1:3,4 1:19 2:5,5 3:1,10,10 4:1 5:1 6:1 7:1 8:1 9:1 10:1 11:1 12:1 13:1 14:1,8 15:1 15:2 16:1 17:1,15 18:1,12 19:1,4,21 19:22,24 20:1,2,5 21:1,3 22:1 22:23,24,25 23:1,7 24:1 25:1,21,22 25:25 26:2 27:15 publicizing 13:8 publicly 18:3 put 7:2 8:13 14:4 16:2	1:12 quorum 2:8	R rda 11:5 12:19 13:5 read 2:12 reading 4:25 21:9 24:12 25:7 real 14:15 really 15:15 recarpeting 20:22 recognizes 22:25 recommend... 24:10 25:5 recommends 4:12 record 3:4 8:13 11:19 15:12,14 redevelomp... 1:17 2:19 4:3,4 14:4 reflect 3:4 regulating 20:24 regulations 14:25 related 18:2 released 12:13 remain 20:15 remove 4:15 repainting 20:21 report 4:23 12:13 13:8 reported 24:23 25:17 reporter 27:24 reports 15:9 representat... 17:22 representat... 11:24 16:7 representing 19:25 reproduction 27:21 requesting	21:7 require 18:10 required 8:21 requirements 14:6 resolution 4:11 9:8 respectfully 21:5 response 7:20 18:22 22:13 22:20 24:3 24:20 25:15 responsibili... 11:21 responsibility 13:23 restrictions 4:8,16,22 revenue 7:4 rick 17:3 right 7:15 roads 4:17 room 1:7 rprnotary 27:15 rules 4:25 10:6 11:8 11:17 14:24 21:8 24:11 24:24 25:6 25:18	S safely 11:20 sanchez 2:10 23:2,3 24:6 24:7,25 25:2 sauer 16:25 17:4,8,9 saw 15:15 saying 21:23 scheduled 14:5 school 7:5 seated 9:24 second 18:24 21:8 seconded 23:21,23 24:14,16 25:9,11 see 15:14	seeing 7:21 18:23 22:14 22:21 selected 13:20 selfdealing 13:24 services 20:15 session 5:2 21:10 24:13 25:8 shocking 12:3 sir 5:7 16:20 sitting 8:23 situation 15:16 somebody 15:13 soon 17:24 space 20:19 speak 15:11 16:5 square 21:21 22:6 squilla 1:13 2:10 6:11 6:12 7:6,10 7:15 staff 11:19 12:3 standard 15:3 state 3:22 14:25 stenographic 27:6 stop 13:18 16:14 stopped 9:11 strategic 17:21 street 1:21 19:8 20:9 strong 14:9 sublease 1:20 19:5 20:6 submitted 15:8 subsequent 1:17 2:19 success 18:10 suggesting	13:13 summary 12:15,18 sunshine 9:22 14:7 supervise 12:11 supervision 27:23 support 15:16,18,19 17:12 20:3 supports 21:4 sure 6:6 16:12 surplus 18:12 suspend 4:24 24:12 25:6 suspension 21:7 24:24 25:19 swift 11:2 system 20:24 systems 12:9 13:17 16:13	T table 3:2 8:6 16:22 19:14 tabled 9:16 take 9:22 10:3 12:4 taken 11:2 27:6 talk 15:22,23 15:25 16:3 team 23:13 technical 4:13,18 17:13 tenant 20:18 20:20 tenyear 20:17 term 20:12 20:17 terms 2:21 5:16 19:9 20:10 testify 8:2,12 8:14 16:18 17:3 18:16 18:20 20:3 22:19	testimony 3:13 7:23 thank 2:22 5:6,9 6:2,7 6:8,9,12 7:16,17,22 7:22,24 16:15,16,17 17:2 18:15 18:17,18 19:10 21:11 21:13 22:2 22:10,15,16 23:3,5 25:2 25:23 thankfully 9:11 thats 6:4 7:13 22:8 theres 7:7,8 10:25 14:9 thermostats 20:25 theyll 15:13 theyve 15:7 think 12:2 15:17 17:19 23:13 three 5:23 11:21 15:25 16:3 time 5:15 6:23 7:7 13:2,2 14:14 title 2:12 4:8 today 2:7,13 8:24 11:14 12:6 16:10 18:25 19:25 told 13:5 trades 13:4 transaction 8:23 13:12 transcript 27:8,21 transfer 1:16 1:17 2:17 2:20 4:21 11:15 17:14 18:2,11 transparency 8:22 15:18
--	--	--	---------------------------	---	--	---	--	---	---	--

STREHLOW & ASSOCIATES, INC.
(215) 504-4622

Committee on Public Property & Public Works
March 25, 2015

Page 4

transparent 9:4	working 6:25	19:2 20:3	20:9				
tried 11:25	works 1:4 2:5	21:6 22:19	<u>8</u>				
12:4	3:10 19:22	25:3,17					
troubling	22:24 25:22	16700 1:15	<u>9</u>				
12:17	26:2	2:15					
true 27:7	written 4:14	17500 12:14					
trust 13:11	<u>X</u>	18th 9:6					
turning 18:5	<u>Y</u>	<u>2</u>					
types 13:18	year 14:12	2014 8:20 9:6					
<u>U</u>	17:17 18:10	2015 1:8 10:5					
unique 15:15	yearlong 8:17	20:13					
urge 4:23	ymca 14:21	21 22:8					
17:23	youre 15:23	23 1:8 3:1 4:1					
use 1:20 4:9	21:22	5:1 6:1 7:1					
19:7 20:8	<u>Z</u>	8:1 9:1 10:1					
utilities 4:17	<u>0</u>	11:1 12:1					
<u>V</u>	000 21:20	13:1 14:1					
vacant 18:6	<u>1</u>	15:1 16:1					
18:11	10 1:8,8 26:2	17:1 18:1					
valuable 12:5	1107 15:2	19:1 20:1					
vet 7:2	15 3:1 4:1 5:1	21:1 22:1					
vetted 6:18	6:1 7:1 8:1	23:1 24:1					
vice 1:11 2:6	9:1 10:1	25:1					
voice 12:10	11:1 12:1	26 21:20					
15:20	13:1 14:1	26th 10:5					
voss 11:20	15:1 16:1	27th 20:13					
16:7,8 23:9	17:1 18:1	<u>3</u>					
<u>W</u>	19:1 20:1	3 3:1 4:1 5:1					
want 23:5	21:1 22:1	6:1 7:1 8:1					
wants 13:22	23:1 24:1	9:1 10:1					
ways 17:20	25:1	11:1 12:1					
website 16:2	150161 1:15	13:1 14:1					
week 12:12	2:14 3:1,14	15:1 16:1					
weighed	3:17,24 4:1	17:1 18:1					
17:19	4:24 5:1 6:1	19:1 20:1					
weinstein	7:1 8:1,3,15	21:1 22:1					
14:13,21	9:1 10:1	23:1 24:1					
went 9:13	11:1 12:1	25:1					
wetzel 23:9	13:1 14:1	30 26:2					
weve 6:24	15:1 16:1	37 22:8					
william 1:11	16:19 17:1	<u>4</u>					
witness 2:24	17:12 18:1	400 1:7					
2:25,25 8:5	18:21 19:1	451 15:2					
8:5 16:21	20:1 21:1	465 12:22					
16:21 19:13	22:1 23:1	<u>5</u>					
witnesses	23:20 24:1	<u>6</u>					
19:13	24:8,22	<u>7</u>					
work 17:16	25:1	701 1:21 19:8					
17:25 18:5	150169 1:18						
workers 6:7							

STREHLOW & ASSOCIATES, INC.
(215) 504-4622