

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

Room 400, City Hall
Philadelphia, Pennsylvania
Wednesday, June 13, 2012
10:25 a.m.

PRESENT:

COUNCILMAN BOBBY HENON, CHAIR
COUNCILWOMAN JANNIE BLACKWELL
COUNCILMAN BILL GREEN
COUNCILMAN WILLIAM K. GREENLEE
COUNCILMAN CURTIS JONES, JR.
COUNCILMAN JAMES KENNEY
COUNCILMAN MARK SQUILLA
COUNCILMAN DAVID OH

BILLS 120056, 120389, 120413, 120414, 120421,
120427, 120481, 120496 and 120487

- - -

1

2

COUNCILMAN HENON: Good

3

morning, ladies and gentlemen. The

4

Committee on Public Property and Public

5

Works is now in session.

6

Would the Clerk please read the

7

title of the first bill.

8

THE CLERK: Bill No. 120389, an

9

ordinance authorizing the Commissioner of

10

Public Property to enter into a long-term

11

lease agreement with the Southeastern

12

Pennsylvania Transportation Authority

13

("SEPTA"), whereby the City will obtain

14

use of a parking lot located

15

approximately at the intersection of

16

Dupont and High Streets, and of a section

17

of an abandoned SEPTA railroad line from

18

a point contiguous with such parking lot

19

to a point near the intersection of

20

Umbria and Parker Streets, all under

21

certain terms and conditions.

22

COUNCILMAN HENON: Thank you.

23

I'd like to recognize that we

24

have a quorum. Present and to my left I

25

have Councilman Bill Greenlee,

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.
2 Councilwoman Blackwell. To my right,
3 Majority Leader Curtis Jones and
4 Councilman Bill Green. Thank you.

5 Is there anyone here from the
6 Administration to testify on Bill No.
7 120389?

8 Please come forward.

9 (Witness approached witness
10 table.)

11 COUNCILMAN HENON: Could you
12 please state your name for the record.

13 MS. CRAIGHEAD: Good morning,
14 Chairman Henon, Vice President Greenlee
15 and members of City Council Committee on
16 Public Property and Public Works. My
17 name is Stephanie Craighead. I'm the
18 Director of Planning, Preservation and
19 Property Management with the Philadelphia
20 Department of Parks and Recreation. It
21 is a pleasure to be here with you today.
22 I appear before you to present testimony
23 in support of Bill No. 120389,
24 authorizing the Commissioner of Public
25 Property to enter into a long-term

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.
2 agreement with the Southeastern
3 Pennsylvania Transportation Authority,
4 whereby the City will obtain use of a
5 parking lot located approximately at the
6 intersection of Dupont and High Streets
7 and a section of an abandoned SEPTA
8 railroad line from a point contiguous
9 with such parking lot to a point near the
10 intersection of Umbria and Parker Street.

11 In partnership with other City
12 departments and agencies, this will allow
13 for the creation of a recreation trail,
14 which will meet several criteria of
15 Greenworks, Green2015 and
16 Philadelphia2035, including connecting
17 neighborhoods to parks and open space.

18 The trail connects the end of
19 the Manayunk Bridge -- to the end of the
20 Manayunk Bridge and runs to the Ivy Ridge
21 Train Station. At the Ivy Ridge Station,
22 it will connect to the share-the-road
23 bike lane on Umbria Street, which
24 provides access to Manayunk, the Shawmont
25 Trail and the City's bicycle network.

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.

2 The parking area at Dupont and High
3 Street will act as a gateway providing
4 parking and trail information for users
5 of the Ivy Ridge Trail and the Lower
6 Merion Cynwyd Trail. Funding has been
7 secured for design of the trail and
8 parking area. Additional funding will be
9 secured for construction.

10 Philadelphia Parks and
11 Recreation will maintain these assets
12 once construction is complete.
13 Therefore, I appear before you today to
14 pledge the support of the Department of
15 Parks and Recreation for this legislation
16 and respectfully ask that City Council
17 approve Bill No. 120389. In addition, I
18 ask that the rules be suspended so the
19 ordinance may be passed upon the second
20 reading at Council.

21 Thank you for this opportunity
22 to discuss this important issue with you
23 today, and I look forward to any
24 questions.

25 COUNCILMAN HENON: Thank you.

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.

2 Are there any other questions
3 from the members of the Committee on this
4 bill?

5 COUNCILMAN JONES: If I may.

6 COUNCILMAN HENON: Yes.

7 COUNCILMAN JONES: Thank you,
8 Mr. Chairman.

9 I just want to say that this
10 trail connects the 4th Councilmanic
11 District in the Manayunk section to the
12 burbs, if you would. And when I first
13 got elected, one of the things was to
14 create that kind of connectivity both on
15 City Avenue and also on this particular
16 part of the bridge, which will be a
17 walking, riding, hiking bridge connecting
18 Bala Cynwyd to Manayunk, and hopefully a
19 lot of our suburban neighbors with high,
20 disposable income will come over that
21 bridge and spend some time. And I would
22 like to particularly thank the Manayunk
23 Development Corporation, who has been a
24 key stakeholder/player in this regard,
25 the Bike Coalition and the Lower Merion

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.

2 Township Commissioners, who have done
3 some really heavy lifting on their side
4 of the water to make this a reality. I
5 think it's good for commerce. I think
6 it's good for recreation. I think it's
7 good for Philadelphia. So I want to
8 thank our strategic partners on the other
9 side of the City, and hopefully we will
10 be able to connect with them in a
11 meaningful economic way.

12 Thank you, Mr. Chairman.

13 COUNCILMAN HENON: Thank you,
14 Councilman.

15 I want the record to reflect
16 that joining us is Councilman Squilla and
17 Councilman Kenney.

18 Is there anyone else from the
19 Administration here to testify on this
20 bill?

21 (No response.)

22 COUNCILMAN HENON: Thank you
23 very much.

24 MS. CRAIGHEAD: Thank you.

25 COUNCILMAN HENON: Are there

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.
2 any witnesses from the public that would
3 like to testify on Bill No. 120389?

4 (Witness approached witness
5 table.)

6 COUNCILMAN HENON: Please come
7 forward, state your name for the record,
8 please.

9 MR. MOSELEY: Good morning.
10 It's an honor to be here in front of you
11 today, Chairman Henon and other members
12 of Council. My name is Howard Moseley.
13 I'm Director of Government Relations for
14 the Manayunk Development Corporation, and
15 I'm here on behalf of Jane Lipton, our
16 Executive Director, and Kay Sykora,
17 Director of the Schuylkill Project, a
18 project of MDC.

19 The MDC and the Schuylkill
20 Project respectfully requests that the
21 City of Philadelphia lease from SEPTA
22 both the right-of-way to the currently
23 unused Ivy Ridge Train Station and the
24 land at the foot of Dupont Street. This
25 lease represents Philadelphia's key role

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.
2 in an exciting partnership of
3 municipalities and non-profits working
4 together towards the construction of a
5 regional trail project.

6 Our key counterpart in this
7 endeavor, Lower Merion Township, has
8 already resolved to lease the SEPTA
9 right-of-way on their side of the
10 Manayunk Bridge and the bridge itself.
11 The end result of this regional
12 collaboration will be a multi-county
13 trail feature that literally bridges the
14 gaps between commerce, nature, community,
15 tourism and recreation.

16 This project is more than just
17 a statement about the future of trails in
18 the Philadelphia region; it's a landmark,
19 symbolizing our commitment to promoting
20 sustainability and healthy living
21 throughout the region. The resultant
22 trail will connect both Lower Merion and
23 Montgomery County to the Schuylkill Trail
24 that runs from the center of Philadelphia
25 through Manayunk and ultimately up into

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.
2 Schuylkill County. This means that the
3 thousands of residents from the Main Line
4 who frequently visit our busy corridor,
5 they can now walk, jog or bike to our
6 district. Regional trail users who
7 normally walk, jog or bike from the
8 suburbs or from Center City will be able
9 to take a detour and enjoy a magnificent
10 view from the bridge.

11 We thank you for your
12 commitment to our community, commerce,
13 sustainability and healthy living. We
14 urge you to authorize the approval of
15 this lease.

16 Thank you for your time.

17 COUNCILMAN HENON: Thank you,
18 Mr. Moseley.

19 Is there anybody else here to
20 testify on Bill No. 120389?

21 (No response.)

22 COUNCILMAN HENON: Thank you
23 very much.

24 Clerk, would you read the next
25 bill, please.

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.

2 THE CLERK: Bill No. 120413, an
3 ordinance authorizing the Commissioner of
4 Public Property to convey, to the
5 Philadelphia Authority for Industrial
6 Development, a parcel of land generally
7 situate at 1224 North Mascher Street, for
8 further conveyance, all under certain
9 terms and conditions.

10 COUNCILMAN HENON: Is there
11 anyone here from the Administration that
12 wishes to testify on Bill No. 120413?

13 (Witnesses approached witness
14 table.)

15 COMMISSIONER COLLINS-GREENWALD:
16 Good morning, Chairman Henon and members
17 of the Committee on Public Property and
18 Public Works. My name is Bridget
19 Collins-Greenwald and I'm the
20 Commissioner of the Department of Public
21 Property. I am here today to testify in
22 support of Bill 120413, an ordinance
23 authorizing the Commissioner of Public
24 Property to convey, to the Philadelphia
25 Authority for Industrial Development, a

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.
2 parcel on land generally situate at 1224
3 North Mascher Street, for further
4 conveyance, under certain terms and
5 conditions.

6 We need to amend Bill No.
7 120413 to correct the legal description
8 of the property. We previously provided
9 City Council with this amendment.

10 Northern Liberty Press will be
11 purchasing this parcel at fair market
12 value to expand their business. The
13 proceeds from this sale will be deposited
14 into the General Fund.

15 The Department of Public
16 Property supports this measure and,
17 accordingly, I respectfully ask that City
18 Council approve Bill No. 120413.

19 I am requesting a suspension of
20 the rules so as to allow for the first
21 reading at the next session of Council.

22 Thank you. I will be happy to
23 answer any questions you may have.

24 COUNCILMAN HENON: Thank you.
25 What is the sale price of the parcel?

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.

2 COMMISSIONER COLLINS-GREENWALD:

3 What was that? I'm sorry.

4 COUNCILMAN HENON: Have you
5 finalized a price of the parcel?

6 DEPUTY COMMISSIONER HERZINS:

7 John Herzins, Deputy Commissioner.

8 We have ordered an appraisal,
9 so we don't have the price in as of yet.

10 COUNCILMAN HENON: So you just
11 commissioned an appraisal on it?

12 DEPUTY COMMISSIONER HERZINS: A
13 few weeks ago, yes.

14 COUNCILMAN HENON: Okay.

15 Great.

16 Any other questions from the
17 Committee?

18 (No response.)

19 COUNCILMAN HENON: Thank you
20 very much.

21 Is there anybody else here to
22 testify on Bill No. 120413?

23 (No response.)

24 COUNCILMAN HENON: That will be
25 it. Thank you very much.

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.

2 I want to have the record
3 reflect that we will be holding two bills
4 here today. The two bills that will be
5 held are 120481 and 120487. So if we
6 have any persons here who are here today
7 to testify on those two bills, you are
8 free to go. Those bills will be held to
9 notice of the Chair. Thank you.

10 Clerk, can you read the next
11 bill, please.

12 THE CLERK: Bill No. 120414, an
13 ordinance authorizing the Commissioner of
14 Public Property to convey, to the
15 Philadelphia Authority for Industrial
16 Development, a parcel of land generally
17 situate at 1849 Frankford Avenue, for
18 further conveyance, under certain terms
19 and conditions.

20 COUNCILMAN HENON: Thank you.

21 Is there anybody here from the
22 Administration --

23 COMMISSIONER COLLINS-GREENWALD:
24 Me again.

25 COUNCILMAN HENON: -- that

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.
2 wishes to testify on this bill?

3 COMMISSIONER COLLINS-GREENWALD:

4 Good morning, Chairman Henon and members
5 of the Committee on Public Property and
6 Public Works. My name is Bridget
7 Collins-Greenwald and I'm the
8 Commissioner of the Department of Public
9 Property. I am here today to testify in
10 support of Bill No. 120414, an ordinance
11 authorizing the Commissioner of Public
12 Property to convey, to the Philadelphia
13 Authority for Industrial Development, a
14 parcel of land generally situate at 1849
15 Frankford Avenue, for further conveyance,
16 under certain terms and conditions.

17 BMK Properties will purchase
18 the parcel at fair market value and build
19 a residential home on the currently
20 vacant land. The proceeds of the sale
21 will be deposited into the General Fund.

22 The Department of Public
23 Property supports this measure and,
24 accordingly, I respectfully ask that City
25 Council approve Bill No. 120414.

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.

2 I am requesting a suspension of
3 the rules so as to allow for the first
4 reading at the next session of Council.

5 Thank you. I'll be happy to
6 answer any questions you may have.

7 COUNCILMAN HENON: Thank you
8 very much.

9 Does anybody from the Committee
10 have any questions?

11 (No response.)

12 COUNCILMAN HENON: Is there
13 anyone here who wishes to testify on Bill
14 No. 120414?

15 (No response.)

16 COUNCILMAN HENON: Thank you
17 very much.

18 Clerk, can you read the next
19 bill, please.

20 THE CLERK: Bill No. 120421, an
21 ordinance authorizing the Commissioner of
22 Public Property to convey, to the
23 Philadelphia Authority for Industrial
24 Development, a parcel of land generally
25 situate at 3129 South 70th Street, for

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.
2 further conveyance, all under certain
3 terms and conditions.

4 COUNCILMAN HENON: Good
5 morning. Is there anybody from the
6 Administration who wishes to testify on
7 Bill No. 120421?

8 COMMISSIONER COLLINS-GREENWALD:
9 Good morning, Chairman Henon and members
10 of the Committee on Public Property and
11 Public Works. My name is Bridget
12 Collins-Greenwald. I am the Commissioner
13 of the Department of Public Property. I
14 am here today to testify in support of
15 Bill No. 120421, an ordinance authorizing
16 the Commissioner of Public Property to
17 convey, to the Philadelphia Authority for
18 Industrial Development, a parcel of land
19 generally situate at 3129 South 70th
20 Street, for further conveyance, all under
21 certain terms and conditions.

22 We need to amend Bill No.
23 120421 to correct the legal description
24 of the property. We previously provided
25 City Council with this amendment.

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.

2 Payless Car Rental will be
3 purchasing this lot for fair market
4 value, as well as an adjacent non-City
5 owned lot, to expand their business. The
6 proceeds from this sale will benefit the
7 General Fund.

8 The Department of Public
9 Property supports this measure and,
10 accordingly, I respectfully ask that City
11 Council approve Bill No. 120421.

12 I am requesting a suspension of
13 the rules so as to allow for the first
14 reading at the next session of Council.

15 Thank you, and I will be happy
16 to answer any questions you may have.

17 COUNCILMAN HENON: Thank you.

18 Is there anybody else from the
19 Administration who wishes to testify?

20 (No response.)

21 COUNCILMAN HENON: Anybody else
22 here that wishes to testify on Bill No.
23 120421?

24 (No response.)

25 COUNCILMAN HENON: Thank you

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.
2 very much.

3 Clerk, could you please read
4 the next bill.

5 THE CLERK: Bill No. 120427, an
6 ordinance authorizing the Commissioner of
7 Public Property to convey, to the
8 Philadelphia Authority for Industrial
9 Development, certain parcels of land
10 situate at 3300 North Front Street and
11 130 West Westmoreland Street, with any
12 improvements thereon, for further
13 conveyance, all under certain terms and
14 conditions.

15 COUNCILMAN HENON: Thank you.
16 Is there anyone from the
17 Administration who wishes to testify on
18 this bill?

19 COMMISSIONER COLLINS-GREENWALD:
20 Good morning, Chairman Henon and members
21 of the Committee on Public Property and
22 Public Works. My name is Bridget
23 Collins-Greenwald and I am the
24 Commissioner of the Department of Public
25 Property. I am here today to testify in

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.
2 support of Bill No. 120427, an ordinance
3 authorizing the Commissioner of Public
4 Property to convey, to the Philadelphia
5 Authority for Industrial Development,
6 certain parcels of land situate at 3300
7 North Front Street and 130 West
8 Westmoreland Street, with any
9 improvements thereon, for further
10 conveyance, all under certain terms and
11 conditions.

12 We need to amend Bill No.
13 120427 to correct the legal description
14 of the property. We previously provided
15 City Council with this amendment.

16 Seymore Rubin and Associates
17 will purchase the parcels at fair market
18 value. The former 24th and 25th Police
19 Station building will be redeveloped into
20 a community daycare center. The proceeds
21 from the sale will be deposited into the
22 General Fund.

23 The Department of Public
24 Property supports this measure and,
25 accordingly, I respectfully ask that City

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.

2 Council approve Bill No. 120427.

3 I am requesting a suspension of
4 the rules so as to allow for the first
5 reading at the next session of Council.

6 Thank you, and I'll be happy to
7 answer any questions you may have.

8 COUNCILMAN HENON: Thank you.

9 Any members of the Committee
10 wish to testify on this bill, any
11 questions?

12 (No response.)

13 COUNCILMAN HENON: Anybody else
14 here who wishes to testify on this bill?

15 (No response.)

16 COUNCILMAN HENON: Thank you.

17 Clerk, would you please read
18 the next bill.

19 THE CLERK: Bill No. 120486, an
20 ordinance authorizing a license agreement
21 with a term of up to twenty years, and
22 other related agreements, between the
23 City of Philadelphia, as licensor, and
24 the Philadelphia Authority for Industrial
25 Development, as licensee, for certain

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.
2 land and facilities located in the
3 Franklin Delano Roosevelt Park and the
4 Marian Anderson Recreation Center, to be
5 used to establish, conduct, and operate
6 the Philadelphia Phillies MLB Urban Youth
7 Academy, all under certain terms and
8 conditions.

9 COUNCILMAN HENON: Thank you.

10 Is there anybody from the
11 Administration who wishes to testify on
12 this bill.

13 (Witness approached witness
14 table.)

15 MR. FAGAN: Good morning,
16 Chairman Henon, Vice Chair Greenlee and
17 respective members of the Committee on
18 Public Property and Public Works. My
19 name is Ed Fagan. I am the Director of
20 Development for the Philadelphia Parks
21 and Recreation. I'm here to present
22 testimony in support of Bill No. 120486,
23 authorizing the City of Philadelphia,
24 acting by and through the Department of
25 Parks and Recreation, to enter into a

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.
2 ten-year license agreement with the
3 Philadelphia Authority for Industrial
4 Development and for PAID to enter into a
5 sublicense agreement with Major League
6 Baseball Urban Youth Foundation, a
7 California non-profit foundation, and the
8 Philadelphia Phillies, a Pennsylvania
9 limited partnership, for the creation and
10 operation of the Philadelphia Phillies
11 Major League Baseball Urban League
12 Academy.

13 To provide some background
14 information on the Academy itself, the
15 Philadelphia Urban Youth Academy will be
16 a year-round, out-of-school-time program
17 that uses baseball and softball
18 activities as a foundation for positive
19 youth development for participants
20 between the ages of 10 and 18 years.
21 Participants will receive sport-specific
22 instruction in addition to academic
23 instruction and enrichment, experiential
24 learning opportunities and college
25 preparatory assistance.

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.

2 Athletic instructions and
3 competitions will take place at the
4 Richie Ashburn Fields in Franklin Delano
5 Roosevelt Park in South Philadelphia, and
6 the academic enrichment, experiential
7 learning and off-season training will
8 take place at Marian Anderson Recreation
9 Center at 17th and Fitzwater Streets.

10 In Phase I development of the
11 Academy, PAID will renovate the existing
12 baseball field, Richie Ashburn baseball
13 field, at FDR Park and will also renovate
14 an adjacent undersized baseball field
15 into a showcase regulation-sized field.
16 In addition, the current restrooms will
17 be expanded and space will be provided
18 for office -- staff office, a trainer's
19 room and storage space.

20 Phase II of the development of
21 the Academy will take place at Marian
22 Anderson. The mechanical system -- which
23 will include the mechanical systems and
24 significant portions of the recreation
25 center to be renovated, along with the

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.
2 construction of a 10,000 square foot
3 indoor workout facility. This workout
4 facility will include batting cages and
5 pitchers mounds and other opportunities
6 for athletic opportunities. The total
7 cost of the renovations at Marian
8 Anderson is \$1.7 million.

9 The \$2.8 million required for
10 this project is already committed. The
11 funding sources are Major League
12 Baseball, \$1 million; Major League
13 Baseball Tomorrow Fund, \$300,000; the
14 City of Philadelphia capital funds from
15 former Council President Anna Verna,
16 \$300,000. The Philadelphia Phillies have
17 committed \$200,000 and the Commonwealth
18 of Pennsylvania, \$1 million.

19 In closing, I'm requesting this
20 Committee's favorable consideration of
21 Bill No. 120486, and I ask that the rules
22 be suspended so that the ordinance may be
23 passed upon the second reading in
24 Council.

25 I'd be happy to answer any

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.
2 questions at this time.

3 COUNCILMAN HENON: Thank you.

4 Is there anyone else from the
5 Administration that wishes to testify on
6 this bill?

7 (No response.)

8 COUNCILMAN HENON: Any members
9 of the Committee like to be recognized to
10 speak?

11 Councilman Kenney.

12 COUNCILMAN KENNEY: Thank you
13 very much.

14 Just in general terms, the
15 usage of the Ashburn Field, how is that
16 determined? I frequent the lakes on a
17 regular basis and I notice that there's
18 various teams playing, either high school
19 or for a period of time I think Villanova
20 used the field, but it hasn't been for a
21 while.

22 How is it determined who
23 gets -- is there a fee involved? Do you
24 have to have an application process?
25 What happens?

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.

2 MR. FAGAN: The use of the
3 field is managed through our permit
4 process. In the new -- in the combined
5 agency, we follow a combined field
6 permit. So people put in a request for
7 it. Adult teams will pay a fee for it,
8 but there's no charge for youth fees.
9 It's just based on first come, first
10 served.

11 In previous years, it was
12 people who had it, they can just opt out
13 of their permit, but people reapply every
14 year. Villanova has moved to Plymouth
15 Meeting. They've been able to take over
16 a complex in Plymouth Meeting, so it's
17 closer for them to their campus.

18 COUNCILMAN KENNEY: So the
19 public league, Catholic league, is there
20 regular playoffs there? Is there regular
21 users of it, I guess is the question.

22 MR. FAGAN: St. Joe's Prep was
23 a regular user as well as Mastery Charter
24 School and the Philadelphia College of
25 Sciences.

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.

2 COUNCILMAN KENNEY: Okay.

3 MR. FAGAN: Routine users.

4 COUNCILMAN KENNEY: While I
5 recognize this is a very worthwhile
6 project and it's a terrific thing that's
7 happening, will there be any teams that
8 won't be able to use it now? Will it be
9 in full use by MLB?

10 MR. FAGAN: No. The primary
11 use will be for the Academy, which is
12 actually our kids, city kids, is well
13 involved in this program. We will use it
14 for our championships as well, but there
15 will be open opportunities for other
16 teams to use it as well. It will be
17 subscribe -- we don't want to overuse the
18 field, but it still will be available for
19 use by the schools I already mentioned.

20 COUNCILMAN KENNEY: And the
21 other issue is one of concessions. Is
22 there any plan for -- I mean, one of the
23 things that's difficult down there,
24 there's really nothing to buy --

25 MR. FAGAN: Correct.

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.

2 COUNCILMAN KENNEY: -- in way
3 of refreshments, food, that kind of
4 stuff. I know people use the park
5 extensively for picnic and family
6 reunions and things like that on a
7 regular basis, weekend basis, but is
8 there any plans for any kind of
9 concession opportunities?

10 MR. FAGAN: Yes. We do have
11 one licensed vendor down there now, and
12 we've just gone through an RFP for
13 additional food trucks. So we now have a
14 list of 15 vendors who are eligible to
15 vend within our system.

16 COUNCILMAN KENNEY: So people
17 will come with their truck?

18 MR. FAGAN: Right, as we did
19 during Love Your Park Week. We brought
20 vendors down for that event, and we're
21 soliciting people to go down and spend
22 time there. But in addition, as an
23 add-on, as a back end part of this
24 project, we want to build a concession
25 stand at the fields, which will be part

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.
2 of the Academy. So the participants will
3 manage the stand. It's just another
4 activity kind of experiential --

5 COUNCILMAN KENNEY: Kind of a
6 business experience?

7 MR. FAGAN: Correct. Right.

8 COUNCILMAN KENNEY: Okay.
9 Great. All right. Thank you.

10 COUNCILMAN HENON: The Chair
11 now recognizes Councilman Greenlee.

12 COUNCILMAN GREENLEE: Thank
13 you, Mr. Chairman.

14 Just more of a comment, very
15 quickly. I'm familiar with the program,
16 and what I think has been great in the
17 City over the last few years is how
18 baseball has kind of come back to the
19 urban area. It kind of had gotten -- you
20 didn't see a lot of kids in the inner
21 city playing baseball for a long time,
22 and now they're back playing. I know
23 that Marian Anderson Rec Center has
24 really become a great facility. Up in my
25 area in Francisville, the whole field was

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.
2 redone and it's just beautiful, and there
3 are kids that literally didn't know how
4 to play baseball and now are winning
5 championships, you know. And as you have
6 in your written testimony, this isn't
7 just about baseball. You're going to be
8 providing -- the program will provide
9 tutoring services, SAT prep and college
10 placement. So you're enriching the kids
11 in a lot of ways.

12 So I just want to go on record
13 saying I think it's a great program. The
14 Phillies I think do a great job with it,
15 and I think besides the team itself, I
16 think that's really added interest in the
17 inner city for baseball.

18 MR. FAGAN: Right. And as
19 mentioned, I mean, this is -- you
20 mentioned about the flourishing of
21 baseball in the inner city. That's part
22 of a Major League Baseball program, which
23 we got on board early, the RBI program,
24 returning baseball to the inner city, and
25 this is the next step.

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.

2 COUNCILMAN GREENLEE: Right.

3 Exactly.

4 MR. FAGAN: So we're just
5 trying to build on that and expand our
6 relationship with the Phillies.

7 COUNCILMAN GREENLEE: And
8 obviously it gives the kids a lot -- it
9 keeps them occupied during the summer,
10 which is not a bad thing.

11 MR. FAGAN: Well, it's year
12 round.

13 COUNCILMAN GREENLEE: Year
14 round, yeah. Sure. Thank you.

15 Thank you, Mr. Chairman.

16 COUNCILMAN HENON: Any other
17 members have any other questions
18 regarding this bill?

19 (No response.)

20 COUNCILMAN HENON: Anyone here
21 today have any further questions or wish
22 to testify on Bill No. 120486?

23 (No response.)

24 COUNCILMAN HENON: Thank you
25 very much.

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.

2 Clerk, could you please read
3 the next bill.

4 THE CLERK: Bill No. 120056, an
5 ordinance amending Title 16 of The
6 Philadelphia Code, entitled "Public
7 Property," to provide for estimated
8 annual energy cost disclosures upon the
9 sale of certain City-owned residential
10 properties, all under certain terms and
11 conditions.

12 COUNCILMAN HENON: Thank you.
13 Is there anybody from the
14 Administration who wishes to testify on
15 Bill No. 120056?

16 (Witness approached witness
17 table.)

18 COUNCILMAN HENON: Please state
19 your name for the record.

20 MR. DEWS: Alex Dews, Policy
21 and Program Manager, Mayor's Office of
22 Sustainability.

23 Good morning, Chairman Henon
24 and members of the City Council Committee
25 on Public Property and Public Works. I'm

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.

2 Alex Dews, Policy and Program Manager for
3 the Mayor's Office of Sustainability.

4 I'm here to testify on Bill No. 120056,
5 which calls for an estimate of energy use
6 to be shared when the City transfers
7 residential properties.

8 The Mayor's Office of
9 Sustainability is responsible for
10 implementing Greenworks Philadelphia, the
11 City's comprehensive sustainability plan.
12 Greenworks sets and tracks measurable
13 goals in the areas of energy,
14 environment, equity, economy and
15 engagement. With some adjustments, Bill
16 No. 120056 could play a role in educating
17 home buyers and tenants about energy
18 costs and energy efficiency, both of
19 which are important elements of the
20 Greenworks plan.

21 Energy is a major cost for
22 homeowners and tenants, but very often is
23 overlooked during the home buying and
24 leasing process. This can result in
25 unmanageable energy costs and create

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.
2 hardships for residents.

3 The energy efficiency market
4 continues to gain headway under public
5 programs such as Energy Works, utility
6 programs such as PGW's Energy Sense and
7 PECO's Smart Ideas and private businesses
8 focused on energy solutions, but there's
9 still a significant opportunity to
10 educate residents about home energy
11 conservation.

12 The goal of this legislation,
13 as the Administration understands it,
14 would be to provide a reasonable estimate
15 of energy costs to buyers and tenants
16 when the City sells or leases residential
17 properties. While we are in agreement
18 that this is a good thing for homeowners,
19 there are a few technical issues that
20 would need to be clarified by amendment
21 in order to achieve the desired outcome.

22 The Philadelphia Redevelopment
23 Authority regularly conveys properties to
24 both developers and homeowners. Some of
25 these properties are vacant lots, some

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.

2 abandoned shells and others rehabbed
3 homes. Because a majority of these
4 transfers are from the City to a
5 developer and not from the City to the
6 end consumer, the Administration
7 recommends an amendment that would also
8 require any developer who purchases
9 property from the City for residential
10 redevelopment to provide an energy cost
11 estimate to homeowners or tenants at the
12 time of transaction. This would achieve
13 the intended outcome of providing energy
14 cost estimates to the eventual homeowner
15 or tenant instead of disclosing the
16 estimate to a development who does not
17 intend to occupy this space.

18 The Administration further
19 recommends that vacant lots, whether
20 conveyed to a developer or the end
21 consumer, be exempted from the
22 requirement, as there's no reasonable way
23 to estimate future energy use when no
24 structure is present.

25 Finally, the Administration

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.
2 recommends that the effective date for
3 this legislation be no sooner than July
4 2013, which will provide the Philadelphia
5 Redevelopment Authority and any relevant
6 agencies with the requisite time to put
7 systems in place to ensure compliance and
8 positive outcomes with this bill.

9 With Greenworks as its guide,
10 Philadelphia has become an established
11 leader on urban sustainability and energy
12 efficiency issues. We look forward to
13 working with City Council on this bill
14 and the many other efforts to support
15 smart energy use in Philadelphia.

16 Thank you for the opportunity
17 to testify regarding this bill, and I'm
18 happy to answer any questions at this
19 time.

20 COUNCILMAN HENON: Thank you.

21 Is there anyone else from the
22 Administration who wishes to testify on
23 this bill?

24 (No response.)

25 COUNCILMAN HENON: Any members

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.
2 of the Committee?

3 Councilman Jones.

4 COUNCILMAN JONES: Thank you,
5 Mr. Chairman. I just want to say that,
6 simply put, a couple of years ago this
7 body took the initiative recognizing that
8 there was a great economic crisis in that
9 a lot of people are going to lose their
10 homes, and we not once but twice
11 forestalled Sheriff sales until we could
12 come up with a nationally recognized
13 diversion program, and I want to thank
14 you for that.

15 The second shoe to fall in
16 homelessness and people being out of
17 their homes is the possibility through
18 utility shut-offs. When people go into a
19 purchase of a publicly owned house,
20 sometimes they don't know the cost of
21 energy, and factoring that in is just as
22 lethal sometimes as the cost of a
23 mortgage or the cost of insurance and
24 other things.

25 On average, according to the

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.

2 Energy Information Administration's
3 annual outlook, an American household
4 spends \$60,000 over the lifetime of a
5 30-year mortgage, and in some cases on
6 average, annual expense is upwards of a
7 thousand dollars for utilities. That's
8 even more than the average tax hike we
9 were considering recently. But that kind
10 of information should be available to
11 purchasers of homes so that they can make
12 informed decisions about their budget,
13 informed decisions about their fiscal
14 priorities.

15 So we're urging that people
16 consider this, and particularly on
17 publicly owned conveyed residential
18 households.

19 So we want to work with the
20 Administration on the amendments that
21 they've recommended and actually want to
22 offer them today.

23 Thank you, Mr. Chairman.

24 COUNCILMAN HENON: Thank you,
25 Councilman.

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.

2 Any other members of the
3 Committee wish to speak or testify on
4 Bill No. 120056?

5 Councilman Green.

6 COUNCILMAN GREEN: I have no
7 questions on this bill. I apologize.
8 When it's convenient for you,
9 Mr. Chairman, I do have a couple of quick
10 questions on 120486, which is the
11 Franklin Delano Roosevelt Park, Phillies
12 MLB Urban Youth Academy.

13 COUNCILMAN HENON: Certainly.
14 We have some other folks here who wish to
15 testify on this bill, so we'll get this
16 as proceeded and than we'll come back to
17 86.

18 Anybody else here wish to
19 testify on Bill No. 120056?

20 Can you please come forward.
21 State your name for the record. Thank
22 you.

23 (Witness approached witness
24 table.)

25 MR. SWANN: Good morning,

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.
2 Councilman Henon. Good morning, the rest
3 of the Committee, members of City
4 Council. My name is Mitchell Swann and I
5 am the Secretary of the Philadelphia
6 Energy Authority. So on behalf of the
7 Philadelphia Energy Authority, I'd like
8 to provide some testimony on Bill 120056,
9 which proposes to amend Title 16 of The
10 Philadelphia Code. A written copy of
11 this testimony will be provided for your
12 use.

13 Bill 120056 proposes to require
14 a good-faith estimate of the annual
15 energy cost to be provided to the
16 transferee by the seller of a residential
17 property owned by the City of
18 Philadelphia or the Philadelphia Housing
19 Authority prior to completing the
20 transaction.

21 The Philadelphia Energy
22 Authority supports this type of energy
23 use disclosure. Energy cost is a
24 significant recurring cost for a
25 homeowner. Providing the annual energy

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.
2 cost to a prospective homeowner will
3 better enable planning for their finances
4 and whether or not they can actually
5 afford to be in that house beyond the
6 mortgage.

7 However, the Energy Authority
8 is concerned about how this good-faith
9 energy cost will be determined. While an
10 estimate may be generated based on the
11 Energy Information Administration's
12 Residential Energy Consumption Survey,
13 this will only provide typical energy
14 usage for a property of similar size. It
15 will not reflect the true or actual
16 energy usage of a specific property. If
17 the good-faith energy cost is calculated
18 using recent energy bills, that usage can
19 vary widely due to any number of factors,
20 including thermostat setpoints in the
21 house, weather, whether energy-efficient
22 lighting or appliances are used, the
23 occupants' personal effort to conserve
24 energy and any number of other factors.
25 These are just a few examples of why

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.
2 energy bills alone are not an adequate
3 benchmark for an energy disclosure.

4 Therefore, while the bill does
5 allow the use of recent energy bills, it
6 does not specify a minimum time period of
7 those bills, and without defining a
8 specific window, one could generate an
9 annual energy cost by extrapolating using
10 only one or two months of energy bills,
11 and that would be inaccurate.

12 The Philadelphia Energy
13 Authority offers the following suggested
14 revisions: We revise or better define
15 "recent energy bills" as the source of a
16 good-faith estimate to require at least
17 one contiguous calendar year's worth of
18 energy bills be used to generate the
19 good-faith estimate. The contiguous
20 requirement prevents the seller from
21 cherry-picking from a set of bills that
22 show an artificially low usage.

23 Additionally, we recommend that
24 both the average energy use from the
25 Energy Information Administration's

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.

2 Residential Energy Consumption Survey and
3 the most recent year's worth of energy
4 bills be disclosed. Neither the EIA's
5 Energy Consumption Survey nor a year's
6 collection of bills will be a perfect
7 measurement, but in combination, they
8 provide a better comparative index of a
9 specific property's consumption against a
10 normative value for comparable
11 properties. That gives the buyer a
12 better sense of what is normal and how
13 the property they're purchasing stacks up
14 against that normative value. So he'll
15 be better able to understand what is
16 readily possible for the property.

17 The last thing -- I think it
18 was testified to prior -- we believe it
19 is essential that where a property is
20 transferred from the City to an entity
21 that intends to sell the property to a
22 final buyer or an occupant, that the
23 energy disclosure information be
24 transferred to the final occupant.

25 Thank you for the opportunity

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.
2 to provide testimony, and I'm ready to
3 take any questions you may have.

4 COUNCILMAN HENON: Thank you,
5 sir.

6 Any further questions from the
7 Committee?

8 (No response.)

9 COUNCILMAN HENON: Thank you
10 for coming in.

11 Is there anyone else here to
12 testify on Bill No. 120056?

13 Please come forward.

14 (Witnesses approached witness
15 table.)

16 COUNCILMAN HENON: Good morning
17 and thank you for coming. Please state
18 your name for the record.

19 MS. ROBINSON: Good morning.
20 I'm Liz Robinson. Thank you, Chairman
21 Henon and Councilmembers. Thank you very
22 much for the opportunity to testify this
23 morning on this bill. I'm the Executive
24 Director of the Energy Coordinating
25 Agency, better known as ECA, and as you

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.

2 know, this legislation would require the
3 City, principally the RDA and PHDC, to
4 disclose energy consumption to
5 single-family homes -- energy consumption
6 of single-family homes at the time
7 they're being sold or rented. And as
8 amended -- I believe you all have the
9 amended version of this bill before
10 you -- many of the concerns that were
11 just articulated have been addressed. So
12 I just wanted to mention that.

13 This new policy will help
14 ensure that low-income home buyers and
15 renters can actually afford the homes
16 they purchase or rent. The legislation
17 also introduces a new tool called the
18 Home Energy Score, which is a residential
19 benchmarking tool developed by the U.S.
20 Department of Energy. This tool
21 addresses the concerns that Mr. Swann
22 just raised. It is more accurate than
23 current energy bills. It's more accurate
24 than even a year's worth of energy bills,
25 because, as Mr. Swann correctly

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.

2 mentioned, energy consumption -- I like
3 to say energy consumption is determined
4 equally by two things, hardware and
5 humans, and they're both equally
6 important. So the bills of one family
7 will not predict accurately the bills of
8 the next family. So the Home Energy
9 Score is an asset-based rating tool. It
10 looks at the assets of the property.

11 Most importantly, this bill
12 continues a long tradition of working to
13 improve the energy efficiency of
14 affordable housing in Philadelphia. The
15 City -- some of you may not know. The
16 City was one of the very first in the
17 nation to adopt energy efficiency
18 standards in rehab and construction of
19 affordable housing. These standards
20 actually predated the Energy Star
21 standard, just so you know, and OHCD and
22 RDA have updated these standards over the
23 years to keep up with increasing
24 technology, the development of
25 technology, and to ensure that affordable

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.

2 housing in Philadelphia remains truly
3 affordable, as well as durable and
4 healthy. This is incredibly important,
5 as energy costs continue to rise in the
6 years ahead and unfortunately most
7 household incomes will not.

8 Benchmarking and disclosure
9 have become very important tools across
10 the country in helping consumers. We're
11 seeing a rapidly growing number of cities
12 and states all across the country adopt
13 benchmarking and disclosure laws.
14 Several states have also adopted
15 requirements to upgrade the energy
16 efficiency of properties at time of sale.

17 ECA firmly supports this
18 legislation, and we look forward to
19 working closely with Council and the
20 Administration to make sure that it's
21 implemented successfully.

22 Thank you very much for the
23 opportunity to testify. If you have any
24 questions, I'll be happy to answer them.

25 COUNCILMAN HENON: Thank you

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.

2 very much for your testimony.

3 Any members of the Committee

4 have any further questions?

5 COUNCILMAN JONES: Just a

6 comment, Mr. Chairman.

7 I appreciate your efforts to

8 help us. I mean, it's been invaluable to

9 have this kind of input on all parties.

10 It makes a good idea a better idea and an

11 efficient law. And we tend to be

12 generalists at many things, but when we

13 get the participation of practitioners

14 and experts, it enhances our ability to

15 give good public policy. So we're

16 thankful for your contribution.

17 MS. ROBINSON: Thank you for

18 the opportunity.

19 COUNCILMAN HENON: Thank you

20 very much.

21 Is there anyone else here today

22 to testify on Bill No. 120056?

23 MR. FLOYD: Good morning,

24 Council.

25 COUNCILMAN HENON: Good

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.
2 morning.

3 MR. FLOYD: I definitely first
4 want to say it's an honor to be here. My
5 first time sitting at this seat,
6 definitely on this side of the railing.

7 COUNCILMAN HENON: You're going
8 to do just fine. State your name for the
9 record, please.

10 MR. FLOYD: My name is Seth
11 Floyd. I'm here as a citizen, as an
12 environmental engineer, Temple grad and
13 also as a real estate broker of record
14 who has been involved in real estate
15 sales and educating the community in real
16 estate activities for at least the last
17 eight years.

18 This bill is very important to
19 me and it's my baby, and it was very
20 important to see it make it to this
21 point, and I think that we have a lot of
22 opportunities, even past, supporting this
23 bill, which I'm asking to be done today.

24 My personal story that started
25 out with this is, even with my strong

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.
2 real estate background, I had a personal
3 experience where I lived in the Northeast
4 in a 1,100 square foot, three-bedroom,
5 one-bathroom home, and my energy bills
6 were roughly around \$275 a month. As I
7 advanced in my career, I was doing a
8 little better, I end up moving up closer
9 to the Councilman off of City Avenue into
10 a 104-year home in Belmont Village that's
11 about 2,600 square foot and very drafty.
12 My December gas bill was 675, and it was
13 a rude awakening when I got my new
14 mortgage, my new insurance, my new taxes
15 and then a very, very hefty energy bill
16 differences, and at that point, I felt as
17 though I was doing a disservice to my
18 clients when I was selling them
19 properties and not having an idea of
20 actually what I was selling them. So I
21 kind of tried to find a way to bring some
22 other tools to this and better inform my
23 clients as I was encouraging them to
24 purchase properties in the City, and I
25 think we have -- we're in the right

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.
2 direction here with this.

3 The Home Energy Score, which
4 Liz mentioned, will be probably the best
5 tool and most useful and most applicable
6 tool that we can use right now, which is
7 light years better than what we're
8 currently giving clients, which is zero
9 information.

10 I thought that Philadelphia was
11 a great sample area, because we have one
12 of the largest and oldest housing stocks
13 in the country, which, of course, causes
14 to have a large diversity of types of
15 properties and variations in building
16 materials, and, of course, each of these
17 variations have inherent differences in
18 how we can improve those properties and
19 understand those properties to reduce
20 energy usage going forward. So I think
21 we'll take that information and be able
22 to make good decisions about our next
23 steps, because this isn't the end, and
24 make our next steps using this
25 information that we get as we go through

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.
2 this process and expose more of the
3 community to the information coming from
4 the Home Energy Scores.

5 The vision moving forward --
6 the ultimate scenario obviously is to
7 have clean, uncontaminated data by which
8 every real estate consumer has the
9 opportunity to choose a house not just by
10 its location and its appearance, but by
11 its energy performance and its true
12 monthly expenses. Eventually having the
13 information allows you to do things like
14 reducing the overall energy consumption
15 of the consumers and reducing the overall
16 energy consumption of the City. We also
17 will have a stronger stabilized housing
18 market made up of educated homeowners and
19 smarter home buyers, increased home
20 improvements that will lead directly to
21 energy usage reductions. It's my
22 professional opinion that this loss will
23 reduce the foreclosure rate due to a
24 greater understanding of monthly expenses
25 before financially committing or

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.
2 purchasing a property.

3 I also believe that there will
4 be somewhat of a looking-out alliance,
5 somewhat of a shift of consumer spending
6 from putting most of their money into a
7 monthly energy bill and more of that
8 money going into the hands of local
9 contractors, building suppliers and
10 material producers that will receive the
11 benefits of smarter buyers making
12 educated decisions to improve the home.

13 A lot of people arbitrarily
14 make improvements at their home based on
15 recommendations from contractors. Part
16 of what the Home Energy Score tool does,
17 in addition to helping us understand the
18 cost, is also understanding what
19 recommendations are to be made to
20 actually improve the energy efficiency.
21 So we're killing two birds with one
22 stone. Not only are we educating the
23 consumer on what they're getting into
24 from a financial perspective, but we're
25 also giving them an opportunity to know

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.

2 how can you make this house more energy
3 efficient and how do you reduce that bill
4 regardless of what the number is. And so
5 you have both of those tools, but when
6 the public has information like
7 professional recommendations on how to
8 improve the house and what the payback
9 period is for those things, more people
10 will like to make smart improvements to
11 the property, which ultimately will
12 reduce energy usage and produce
13 better-performing houses.

14 Just in closing, I'll just say
15 that I think that this is again a good
16 step in moving forward with the nation's
17 goal to reduce energy consumption and,
18 again, asking the Council to approve the
19 Bill 120056.

20 COUNCILMAN HENON: Good job.
21 Thank you for your testimony.

22 Any questions from members of
23 the Committee?

24 (No response.)

25 COUNCILMAN HENON: Thank you

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.
2 very much for coming in.

3 The Chair would ask, please,
4 for some unfinished business and further
5 questioning, Mr. Fagan from Parks and
6 Recs to please approach the witness
7 stand.

8 (Witness approached witness
9 table.)

10 COUNCILMAN HENON: Councilman
11 Green, I believe you have a few questions
12 regarding Bill No. 120486.

13 COUNCILMAN GREEN: Thank you,
14 Mr. Chairman.

15 Good morning.

16 MR. FAGAN: Good morning.

17 COUNCILMAN GREEN: I apologize
18 for stepping out and missing the
19 beginning of your testimony. I
20 appreciate you hanging around for a
21 minute.

22 Does the license in this
23 case -- is this former parkland?

24 MR. FAGAN: Yes.

25 COUNCILMAN GREEN: Does the

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.
2 license in this case require the
3 activation of the bill --

4 MR. FAGAN: By ordinance?

5 COUNCILMAN GREEN: -- of the
6 land ordinance for the licensing or sale
7 of parkland?

8 MR. FAGAN: Well, no. I mean,
9 the Law Department has reviewed it for
10 that purpose, but it is the same use. So
11 it's not a -- so there is a conveyance
12 with this license to PAID to represent us
13 in this transaction because of the
14 financial structure. At this point,
15 there hasn't been any ruling that it does
16 impact the land ordinance, because it's
17 of a like purpose.

18 COUNCILMAN GREEN: But it's not
19 the same use in the sense that you
20 couldn't expand any use. You can't have
21 concessions if the concessions are not
22 there now, et cetera. So you're limiting
23 the use to its current use. You're also
24 transferring ownership out of the City
25 hands. And I think this just is an

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.

2 example of the need to tighten up the
3 ordinance with respect to transfer of
4 parklands, because what that bill was
5 supposed to accomplish is, when we were
6 taking it out of the City's hands, 12
7 Councilmembers were supposed to have to
8 approve it, and here is an example where
9 the Law Department has taken the position
10 that we can transfer parkland for 20
11 years and there's no -- the protections
12 of that bill don't come into play.

13 So I just wanted to make sure I
14 understand. I'm not sure that I agree
15 with the position of the Law Department,
16 and I guess I'd suggest there's no reason
17 not to comply with that to be safe.

18 MR. FAGAN: Certainly. We
19 wouldn't want to stumble over something
20 like that to come back to bite us.

21 COUNCILMAN GREEN: So have you
22 had this approved by the advisory body?

23 MR. FAGAN: By the Parks
24 Commission?

25 COUNCILMAN GREEN: Yes.

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.

2 MR. FAGAN: Yes. It had been
3 reviewed with them, and their statement
4 was -- and I can forward you the e-mail
5 from Nancy Goldenberg, the President,
6 that they had no concerns over the
7 proposed --

8 COUNCILMAN GREEN: Did they
9 actually take official action, though, or
10 is that an e-mail from --

11 MR. FAGAN: It was an e-mail
12 from Nancy after she reviewed it with the
13 Commission. It was not discussed at the
14 full Commission meeting, the last
15 Commission meeting that was held in
16 Hunting Park.

17 COUNCILMAN GREEN: Okay. So I
18 think you could have a technical problem
19 here, but maybe you can resolve that
20 before we take a final vote.

21 MR. FAGAN: I will do that.

22 COUNCILMAN GREEN: Okay. And
23 how much of this land is being -- how
24 many acres are subject to this license?

25 MR. FAGAN: I couldn't give you

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.
2 an acreage. I could find out exactly.
3 It would be two baseball fields. It
4 would be the footprint --

5 COUNCILMAN GREEN: It's the two
6 baseball fields only?

7 MR. FAGAN: Yes.

8 COUNCILMAN GREEN: And what
9 structures?

10 MR. FAGAN: And the space in
11 between that where the structure already
12 is, the existing restroom facility and
13 the small storage space there.

14 COUNCILMAN GREEN: That's not
15 the big beautiful building at the front
16 as you drive --

17 MR. FAGAN: No. This is the
18 back end of the park. It's adjacent to
19 I-95. This is the very back end of the
20 park. The Richie Ashburn Fields are back
21 there, and that's the regulation-sized
22 field, and then there's the 75 foot field
23 that is next to it, which was part of
24 that development as well, but we're
25 expanding that field into like an NCAA

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.
2 regulation-sized field.

3 The existing building that's
4 there, the restrooms, that's going to be
5 expanded for additional capacity, and
6 we're going to add like a training room
7 and some additional storage space.

8 COUNCILMAN GREEN: And what
9 happens to the license if the Phillies no
10 longer stay involved or Major League
11 Baseball doesn't stay involved? Does it
12 automatically revert back to the City or
13 can they transfer it to any third-party
14 operator?

15 MR. FAGAN: No. In the
16 operating agreement, that is still being
17 negotiated. In case of default by the
18 baseball parties, it returns to the City
19 of Philadelphia.

20 COUNCILMAN GREEN: And they
21 can't transfer it?

22 MR. FAGAN: No.

23 COUNCILMAN GREEN: Thank you
24 very much.

25 COUNCILMAN HENON: Any other

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.
2 questions from the Committee on this
3 bill?

4 (No response.)

5 COUNCILMAN HENON: Thank you
6 for your time.

7 MR. FAGAN: Thank you.

8 COUNCILMAN HENON: Is there
9 anyone else here that wishes to testify
10 on any of the bills that were reported in
11 Committee?

12 (No response.)

13 COUNCILMAN HENON: With that
14 being said, this concludes our public
15 hearing. We will now move into our
16 public hearing.

17 The Chair recognizes -- or
18 public meeting.

19 The Chair now recognizes
20 Councilman Jones.

21 COUNCILMAN JONES: Thank you,
22 Mr. Chairman. I move that Bill No.
23 120056, as amended, be reported out of
24 Committee with a favorable
25 recommendation --

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.

2 COUNCILMAN GREENLEE: You have
3 to move the amendment.

4 COUNCILMAN JONES: Okay. I
5 move that we amend Bill 120056, which has
6 been circulated to all Committee members,
7 and be adopted.

8 (Duly seconded.)

9 COUNCILMAN HENON: All those in
10 favor?

11 (Aye.)

12 COUNCILMAN HENON: All those
13 opposed?

14 (No response.)

15 COUNCILMAN HENON: The ayes
16 have it.

17 COUNCILMAN JONES: Thank you,
18 Mr. Chairman. I move that Bill No.
19 120056, as amended, be reported out of
20 Committee with a favorable recommendation
21 and, further, the rules of Council be
22 suspended to permit first reading at our
23 next Council session.

24 (Duly seconded.)

25 COUNCILMAN HENON: It has been

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.

2 seconded?

3 All in favor?

4 (Aye.)

5 COUNCILMAN HENON: All those

6 opposed?

7 (No response.)

8 COUNCILMAN HENON: Bill No.

9 120056, as amended, will be reported out
10 of Committee with a favorable
11 recommendation, with the suspension of
12 the rules as to be read in the following
13 next Council session.

14 The Chair now recognizes
15 Councilman Greenlee.

16 COUNCILMAN GREENLEE: Thank
17 you, Mr. Chairman. I move that Bill No.
18 120389 be reported out of this Committee
19 with a favorable recommendation, with a
20 rules suspension to allow for first
21 reading at our next session of Council.

22 COUNCILMAN HENON: Do I hear a
23 second?

24 (Duly seconded.)

25 COUNCILMAN HENON: All those in

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.

2 favor?

3 (Aye.)

4 COUNCILMAN HENON: The ayes

5 have it. Bill No. 120389 will be

6 reported out of Committee with a

7 favorable recommendation, with the

8 suspension of the rules as to allow

9 reading at the next session.

10 The Chair recognizes Councilman

11 Greenlee.

12 COUNCILMAN GREENLEE: Thank

13 you, Mr. Chairman. I move the adoption

14 of the amendment to Bill No. 120413.

15 (Duly seconded.)

16 COUNCILMAN HENON: All those in

17 favor?

18 (Aye.)

19 COUNCILMAN HENON: The ayes

20 have it.

21 Councilman Greenlee.

22 COUNCILMAN GREENLEE:

23 Mr. Chairman, I move that Bill No.

24 120413, as amended, be reported out of

25 this Committee with a favorable

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.
2 recommendation, with a rules suspension
3 to allow for first reading at our next
4 session of Council.

5 (Duly seconded.)

6 COUNCILMAN HENON: It has been
7 seconded.

8 All in favor?

9 (Aye.)

10 COUNCILMAN HENON: All those
11 opposed?

12 (No response.)

13 COUNCILMAN HENON: The ayes
14 have it. Bill No. 120413, as amended,
15 will be reported out of Committee with a
16 favorable recommendation, with a
17 suspension of the rules as to allow
18 reading at our next Council session.

19 Councilman Greenlee.

20 COUNCILMAN GREENLEE: Thank
21 you, Mr. Chairman. I move that Bill No.
22 120414 be reported out of this Committee
23 with a favorable recommendation, with a
24 rules suspension to allow for first
25 reading at our next session of Council.

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.

2 (Duly seconded.)

3 COUNCILMAN HENON: It has been

4 seconded.

5 All in favor?

6 (Aye.)

7 COUNCILMAN HENON: All those

8 opposed?

9 (No response.)

10 COUNCILMAN HENON: The ayes

11 have it. Bill No. 120414 will be

12 reported out of Committee with a

13 favorable recommendation, with a

14 suspension of the rules as to allow

15 reading at our next Council session.

16 Councilman Greenlee.

17 COUNCILMAN GREENLEE: Thank

18 you, Mr. Chairman. I move the adoption

19 of the amendment to Bill No. 120421.

20 (Duly seconded.)

21 COUNCILMAN HENON: All those in

22 favor?

23 (Aye.)

24 COUNCILMAN HENON: The ayes

25 have it. The amendment is passed.

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.

2 COUNCILMAN GREENLEE: Thank
3 you, Mr. Chairman. I move that Bill No.
4 120421, as amended, be reported out of
5 this Committee with a favorable
6 recommendation, with a rules suspension
7 to allow for first reading at our next
8 session of Council.

9 (Duly seconded.)

10 COUNCILMAN HENON: It has been
11 seconded and moved.

12 All those in favor?

13 (Aye.)

14 COUNCILMAN HENON: The ayes
15 have it. Bill No. 120421, as amended,
16 will be reported out of Committee with a
17 favorable recommendation, with a
18 suspension of the rules as to allow
19 reading at our next Council session.

20 Councilman Greenlee.

21 COUNCILMAN GREENLEE: Thank
22 you, Mr. Chairman. I move the adoption
23 of the amendment to Bill No. 120427.

24 (Duly seconded.)

25 COUNCILMAN HENON: All those in

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.
2 favor?

3 (Aye.)

4 COUNCILMAN HENON: The ayes
5 have it. The amendment passes.

6 COUNCILMAN GREENLEE: Thank
7 you, Mr. Chairman. I move that Bill No.
8 120427, as amended, be reported out of
9 Committee with a favorable
10 recommendation, a rules suspension to
11 allow for first reading at our next
12 session of Council.

13 (Duly seconded.)

14 COUNCILMAN HENON: It has been
15 moved and seconded.

16 All those in favor?

17 (Aye.)

18 COUNCILMAN HENON: The ayes
19 have it. Bill No. 120427, as amended,
20 will be reported out of Committee with a
21 favorable recommendation, with a
22 suspension of the rules as to allow
23 reading at our next Council session.

24 Councilman Greenlee.

25 COUNCILMAN GREENLEE: Thank

1 6/13/12 - PUBLIC PROPERTY - BILL 120056, etc.

2 you, Mr. Chairman. I move that Bill No.
3 120486 be reported out of Committee with
4 a favorable recommendation and with a
5 rules suspension to allow for first
6 reading at our next session of Council.

7 (Duly seconded.)

8 COUNCILMAN HENON: It has been
9 moved and seconded.

10 All those in favor?

11 (Aye.)

12 COUNCILMAN HENON: The ayes
13 have it. Bill No. 120486 will be
14 reported out of Committee with a
15 favorable recommendation, with a
16 suspension of the rules as to allow
17 reading at our next Council session.

18 This concludes our public
19 meeting of Public Property.

20 Thank you.

21 (Committee on Public Property
22 and Public Works concluded at 11:20 a.m.)

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CERTIFICATE

I HEREBY CERTIFY that the
proceedings, evidence and objections are
contained fully and accurately in the
stenographic notes taken by me upon the
foregoing matter on June 13, 2012, and that
this is a true and correct transcript of same.

MICHELE L. MURPHY
RPR-Notary Public

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