

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON PARKS, RECREATION
AND CULTURAL AFFAIRS

Room 400, City Hall
Philadelphia, Pennsylvania
Monday, June 6, 2011
10:25 a.m.

PRESENT:

COUNCILWOMAN BLONDELL REYNOLDS BROWN, CHAIR
COUNCILMAN WILLIAM K. GREENLEE
COUNCILMAN CURTIS JONES, JR.
COUNCILWOMAN MARIA D. QUINONES-SANCHEZ

BILLS 110056, 110367, 110379 and 110394

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1
2 COUNCILWOMAN BROWN: Thank you.

3 Good morning. We need to make sure that
4 we honor the roles to ensure that there's
5 a quorum present. We now have a quorum
6 for the City Council Committee on Parks,
7 Recreation and Cultural Affairs, and we
8 will now move into what is a public
9 hearing to hear testimony on the
10 following bills: Bill No. 110056, which
11 focuses on the Mann Center for the
12 Performing Arts; Bill No. 110367, which
13 speaks to the Kensington and Tacony
14 Trail; Bill No. 110379, which captures
15 Wissahickon Valley Park; and Bill No.
16 110394, which is about Lloyd Hall.

17 With us this morning are
18 Vice-Chair of this City Council
19 Committee, Councilman Curtis Jones, and
20 colleague Councilman Bill Greenlee, and
21 there are not yet -- oh, wonderful. And
22 joining us is Councilwoman Maria
23 Quinones-Sanchez, also a member of this
24 Committee.

25 I will now ask the Clerk to

1 6/6/11 - PARKS - BILL 110056, ETC.

2 read the title of the Bill Nos. 110056,
3 110367, 110379 and 110394.

4 THE CLERK: Bill No. 110056, an
5 ordinance authorizing the Commissioner of
6 Public Property and the Commissioner of
7 Parks and Recreation, on behalf of the
8 City of Philadelphia, to lease the land
9 and improvements known as the Mann Center
10 for the Performing Arts, located on
11 Parkside Avenue in West Fairmount Park,
12 to the Philadelphia Authority for
13 Industrial Development for sublease to
14 the Mann Center for the Performing Arts
15 and to enter into related agreements.

16 110367, an ordinance
17 authorizing the Commissioner of Public
18 Property, on behalf of the City of
19 Philadelphia, to execute a deed to the
20 Philadelphia Authority for Industrial
21 Development ("PAID") and to accept a deed
22 from PAID, and to execute all other
23 necessary documents, for the purpose of
24 exchanging a parcel of City-owned land
25 that is part of a larger parcel commonly

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2 called the Kensington & Tacony Trail (the
3 "K&T Trail") for a parcel of land in the
4 Frankford Arsenal (the "Arsenal Parcel")
5 and, upon completion of the City's
6 acquisition of the Arsenal Parcel,
7 incorporating the Arsenal Parcel into the
8 K&T Trail, under the jurisdiction of the
9 Department of Parks and Recreation,
10 subject to certain provisions.

11 Bill No. 110379, an ordinance
12 authorizing the Public Property
13 Commissioner, on behalf of the City of
14 Philadelphia, to accept as a donation a
15 deed from Nomar Corporation that conveys
16 title to the City to the parcel of land
17 identified as 7530 Anderson Street (also
18 known as 315 Woodbrook Lane) in
19 Philadelphia, Pennsylvania, subject to a
20 conservation easement granted by Nomar
21 Corporation to the Chestnut Hill
22 Historical Society by a Conservation
23 Easement agreement dated December 27,
24 2006, and authorizing the Public Property
25 Commissioner and the Parks and Recreation

1 6/6/11 - PARKS - BILL 110056, ETC.

2 Commissioner to execute all other
3 documents necessary or appropriate for
4 the purpose of accepting title to the
5 Donated Parcel, subject to certain
6 provisions.

7 Bill No. 110394, an ordinance
8 authorizing the Concession Agreement
9 regarding the Lloyd Hall Cafe, dated
10 January 7, 2011, between the City of
11 Philadelphia and Cosmic Catering, LLC, to
12 have an "Initial Term" of five years and
13 a "Renewal Term" of five years, subject
14 to certain provisions.

15 COUNCILWOMAN BROWN: Councilman
16 Curtis Jones is not here to offer any
17 opening remarks. Does my colleague,
18 Councilwoman Quinones-Sanchez, have any
19 opening remarks?

20 COUNCILWOMAN SANCHEZ: No.

21 COUNCILWOMAN BROWN: Very well.
22 We will then call up the first panel for
23 Bill No. 110056. Please move to the head
24 table, Mann Center for the Performing
25 Arts, Mark A. Focht, First Deputy

1 6/6/11 - PARKS - BILL 110056, ETC.

2 Commissioner, Parks and Facilities, Parks
3 and Recreation; Catherine Cahill,
4 President and CEO. Please move to the
5 witness table for our Mann Music Center
6 for the Performing Arts. And Dennis Lee,
7 consultant for the Mann Music Center for
8 the Performing Arts.

9 (Witnesses approached witness
10 table.)

11 COUNCILWOMAN BROWN: Okay.

12 Then if you could please proceed with
13 your testimony.

14 DEPUTY COMMISSIONER FOCHT:

15 Good morning, Chairwoman Reynolds Brown
16 and members of the Committee. My name is
17 Mark Focht. I'm First Deputy
18 Commissioner of Parks and Facilities for
19 Philadelphia Parks and Recreation. I'm
20 here today to present testimony in
21 support of Bill No. 110056, authorizing
22 the Commissioner of Public Property and
23 the Commissioner of Parks and Recreation,
24 on behalf of the City of Philadelphia, to
25 lease land and improvements known as the

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2 Mann Center for the Performing Arts,
3 located on Parkside Avenue in West
4 Fairmount Park, to the Philadelphia
5 Authority for Industrial Development
6 (PAID) for sublease to the Mann Center
7 for the Performing Arts and to enter into
8 related agreements.

9 As background, MCPA, the Mann
10 Center for the Performing Arts, currently
11 has a Master Concession Management and
12 Operating Agreement with the City through
13 the Fairmount Park Commission, now the
14 Department of Parks and Recreation, to
15 operate and maintain the facility. Since
16 the Concession Agreement expires in six
17 years, MCPA has requested a new agreement
18 with the longer term in order to continue
19 raising funds for the ambitious master
20 plan that was approved by Fairmount Park
21 Commission in 2004. That master plan
22 calls for \$35 million in improvements to
23 the amphitheater, box office, concession
24 facilities and other portions of the
25 premise. Subsequent to the public

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2 approval of the master plan, MCPA has
3 successfully completed the first phase of
4 development at a cost of 15.7 million.

5 In order to raise nearly 20 million
6 needed to complete the master plan, MCPA
7 will need more time than the current
8 Concession Agreement provides.

9 As negotiated, the new Lease
10 Agreement would run for a term of almost
11 30 years with renewal rights up to two
12 additional ten-year periods, subject to
13 MCPA's ability to reach specific
14 fundraising targets. Under the terms of
15 the agreement, the City will lease the
16 land to PAID, who will in turn sublease
17 the property to MCPA. The City will
18 retain ownership of all improvements made
19 to the facility during the term of the
20 lease. MCPA will be responsible to
21 operate, maintain and staff the facility
22 during the term. One of the key
23 operating costs that MCPA will be
24 accepting under the sublease agreement is
25 direct responsibility phased in over a

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2 ten-year period for all utility costs,
3 including water, sewer and electricity,
4 in part by placing the utilities in their
5 direct name.

6 In terms of programming, MCPA
7 will continue its mission to provide free
8 admission for school children and
9 non-profit organizations for several
10 programs scheduled at the Mann Center
11 each season. Under the new agreement,
12 MCPA will continue to arrange for
13 cultural events, which are defined as
14 classical music, opera, ballet, et
15 cetera, to be included within the regular
16 event schedule and to seek sponsorship to
17 underwrite free admissions for each
18 cultural event as well as for the
19 educational and outreach programs. These
20 types of programs are defined as programs
21 providing education and exposure to the
22 performing arts to those who may not
23 otherwise have such an opportunity.
24 These groups include school children, the
25 elderly, the infirm and disadvantaged

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2 families. MCPA will submit a report
3 annually to the City, which details the
4 events and attendance where admission was
5 not charged.

6 Lastly, I would like to mention
7 that the Office of Economic Opportunity
8 has approved an economic opportunity plan
9 for MCPA. The categories and ranges are
10 detailed in my testimony.

11 Under this economic opportunity
12 plan, MCPA will be required to report to
13 the Office of Economic Opportunity on
14 minority participation on a regular basis
15 and cause its contractors to include
16 opportunities for participation by
17 minority, women and disabled-owned
18 businesses.

19 In closing, I am requesting the
20 Committee's favorable consideration of
21 Bill No. 110056 and I ask that the rules
22 be suspended so the ordinance may be
23 passed upon the second reading of
24 Council.

25 I'd be happy to answer any

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2 questions you may have concerning this
3 matter.

4 COUNCILWOMAN BROWN: We will
5 listen to all testimony and then we'll
6 proceed with any Q and A.

7 Good morning.

8 MS. CAHILL: Good morning.

9 COUNCILWOMAN BROWN: Welcome.
10 Is this your first time?

11 MS. CAHILL: Pardon?

12 COUNCILWOMAN BROWN: Is this
13 your first time in these quarters?

14 MS. CAHILL: Actually, no.
15 It's my second time here, and it's a
16 privilege to be here. Thank you so much.
17 It's really quite a remarkable space for
18 a remarkable city.

19 COUNCILWOMAN BROWN: It is.

20 MS. CAHILL: Thank you,
21 Chairwoman Reynolds Brown and members of
22 the Committee, for the opportunity to
23 present this testimony on behalf of the
24 Mann Center for the Performing Arts, the
25 Mann, in support of Bill No. 110056. My

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2 name is Catherine Cahill and I am the
3 President and CEO of the Mann. To my
4 left is our General Manager and
5 Vice-President, Jerry Grabey.

6 Passage of this bill, which
7 would authorize a long-term sublease of
8 the facility to the Mann, is critical to
9 the ongoing master improvements to the
10 facility, the Mann's ongoing capital
11 campaign and its ability to continue to
12 provide access to and education about the
13 performing arts to the residents of
14 Philadelphia.

15 Since its inception in 1935
16 under the name Robin Hood Dell Concerts,
17 the Mann's mission has been the
18 presentation of world-class entertainment
19 in a beautiful Fairmount Park setting at
20 affordable prices. As a non-profit
21 organization, we operate from earned
22 revenue streams, government, foundation
23 and corporate grants, and individual
24 donations by our friends and patrons.
25 The performance history is a virtual

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2 "who's who" of major musical artists from
3 the classical, jazz, pop and gospel
4 worlds. Additionally, performing arts
5 companies of all performance genres have
6 appeared on the Mann stage. Highlights
7 include landmark performances of the
8 Metropolitan Opera, New York City Opera,
9 Houston Grand Opera, National Touring
10 Companies of "Cats" and "Rent," the
11 American Ballet Theatre, Dance Theatre of
12 Harlem, Pennsylvania Ballet and both the
13 Kirov and Bolshoi Ballets of Russia.
14 Riverdance in fact received its
15 Philadelphia premier at the Mann.

16 Giving back to our community is
17 also part of the Mann's mission. Through
18 our "Access the Arts Program," thousands
19 of complimentary admissions are made
20 available to Mann events through local
21 community service and charitable
22 organizations. Our education programs,
23 both at the venue and in the public
24 schools, reach thousands of
25 Philadelphia's young people annually.

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2 The Mann is the only major summer
3 entertainment venue in the country with
4 such public outreach programs of this
5 magnitude which are free of charge to all
6 participants.

7 The Mann has begun implementing
8 a master plan for the facility which was
9 approved by the Fairmount Park Commission
10 in 2004. The master plan includes
11 rehabilitation, upgrade and improvements
12 of the amphitheater, box office,
13 concession facilities and other portions
14 of the premises. The master plan is
15 designed to be implemented in phases, and
16 the first phase has been completed. The
17 first phase included relocation of
18 parking, building-accessible pedestrian
19 paths, vehicle passenger drop-off areas,
20 a new box office and two new plazas with
21 concessions and restroom pavilions, the
22 creation of a campus green, backstage
23 renovations and the establishment of a
24 promenade along the back edge of the lawn
25 area seating. The Mann has proceeded in

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2 good faith over the last several years
3 while negotiating a long-term sublease
4 agreement in implementing the first phase
5 of the master plan, resulting, as Mark
6 suggested, in an investment of nearly
7 \$15,750,000 in capital improvements at
8 the facility. In doing so, the Mann
9 complied with the economic opportunity
10 plan attached to the proposed sublease
11 and all other requirements related to the
12 construction project. A more detailed
13 discussion of the economic opportunity
14 plan is set forth below in your
15 materials.

16 Future phases of the master
17 plan contemplate the construction of a
18 new dining pavilion and education
19 pavilion, private reception pavilions and
20 improvements to the backstage and
21 under-house facilities. In the
22 aggregate, the Mann estimates that it
23 will invest approximately 35 million in
24 implementing the full master plan. In
25 order to raise the amount of capital

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2 necessary for the implementation of
3 future phases of the master plan, the
4 Mann must be able to demonstrate to
5 donors and sponsors that it has a
6 long-term occupancy arrangement for the
7 premises. Donors are unwilling to
8 support a large capital project for a
9 facility whose occupancy could be
10 terminated in just a few years. The
11 Mann's current concession agreement under
12 which it occupies the facility is set to
13 expire in 2017.

14 The economic opportunity plan,
15 the EOP, attached to the proposed
16 sublease as Exhibit E strongly encourages
17 the meaningful participation of certified
18 minority, women, disabled and
19 disadvantaged business enterprises and
20 minority and female workers in the
21 business opportunities represented by the
22 master plan. In completion of Phase I of
23 the master plan, an EOP was incorporated
24 into all solicitations, bids and
25 agreements issued by and entered into by

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2 the Mann and its contractors. The Mann
3 exceeded the participation ranges set
4 forth in the EOP with an overall MBE/WBE
5 participation of 27.04 percent. The Mann
6 remains committed to the EOP and will
7 continue to cause its contractors to
8 commit to implementation of the EOP in
9 accordance with the proposed sublease and
10 the EOP in construction of future phases
11 of the master plan.

12 The Mann also remains committed
13 to creating and maintaining jobs
14 supporting women, minorities and City
15 residents in its operations. The Mann
16 contracts with private companies for most
17 of its operational needs, including
18 security, post events cleaning, parking
19 and concessions. The Mann employs its
20 own operations/housekeeping department.
21 Based on the staff of the 2010 season,
22 the percentage of females, minorities and
23 City residents employed by the Mann and
24 its contractors in providing services at
25 the facility was as follows: 24-hour

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2 security, 24 percent female, 100 percent
3 minority; post cleaning services, 50
4 percent female, 100 percent minority;
5 parking, 38 percent female, 85 percent
6 minority; concessions, 53 percent female,
7 69 percent minority; and
8 operations/housekeeping, 31 percent
9 female, 88 percent minority.

10 Entering into the proposed
11 sublease agreement and continuing in the
12 construction program of the master plan
13 will not only result in additional
14 construction-related jobs, but will
15 significantly increase the Mann's ability
16 to attract artists, thereby generating
17 ongoing operations-related jobs.

18 In closing, I ask the
19 Committee's favorable consideration of
20 Bill No. 110056.

21 I thank you for the opportunity
22 to present this testimony.

23 COUNCILWOMAN BROWN: We thank
24 you for your testimony.

25 Good morning, sir. Might you

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2 want to add anything to the record?

3 State your name for the record.

4 MR. GRABEY: I'm Jerry Grabey,
5 Vice-President, General Manager of the
6 Mann Center, Madam Chairwoman. I'm here
7 to help answer any questions and to
8 support Ms. Cahill.

9 COUNCILWOMAN BROWN: Okay,
10 then. And I do wish to acknowledge the
11 presence, and I am sure able assistance,
12 of consultant Dennis Lee. Thank you for
13 your attendance here.

14 So Councilman Curtis Jones,
15 Vice-Chair of the Committee.

16 COUNCILMAN JONES: Thank you,
17 Madam Chair. And I want to thank the
18 Mann Music Center for being a staple, the
19 icon in Philadelphia. Having grown up in
20 the shadow of the Mann Music Center in
21 Wynnefield, it is very different than
22 when I was a kid. It is not a building
23 that is surrounded by a community, but it
24 is a facility that engages the community
25 by way of participation in both obviously

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2 with job opportunities, economic
3 opportunities, but also inputs, how to do
4 things better.

5 I've had an opportunity as a
6 Councilperson to, A, do a tour with you;
7 B, be a part of a lot of your thinking
8 and then your outreach efforts, which I
9 find to be a good example of how we
10 evolve as institutions enriching the
11 lives of young people through music. I'm
12 actually looking forward to your concert
13 series this summer, I will tell you that,
14 and also interface with the community by
15 way of parking concerns, other concerns
16 that from time to time happen whenever
17 you have a venue of this size. The thing
18 of it is, you're not going to always get
19 it right, but when you're responsive,
20 when you address things head on, when you
21 aren't living in a river in Egypt called
22 Da Nile, it is good and it makes my job a
23 lot easier.

24 So I'm thankful for your
25 involvement. We hope to have many, many

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2 years of the Grand Old Lady of the Park,
3 and that she should receive some
4 facelifts from time to time, but we're
5 anxiously anticipating -- there's a lot
6 of positive things going on in the
7 Parkside community. Even though it's a
8 Philadelphia treasure, it is housed in
9 the Parkside community, and what is good
10 is that the management, you, Ms. Cahill,
11 are a part of those good things with the
12 business association, with the community
13 groups in the area. You're not doing the
14 promotion of that venue in a vacuum. And
15 so for that, we are grateful, and the
16 great partnership we have with the Parks,
17 who took us on a four-hour tour when we
18 first got elected, and one of those stops
19 was the Mann. So we are thankful to the
20 Board's involvement as well, making sure
21 that they don't get complacent with the
22 years of success, but strive each year to
23 get better at what they do, and I'm happy
24 to have the Mann Music Center as a part
25 of the 4th Councilmanic District.

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2 (Applause.)

3 COUNCILMAN JONES: Thank you,
4 Madam Chair.

5 COUNCILWOMAN BROWN: You're
6 very, very welcome. Very welcome.

7 I want to say thank you also
8 for your attention to the equal
9 opportunity plan. That is one document
10 that we pay a lot of attention to. So we
11 appreciate your thorough and
12 comprehensive review of how the
13 organization is moving towards that end.

14 It should be well understood,
15 however, that the EOP plan is one piece
16 of this puzzle of leveling the playing
17 field across the City when it comes to
18 opportunities. Other areas where we look
19 for participation of women and people of
20 color is at the Board level and at the
21 staff level.

22 Please provide for us what your
23 Board looks like, number of women, what's
24 the total number of people on your Board.

25 MS. CAHILL: Right now we have

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2 approximately 39 members of our Board. I
3 don't have it in front of me, so I can
4 send that to you under separate cover. I
5 would say about 40 percent are female,
6 and minority representation on our Board,
7 probably about 15 to 18 percent. I'd
8 have to just pull that for you.

9 COUNCILWOMAN BROWN: All right,
10 then. If you would send that to us, that
11 would be very, very useful as back-up
12 information going forward.

13 And in terms of the composition
14 of staff, we hear what's happening on the
15 non-professional end. Let's hear what's
16 happening on the professional end. So
17 just share with us what that looks like.

18 MS. CAHILL: We have a very
19 small off-season staff, because we are
20 fundamentally a seasonal venue. So we
21 have about less than 15 people full time
22 year round. Probably about 20 percent
23 are minority. That would be about right.
24 I can send you that information as well.

25 COUNCILWOMAN BROWN: And women?

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2 MS. CAHILL: Women are the
3 predominant group.

4 COUNCILWOMAN BROWN: Well,
5 you're leading by example.

6 MS. CAHILL: I am leading by
7 example. I would say that probably
8 easily 75 percent of our team are women.

9 COUNCILWOMAN BROWN: Okay. So
10 share that with us as well.

11 MS. CAHILL: Yes.

12 COUNCILWOMAN BROWN: One
13 compliment, observation I've made in my
14 years here in City Council on this
15 Committee is that your outreach to young
16 people is phenomenal. There aren't too
17 many other institutions -- and I do meet
18 arts and culture institutions -- in the
19 City who get it right on a consistent
20 basis. The reach that you do with
21 seniors and young people and young people
22 who come with learning disabilities is
23 really commendable, and the work of the
24 professionals over there you have
25 responsible for that, their work product

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2 shows. So if you could keep that going
3 and just bottle that formula so that we
4 could share it with some others, but we
5 appreciate the work that you do in that
6 area.

7 MS. CAHILL: Thank you. We're
8 very proud of it as well.

9 COUNCILWOMAN BROWN: And you
10 should be. And you should be.

11 Anyone else to testify on this
12 bill? Please.

13 Do you have any other comments,
14 observations to make about this bill,
15 those at the witness table?

16 MS. CAHILL: We seek your
17 support.

18 COUNCILWOMAN BROWN: Okay,
19 then. Thank you very much.

20 Please.

21 And if you would please forward
22 that additional information to the Chair.

23 MS. CAHILL: We will.

24 COUNCILWOMAN BROWN: Okay,
25 then. Thank you.

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2 (Witness approached witness
3 table.)

4 COUNCILWOMAN BROWN: Good
5 morning.

6 MR. ALI: Good morning.

7 COUNCILWOMAN BROWN: Please
8 state your name for the record and
9 proceed with your testimony.

10 MR. ALI: My name is Jihad Ali.
11 I'm a representative of the Contractors
12 Roundtable Group, which is an African
13 American organization of contractors,
14 both subcontractors and general
15 contractors.

16 Thank you, Councilwoman
17 Reynolds Brown, Chairwoman, and other
18 members of Council, for allowing me the
19 opportunity to testify on Bill No.
20 110056.

21 Originally I came down here
22 because I had a lot of concerns about the
23 Mann and their previous MBE participation
24 on some of their previous projects.
25 During the testimony that they just gave,

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2 they said that they had submitted EOP
3 plans throughout -- I guess originally
4 back in 2004. What I found interesting
5 was that we didn't come up with the EOP
6 requirement until, I believe it was, last
7 year through the efforts of this Council.
8 So, you know, although I'm sure I know
9 what they're talking about, but it wasn't
10 about an EOP plan, because it didn't
11 exist back then.

12 One thing, I originally was
13 very concerned, but when I got here, I
14 saw their consultant, Dennis Lee, and as
15 you know, we had a big problem about the
16 school on Girard Avenue.

17 COUNCILWOMAN BROWN: Yes.

18 MR. ALI: But it wasn't until
19 State Representative Brown got involved.
20 She got Dennis Lee. We were able to get
21 in, meet with the contractors. It was
22 very intense in the beginning, but Dennis
23 was able to cool everything down. He got
24 us to the table and we were able to
25 get -- minorities were shut out of that

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2 project completely.

3 COUNCILWOMAN BROWN: Yes.

4 MR. ALI: He got them involved.

5 So I feel more at ease. I told
6 Dennis what my concerns about with this
7 was. One thing was, we didn't have
8 copies of the reports that they mentioned
9 in their testimony. We'd like to get
10 those.

11 COUNCILWOMAN BROWN: Surely.

12 MR. ALI: We'd like to get --
13 one of the main things under the EOP and
14 OEO is the solicitation and commitment
15 forms. That really tells the story --

16 COUNCILWOMAN BROWN: Yes, it
17 does.

18 MR. ALI: -- about
19 participation. We'd like to get
20 copies -- at least let the Council get
21 them and we can get them from you.

22 COUNCILWOMAN BROWN: You are so
23 correct.

24 MR. ALI: And the other thing,
25 in terms of that culture, you know, when

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2 they talk about culture, this weekend
3 there was a screening of a movie that a
4 recent graduate of Temple did. It's
5 called The Ballet Dancer. I'd like to
6 talk to Council about that later, and
7 maybe you can talk to the Mann. Maybe we
8 can work something out to get that
9 screening out there for some of the other
10 community that exists around and also
11 help this aspiring Temple student, who is
12 a recent graduate of Temple. I think
13 that will be a great thing.

14 But, Councilwoman, as I said, I
15 feel more assured since I seen your
16 representative.

17 Councilman, you know how I
18 feel. I live in your district. You know
19 my concern about minorities and
20 participation, because it's really like
21 President Reagan said, we hear you, but
22 we want to verify.

23 COUNCILWOMAN BROWN: Indeed.

24 MR. ALI: When you talk about
25 this stuff and when they talk about

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2 minorities, we talk about minorities,
3 sometimes they mean women. Well, we mean
4 African American men. So we have to --
5 we agree that everybody is all of one
6 accord on this issue, but we just need to
7 get the proof and find out.

8 COUNCILWOMAN BROWN: Surely.

9 Let us invite Dennis Lee to the witness
10 table.

11 COUNCILMAN JONES: If I may.

12 COUNCILWOMAN BROWN: Councilman
13 Jones.

14 COUNCILMAN JONES: I agree that
15 State Representative Vanessa Brown was an
16 integral part of the negotiations with
17 the school, the charter school, on Girard
18 Avenue, but also there was some quiet,
19 behind-the-scenes meetings with myself
20 and Councilwoman Blackwell with the
21 school and the contractor about inclusion
22 and what that meant.

23 I think it's everyone's job, as
24 the Councilwoman talks all the time about
25 having projects look like Philadelphia

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2 and having projects look like the
3 marketplace in which they serve, and what
4 I found to be true is once -- sometimes
5 it takes a little bit to get the dialogue
6 started, but once it gets started and
7 once we have people who understand, like
8 Mr. Lee, the construction process and
9 where there are opportunities, where
10 previously people didn't believe there
11 were. A lot of times some of the
12 rationale for not including is that we
13 didn't know this type of firm, specialty
14 firm, existed. And when you know the
15 marketplace and when you communicate with
16 the marketplace, you'd be surprised what
17 kinds of positive results can come of
18 that kind of conversation and dialogue,
19 and it dispels a lot of myths about it
20 has to cost more. It doesn't.

21 COUNCILWOMAN BROWN: That's
22 right.

23 COUNCILMAN JONES: It doesn't
24 have to be difficult to do.

25 So I just wanted to put that

1 6/6/11 - PARKS - BILL 110056, ETC.

2 out there.

3 COUNCILWOMAN BROWN: I

4 underscore that and put it in bold

5 letters. We need you to agitate, because

6 typically you are on the front line, in

7 the trenches, seeing it up close and

8 personal about what is not happening, and

9 we need your voice, your advocacy, you to

10 call it to our attention so that we can

11 continue to do what we have to do on this

12 side of the table to ensure that folks

13 who want to do business in the City of

14 Philadelphia do it at all levels and go

15 the extra mile to make sure what they're

16 doing looks like Philadelphia. So we

17 thank you for your needed work.

18 MR. ALI: Thank you.

19 COUNCILWOMAN BROWN: Mr. Dennis

20 Lee, if you would simply state for the

21 record who you are and the work that

22 you're doing in West Philadelphia with

23 the Mann.

24 MR. LEE: Madam Chair,

25 Councilman Jones, my name is Dennis Lee.

1 6/6/11 - PARKS - BILL 110056, ETC.

2 I'm the President and CEO of The
3 Consulting Group LLC, and I am doing
4 community engagement, along with other
5 things, at the Mann, but I also wanted to
6 clarify something that Mr. Ali said in
7 terms of Girard Avenue negotiations, but
8 Councilman Jones already mentioned it.
9 He was a tremendous help in that process,
10 and I wanted to make sure that without
11 his help and without the help of Vanessa
12 Brown, Representative Vanessa Brown, and
13 Senator Hughes, that would not be --

14 COUNCILWOMAN BROWN: What it is
15 today.

16 MR. LEE: -- what it is today.
17 It is important. It is one of the things
18 that I appreciate working with the Mann,
19 is that they're understanding of it, and
20 they were already doing a lot of it, but
21 sometimes you have to tell your story.

22 COUNCILWOMAN BROWN: Indeed.

23 MR. LEE: And they're telling
24 their story better. So I am indeed happy
25 to be a part of that and will continue to

1 6/6/11 - PARKS - BILL 110056, ETC.

2 press that issue. And we will provide
3 the information that Mr. Ali asked for.

4 COUNCILWOMAN BROWN: Okay.

5 COUNCILMAN JONES: I just had
6 another question off of that subject.
7 Not on that subject, but when you get
8 another opportunity to come up, one of
9 the things that Dell is doing on the
10 performance end is trying to extend their
11 season and be a little more eclectic.
12 Mr. Ali talked about the screening of a
13 movie and using the Dell in
14 non-traditional ways. For example, the
15 Dell is doing a commencement exercise for
16 Dobbins High School, outdoor graduation
17 of sorts, and I was wondering if that is
18 in the thinking of the Mann as well, to
19 be a little more eclectic with the usage
20 of the facility.

21 MR. ALI: Councilman, I just
22 saw someone there, and Chairwoman. I
23 know that you're familiar with PhillyCAM,
24 which is public access TV. So if you can
25 put that at least on the table, that's

1 6/6/11 - PARKS - BILL 110056, ETC.

2 another venue that we use for media to
3 get them involved, and because of your
4 work of City Council and as Councilwoman
5 Sanchez, she was also in PhillyCAM, and
6 you can see how we can have outreach. So
7 if that's something we can get the Mann
8 to also incorporate, that will work out
9 fine.

10 COUNCILWOMAN BROWN: Terrific.

11 Please.

12 MS. CAHILL: Delighted to be
13 back.

14 Don't go away. First of all,
15 thank you for your observations, your
16 comments and your very keen insight.

17 Absolutely to your point,
18 Councilman Jones and Congress --
19 Councilwoman --

20 COUNCILWOMAN BROWN: Don't
21 promote me.

22 MS. CAHILL: -- Blondell
23 Reynolds Brown, we are absolutely
24 advancing our artistic mission in many
25 ways. In addition to the core main stage

1 6/6/11 - PARKS - BILL 110056, ETC.

2 programming that we have done on the main
3 stage, we have opened our season earlier
4 this year. We'll be closing our season
5 later this year.

6 On May 21st -- hopefully you
7 all knew about this; we did send
8 invitations -- the Mann initiated for the
9 first time something quite different as a
10 very important first step in building
11 audience engagement. We threw open the
12 Mann gates free of charge from 11:00 a.m.
13 to 6:00 p.m. on May 21st. We entitled
14 the program "Philly on Parade: The Best
15 of Philadelphia." We had five stages
16 running simultaneously throughout the
17 campus. We had programming on the main
18 stage. We had a children's pavilion
19 where we had face painting and circus
20 acts and all kinds of entertainment for
21 families. We had over 6,400 people for
22 the first time come through our doors
23 free of charge to experience the Mann in
24 a very different way. We were blessed
25 with glorious weather. I'd like to

1 6/6/11 - PARKS - BILL 110056, ETC.

2 acknowledge PNC Arts Alive, who were
3 instrumental in helping to support this
4 new initiative of the Mann. We've
5 already gotten funding for the second
6 year to continue this important free
7 family festival.

8 As the Mann is primarily an
9 evening entertainment, paid environment,
10 we really wanted to be able to create a
11 different circumstance to invite families
12 of all walks of life. We had from tiny
13 tots to grandparents. We had every
14 stripe imaginable. Every person you
15 could imagine came through our gates. It
16 was very rewarding, and artistically a
17 home run. We truly showcased the best of
18 Philadelphia on five stages.

19 That is one example of many of
20 the new initiatives that we are
21 undertaking to expand our audience base,
22 to create a different cultural experience
23 and to make it accessible.

24 COUNCILWOMAN BROWN: Very, very
25 good. It's called non-traditional

1 6/6/11 - PARKS - BILL 110056, ETC.

2 thinking.

3 MS. CAHILL: We're working on
4 it every day.

5 COUNCILWOMAN BROWN: Very good.
6 Thank you. So be encouraged to have a
7 subsequent sit-down with the leadership
8 here regarding the young Temple student.

9 MS. CAHILL: With pleasure.

10 MR. ALI: Thank you.

11 COUNCILWOMAN BROWN: Thank you
12 very much.

13 We will now move to Bill No.
14 110367 focusing on Kensington & Tacony
15 Trail, and we invite up the Department of
16 Commerce, Development Coordinator, James
17 Donaghy.

18 Good day.

19 (Witness approached witness
20 table.)

21 MR. DONAGHY: Good morning,
22 Chairwoman Reynolds Brown and members of
23 the Committee. My name is James Donaghy
24 and I am Development Coordinator at the
25 Department of Commerce, and I'm here

1 6/6/11 - PARKS - BILL 110056, ETC.
2 today to testify in support of Bill
3 110367.

4 This bill authorizes the
5 exchange of a parcel of City-owned land
6 that is part of a larger parcel commonly
7 called the Kensington & Tacony Trail for
8 a parcel of land in the Frankford
9 Arsenal.

10 The City of Philadelphia owns a
11 railroad spur that runs behind the
12 Frankford Arsenal. The owner of the
13 Frankford Arsenal wants to acquire the
14 spur to support development of a new
15 retail center at the Frankford Arsenal.
16 The spur is part of the former Kensington
17 and Tacony Railroad, which the City
18 acquired to develop a recreation trail
19 along the Delaware River. The spur has
20 little recreational value, however, and
21 is occupied by unused tracks and a large
22 deteriorating wall. The Frankford
23 Arsenal land the City would acquire is
24 adjacent to the main line of the
25 Kensington & Tacony Trail, which is being

1 6/6/11 - PARKS - BILL 110056, ETC.

2 developed as part of the North Delaware
3 Riverfront Greenway and Trail.

4 The land the City would acquire
5 has a higher value as parkland than the
6 spur the City would convey, and it is not
7 occupied by any existing structures. The
8 owner of the Frankford Arsenal will, at
9 the direction of the Department of Parks
10 and Recreation, landscape the land to be
11 conveyed to the City. The land will
12 enhance Delaware River Greenway by
13 providing additional riverfront access
14 and parkland to the citizens of
15 Philadelphia.

16 The Frankford Arsenal site will
17 be better positioned for commercial
18 development as a result of this proposed
19 land swap, which will allow development
20 of the northern edge of the property.
21 Currently restricted by an existing
22 Philadelphia Water Department sewer,
23 Council has previously approved a change
24 to this sewer right-of-way to support
25 development when it occurs.

1 6/6/11 - PARKS - BILL 110056, ETC.

2 This concludes my testimony,
3 and I ask the Committee to report this
4 bill out with a favorable recommendation,
5 with a recommendation that the rules be
6 suspended to permit first reading at the
7 next regularly scheduled meeting of the
8 whole Council.

9 Thank you for the opportunity
10 to testify today, and I'd be happy to
11 answer any questions you may have.

12 COUNCILWOMAN BROWN: We thank
13 you for your testimony very much, and I
14 will -- and I should never assume
15 anything at this table, but I'm going to
16 think that my colleagues -- I have no
17 questions, so I presume they do not as
18 well.

19 COUNCILMAN JONES: That's a
20 good presumption.

21 COUNCILWOMAN BROWN: Very well.

22 Thank you for your testimony.

23 MR. DONAGHY: Thank you.

24 COUNCILWOMAN BROWN: Let's next
25 move to focus on Bill No. 110379,

1 6/6/11 - PARKS - BILL 110056, ETC.

2 Wissahickon Valley Park, and invite to
3 the witness table our First Deputy
4 Commissioner for Parks and Facilities,
5 Mark Focht, and the Treasurer for the
6 Wissahickon East Project, Dr. Arlene
7 Bennett.

8 MR. ALI: Chairwoman, you
9 didn't ask if other witnesses want to
10 testify.

11 COUNCILWOMAN BROWN: I did not,
12 and you're welcome to.

13 You could be seated. Please be
14 seated.

15 And, Jihad Ali, if you would
16 please come to the witness table.

17 (Witnesses approached witness
18 table.)

19 MR. ALI: Good morning, Council
20 Chairwoman Reynolds Brown, members of
21 City Council. My name is Jihad Ali. I'm
22 here representing Contractors Roundtable
23 on behalf of Bill 110367 on the Frankford
24 Arsenal.

25 What concerns me about that

1 6/6/11 - PARKS - BILL 110056, ETC.

2 project, that project -- the other
3 development that they speak of, the
4 shopping center, that's currently
5 undergoing the demolition phase now, and
6 if you can picture the former Arsenal in
7 your mind, it's surrounded by like a
8 ten-foot-high fence. It's really a gated
9 community. You can't really see what's
10 going on unless you see it from 95. I
11 happen to travel on 95 extensively, so it
12 caught my attention. I looked at it as
13 they started demoing the various other
14 aspects of that project.

15 What concerned me about it was
16 participation. Where is the
17 participation? Are they making reports?
18 Who is following it? I've sent some
19 e-mails to the developer that was
20 identified on record. He never
21 responded. So what I'd like to ask today
22 is for the Chairwoman if you would get
23 copies of where they are in their
24 participation.

25 I notice that their contractor,

1 6/6/11 - PARKS - BILL 110056, ETC.

2 I believe it was Haines and Kibblehouse,

3 they had an outreach session several

4 months ago, but it was outside the City.

5 So if we're looking for opportunities to

6 be generated by Philadelphia residents,

7 we need to have those type of job

8 meetings somewhere in the City. And we

9 need to have -- this is a major project.

10 The demolition phase itself is major. So

11 we need to really get on top of that.

12 COUNCILWOMAN BROWN: Thank you

13 for raising the antenna again. And so we

14 need to invite back to the witness table

15 the Department of Commerce, Development

16 Coordinator, James Donaghy.

17 (Witness approached witness

18 table.)

19 COUNCILWOMAN BROWN: So please

20 update us, if you will, on where we are

21 in the process. Has demolition actually

22 started? Are we talking about the same

23 parcel of land? Please enlighten us.

24 MR. DONAGHY: Demolition has

25 started, and, yes, we're talking about

1 6/6/11 - PARKS - BILL 110056, ETC.

2 the same parcel of land. It is a private
3 development, so I certainly don't have
4 the information that was being requested
5 about participation.

6 COUNCILWOMAN BROWN: And so is
7 that to suggest then that when it is
8 private development and the City is
9 involved in any phase of the transaction,
10 private developers are then exempt from
11 meeting or seeking to meet the
12 stipulations we have regarding EOPs?

13 MR. DONAGHY: No, I'm not
14 suggesting that. I'm not familiar enough
15 with the EOP law to suggest that. I'm
16 just saying that I don't have the
17 information because it is a private
18 development, but I could certainly
19 attempt to put the developer together
20 with Mr. Ali and go from there.

21 COUNCILWOMAN BROWN: Any
22 follow-up questions from my colleagues at
23 all?

24 (No response.)

25 COUNCILWOMAN BROWN: So

1 6/6/11 - PARKS - BILL 110056, ETC.
2 demolition has started, and the next step
3 is what?

4 MR. DONAGHY: The next step
5 would be the development of the retail
6 center. I don't know where they are in
7 that -- what their timeline is on that.
8 I know that they have requested to come
9 before the Commerce Department
10 Development Service Committee sometime
11 this summer, which is usually the first
12 step in moving towards construction.

13 COUNCILWOMAN BROWN: And what
14 happens when they come towards that
15 committee?

16 MR. DONAGHY: That committee
17 just helps any developers in the City to
18 work through the City permitting
19 processes, provides a contact within each
20 of the departments that have any
21 authority or oversight of construction
22 projects.

23 COUNCILWOMAN BROWN: Okay,
24 then.

25 Mr. Jihad Ali.

1 6/6/11 - PARKS - BILL 110056, ETC.

2 MR. ALI: Chairwoman, I would
3 just like to mention -- are you an
4 attorney?

5 MR. DONAGHY: No, I'm not an
6 attorney.

7 MR. ALI: Neither am I. I'm
8 not an attorney, but I'm familiar with
9 that project, and one thing that I would
10 like the Committee to consider is, any
11 time the City is giving away land, land
12 is a value. Permission, that's value.
13 And through the work that you've already
14 done with the other Council, Councilman
15 Goode, you've established some precedent
16 on what's required when we do those type
17 of things, zoning, land, and we really
18 haven't answered the question. The
19 developer may have received some type of
20 federal funding or state funding.

21 So we need to get those
22 questions answered before we can say
23 what's required, but we do know that
24 based on what we've done so far,
25 permission, the land, this bill that's

1 6/6/11 - PARKS - BILL 110056, ETC.

2 here today, those trigger type of EOP
3 requirements, and we would like to see
4 those reports, because right now there's
5 a lot of money being spent on demolition
6 and that was great opportunities for our
7 friends over at 332. We don't know how
8 they're involved on that. We have
9 demolition contractors, and we have to
10 think about development on every stage,
11 and every stage is an opportunity for
12 inclusion of Philadelphians on these
13 projects.

14 COUNCILMAN JONES: Madam Chair.

15 COUNCILWOMAN BROWN: Please.

16 Councilman Jones.

17 COUNCILMAN JONES: Do you have
18 to submit a plan when you convert
19 government land or government-assisted
20 land? Does that automatically kick in,
21 Mr. Ali?

22 MR. ALI: My understanding was
23 it kicked in on the zoning, because
24 originally you rezoned this parcel. But
25 what's unique about this project, it

1 6/6/11 - PARKS - BILL 110056, ETC.

2 really started like 2003 when they were
3 trying to acquire the land. So what
4 happened was, the timeline is 2003. You
5 know, the ball starts moving, but through
6 delays or whatever, then we moved to
7 2010, where Council, through its
8 leadership, established EOP, even the
9 Mayor in 2008. So that happened. Now we
10 just have to go back and make them adhere
11 to the standards.

12 COUNCILMAN JONES: What's the
13 project size? I mean, what are we
14 talking about? I know it's maybe a
15 couple dozen acres, I believe.

16 MR. DONAGHY: It's about
17 between 35 and 40 acres.

18 COUNCILMAN JONES: Thirty-five,
19 40 acres?

20 MR. DONAGHY: Yeah. I think
21 the proposed development is a 500,000
22 square foot retail center.

23 COUNCILMAN JONES: Okay. In
24 whose district is that in?

25 COUNCILWOMAN BROWN: Is that

1 6/6/11 - PARKS - BILL 110056, ETC.

2 Councilwoman Joanie Krajewski?

3 MR. DONAGHY: Yes. That's
4 correct.

5 COUNCILWOMAN BROWN: Well, I've
6 just spoken with -- please. Councilman
7 Jones.

8 COUNCILMAN JONES: No. I'm
9 done.

10 COUNCILWOMAN BROWN: I've just
11 spoke with my legislative aide. I'm
12 curious to know if this is another
13 loophole where those who want to do
14 business with the City and are not
15 receiving City dollars but are benefiting
16 from what this project represents. It
17 appears based on information I've heard
18 that a loophole exists, so we will
19 explore that, get busy on it post haste,
20 and my office will do a subsequent
21 follow-up on -- what is the next step you
22 just mentioned, Mr. Donaghy? They're
23 about to come before what committee?

24 MR. DONAGHY: The Development
25 Service Committee, which is a committee

1 6/6/11 - PARKS - BILL 110056, ETC.
2 of the Commerce Department.

3 COUNCILWOMAN BROWN: Okay.
4 Very well. So I want to put on the
5 record that I would like my office to sit
6 down with the appropriate professional on
7 the Development Services Committee so
8 that we can get a firm understanding of
9 the link and another opportunity to
10 ensure that the EOP is applicable at
11 every stage up and down the ladder.

12 MR. DONAGHY: Okay.

13 COUNCILWOMAN BROWN: All right.
14 Thank you very much.

15 Thank you, Mr. Jihad Ali.

16 MR. DONAGHY: Just for the
17 record, I do want to say that this land
18 swap is equal value, equal acreage. It's
19 about 1.5 acreage that's being swapped.

20 COUNCILWOMAN BROWN: Okay,
21 then. Thank you very much.

22 Okay. We will now move to hear
23 testimony on Bill No. 110379 and we'll
24 ask Ms. Mark Focht to proceed with your
25 testimony.

1 6/6/11 - PARKS - BILL 110056, ETC.

2 DEPUTY COMMISSIONER FOCHT:

3 Good morning again, Chairwoman Reynolds
4 Brown, Committee members. Mark Focht,
5 First Deputy Commissioner, Parks and
6 Facilities, Philadelphia Parks and
7 Recreation. I am pleased to appear
8 before you today on behalf of the
9 Department of Parks and Recreation in
10 strong support of Council Bill No.
11 110379.

12 This bill authorizes the City
13 of Philadelphia, operating on behalf of
14 the Department of Parks and Recreation,
15 to accept as a donation a deed from Nomar
16 Corporation that conveys title to the
17 City to the parcel of land identified as
18 7530 Anderson Street, subject to a
19 conservation easement granted by Nomar
20 Corporation to the Chestnut Hill
21 Historical Society by a Conservation
22 Easement agreement dated December 27th,
23 2006, and authorizing the Commissioner of
24 Public Property and the Parks and
25 Recreation Commissioner to execute all

1 6/6/11 - PARKS - BILL 110056, ETC.

2 other documents necessary or appropriate
3 for the purpose of accepting title to the
4 donated parcel.

5 The parcel, which is known as
6 Wissahickon East, is a naturalized and
7 forested six-acre tract in the East Mount
8 Airy section of the City. The parcel
9 includes a small portion of the Cresheim
10 Creek, the only open portion of the creek
11 in East Mount Airy. The parcel is
12 contiguous to and runs parallel to a PECO
13 right-of-way on which a trail is planned
14 to connect Wissahickon Valley Park to
15 Montgomery County.

16 Parks and Recreation has been
17 working with the Wissahickon East
18 Project, a community-based non-profit
19 organization, and Nomar, the donor, to
20 assure that the Wissahickon East parcel
21 is preserved. Acceptance of the
22 Wissahickon East donation into the
23 Fairmount Park System supports Parks and
24 Recreation's Green 2015 plan to add 500
25 acres of new publicly accessible green

1 6/6/11 - PARKS - BILL 110056, ETC.

2 space to the City and furthers the
3 Department's role as conservator of the
4 City's forested land areas.

5 In a November 10th, 2010
6 letter, Councilwoman Donna Reed Miller
7 expressed her -- and this is in quotes --
8 "enthusiastic support for the integration
9 of the six-acre stretch of privately
10 owned land that runs along Cresheim Creek
11 into Fairmount Park, as proposed by the
12 Wissahickon East Project," end quote.

13 Additionally, I have received
14 over 100 communications from near
15 neighbors and citizens supporting the
16 acquisition. We have worked closely with
17 the Wissahickon East Project members
18 during this process. Just last week we
19 met in my office to discuss the outcomes
20 of their community-driven visioning
21 process for the conservation and
22 preservation of this natural resource.
23 Parks and Recreation is committed to
24 continuing to work with interested
25 community members once the property is

1 6/6/11 - PARKS - BILL 110056, ETC.

2 acquired.

3 Therefore, I am requesting this
4 Committee's favorable consideration of
5 Bill No. 110379, and I ask that the rules
6 be suspended so that the ordinance may be
7 passed upon the second reading of
8 Council.

9 After my colleague,
10 Dr. Bennett, speaks, I'll be pleased to
11 answer any questions you may have.

12 COUNCILWOMAN BROWN: Thank you
13 for your testimony.

14 Good morning.

15 DR. BENNETT: Good morning.

16 COUNCILWOMAN BROWN: Welcome to
17 these proceedings.

18 DR. BENNETT: Thank you.
19 Chairwoman Reynolds Brown and Committee
20 members, my name is Dr. Arlene Bennett.
21 I am pleased to appear before you today
22 representing the Wissahickon East Project
23 in support of Council Bill No. 110379.

24 For the last 15 years or more,
25 neighbors have worked to protect the six

1 6/6/11 - PARKS - BILL 110056, ETC.

2 acres accessed on the corner of Woodbrook
3 Lane and Anderson Street from undesirable
4 development and neglect. When we learned
5 that the developers who owned the land
6 wanted to build more than 20 homes,
7 covering the creek bed, changing the
8 character of the neighborhood and
9 doubtless creating further problems for a
10 delicate watershed, neighbors got
11 together to form the Wissahickon East
12 Project and started campaigns to save the
13 land. The community stopped the housing
14 development and negotiated a conservation
15 easement that prohibits any future
16 development.

17 As of spring 2010, the
18 Wissahickon East Project is a non-profit
19 501(c)(3) entity with a volunteer Board
20 dedicated to rehabilitating the land and
21 making it a neighborhood jewel instead of
22 an eyesore. The Wissahickon East Project
23 strongly supports the incorporation of
24 this parcel into the Fairmount Park
25 System and intends to help with its

1 6/6/11 - PARKS - BILL 110056, ETC.

2 preservation, clean-up and renewal,
3 creating a beautiful and safe park for
4 the improvement of the community, which
5 has no access to green space within
6 walking distance today. The land has
7 suffered from much neglect over the
8 years. The creek bed has been eroded
9 over time and there is much overgrowth of
10 plants and invasive species. Public
11 ownership would be beneficial to opening
12 up access to this potentially beautiful
13 wild space and will help us to work
14 together with the police and community to
15 proactively address issues such as
16 dumping, late night parties and other
17 negative activities.

18 A few weeks ago, the
19 Wissahickon East Project sponsored a
20 community planning meeting to develop a
21 vision for this land as it is
22 incorporated into Fairmount Park. We
23 arrived at a consensus regarding key
24 features of the park. These include
25 restoration of the environment, including

1 6/6/11 - PARKS - BILL 110056, ETC.

2 the creek bed; elimination of invasive
3 species and clean-up of dumping that has
4 occurred over many years; creation of a
5 neighborhood park that people can walk to
6 with natural trails, showcasing native
7 plants and providing educational
8 programming; consideration for the needs
9 of many constituencies in the
10 neighborhood such as youth, people with
11 mobility issues, bird watchers, walkers
12 and the impact on immediate neighbors of
13 the park; signage, park regulations and
14 safety features that ensure the park is a
15 safe, welcoming place for the
16 neighborhood that is not conducive to
17 dumping or illegal activity; and,
18 finally, a vision for connecting with
19 other groups and agencies who have
20 similar goals for the connecting and
21 restoring green spaces all along the
22 Cresheim Valley such as the Friends of
23 Cresheim Trail, Fairmount Park, Friends
24 of the Wissahickon, East Mount Airy
25 Neighbors, et cetera, and other groups.

1 6/6/11 - PARKS - BILL 110056, ETC.

2 The Wissahickon East Project
3 recognizes that we will need to
4 contribute much volunteer and fundraising
5 efforts to realize our vision for this
6 park, and we are ready to do so. We are
7 grateful for this opportunity to
8 incorporate this land in Fairmount Park
9 and, therefore, request this Committee's
10 favorable review of Bill No. 110379.

11 I would be happy to answer any
12 questions you may have at this time.

13 Thank you very much.

14 COUNCILWOMAN BROWN: We thank
15 you for your testimony, you both.

16 Please. Councilman Jones.

17 COUNCILMAN JONES: Yes. Thank
18 you, Madam Chair.

19 Help me -- a couple of things.
20 Number one, Upper Wissahickon,
21 Wissahickon East. Is there a map kind of
22 that you could provide Council so that we
23 can kind of get a better sense of where
24 these borders, influences and concerns
25 are? That would be helpful to me.

1 6/6/11 - PARKS - BILL 110056, ETC.

2 DEPUTY COMMISSIONER FOCHT:

3 We'd be pleased to.

4 COUNCILMAN JONES: And then
5 we're talking about a six-acre parcel?

6 DR. BENNETT: Yes, sir.

7 COUNCILMAN JONES: And how
8 close is it to residents?

9 DR. BENNETT: It's within
10 walking distance. I would say no more
11 than about a quarter of a block. When we
12 go off of -- Anderson and Woodbrook come
13 together like this, and you walk just a
14 very short period into the woods and
15 you're right there.

16 COUNCILMAN JONES: So those six
17 acres were owned by whom?

18 DEPUTY COMMISSIONER FOCHT:

19 They've been owned by the Nomar
20 Corporation for approximately, I guess,
21 close to 50 years. It goes back to the
22 early 1960s. And over the years, they've
23 on again/off again had different
24 development plans or schemes for the
25 parcel, and as Dr. Bennett noted, the

1 6/6/11 - PARKS - BILL 110056, ETC.

2 community members were successful in
3 negotiating a conservation easement. So
4 today the land is conserved in perpetuity
5 as open space, even though it's privately
6 owned. It can never be developed.

7 COUNCILMAN JONES: Were these
8 developers compensated for that land in
9 some way?

10 DEPUTY COMMISSIONER FOCHT:
11 Yes.

12 COUNCILMAN JONES: By who?

13 DEPUTY COMMISSIONER FOCHT: By
14 the Chestnut Hill Historical Society,
15 through the process of the tax benefits
16 they accrued from the donation of the
17 land -- or the donation of the easement,
18 excuse me, to the Chestnut Hill
19 Historical Society.

20 COUNCILMAN JONES: Does this
21 often -- this happen frequently when you
22 have engaged citizens that find a way to
23 do this? I know there's a section in my
24 district, which I won't name at this
25 juncture, that is very interested in that

1 6/6/11 - PARKS - BILL 110056, ETC.

2 process. But from time to time, how
3 often does this happen, Commissioner?

4 DEPUTY COMMISSIONER FOCHT: In
5 my tenure with the Park, there have been
6 a few parcels that we've accepted
7 ownership of that started out as
8 community supported, but it was generally
9 direct acquisition by the City from a
10 private landowner. This is the first
11 parcel that I know in my knowledge that
12 the community first got a conservation
13 easement, convinced a private owner to
14 sell a conservation easement on the land
15 and then subsequently pursued donation of
16 the land to the City.

17 COUNCILMAN JONES: Doctor, were
18 you involved in this process from the
19 beginning?

20 DR. BENNETT: Yes, sir.

21 COUNCILMAN JONES: I am
22 fascinated. I at some point would love
23 to sit down with you and find out how and
24 the steps that you and the community,
25 more importantly, took to convince

1 6/6/11 - PARKS - BILL 110056, ETC.

2 landowners to do the right thing, if you
3 would.

4 DR. BENNETT: Well, sir, we
5 have a very special community at East
6 Mount Airy neighbors. If something
7 happens in our neighborhood that concerns
8 us, people gather from all over. We
9 don't meet and coffee clash, but we come
10 together at this point in electronic age,
11 e-mails get sent, faxes are going, people
12 are walking their dogs and delivering
13 flyers, and I remember many years ago we
14 had our first meeting at Ancha Mafias's
15 (ph) house and there were environmental
16 lawyers. It's really heaven living
17 there, because you can have doctors, have
18 lawyers, committee people, Councilpeople.
19 It's really great, and we just come
20 together for important causes.

21 COUNCILWOMAN BROWN: I might
22 add that this community was actually
23 highlighted and cited in a national
24 publication and mentioned some of the
25 very things that you've just stated.

1 6/6/11 - PARKS - BILL 110056, ETC.

2 DR. BENNETT: Yes.

3 COUNCILWOMAN BROWN: I cannot
4 remember now which one it was, but it was
5 a great salute to East Mount Airy.

6 COUNCILMAN JONES: So you guys
7 were green before it became a fad.

8 DR. BENNETT: Yes.

9 DEPUTY COMMISSIONER FOCHT:
10 Members of the Committee, I would like to
11 acknowledge sitting in the front row are
12 other members of the Wissahickon East
13 Project that have been critical to our
14 dialogue over the last year or so.

15 (Applause.)

16 COUNCILWOMAN BROWN: Please
17 tell me, what is a conservation easement?

18 DEPUTY COMMISSIONER FOCHT:
19 Basically conservation easements are when
20 a private property owner sells their
21 development rights so that the land is
22 preserved in perpetuity as open space,
23 and there's non-profit organizations
24 here -- in this community it is the
25 Chestnut Hill Historical Society -- that

1 6/6/11 - PARKS - BILL 110056, ETC.

2 has bought conservation easements.

3 Citywide, organizations like the

4 Preservation Alliance of Greater

5 Philadelphia have bought building facade

6 easements where a building owner cannot

7 change the facade of their building. So

8 there's a number of forms easements can

9 take. In this case, conservation

10 easements in Northwest Philadelphia

11 generally have been through the Chestnut

12 Hill Historical Society.

13 COUNCILWOMAN BROWN: Thank you.

14 COUNCILMAN JONES: At some

15 point I would be fascinated to know --

16 not today. We'll let these people go

17 ahead and have their easement and their

18 legislation, but what are the

19 considerations Fairmount Park takes? I

20 mean, there would probably be a dozen

21 lesser valued properties that would love

22 to donate their land to the City. So I

23 would love to know your thinking as to

24 the valuation of a parcel and how it fits

25 in to the Park system. Because this goes

1 6/6/11 - PARKS - BILL 110056, ETC.

2 back to the founding of the Park when we
3 originally got private owners to donate
4 land to the City that eventually became
5 our Park system. So I didn't know that
6 we were still amassing property to do
7 that, and I would love to know, this is a
8 good choice, this is a bad choice and how
9 that process works.

10 DEPUTY COMMISSIONER FOCHT:

11 Sure.

12 COUNCILWOMAN BROWN: So it
13 would be lesson 101 in conversation
14 easements. So we're going to formalize
15 that and ask that you meet with members
16 of this Committee, those who may be
17 interested, during the month of July to
18 really walk us through that process.

19 DEPUTY COMMISSIONER FOCHT:

20 Sure.

21 COUNCILWOMAN BROWN: That would
22 be extremely helpful for us on this side
23 of the table.

24 DEPUTY COMMISSIONER FOCHT: Be
25 pleased to do that. We do have criteria

1 6/6/11 - PARKS - BILL 110056, ETC.

2 when we look at land, and I'll just share
3 one of them with you, because the
4 community members behind me are well
5 versed in this. I mean, we do have some
6 requirements that the community is not
7 only supportive, but is organized. They
8 received their 501(c)(3) status in part
9 because we asked them to to help them to
10 get organized so that we have a fully
11 functioning, vested partner in the
12 communities where we're looking to do
13 this work. That's just one of the
14 criteria, but I wanted to share that with
15 you, because it was critical in our
16 discussions between the Wissahickon East
17 Project and Parks and Recreation.

18 COUNCILWOMAN BROWN: Okay.

19 Very good. Thank you very much. Thank
20 you both for your testimony.

21 DEPUTY COMMISSIONER FOCHT:

22 Thank you.

23 DR. BENNETT: Thank you.

24 COUNCILWOMAN BROWN: Anyone

25 else here to testify on Bill No. 110379?

1 6/6/11 - PARKS - BILL 110056, ETC.

2 Okay, then. We'll move to our
3 last bill -- forgive me? Oh, please come
4 forward, sir.

5 (Witness approached witness
6 table.)

7 COUNCILWOMAN BROWN: Good
8 morning.

9 MR. VILLARREAL: Thank you,
10 Councilmembers. My name is Mr. James
11 Villarreal. I'm a 33-year teacher of the
12 local schools, public schools in the
13 area, been in this Council Chambers many,
14 many times for school issues, of course,
15 over the years, and I happen to be a
16 psychotherapist practicing privately in
17 the area for 32 years. I just want to
18 make a brief comment, especially for
19 Councilman Jones's benefit.

20 I am a minor participant in
21 this project, but I did witness and see
22 what occurred. When those developers,
23 who bought the property for \$66,000 back
24 in the '60s, twice came around to make
25 big presentations about all the homes

1 6/6/11 - PARKS - BILL 110056, ETC.

2 they were going to build and da-da-da and
3 change the environment, and really never
4 really wanted to do it, but they just
5 wanted to get money from the community
6 and they stirred all us up. The first
7 night this community, her husband, there
8 were 85 people came out to an Episcopal
9 church on the first night, 85 people,
10 organized, spoke their voices. The
11 builders were very arrogant. We're going
12 to do this, we're going to do that. And
13 we showed them with the strength of that
14 community that you will never ruin that
15 piece of land. We will never let you get
16 the violation of the federal zoning laws
17 that they wanted to change, et cetera.

18 There was such a tremendous --
19 85 people came to the first meeting in
20 the church, formed -- there's so many
21 professional and dedicated people there.
22 And when we came to one of the critical
23 meetings and they were showing slideshows
24 and looking at all this stuff, the woman
25 next to me, Mrs. Overton, a retired

1 6/6/11 - PARKS - BILL 110056, ETC.

2 teacher, very active -- she is sick
3 today, couldn't come -- I said to her,
4 Ask them how much money they would take
5 if they couldn't build the houses, and as
6 soon as she asked the question, they
7 turned off all their slides, they
8 loosened their ties and they said, How
9 about 1.3 million from your community?
10 You guys have big houses. Raise 1.3
11 million. And the conversation changed.
12 It was exactly what they wanted to do.
13 That's all they wanted, was money, and
14 they didn't want to build those houses
15 anyway.

16 So what took place, we knew we
17 had them then. We're not going to give
18 them 1.3 million. We found other ways
19 that they could get a big tax write-off,
20 \$300,000. They got some money. They got
21 out of the face, and now we're going to
22 have a magnificent piece of land attached
23 right to where we all live, with deer.
24 Right now where I live, baby foxes this
25 big were in my yard this week, small baby

1 6/6/11 - PARKS - BILL 110056, ETC.

2 foxes, like puppies. We're going to
3 build probably environmental centers
4 there for children to learn about nature
5 like they have in Ambler. And this
6 tremendous thing came a place because
7 these people en masse stood up, met, got
8 consultation from people like this,
9 formed committees. But they fought and
10 they would not let greedy, manipulating
11 people take over and get millions of
12 dollars from.

13 So it's a very clear case,
14 Councilman Jones, of a community rising
15 up en masse, an educated, forceful
16 community, rising up en masse and saying,
17 no mas, no mas, and they prevailed and
18 this beautiful piece of land is now part
19 of the park and will have enormous
20 development there with great use for the
21 community. And I think it's a great
22 thing that you got to learn about this,
23 and, Councilman Jones, there are many
24 other parcels in this city. William
25 Penn's plan for this city when he came

1 6/6/11 - PARKS - BILL 110056, ETC.
2 was William Penn's Green Country Towne,
3 with an E, and every so many blocks were
4 supposed to be a city park, a full block.
5 So look at how you're fulfilling the
6 legacy.

7 Thank you.

8 COUNCILWOMAN BROWN: Thank you
9 for your testimony.

10 MR. VILLARREAL: And these
11 folks here, they're heaven. They've
12 worked their hearts and souls out.
13 Wonderful.

14 COUNCILWOMAN BROWN: Well, let
15 me say one of my favorite passages is by
16 Margaret Mead where she said never doubt
17 that a small group of committed, devoted
18 citizens can change the world. In fact,
19 that's the only thing that ever has. And
20 so East Mount Airy neighbors certainly
21 represents that.

22 Thank you for your good work.

23 DR. BENNETT: Thank you so
24 much.

25 COUNCILWOMAN BROWN: Thank you

1 6/6/11 - PARKS - BILL 110056, ETC.

2 for your testimony.

3 Let's now move to our last
4 bill, No. 110394, and, again, we want to
5 invite up Mark Focht and the President of
6 Cosmic Catering, LLC, Peg Botto.

7 (Witness approached witness
8 table.)

9 MS. BOTTO: Good morning.

10 COUNCILWOMAN BROWN: Good
11 morning.

12 Mark Focht.

13 DEPUTY COMMISSIONER FOCHT:

14 Good morning. Once again, I'm still Mark
15 Focht -- hasn't changed -- First Deputy
16 Commissioner of Parks and Facilities,
17 Philadelphia Parks and Recreation.

18 I am here today to present
19 testimony in support of Bill No. 110394,
20 authorizing the Commissioner of the
21 Procurement Department and the
22 Commissioner of the Parks and Recreation,
23 on behalf of the City of Philadelphia, to
24 issue an "Initial Term" of five years and
25 a "Renewal Term" of five years for the

1 6/6/11 - PARKS - BILL 110056, ETC.
2 concession agreement for Cosmic Cafe at
3 Lloyd Hall dated January 7, 2011 between
4 the City of Philadelphia and Cosmic
5 Catering, LLC. Joining me today is Peg
6 Botto, owner and President of Cosmic
7 Catering, LLC, who is also prepared to
8 provide testimony in support of this
9 bill.

10 As background, the City of
11 Philadelphia issued a request for
12 proposal in August 2010 for the
13 management and operation of the cafe at
14 the Lloyd Hall Recreation Center. After
15 reviewing proposals, a selection
16 committee consisting of representatives
17 from the Procurement Department, Parks
18 and Recreation, and the Office of
19 Economic Opportunity unanimously agreed
20 Cosmic Catering, LLC, was the most
21 responsive candidate and offered the best
22 quality proposal for award of the
23 concession opportunity. After executing
24 the concession agreement, Cosmic Catering
25 renovated the cafe, installing a new

1 6/6/11 - PARKS - BILL 110056, ETC.
2 commercial kitchen, new counters and
3 display cases at a total cost of
4 approximately \$75,000.

5 Cosmic Cafe is presently
6 operating under a concession agreement
7 with an initial term of one year with
8 three annual renewal terms. The initial
9 term of the concession agreement will
10 convert to five years when this ordinance
11 is approved and becomes law. Cosmic
12 Catering has responsibility for all
13 utility, maintenance and repair costs for
14 the cafe space and provides a guaranteed
15 annual concession fee of \$15,600, plus 5
16 to 8 percent of gross revenues depending
17 on the revenue level.

18 Cosmic Cafe has been operating
19 at Lloyd Hall since April 16th, 2011 and
20 is a welcome amenity on the Lloyd Hall
21 campus and along Boathouse Row. Park
22 users, including the rowing community and
23 the free sports league of Lloyd Hall and
24 hundreds of thousands of recreationalists
25 on the Kelly Drive Recreation Path, now

1 6/6/11 - PARKS - BILL 110056, ETC.

2 have the opportunity to rest and refresh
3 at Cosmic Cafe.

4 In terms of community
5 programming, Cosmic Catering partners
6 with Foundations, Inc. and Fresh Artists
7 to incorporate and promote youth activity
8 in the cafe space. Foundations brought
9 students from MLK High School to plant
10 the edible demonstration garden. The
11 garden will have interpretive signage to
12 educate cafe patrons about the
13 ingredients in the foods they eat. Fresh
14 Artists installed several works of art
15 from the Philadelphia School District
16 students to showcase their incredible
17 artistic talents.

18 Lastly, I would like to mention
19 that Cosmic Catering, LLC, is a 100
20 percent woman-owned business certified by
21 the Office of Economic Opportunity.
22 Cosmic Catering's participation
23 percentage exceeds the participation
24 requirements set forth in the RFP for
25 this concession.

1 6/6/11 - PARKS - BILL 110056, ETC.

2 In closing, I am requesting
3 this Committee's favorable consideration
4 of Bill No. 110394 and that the rules be
5 suspended so that the ordinance may be
6 passed upon the second reading of
7 Council. I'm pleased to answer any
8 questions following Peg's testimony.

9 COUNCILWOMAN BROWN: Any
10 questions by members of the Committee?

11 (No response.)

12 COUNCILWOMAN BROWN: Okay.
13 Please tell me -- you state that the
14 proposal process kick-started August
15 2010?

16 DEPUTY COMMISSIONER FOCHT:
17 Correct.

18 COUNCILWOMAN BROWN: How many
19 proposals were submitted?

20 DEPUTY COMMISSIONER FOCHT:
21 Five proposals were submitted.

22 COUNCILWOMAN BROWN: What was
23 the composition of those proposals in
24 terms of Philadelphia residents and the
25 like?

1 6/6/11 - PARKS - BILL 110056, ETC.

2 DEPUTY COMMISSIONER FOCHT: I'm
3 sorry, Councilwoman. I'd have to get you
4 that information. I don't recall the --
5 I know at least two, in addition to Peg,
6 I know two of the businesses were
7 Philadelphia-based businesses. So I can
8 say with certainty three of the five
9 were. I'd have to confirm the locations
10 of the other two.

11 COUNCILWOMAN BROWN: So there
12 were a total of five respondents?

13 DEPUTY COMMISSIONER FOCHT:
14 Five respondents to the RFP.

15 COUNCILWOMAN BROWN: What was
16 the process for letting the world know
17 that this opportunity was coming?

18 DEPUTY COMMISSIONER FOCHT: It
19 went through the Procurement Department
20 through the City's standard processes,
21 through the website and eContract.

22 COUNCILWOMAN BROWN: Is this
23 the first time Lloyd Hall has had a
24 caterer contract?

25 DEPUTY COMMISSIONER FOCHT: No.

1 6/6/11 - PARKS - BILL 110056, ETC.

2 This is the third -- Peg will be the
3 third operator of the cafe at Lloyd Hall.

4 COUNCILWOMAN BROWN: You said
5 that there was a one-year with three
6 annual renewal terms in your testimony?

7 DEPUTY COMMISSIONER FOCHT:
8 Correct. We wanted to get Peg open for
9 the spring season, and we knew it would
10 take a while to get on Council's
11 Calendar. So the agreement that we've
12 signed with her is for one year, but in
13 order so that she could open for the
14 spring -- and, again, she opened April
15 16th -- we wanted -- in order to
16 acknowledge the 75-plus thousand dollar
17 investment she's made in the facility,
18 the RFP was written to be a five-year
19 with a five-year extension. So we've
20 started with a one-year agreement,
21 brought this legislation to Council, and
22 pending passage of this legislation, that
23 one-year agreement will convert to a
24 five-year agreement.

25 COUNCILWOMAN BROWN: Okay. I

1 6/6/11 - PARKS - BILL 110056, ETC.

2 understand that better. Five-year
3 contract with five-year extension, is
4 that the norm?

5 DEPUTY COMMISSIONER FOCHT:

6 There is -- that, in part, was through
7 the development of the RFP, working with
8 Procurement and other offices to
9 determine what would be an appropriate
10 term. We also during the pre-proposal
11 meeting, which Peg and many other vendors
12 showed up to, we got comments back from
13 potential operators about the term that
14 they would need to make a financial
15 investment in the facility and have the
16 business be viable. So based upon that
17 input, we developed the five-year and
18 five-year.

19 COUNCILWOMAN BROWN: So this
20 allows an opportunity to actually make up
21 for the investment you put in to
22 kick-start the process anyway?

23 DEPUTY COMMISSIONER FOCHT:

24 Correct.

25 COUNCILWOMAN BROWN: Share with

1 6/6/11 - PARKS - BILL 110056, ETC.

2 us what your company looks like. It's
3 owned and operated by a female. Speak to
4 the composition of staff, et cetera.

5 MS. BOTTO: I could get you
6 records of that. We have about a staff
7 of about 15 people, and we have -- it's
8 all mixed all across the board. We have
9 all different colors and ages. I
10 don't -- I could get you a list of how
11 many people work there, because we have
12 part-timers because caterers and we have
13 some full-timers. We've only been open
14 about seven weeks and we just started to
15 open until 8 o'clock. So now we've just
16 hired more staff.

17 COUNCILWOMAN BROWN: What is
18 the location of your company? Where are
19 you headquartered?

20 MS. BOTTO: We're right there
21 at Lloyd Hall. I was 11 years at
22 Chestnut Hill Farmers Market, and because
23 of the -- we were so excited about Lloyd
24 Hall and the opportunities there, I
25 closed Chestnut Hill, which I was sad to

1 6/6/11 - PARKS - BILL 110056, ETC.

2 do that because I've loved Chestnut Hill,
3 but I wanted to put my whole heart and
4 soul into Lloyd Hall, and I think it's a
5 great opportunity for myself and the
6 surrounding people there.

7 COUNCILWOMAN BROWN: So you are
8 a Philadelphia-based company?

9 MS. BOTTO: Yes.

10 COUNCILWOMAN BROWN: Talk to me
11 about Foundations, Inc. and Fresh Artists
12 a bit more, please.

13 MS. BOTTO: Sure. Foundations,
14 I do a lot of work with them. I teach
15 cooking classes and all at Martin Luther
16 King. That's Foundations' Seeds of
17 Learning. They have a farm there. And
18 so I asked them -- we have a concrete
19 planter outside and they came with the
20 kids and they worked with the
21 Horticultural Center to make a plan and
22 we put all edible plants in there, and
23 I'm working on signage for that. They're
24 all starting to grow now, because it's
25 been a couple weeks. And we're going to

1 6/6/11 - PARKS - BILL 110056, ETC.

2 have -- because people come by and look
3 at it and they see what kind of -- we
4 have tomatoes and peppers and kale and
5 collared greens. And we'd like to do
6 cooking classes.

7 I also have the catering room
8 upstairs as part of the agreement. It's
9 downstairs the cafe and then upstairs I
10 can have catering. So we'd like to do
11 cooking classes upstairs and have
12 educational classes to show, you know,
13 like we grow it outside and we can cook
14 it inside.

15 And then Fresh Artists is a
16 non-profit group that goes to
17 underprivileged schools that don't have
18 art programs and they make art, and we
19 have it hanging up there. And she's
20 brought quite a few people in to show
21 people the art, and it's kind of fun.

22 So we want to do not just a
23 cafe and cooking. My goal is to teach
24 people. We are a green catering company,
25 which we've been for like ten years. I

1 6/6/11 - PARKS - BILL 110056, ETC.

2 don't use any plastic. We compost. We
3 recycle. Like we don't -- we're not on
4 the bandwagon saying we're green. And we
5 want to show people that that's a part --
6 we have signage saying that this cup is
7 made out of cornstarch. We don't use
8 Styrofoam ever, not even plastic.

9 So our goal is to teach people,
10 and we're getting a good response so far,
11 because it's healthy there. People run
12 and walk and stuff.

13 COUNCILWOMAN BROWN: Well, I
14 must tell you, I've done a lot of reading
15 on what First Lady Michelle Obama is
16 doing, and your model represents what
17 she's trying to do.

18 MS. BOTTO: We're trying.
19 Thank you.

20 COUNCILWOMAN BROWN: Indeed.
21 Any other questions from
22 members of this Committee?

23 Please. Councilman Jones.

24 COUNCILMAN JONES: Madam Chair,
25 it comes to mind that there might be an

1 6/6/11 - PARKS - BILL 110056, ETC.

2 issue among members, and maybe once we
3 get this concession down there, as a
4 promotional component to further First
5 Lady Obama's point and then the First
6 Lady of Council of menu labeling, which
7 is you, it might be a reason to settle
8 the debate who the best Council chef is.

9 (Applause.)

10 COUNCILMAN JONES: And maybe we
11 might have to lay down the gauntlet in
12 that regard. And, you know, also in your
13 area of being genderless in that, I don't
14 think that that is the sole vestige of a
15 woman chef, in a kitchen. So that's
16 something we may have to have for future
17 consideration.

18 COUNCILWOMAN BROWN: Well, he
19 certainly raises a very important point.
20 Do you have a grill?

21 MS. BOTTO: Yes, we do.

22 COUNCILWOMAN SANCHEZ: Because
23 that's the only thing he knows how to do.

24 DEPUTY COMMISSIONER FOCHT:
25 Councilman, I thought you were going to

1 6/6/11 - PARKS - BILL 110056, ETC.

2 say that you foresaw another tour of east
3 and west park in your future.

4 COUNCILMAN JONES: Well, we may
5 want to bring the freshmen. There's a
6 new batch of freshmen and --

7 DEPUTY COMMISSIONER FOCHT: Of
8 course.

9 COUNCILMAN JONES: -- we may
10 want to -- in fact, we had our first
11 discussion about that on what tours, and
12 obviously the Parks and Recreation --

13 COUNCILWOMAN BROWN: Is a must
14 do.

15 COUNCILMAN JONES: -- is a must
16 do.

17 DEPUTY COMMISSIONER FOCHT:
18 Excellent. Thank you.

19 COUNCILWOMAN BROWN: Thank you
20 for your testimony. It's very
21 informative, and we thank you for hearing
22 these continuing voices of trying to give
23 everyone opportunity and the fact that
24 you're even sustainable, that probably --
25 and I'm not in position to do this, but I

1 6/6/11 - PARKS - BILL 110056, ETC.

2 can register my opinion, because we all
3 have one. There may be an opportunity
4 for us to put in these contracts some
5 consideration, extra consideration, for
6 companies who come before us and are
7 indeed sustainable as well, for whatever
8 that looks like.

9 DEPUTY COMMISSIONER FOCHT: If
10 I may, Councilwoman, in actuality, almost
11 every RFP that Parks and Recreation now
12 releases does have language in that
13 strongly encourages to requires
14 sustainable practice, and it has become
15 one of our selection criteria, which is
16 why when we were reviewing the proposals,
17 Peg's long-term focus, again doing this
18 for ten years up in Chestnut Hill Farmers
19 Market, her focus on how she operated her
20 business was one of the elements that was
21 strongly in her favor in the selection of
22 Cosmic. But that is standard language
23 that's in most Parks and Recreation RFPs
24 at this point.

25 COUNCILWOMAN BROWN: Good to

1 6/6/11 - PARKS - BILL 110056, ETC.

2 know. Thank you.

3 MS. BOTTO: Thank you.

4 COUNCILWOMAN BROWN: Any other
5 questions from members of this Committee?

6 (No response.)

7 COUNCILWOMAN BROWN: With that
8 said, then, we will conclude this public
9 hearing and move to a public meeting, and
10 we will ask Councilman Jones for a motion
11 on Bill No. 110056.

12 COUNCILMAN JONES: Thank you,
13 Madam Chair. I make a motion to move
14 Bill No. 110056 out of Committee with a
15 favorable recommendation, that the rules
16 of Council be suspended, thus allowing
17 the consideration at our next scheduled
18 meeting.

19 (Duly seconded.)

20 COUNCILWOMAN BROWN: Bill No.
21 110056 has been moved and properly
22 seconded to be reported out of this
23 Committee with a favorable recommendation
24 and that the rules of Council be
25 suspended so as to permit first reading

1 6/6/11 - PARKS - BILL 110056, ETC.
2 at our next scheduled session of City
3 Council.

4 All those in favor say aye.
5 (Aye.)

6 COUNCILWOMAN BROWN: All those
7 opposed?

8 (No response.)

9 COUNCILWOMAN BROWN: Seeing
10 none, this bill will be reported out of
11 this Committee with a favorable
12 recommendation and the rules of Council
13 be suspended so as to permit first
14 reading at our next scheduled session of
15 City Council.

16 I'd like to ask Councilwoman
17 Quinones-Sanchez to make a motion on Bill
18 No. 110367.

19 COUNCILWOMAN SANCHEZ: Thank
20 you, Madam Chair. I move that Bill
21 110367 be moved out of Committee with a
22 favorable recommendation and the rules of
23 Council be suspended to allow first
24 reading at our next session.

25 COUNCILWOMAN BROWN: Can I hear

1 6/6/11 - PARKS - BILL 110056, ETC.

2 a second.

3 (Duly seconded.)

4 COUNCILWOMAN BROWN: Therefore,
5 Bill No. 110367 has been moved and
6 properly seconded to be reported out of
7 this Committee with a favorable
8 recommendation and that the rules of
9 Council be suspended so as to permit
10 first reading at our next scheduled
11 session of City Council.

12 All those in favor say aye.

13 (Aye.)

14 COUNCILWOMAN BROWN: All those
15 opposed?

16 (No response.)

17 COUNCILWOMAN BROWN: Seeing
18 none, this bill will be reported out of
19 this Committee with a favorable
20 recommendation and the rules of Council
21 be suspended so as to permit first
22 reading at our next scheduled session.

23 The Chair now recognizes
24 Councilman Jones for a motion on Bill No.
25 110379.

1 6/6/11 - PARKS - BILL 110056, ETC.

2 COUNCILMAN JONES: Thank you,
3 Madam Chair. I move that Bill No. 110379
4 be moved out of Council with a favorable
5 recommendation, that the rules be
6 suspended, thus allowing first reading at
7 our next scheduled meeting.

8 (Duly seconded.)

9 COUNCILWOMAN BROWN: Bill No.
10 110379 has been moved and properly
11 seconded to be reported out of this
12 Committee with a favorable recommendation
13 and the rules of Council will be
14 suspended so as to permit first reading
15 at our next scheduled session of City
16 Council.

17 All those in favor say aye.

18 (Aye.)

19 COUNCILWOMAN BROWN: All those
20 opposed?

21 (No response.)

22 COUNCILWOMAN BROWN: Seeing
23 none, this bill will be reported out of
24 this Committee with a favorable
25 recommendation and the rules of Council

1 6/6/11 - PARKS - BILL 110056, ETC.
2 will be suspended so as to permit first
3 reading at our next scheduled session of
4 City Council.

5 The Chair now recognizes
6 Councilwoman Quinones-Sanchez for a
7 motion on Bill No. 110394.

8 COUNCILWOMAN SANCHEZ: Thank
9 you, Madam Chair. I move that Bill
10 110394 be moved out of Committee with a
11 favorable recommendation and that the
12 rules of Council be suspended to allow
13 first reading at our next public session.

14 (Duly seconded.)

15 COUNCILWOMAN BROWN: Bill No.
16 110394 has been moved and properly
17 seconded to be reported out of this
18 Committee with a favorable recommendation
19 and the rules of Council will be
20 suspended so as to permit first reading
21 at our next scheduled session.

22 All those in favor say aye.

23 (Aye.)

24 COUNCILWOMAN BROWN: All those
25 opposed?

1 6/6/11 - PARKS - BILL 110056, ETC.

2 (No response.)

3 COUNCILWOMAN BROWN: Seeing
4 none, this bill will be reported out of
5 this Committee with a favorable
6 recommendation and the rules of Council
7 be suspended so as to permit first
8 reading at our next scheduled session of
9 City Council.

10 We want to thank everyone for
11 your testimony. We want to say a huge
12 kudo to the leadership of the East Mount
13 Airy neighbors. This is my own editorial
14 comment, and Chairs get a chance to do
15 that. And I want to say thank you to Peg
16 Botto for being a leader in growing a
17 sustainable business.

18 This concludes the meeting of
19 the Parks, Recreation and Cultural
20 Affairs Committee.

21 Thank you.

22 (Applause.)

23 (Committee on Parks, Recreation
24 and Cultural Affairs concluded at 11:40
25 a.m.)

1
2 CERTIFICATE

3 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 June 6, 2011, and that
8 this is a true and correct transcript of same.

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13 -----
14 MICHELE L. MURPHY
15 RPR-Notary Public
16
17
18

19 (The foregoing certification of this
20 transcript does not apply to any reproduction
21 of the same by any means, unless under the
22 direct control and/or supervision of the
23 certifying reporter.)
24
25