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COUNCIL OF THE CITY OF PHILADELPHIA

3

COMMITTEE ON PUBLIC PROPERTY AND

4

PUBLIC WORKS

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Room 400, City Hall
Philadelphia, Pennsylvania
Wednesday, November 29, 2006
1:20 p.m.

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PRESENT:

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COUNCILMAN DARRELL L. CLARKE

COUNCILMAN FRANK DiCICCO

11

COUNCILMAN WILLIAM GREENLEE

COUNCILMAN JACK KELLY

12

COUNCILWOMAN JOAN L. KRAJEWSKI

COUNCILWOMAN DONNA REED MILLER

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COUNCILMAN JUAN RAMOS

COUNCILWOMAN MARIAN B. TASCO

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BILL 060799 - An ordinance authorizing the
extension of the extended trial program
authorized by Bill No. 051096...

16

17

BILL 060801 - An ordinance authorizing the
Commissioner of Public Property to execute and
deliver to the Philadelphia Authority for
Industrial Development...

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19

BILL 060858 - An ordinance authorizing the
Commissioner of Public Property to execute and
deliver to the Philadelphia Authority for
Industrial Development a deed...

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- - -

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V A R A L L O Incorporated

Litigation Support Services

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COUNCILMAN CLARKE: Good

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afternoon. This is the Committee on

4

Public Property and Public Works.

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Will the Clerk please read the

6

title of the first bill.

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THE CLERK: Bill No. 060801, an

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ordinance authorizing the Commissioner of

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Public Property to execute and deliver to

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the Philadelphia Authority for Industrial

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Development, for nominal consideration, a

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deed conveying fee simple title to a

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certain tract of City-owned land with the

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building and improvements thereon,

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situate in a rectangular area generally

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bounded by Ruth Street on the northwest,

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Clearfield Street on the northeast,

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Emerald Street on the southeast and

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Orleans Street on the southwest, for

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further conveyance to the School District

21

of Philadelphia.

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COUNCILMAN CLARKE: Thank you.

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Please note there is a quorum present.

24

Councilman Kelly, Councilwoman Tasco,

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Councilman Greenlee, Councilwoman

1 11/29/06 - PUBLIC PROPERTY - BILL 060799, ETC.

2 Krajewski, Councilwoman Miller and
3 Councilman Ramos.

4 Thank you. Please proceed.

5 COMMISSIONER SCHLOTTERBECK:

6 Good afternoon, Chairman Clarke and
7 members of the Committee on Public
8 Property and Public Works. My name is
9 Joan Schlotterbeck. I'm the Commissioner
10 for Public Property.

11 I'm here today to testify in
12 support of Bill No. 060801, an ordinance
13 authorizing me as the Commissioner to
14 execute and deliver to the Philadelphia
15 Authority for Industrial Development a
16 deed, for nominal consideration,
17 conveying fee simple title to a certain
18 tract of City-owned land with the
19 buildings and improvements thereon,
20 situated in a rectangular area generally
21 bounded by Ruth Street on the northwest,
22 Clearfield on the northeast, Emerald on
23 the southeast and Orleans Street on the
24 southwest, AKA, also known as, Franklin
25 Playground, in the City of Philadelphia

1 11/29/06 - PUBLIC PROPERTY - BILL 060799, ETC.

2 for further conveyance to the School
3 District. This bill will enable the City
4 to convey this property to PAID for
5 further conveyance to the District
6 covering all costs for remediation.

7 The Department of Public
8 Property supports this measure, and
9 accordingly, I respectfully ask that City
10 Council approve Bill No. 060801. I also
11 ask that the rules be suspended so that
12 the ordinance may be passed upon the
13 second reading of Council.

14 Thank you, and I'm happy to
15 answer any questions anyone may have.

16 COUNCILMAN CLARKE: Thank you,
17 Commissioner.

18 Any questions of this witness
19 on this particular bill by members of the
20 Committee?

21 Councilman DiCicco.

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

24 Commissioner, I assume then
25 that the financial arrangements have been

1 11/29/06 - PUBLIC PROPERTY - BILL 060799, ETC.

2 worked out between the District and the
3 City?

4 COMMISSIONER SCHLOTTERBECK:

5 That is correct. What it is is that
6 we've discovered during our negotiations
7 that the property sits on graves.

8 COUNCILMAN DiCICCO: A
9 cemetery.

10 COMMISSIONER SCHLOTTERBECK:

11 There's some graves. So the idea is that
12 the School District will remediate the
13 graves, and if there's any money left
14 over at the end of that day, that the
15 City will recoup those dollars.

16 COUNCILMAN DiCICCO: Whatever
17 is left of the balance.

18 COMMISSIONER SCHLOTTERBECK:

19 That is correct.

20 COUNCILMAN DiCICCO: Thank you.

21 Thank you, Mr. Chairman.

22 COUNCILMAN CLARKE: Thank you,
23 Councilman.

24 Any other questions of this
25 witness by members of the Committee?

1 11/29/06 - PUBLIC PROPERTY - BILL 060799, ETC.

2 (No response.)

3 COUNCILMAN CLARKE: There being
4 none, will the Clerk please read the
5 title of the next bill.

6 THE CLERK: Bill No. 060858, an
7 ordinance authorizing the Commissioner of
8 Public Property to execute and deliver to
9 the Philadelphia Authority for Industrial
10 Development a deed, for nominal
11 consideration, conveying fee simple title
12 to four adjacent parcels, situate at 1015
13 through 21 Mount Vernon Street in the
14 City of Philadelphia, with the buildings
15 and improvements thereon, for further
16 conveyance at fair market value.

17 COMMISSIONER SCHLOTTERBECK:
18 Good afternoon, Chairman Clarke. I'd
19 like to amend this Bill 060858. It comes
20 to my attention that we have Exhibit A
21 not included with the original
22 submission.

23 COUNCILMAN CLARKE: Have the
24 amendments been circulated?

25 COMMISSIONER SCHLOTTERBECK: I

1 11/29/06 - PUBLIC PROPERTY - BILL 060799, ETC.

2 have them here with me. And, actually,
3 the attachment is the description of the
4 parcel.

5 COUNCILMAN CLARKE: So that
6 description was not in the ordinance?

7 COMMISSIONER SCHLOTTERBECK:
8 Yes. It was missed by accident.

9 COUNCILMAN CLARKE: Thank you.
10 Please proceed with your testimony.

11 COMMISSIONER SCHLOTTERBECK:
12 Good afternoon, members of the Committee
13 on Public Works and Public Property. My
14 name is Joan Schlotterbeck. I'm the
15 Public Property Commissioner.

16 I'm here today to testify in
17 support of 060858, an ordinance
18 authorizing me as the Commissioner to
19 execute and deliver to PAID a deed, for
20 nominal consideration, conveying fee
21 simple title to four adjacent parcels,
22 situated 1015 through 21 Mount Vernon
23 Street in the City of Philadelphia, for
24 further conveyance at fair market value.

25 This bill will enable the City

1 11/29/06 - PUBLIC PROPERTY - BILL 060799, ETC.

2 to convey this property to PAID for
3 further conveyance at fair market value,
4 with the proceeds being deposited into
5 the General Fund. This property was
6 considered part of Public Property
7 surplus inventory.

8 The Department supports this
9 measure, and accordingly, I respectfully
10 request that Bill No. 060858 be approved.
11 I also ask the rules be suspended so that
12 the ordinance may be passed upon the
13 second reading at Council.

14 Thank you, and I'm available to
15 answer any questions you may have.

16 COUNCILMAN CLARKE: Thank you,
17 Commissioner. Commissioner, this was a
18 former playground, is my understanding?

19 COMMISSIONER SCHLOTTERBECK:
20 Yes. It was called Lemon Playground.

21 COUNCILMAN CLARKE: And is in
22 real disrepair and has been deemed
23 surplus, as you indicated?

24 COMMISSIONER SCHLOTTERBECK:
25 Absolutely.

1 11/29/06 - PUBLIC PROPERTY - BILL 060799, ETC.

2 COUNCILMAN CLARKE: My
3 understanding is that the church is the
4 interested party?

5 COMMISSIONER SCHLOTTERBECK: Is
6 that correct?

7 I'm going to ask my Deputy to
8 join me.

9 MR. HERZINS: Good afternoon.
10 My name is John Herzins.

11 St. Paul's Church is the
12 intended buyer of the property. They had
13 formerly purchased the other piece of the
14 parcel that was part of the Lemon
15 Playground. These particular properties
16 should have been in that but they were
17 omitted in the footprint title of the
18 original ordinance.

19 COUNCILMAN CLARKE: And this is
20 market value?

21 COMMISSIONER SCHLOTTERBECK:
22 Correct.

23 COUNCILMAN CLARKE: Thank you.
24 Any questions?

25 COUNCILMAN KELLY: I just have

1 11/29/06 - PUBLIC PROPERTY - BILL 060799, ETC.

2 one.

3 COUNCILMAN CLARKE: Councilman
4 Kelly.

5 COUNCILMAN KELLY: Yes. I just
6 have one. What's the purpose or what is
7 the church going to be using the
8 properties for?

9 MR. HERZINS: I believe
10 parking.

11 COUNCILMAN KELLY: Just
12 parking? Okay.

13 Thank you, Mr. Chairman.

14 COUNCILMAN CLARKE: Thank you,
15 Councilman.

16 Any other questions of these
17 witnesses by members of the Committee?

18 (No response.)

19 COUNCILMAN CLARKE: Thank you
20 so much.

21 COMMISSIONER SCHLOTTERBECK:
22 You're welcome.

23 COUNCILMAN CLARKE: Are you
24 also testifying on the next bill,
25 Commissioner?

1 11/29/06 - PUBLIC PROPERTY - BILL 060799, ETC.

2 COMMISSIONER SCHLOTTERBECK:

3 I'm not sure.

4 COUNCILMAN CLARKE: That's

5 Facilities Management. Okay.

6 COMMISSIONER SCHLOTTERBECK:

7 No.

8 COUNCILMAN CLARKE: Thank you.

9 Will the Clerk please read the
10 title of the next bill.

11 THE CLERK: Bill No. 060799, an
12 ordinance authorizing the extension of
13 the extended trial program authorized by
14 Bill No. 051096 under which advance
15 approval is given to the Philadelphia
16 Facilities Management Corporation to
17 enter into certain contracts and
18 transactions arising thereunder for the
19 purchase, storage, distribution,
20 transportation and/or transmission of
21 natural and other gas on behalf of
22 Philadelphia Gas Works, subject to
23 certain terms and conditions.

24 COUNCILMAN CLARKE: Thank you.

25 Good afternoon.

1 11/29/06 - PUBLIC PROPERTY - BILL 060799, ETC.

2 MS. PARRISH: Good afternoon,
3 Mr. Chairman and members of the
4 Committee. My name is Janet Parrish.
5 I'm the Executive Director of the
6 Philadelphia Gas Commission and I'm here
7 today on behalf of the Gas Commission to
8 support Bill 060799, which does, as in
9 the past, reflect the unanimous
10 recommendations to Council of the
11 Philadelphia Gas Commission, which were
12 adopted in this case at its October 4th
13 meeting.

14 I have submitted written
15 testimony, which does include a copy of
16 the Commission's resolution and order,
17 and you can see all the details there. I
18 will not read it in full, but I would
19 simply note that this bill really
20 reflects a continuation of the work we
21 have done with Council. There have been
22 four prior bills addressing PGW's gas
23 purchase agreements. This bill really
24 marks a simple extension for two years of
25 the current legislation -- that's Bill

1 11/29/06 - PUBLIC PROPERTY - BILL 060799, ETC.

2 051096 -- again for another two-year
3 period. All parties appear to be
4 satisfied with the way in which the trial
5 program has been working and we do
6 recommend a further extension.

7 We're also requesting a
8 suspension of the rules so the first
9 reading can occur at the next session of
10 Council.

11 I'd be happy to answer any
12 questions you may have.

13 COUNCILMAN CLARKE: Thank you.

14 Any questions of this witness
15 by members of the Committee?

16 (No response.)

17 COUNCILMAN CLARKE: There being
18 none, thank you very much.

19 MS. PARRISH: Thank you very
20 much. I would just note for the record,
21 too, that Philadelphia Gas Works did also
22 submit written testimony in support of
23 the bill. Thank you very much.

24 COUNCILMAN CLARKE: Thank you.

25 Anyone else to testify on this

1 11/29/06 - PUBLIC PROPERTY - BILL 060799, ETC.

2 bill?

3 (No response.)

4 COUNCILMAN CLARKE: There being
5 none, thank you very much.

6 This concludes the public
7 hearing on the Committee of Public
8 Property and Public Works. We will now
9 go into the public meeting.

10 Can I ask, Councilwoman Miller,
11 please make a motion on Bill No. 060801.
12 Councilwoman Miller has left.

13 Can I ask Councilwoman
14 Krajewski to please make a motion on Bill
15 060801.

16 COUNCILWOMAN KRAJEWSKI:
17 Mr. Chairman, I move that Bill 060801 be
18 reported out of this Committee with a
19 favorable recommendation and that the
20 rules of Council be suspended as to
21 permit first reading at the next session
22 of Council.

23 (Duly seconded.)

24 COUNCILMAN CLARKE: It's been
25 moved and seconded.

1 11/29/06 - PUBLIC PROPERTY - BILL 060799, ETC.

2 All in favor?

3 (Aye.)

4 COUNCILMAN CLARKE: Any

5 opposed?

6 (No response.)

7 COUNCILMAN CLARKE: The ayes

8 have it. Bill 060801 will be reported

9 out of Committee with a favorable

10 recommendation with a rules suspension as

11 to allow reading at the next session of

12 Council.

13 Councilwoman Tasco, can I

14 please ask for a motion on the amendment

15 to Bill No. 060858.

16 COUNCILWOMAN TASCO: I move

17 that the amendment as presented on Bill

18 060858 be approved.

19 (Duly seconded.)

20 COUNCILMAN CLARKE: The

21 amendment has been offered, adopted and

22 approved.

23 All in favor?

24 (Aye.)

25 COUNCILMAN CLARKE: All

1 11/29/06 - PUBLIC PROPERTY - BILL 060799, ETC.

2 opposed?

3 (No response.)

4 COUNCILMAN CLARKE: None. The
5 amendment has been approved.

6 Councilwoman Tasco, can you
7 please make a motion on Bill 060858 as
8 amended.

9 COUNCILWOMAN TASCO: I move
10 that Bill 060858 be reported out of
11 Committee with a favorable recommendation
12 and request a suspension of the rules so
13 that this bill as amended can be heard at
14 the next Council session.

15 (Duly seconded.)

16 COUNCILMAN CLARKE: The bill
17 has been moved and seconded.

18 All in favor?

19 (Aye.)

20 COUNCILMAN CLARKE: Any
21 opposed?

22 (No response.)

23 COUNCILMAN CLARKE: The ayes
24 have it. Bill 060858 as amended will be
25 reported out of Committee with a

1 11/29/06 - PUBLIC PROPERTY - BILL 060799, ETC.

2 favorable recommendation and rules
3 suspension to allow reading at the next
4 session of Council.

5 Councilman Kelly, can you
6 please make a motion on Bill No. 060799.

7 COUNCILMAN KELLY:

8 Mr. Chairman, I move that Bill No. 060799
9 be reported out of this Committee with a
10 favorable recommendation and also a
11 request for suspension of the rules in
12 order for this bill to be heard at the
13 next session of Council.

14 (Duly seconded.)

15 COUNCILMAN CLARKE: It's been
16 moved and seconded.

17 All in favor?

18 (Aye.)

19 COUNCILMAN CLARKE: Any
20 opposed?

21 (No response.)

22 COUNCILMAN CLARKE: The ayes
23 have it. Bill 060799 is reported out of
24 Committee with a favorable recommendation
25 and rules suspension to allow reading at

1 11/29/06 - PUBLIC PROPERTY - BILL 060799, ETC.

2 the session of Council.

3 This concludes the Committee on
4 Public Property and Public Works. Thank
5 you all very much.

6 (Committee on Public Property
7 and Public Works adjourned at 1:35 p.m.)

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CERTIFICATE

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I HEREBY CERTIFY that the

4

proceedings, evidence and objections are

5

contained fully and accurately in the

6

stenographic notes taken by me upon the

7

foregoing matter on November 29, 2006, and

8

that this is a true and correct transcript of

9

same.

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MICHELE L. MURPHY

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RPR-Notary Public

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