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COUNCIL OF THE CITY OF PHILADELPHIA

3

COMMITTEE ON PARKS, RECREATION

4

AND CULTURAL AFFAIRS

5

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Room 400, City Hall
Philadelphia, Pennsylvania
Thursday, December 6, 2007
10:55 a.m.

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PRESENT:

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COUNCILWOMAN BLONDELL REYNOLDS BROWN, CHAIR

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COUNCILMAN DARRELL L. CLARKE

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COUNCILMAN FRANK DiCICCO

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COUNCILMAN W. WILSON GOODE, JR.

15

COUNCILMAN FRANK RIZZO

16

COUNCILWOMAN MARIAN B. TASCO

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BILL 071085 - An ordinance authorizing the
President of the Fairmount Park Commission and
the Executive Director of Fairmount Park, on
behalf of the City of Philadelphia, to enter
into a lease with the Overbrook Park Civic
Association...

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COUNCILWOMAN BROWN: The City Council Committee on Parks, Recreation and Cultural Affairs is now in a public hearing to hear testimony on Bill No. 071085. Joining us this morning are Councilmembers, to my left, Councilwoman Marian Tasco; Vice-Chair of the Committee, Councilman W. Wilson Goode; and Councilman Frank DiCicco.

I will now ask the Clerk to please read the title of the bill.

THE CLERK: An ordinance authorizing the President of the Fairmount Park Commission and the Executive Director of Fairmount Park, on behalf of the City of Philadelphia, to enter into a lease with the Overbrook Park Civic Association under which the City would lease Rose Recreation Center and appurtenant grounds and facilities to OPCA to occupy and maintain and use to operate programs benefiting the community, under various provisions.

COUNCILWOMAN BROWN: Thank you

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2 very much.

3 At one point we saw
4 Councilwoman Campbell. Does a staff
5 person representing Councilwoman Campbell
6 care to speak on this bill at this hour?

7 (Councilwoman Campbell is on
8 her way.)

9 COUNCILWOMAN BROWN: We'll
10 proceed now with those first to testify
11 on this bill, our Recreation Commissioner
12 and Executive Director of the
13 Philadelphia Fairmount Park.

14 So if you all will please state
15 your name for the record and proceed with
16 your testimony.

17 MR. FOCHT: Good morning and
18 thank you. Mark Focht, Executive
19 Director of Fairmount Park. Good
20 morning --

21 COUNCILWOMAN BROWN: Allow me,
22 then, since Councilwoman has arrived.

23 MR. FOCHT: Please.
24 Absolutely.

25 COUNCILWOMAN BROWN: Good

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2 morning, Councilwoman Campbell. Would
3 you like to provide any opening remarks
4 on this matter?

5 COUNCILWOMAN CAMPBELL: I
6 didn't hear what you said.

7 COUNCILWOMAN BROWN: Would you
8 like to provide any opening remarks on
9 this bill?

10 COUNCILWOMAN CAMPBELL: Yes, I
11 would.

12 This property has really been a
13 problem for us in the district. It's
14 been there. There's always a lot of
15 debris there, a lot of weeds, a lot of
16 problems. About a year ago a minister
17 came to me to want to purchase it, and we
18 were under the assumption that the City
19 owned it for a church. After many
20 interviews with her, we agreed, and it
21 was forwarded to the Commissioner of
22 Public Property.

23 We later found out that it was
24 contamination. Some type of gas line is
25 under the ground there, which

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2 contaminates the land, so there was a
3 hold-up. And when they start negotiating
4 about the price because of the
5 contamination, Harambee School came to
6 me. They then wanted it, which I was not
7 aware of, for a school.

8 In dealing back and forth with
9 the problem, a couple months later
10 Commissioner called me and told me that
11 it seems like in 1925 that Fairmount Park
12 came into the possession of this area,
13 but they weren't cognizant of it.
14 Frankly, at first, we had looked at the
15 land. After we found out that we could
16 not do the church and that we could not
17 do a school, we wondered about the
18 possibility, Congressman Brady and
19 myself, of a village for grandparents
20 raising grandchildren, but we didn't have
21 enough time to get that off the ground.

22 I had spoken to the City
23 Solicitor about the grand village for the
24 grandparents raising grandchildren. So
25 he was back and forth with me about the

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2 possibility. During the interim, there
3 are many, many organizations now up in
4 Overbrook. You go through the streets
5 and you can see hundreds of kids on the
6 street, because where it used to be a
7 middle-age category neighborhood and
8 senior citizens, it's not. It's young
9 couples with children.

10 So I had met with the different
11 groups. I think there were quite a few
12 groups, and they said they needed
13 structure, they needed a facility where
14 they could all come together, form a
15 cohesiveness to work for the best
16 interest of the community.

17 Now, I was told yesterday that
18 Commissioner Richards said I had never
19 mentioned this to him. Yes, I had, but
20 maybe I wasn't clear. When I met with
21 Commissioner Richards at Papa Recreation
22 Center, which is kind of across the
23 street from it, I had told him about the
24 village I wanted to do for grandparents
25 raising grandchildren, but it looked like

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2 we may not be able to. So we may have to
3 do something with the community, because
4 I kept getting complaints about the
5 debris, about the high weeds, and a
6 couple times I had to have NTI people go
7 out there to clean it. So really it was
8 kind of off the burner.

9 I did talk to Overbrook Civic
10 organization about the possibility of
11 them being the umbrella organization over
12 all the other organizations to come
13 together to form a cohesiveness, to have
14 structured programs, and Congressman
15 Brady said he would get us some funding
16 to do what had to be done.

17 About two or three weeks ago,
18 the City Solicitor called me and said
19 that you need to go on this because
20 you're running out of time, and to tell
21 you the truth, I had so many other things
22 on the plate, I really hadn't gotten
23 around to it. Now, where I was remiss, I
24 did not call Commissioner Richards after
25 he called me, because it happened so

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2 fast. They called me one day, they had
3 the bill next day. That's the way it
4 happened.

5 But this is a much-needed
6 facility. We have up there -- we have
7 Papa Recreation Center right across the
8 street. We have another little area
9 across the street, but we have -- in the
10 time of violence that we have now and
11 young people getting in trouble, we have
12 an onslaught of hundreds of new children
13 in that area. I only live five minutes
14 away from it, so I know what's up there.
15 And we have to start finding ways to
16 incorporate these young people into
17 structured programs to keep them busy to
18 try to keep them out of trouble. The
19 Overbrook Civic agreed to work with the
20 other organizations to bring around
21 planning.

22 Now, let me say this: The City
23 Solicitor called me yesterday and asked
24 could he have a meeting with Congressman
25 Brady and myself to talk about the

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2 finality of the things that we really
3 wanted to do. The Congressman was not
4 able to come because he's in Washington
5 and he said that he would be available
6 probably next Friday, which I too.

7 But I believe in this. I
8 believe we need it. I don't live far
9 away from it. I live there, so I know
10 what's going on in the neighborhood and I
11 know what we need.

12 Thank you.

13 COUNCILWOMAN BROWN: Thank you,
14 Councilwoman Campbell.

15 So at this hour you do not know
16 if there are any outstanding legal
17 considerations around this interest?

18 COUNCILWOMAN CAMPBELL: That's
19 not what the City Solicitor told me. I
20 didn't do the bill. The City Solicitor
21 did the bill.

22 COUNCILWOMAN BROWN: Okay.

23 COUNCILWOMAN CAMPBELL: I had
24 nothing to do with it. The City
25 Solicitor drew it up the way he told me

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2 it should be done. He was the one that
3 called me. Like I said, they called me
4 on Wednesday, the bill was there on
5 Thursday. Because I had so many things
6 on the plate, to be perfectly honest, I
7 had not dealt with it in the past few
8 weeks.

9 COUNCILWOMAN BROWN: Sure.

10 COUNCILWOMAN CAMPBELL: It's
11 his bill. He drew it up for us.

12 COUNCILWOMAN BROWN: Thank you.

13 Any questions, remarks or
14 comments for our colleague?

15 (No response.)

16 COUNCILWOMAN BROWN: Thank you,
17 gentlemen. If you would please state
18 your name for the record and proceed with
19 your testimony.

20 MR. FOCHT: And good morning,
21 Chairwoman Reynolds Brown and Committee
22 members. My name is Mark Focht. I'm the
23 Executive Director of the Fairmount Park
24 Commission and I appear before you today
25 on behalf of the Fairmount Park

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2 Commission concerning Council Bill No.
3 071085 authorizing the City of
4 Philadelphia, through the Fairmount Park
5 Commission, to enter into a lease with
6 the Overbrook Park Civic Association for
7 the Rose Recreation Center and
8 surrounding grounds in Cobbs Creek Park.
9 I am here today to offer testimony
10 neither in support of nor in opposition
11 to this bill, but to provide some
12 background information.

13 The parcel of land referenced
14 in the bill, which is located at the
15 intersection of North 75th Street and
16 Lansdowne Avenue, was acquired by the
17 City in 1925 as an addition to Cobbs
18 Creek Park and has been under the
19 Commission's jurisdiction since that
20 time. The Rose Recreation Center that is
21 located at the site for many years is --
22 the facility and the surrounding grounds
23 are used and maintained by the Department
24 of Recreation. The underlying land is
25 Fairmount Park. The facilities are the

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2 Recreation Department's. This is a
3 similar relationship we have in many
4 places throughout the City.

5 The site contains a recreation
6 building, playgrounds, ball fields,
7 tennis and basketball courts. According
8 to the Recreation Commissioner, Victor
9 Richards, seated immediately to my left,
10 the center is staffed and programmed with
11 after-school programs, baseball, tennis
12 and summer camps. Until this morning, I
13 had not had the opportunity to have
14 conversations with the Overbrook Park
15 Civic Association concerning their
16 interest in leasing this facility. I
17 have subsequently had that conversation
18 this morning.

19 But prior to that conversation,
20 we had no information upon which to
21 render an opinion as to whether or not
22 their proposed use of this site would
23 conflict or complement the Recreation
24 Department's use of this site and the
25 underlying ground being preserved as open

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2 space for all citizens.

3 I did have the opportunity to
4 speak late yesterday with Councilwoman
5 Campbell and understand about the
6 upcoming meeting and that the parameters
7 of the Civic Association's possible use
8 of the site have not been fully
9 determined.

10 I would request that if this
11 initiative moves forward, staffs from
12 both the Recreation Department and
13 Fairmount Park be involved in the
14 discussions with the Civic Association,
15 the Councilwoman and others as to how
16 this land may be used in the future.

17 Thank you.

18 COUNCILWOMAN BROWN: Thank you
19 for your testimony.

20 Any questions or comments for
21 this witness?

22 (No response.)

23 COUNCILWOMAN BROWN: Then
24 please, Commissioner, proceed with your
25 testimony.

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2 COMMISSIONER RICHARD: Good
3 morning. For the record, Vic Richard,
4 Commissioner of the Department of
5 Recreation.

6 I'd like to give a little
7 history on how this property came to
8 where it is today. I'd also like to
9 acknowledge that I had one brief
10 conversation with Councilwoman Campbell
11 where she mentioned the possibility of
12 wanting to lease this property out.

13 I want to say approximately
14 four years ago we were approached, me and
15 the Department of Recreation and other
16 departments, to look at parcels of
17 properties, either vacant or constructed
18 properties, that would possibly be put on
19 the market as City surplus properties.
20 The first priority of that search was to
21 look for parcels large enough or
22 facilities with buildings on them that
23 were large enough that could possibly
24 house what at that time the CEO,
25 Mr. Vallas, was looking to do across the

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2 City to build what was called Campus
3 Schools for Children in Philadelphia. I
4 had approximately a dozen facilities, and
5 out of that dozen, approximately a half a
6 dozen fit the description as well, and
7 Rose was one of them, and quite
8 naturally, Rose was given back to us.

9 The way this process works is,
10 all of the management of property is
11 managed through Public Property. We are
12 the operators, and as the Executive
13 Director, Mark Focht, said, we have tons
14 of other properties like that where they
15 may either own the property and we have a
16 facility there that we run in conjunction
17 on behalf of the City of Philadelphia or
18 the same thing happens with the School
19 District.

20 For the record, I have never
21 had a conversation in detail regarding
22 the Overbrook or any other organization
23 interested in wanting to run programs or
24 whatever until earlier this morning. For
25 the record, I'd like to say that we

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2 intentionally solicit and engage civic
3 groups, organizations, community
4 organizations, athletic associations to
5 work hand in hand with the City to become
6 a friends group or whatever in order to
7 improve, increase, enhance service
8 delivery or take ownership of parcels of
9 property in the community in order to
10 make them better.

11 These are things that we do on
12 a daily basis. The most recent lease
13 that was put together was done in
14 Councilman DiCicco's district back in
15 August with the Queens Village
16 Neighborhood Association and the City.
17 So we work very diligently to do those
18 things, along with the City Solicitor and
19 also with Risk Management, to make sure
20 all parties are covered legally and also
21 to make sure, first of all, that it is
22 public property and its intended use is
23 maintained.

24 So we welcome the opportunity
25 to work with Overbrook or any other

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2 organization that has the interest to
3 make Rose Playground and that entire
4 community, Papa Playground as well, a
5 better site for that neighborhood.

6 So thank you.

7 COUNCILWOMAN BROWN: Any
8 questions for these witnesses?

9 Councilwoman Marian Tasco.

10 COUNCILWOMAN TASCO: Good
11 morning, Commissioner.

12 COMMISSIONER RICHARD: Good
13 morning, Councilwoman.

14 COUNCILWOMAN TASCO: When you
15 did the assessment study for the various
16 recreation sites some years back, what
17 was the status of this site?

18 COMMISSIONER RICHARD: That
19 site? That site had enough property
20 where it wasn't going to be too big or
21 too small, and that's what they were
22 looking for. They were looking for
23 properties that were low usage, had the
24 acreage. They weren't concerned a lot
25 about the pre-existing structure there.

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2 They were more concerned about the area
3 in the neighborhood.

4 I had another property --

5 COUNCILWOMAN TASC0: That's not
6 what I'm asking. Remember we were going
7 to close some facilities, some rec
8 facilities, and some were going to stay
9 open? What was the status? Was this a
10 site to be closed? Remember the
11 evaluation --

12 COMMISSIONER RICHARD: That
13 site was going to be closed only due to
14 the fact that it was going to be
15 earmarked as an expansion of a campus
16 school. Other than that, it would not
17 have been on the "close" list because it
18 was small, underutilized, antiquated,
19 outdated. That particular property --
20 and I believe I had three others that I
21 could name that were specifically
22 earmarked to be transformed into a campus
23 school for the School District. That was
24 its only and intended purpose, and that's
25 why this parcel was put on the City

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2 surplus list, strictly for that.

3 COUNCILWOMAN TASC0: So now
4 absent the school not going there, what
5 are the plans for the Recreation
6 Department to use the site and are there
7 ongoing programs there now?

8 COMMISSIONER RICHARD: At that
9 time, that site and it was two or three
10 others where I almost literally closed
11 them to relinquish them and move the
12 staff. At that same time, we took nine
13 operation spots from Fairmount Park. So
14 we started investing a lot of time
15 directly across the street at Papa
16 Playground. Right now we have a
17 part-time employee there. Our goal is to
18 get another full-time employee there and
19 continue to build. And there is a very
20 strong advisory council, an athletic
21 association at Papa, and we'd love to do
22 the same thing across the street at Rose.

23 COUNCILWOMAN TASC0: Is there
24 any opposition to leasing this site to
25 the Overbrook Park?

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2 COMMISSIONER RICHARD: At this
3 time, to my knowledge, the answer is no.

4 COUNCILWOMAN TASC0: But you
5 all haven't said yes to the --

6 COMMISSIONER RICHARD: No,
7 ma'am. This is my first formal
8 discussions as of today, this morning.

9 COUNCILWOMAN TASC0: So,
10 Mr. Focht, with your new found knowledge
11 or information about the proposal, what
12 do you think?

13 MR. FOCHT: Well, again,
14 Councilwoman, I just had a very brief
15 conversation this morning. I would like
16 to have more information about how the
17 Civic Association intends to use the
18 facility and the land. I agree with
19 Commissioner Richard that there's great
20 potential there, but we have little or no
21 information. We've had one conversation
22 this morning and the conversation I had
23 yesterday afternoon with Councilwoman
24 Campbell about how the site might be
25 used. We've seen nothing in writing. We

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2 have no sense of what the use of the land
3 might be, what types of programming or
4 how the facility might be used. I think
5 it has great potential. I would just
6 like some more information.

7 I also, if I may, would want to
8 just clarify something about this land
9 being surplus property.

10 The process that Commissioner
11 Richards referenced about land being made
12 available for the School District several
13 years ago, Fairmount Park was clearly
14 part of that process in helping to
15 identify potential parcels, and in the
16 end, the only one that was built was the
17 Microsoft School of the Future in West
18 Park on Parkside Avenue. When that whole
19 program kind of went by the wayside, the
20 land was taken off the surplus property
21 list and put back under the jurisdiction
22 of Fairmount Park. So the land that Rose
23 sits on today is no longer considered
24 surplus property in the City's inventory.
25 It's fully back within the jurisdiction

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2 of the Fairmount Park Commission. So if
3 there was going to be an agreement -- and
4 it sounds like there could potentially be
5 a positive agreement -- in addition to
6 Council action, the Fairmount Park
7 Commission would need to approve the
8 lease, as we do for every lease that
9 occurs on park property, in addition to
10 City Council approval.

11 COUNCILWOMAN TASC0: Could I
12 ask a question of Ms. Campbell?

13 COUNCILWOMAN BROWN: Please.

14 COUNCILWOMAN TASC0:
15 Councilwoman Campbell, would you agree to
16 allow the parties to negotiate and talk
17 before we moved on this piece of
18 legislation?

19 COUNCILWOMAN CAMPBELL: I can't
20 hear you.

21 COUNCILWOMAN TASC0: Would you
22 allow the Fairmount Park and Recreation
23 Department to work with the Overbrook
24 Park Civic Association to have a broader
25 discussion about this issue before we act

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2 on this legislation?

3 COUNCILWOMAN CAMPBELL: Yeah.

4 As I said, the City Solicitor had called
5 for a meeting yesterday, because some of
6 the funding for some of the programs that
7 they may want will come from Congressman
8 Brady. And he called yesterday to
9 request a meeting, but the Congressman
10 was unable. He's in Washington this week
11 and the first opportunity he has to meet
12 would be next Friday.

13 I want it to be inclusive. I
14 just want to get it done before I leave.
15 I think the more, the merrier. I think
16 it's always better to have a brain trust
17 where you lean on other people's thoughts
18 to bring about the best results. My
19 problem is, I just want to get it done.

20 COUNCILWOMAN TASC0: But you
21 want to get it done before you go?

22 COUNCILWOMAN CAMPBELL: I can't
23 hear you.

24 COUNCILWOMAN TASC0: Well, we
25 only have today and next week, so we

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2 would have to vote it out today so it
3 would pass next week.

4 COUNCILWOMAN CAMPBELL: Right.
5 The City Solicitor said he understands
6 thoroughly that the lease itself will not
7 be done until everybody is agreeable, but
8 because time is of essence, we had to
9 move with this today.

10 COUNCILWOMAN BROWN: Before we
11 hear from the City Solicitor, Recreation
12 Commissioner, you said that the School
13 District ultimately opted not to use the
14 space. Might you know why they made that
15 decision?

16 COMMISSIONER RICHARD: No. I'm
17 sorry. I don't get involved on that
18 level. That's done through the City
19 Solicitor and also through Public
20 Property. So I'm sorry, I don't know.

21 COUNCILWOMAN BROWN: Now, you
22 also mentioned that Papa is across the
23 street from Rose?

24 COMMISSIONER RICHARD: It's
25 about a couple hundred feet diagonally

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2 across the street.

3 COUNCILWOMAN BROWN: And what
4 programs are currently at Papa and what
5 are the potential plans for the future?

6 COMMISSIONER RICHARD: Papa is
7 very, very active almost 12 months out of
8 the year and it's highly, highly, highly
9 involvement -- and I'm sorry I can't
10 recall the name of the athletic
11 association, along with the advisory
12 group. They work hand in hand.
13 Football, baseball, soccer, summer camp,
14 after school, you name it. I'm probably
15 missing some of it.

16 Rose was programmed to that
17 level four, five years ago prior to us
18 having to scale it back once we found out
19 that this was going to be a property.

20 But while I have the mike, just
21 for the record so people will know, from
22 where I sit as the Commissioner of the
23 Department of Recreation, I eagerly seek
24 this opportunity, and the reason why is
25 because every time we've had an

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2 opportunity to do this, it has been very,
3 very successful to engage. There's
4 different facets based on the intended
5 use or the intentional use by the outside
6 parties coming in where up to and
7 including Risk Management, with them
8 having liability for the time that
9 they're going to be operating, also up to
10 negotiating moving snow, not moving snow,
11 partake on the bills relative to water
12 consumption, heating consumption or
13 whatever.

14 But like my counterpart, Mark,
15 said, and I as well, we just need an
16 opportunity to sit down to find out what
17 the intended uses are so that we can
18 proceed. But from where I sit, every
19 time that it's been done, it has been a
20 plus for the community and the City.

21 COUNCILWOMAN BROWN: In the
22 instances where it has been done, on the
23 issues of liability and maintenance, who
24 has that responsibility?

25 COMMISSIONER RICHARD: That's

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2 negotiated based on if the entire
3 property is going to be turned over but
4 still kept for public use or if it will
5 be dual utilization operational
6 responsibilities and use by the City,
7 being either Fairmount Park, Rec and/or
8 the third party. So it just depends, and
9 we've not had that opportunity to have a
10 conversation or to get that far.

11 But it's always been a win-win
12 in every instance that I've been involved
13 in it and that I'm knowledgeable of. It
14 has made a positive impact on the City.

15 COUNCILWOMAN BROWN: City
16 Solicitor, if you would, please provide
17 your testimony on this bill or what you
18 know to date.

19 MR. DIAZ: Thank you,
20 Councilwoman. I just wanted to respond,
21 if I might. I have no prepared text, but
22 since I came in just at the point that
23 the question was raised by Councilwoman
24 Tasco relative to the Council schedule, I
25 wanted to point out that I have spoken to

16 Any other questions or comments
17 for these witnesses?

19 COUNCILWOMAN CAMPBELL: I was
20 remiss. I do intend to invest capital
21 dollars into this project before I leave
22 to help them get started.

25 We thank you, City Commissioner

2 and our Girl Scout leader. Also with me
3 is Ms. Tina Riley. She's of our
4 Development Committee. Ms. Jonnie Mae
5 Young, our Fundraising Coordinator, and
6 Mr. Arnold Foster, our most vehement
7 champion.

19 But for a little background, I
20 provided the members of the Committee
21 with a map of the Overbrook Park
22 community. You'll see the geographical
23 bounds of the neighborhood. Now, some of
24 the names of the businesses have changed
25 since this map was created, but it still

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2 gives you an idea of the neighborhood.
3 And the neighborhood itself was farmland
4 until the 1940s, when at that time when
5 GIs returning from World War II all had
6 the GI bill, 3,000 row homes that are
7 almost all identical were created in
8 Overbrook Park. And for the majority of
9 those years -- I purchased my home in
10 1995, and at that time, the neighborhood
11 was about 80 percent white, 20 percent
12 black. The majority of the residents
13 were those original homeowners who had
14 purchased in the 1940s or early '50s, but
15 they were retiring and have moved. As
16 you heard from previous testimony and
17 Councilwoman Campbell, the majority of
18 the owners in the neighborhood now are
19 younger couples with many children. I
20 know Ms. Fields herself has five. So we
21 have many more children in the community
22 now, so much to the fact that the
23 Lamberton School had to expand and has a
24 larger facility now in its parking lot,
25 and that the school itself is at its

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2 seams, and there are a lot of violence
3 problems inside of the school, to which
4 we had a Mr. David Fattah come last year.
5 And we, the Civic Association in
6 conjunction with Mr. Fattah, tried to do
7 some conflict resolution programs for the
8 school and for the children in the
9 school.

10 I say all that to say that it
11 is our hope -- and more background of the
12 Civic Association is that since the mid
13 '80s the Civic Association has been
14 lobbying the Councilperson for the Fourth
15 District to help us locate a permanent
16 structure. Since, I believe it was,
17 Councilwoman Ann Land was the
18 Councilperson, we have been trying to
19 lobby every and anyone. We were lobbying
20 Councilman Nutter for years, and with the
21 assistance of Mr. Johnson and Waddell
22 Ridley, we had identified the Wynnebrook
23 Ambulance facility, which had been vacant
24 for many years, which is at the bottom
25 right-hand corner of the map.

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2 So we were going to utilize
3 that facility. For years, it was vacant.
4 It was an eyesore. It had been used as
5 an ambulance company in the '70s, then it
6 was vacant. It was a church. It was a
7 maintenance company. There were trucks
8 and all types of debris that really made
9 the entrance, the gateway, to our
10 community an eyesore. And we always
11 lobbied Congressman Brady and whoever our
12 Councilperson was to give us the
13 property, let us maintain it.

14 In 2003, we learned that it was
15 the Recreation Department's plan to close
16 the Rose Playground. At that time, I
17 began a petition drive to save the
18 playground, and I delivered copies to all
19 of the members of Council, and the
20 property was allowed to remain open, but
21 we were told that it was the School
22 District that wanted to purchase it.

23 So then we worked with the
24 School District on their plan for this
25 new Lamberton School that they wanted to

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2 develop there. And I think in answer to
3 Councilwoman Tasco's question earlier,
4 the reason why the school didn't build is
5 because there is an oil pipeline, if you
6 can believe it or not, there's an oil
7 pipeline that goes from Sunoco's
8 refineries in Marcus Hook all the way, I
9 think they said, to Bucks County.
10 There's an oil pipeline underneath that
11 property, and for that and maybe other
12 reasons, the School District decided not
13 to build this campus facility.

14 For more than a year and a
15 half, there was a "for sale" sign at the
16 property. It said Colliers LLA, I
17 believe, but the property was for sale.
18 I personally removed graffiti that was on
19 the sign with our Graffiti Busters
20 Committee of the Overbrook Park Civic
21 Association.

22 So it was our understanding for
23 years that the facility was underused and
24 that it was going to be for sale, and we
25 wanted to ensure that the use of that

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2 facility would be for the betterment and
3 the improvement of quality of life for
4 the Overbrook Park Civic Association.

5 When Councilwoman Campbell
6 became our Councilperson, I continued to
7 lobby her, as other members of my
8 committee, for that property so that we
9 could use it. We had our Town Watch. It
10 was in the basement of a dentist's office
11 for years, until that dental partnership
12 dissolved. Then we were homeless. Then
13 I was able to get us to a Mellon Bank
14 facility and we had our Town Watch there,
15 and we operated our Town Watch out of
16 there until that was sold.

17 So we keep having to find a new
18 place for our Town Watch. We met for
19 approximately 20 years at Congregation
20 Beth Tefilla for our annual meetings, our
21 town meetings, our candidates forums many
22 of you have attended. Congregation Beth
23 Tefilla was sold last year. So then we
24 were homeless again for three months.

25 But this is an organization

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2 that provides quality services to try to
3 prevent all of the ills that lead the
4 children of our City to the Youth Study
5 Center. So it's our hope to serve as the
6 umbrella organization with Noah, which is
7 an organization in Overbrook, and other
8 organizations in Green Hill Farms and
9 Overbrook Farms to provide
10 quality-of-life programs such as literacy
11 programs, anti-violence and conflict
12 resolution programs, programs for young
13 teen mothers, programs for men to mentor
14 younger men, a men-to-men program, and
15 those are our goals.

16 We're willing to work with
17 Commissioner Richards if he wants to keep
18 the facility, but to give us a key. We
19 have been maintaining the property. We
20 were able to get a grant from State
21 Senator Hughes to purchase a tractor so
22 that we could cut the grass, because when
23 my daughters played little league there,
24 the grass was never cut. So it was up to
25 the citizens to cut the grass ourselves.

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2 And it's funny. Congressman Brady would
3 laugh at me when he would see me driving
4 this tractor about a mile per hour down
5 past his street to go to the Rose
6 Playground to cut our grass.

7 So we want to continue doing
8 that, because that's what we think we
9 should do, because we want what's best
10 for our community. It's our hope to use
11 the facility for the betterment of the
12 community. That's why we're here in
13 support of it. I don't know the timing.
14 I'm not a legislator. I just know that
15 we will make use of it.

16 Currently there is no
17 programming at the Rose Playground.
18 There's a temporary part-time employee.
19 We don't know what programs go on. There
20 used to be a lot of programs, but now
21 there are none. We want to ensure that
22 it's not sold. We were told it would be
23 a condominium. We were told it was going
24 to be a school, that it was just open to
25 the highest bidder. Well, we think the

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2 highest bidder should be the safety of
3 the children in our community.

4 And, yes, the Papa Playground
5 is down the street, but it's not in
6 Overbrook Park, it's not in our
7 neighborhood, but we work with Overbrook
8 51, which is the name of the athletic
9 association. So we have consolidated our
10 basketball program and our softball and
11 T-ball with theirs.

12 But the Rose Playground is a
13 tremendous facility that is not being
14 utilized currently. There are three
15 baseball fields. There are tennis
16 courts. There's basketball courts.
17 There's a roller hockey rink and a
18 building that we could use for meetings,
19 et cetera. Currently, the only thing
20 that's done there is, people play
21 basketball, and it's unstructured
22 basketball. We want to give the children
23 more than just unstructured basketball.
24 Career training and all the things I
25 identified previously.

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2 I know you have a lot of things
3 on your agenda today. At this time, I
4 just ask if briefly if Robin could
5 testify and if Reverend Alderbridge will
6 offer a few words also.

7 COUNCILWOMAN BROWN: Please
8 state your name for the record.

9 MS. FIELDS: My name is Robin
10 Fields.

11 COUNCILWOMAN BROWN: And
12 proceed with your testimony.

13 MS. FIELDS: I'm a resident of
14 Overbrook Park. I have lived in
15 Overbrook Park and Overbrook Farms all of
16 my life. I am currently a Girl Scout
17 troop leader at Papa's Playground. I
18 would like to be at Rose Playground.
19 Papa's Playground have a lot of
20 activities they do. They're just down
21 the street from one another, but it's not
22 feasible for our troop to be there.
23 There's a lot of activities that go on at
24 the time we have our troop. Our troop is
25 every other Monday, the second and fourth

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2 Monday of the month. We meet from 6:15
3 to 7:30. There are six other activities
4 that go on when our activity is going on.
5 We have approximately 30 girls in our
6 troop. Our troop starts from Daisies all
7 the way up to Cadets. We would like to
8 build our troop, but we can't.

9 There are three other troop
10 leaders that assist with the troops other
11 than myself. But there's so much going
12 on there. It's a very small place. It's
13 not that clean. We're always cleaning it
14 and trying to make it a healthy
15 environment for the girls to be there.
16 And there's another center that we can go
17 to, use and it's just so much that goes
18 on in our area where we're always using
19 the facility that supports Overbrook
20 Park, Overbrook Farms, part of West
21 Philadelphia, Lansdowne Avenue, all the
22 way down to Lancaster Avenue, a lot of
23 the West Philly area.

24 Papa's Playground is a small
25 place. My children also go to Granaham

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2 Field, which is over at 66th and
3 Callowhill, for some of their activities.
4 I'm right there in that community. I
5 live in that community and my children go
6 to school in that community. They should
7 be able to walk to a program, not always
8 have to be driven to a program that's
9 somewhere else that offers the same
10 things that our community can offer.

11 Our Civic Association is very
12 viable. We have a lot of people who are
13 supportive of the Civic Association, who
14 participate in our Civic Association and
15 want to see our community cleaned up of
16 drugs that's on the street, children
17 loitering the businesses. Our businesses
18 support our Civic Association, and we'd
19 just like to have a place for our
20 children to go, activities that they need
21 to be a part of and growth.

22 And one of the other things,
23 Lamberton do not have activities there.
24 I am also the Vice-President of the Home
25 and School at Lamberton, and there are

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2 not a lot of activities there for the
3 children at the school, because they
4 don't have the support. In our Civic
5 Association, we have the support. We
6 have people who are a part of the Civic
7 Association who do not have children, but
8 want to mentor and give back so that we
9 can have a healthy community.

10 We need this. We need Rose
11 Playground. I know it's just down the
12 street from Papa's, but Papa is not big
13 enough to support the whole West
14 Philadelphia area.

15 And that's really all I have to
16 say. I hope that we can do what we set
17 out to do and make this a happy medium
18 for everyone.

19 COUNCILWOMAN BROWN: We thank
20 you for your testimony, and it's clear
21 that you're very busy.

22 MS. FIELDS: Very.

23 COUNCILWOMAN BROWN: Please,
24 sir, state your name for the record.

25 REVEREND ALDERBRIDGE: Yes.

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2 Good morning, ma'am. I'm Reverend Lester
3 Jerome Alderbridge and I'm also a
4 resident of Overbrook Park also. As my
5 Civic Association President said, I'm one
6 of the Vice-Presidents and Town Watch
7 Coordinator.

8 I agree with both of them about
9 everything they said about the need to
10 have Rose Playground, but as the Town
11 Watch Coordinator, we really need a base.
12 We have very devoted people who try to
13 keep Overbrook one of the best places to
14 live in the City.

15 I've been living in Overbrook
16 Park for over 11 years. We have had less
17 than five murders. We have very few
18 muggings or robberies, home break-ins,
19 because our men and women, both young and
20 old, are out there doing town watch. One
21 of the problems that we do have, we have
22 a very small amount of radios, and we're
23 near WPEN Radio towers. We don't have a
24 home base and it's very difficult
25 sometimes or often times for our Town

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2 Watch members to be in communication with
3 each other, which poses a danger on my
4 members, because we need to be in contact
5 with each other so that if something does
6 go down, we'll be able to contact the
7 police. The police work very well with
8 us. I also have the Eastwick Town Watch.
9 Their radio system is on our same
10 frequency. I've met them at our
11 luncheonette, and they have told us
12 anything that they can do to help us,
13 they would until we could get a base,
14 which I'm very appreciative of.

15 This year Overbrook Park won
16 the very best town watch. In the 19th
17 Police District, we have had 50 members
18 trained at one time. I'm trying my very
19 best. I am a father, grandfather. I
20 talk to a lot of children, as
21 Mr. Williams has said, in our area, a lot
22 of children, and they all agree that they
23 need to open up Rose Playground, because
24 if they don't have anything positive to
25 do and places to go, they will do what we

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2 don't want them to do. So we really need
3 a place and Rose Playground.

4 COUNCILWOMAN BROWN: We thank
5 you for your testimony. We congratulate
6 your organization on the distinction as a
7 significant town watch.

8 REVEREND ALDERBRIDGE: Thank
9 you, ma'am.

10 COUNCILWOMAN BROWN:
11 Mr. Williams.

12 MR. WILLIAMS: Thank you very
13 much, Madam Chairperson. There other
14 members here, but we're available to
15 answer any questions that you may have,
16 if any at all. But, again, we'd like to
17 thank you for the time and your patience
18 and we'd like to thank Councilwoman
19 Campbell for championing this.

20 COUNCILWOMAN BROWN: Any
21 questions for these witnesses?

22 (No response.)

23 COUNCILWOMAN BROWN: Well, let
24 me thank you for the important context,
25 Mr. Williams, that you put this request

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2 in.

3 MR. WILLIAMS: Thank you very
4 much.

5 COUNCILWOMAN BROWN: Thank you
6 very much.

7 If we could please ask our City
8 Solicitor to return to the witness table.

9 Mr. Williams, how old is the
10 organization again?

11 MR. WILLIAMS: The organization
12 was created in the mid '80s. It had a
13 different name prior to that. I think it
14 was like the Overbrook Residents
15 Association, but it's an unincorporated
16 civic association. We hope to get our
17 501(3)(c) or (c)(3) designation within
18 the coming year with our attorney,
19 Mr. Derek Green.

20 COUNCILWOMAN BROWN: And the
21 other thing I failed to mention here in
22 my notes, do you all have a written plan
23 as such?

24 MS. WILLIAMS: We don't have a
25 written plan. I spoke with Mr. Wetzel.

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2 I spoke with the City Solicitor that
3 called me about what our plan and use for
4 the facility is, but we're more than
5 willing to work with the Recreation
6 Commissioner, anybody, to move forward to
7 expand on the programs we currently do.

8 COUNCILWOMAN BROWN: Okay.

9 Thank you very much.

10 MR. WILLIAMS: Thank you.

11 COUNCILWOMAN TASC0: Mr. Diaz,
12 I just have a question of process. I
13 guess what's troubling me is the fact
14 that the Fairmount Park Commissioner and
15 the Recreation Commissioner seemed -- not
16 that they opposed this. It's just the
17 process the way we're moving. I see the
18 bill says that the President of the
19 Fairmount Park and the Executive Director
20 are authorized to enter by this
21 ordinance.

22 Don't you usually appeal to the
23 Fairmount Park Commission to enter into a
24 lease and then bring it to City Council?

25 MR. DIAZ: That's generally the

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2 case, and because we have not had an
3 opportunity to work out what have been
4 some evolving purposes of the lease, it
5 seemed the better part of valor was to
6 make sure that we were all on the same
7 page in connection with the clients.
8 From my perspective, that's not only
9 Councilwoman Campbell, but it's also the
10 Recreation Commissioner and the Fairmount
11 Park Commission. It was for that reason
12 that I indicated in my earlier testimony
13 on this subject that I didn't think we
14 could really get this done in a way that
15 was consistent with that kind of
16 consultation.

17 COUNCILWOMAN TASC0: But you
18 have to go back to the Fairmount Park
19 Commission to execute the lease, right?

20 MR. DIAZ: It would be fully my
21 intent, and I in fact had that colloquy
22 with Mark Focht a few minutes ago that as
23 soon as we had a draft that was something
24 that could be reviewed, it was my
25 intention to sit down with the Park

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2 Commission staff, and once we have a
3 lease that has been prepared, to seek
4 approval by the Fairmount Park
5 Commission. Absolutely.

6 COUNCILWOMAN TASC0: It would
7 come back to City Council?

8 MR. DIAZ: Well, the idea is to
9 have something that we could put into
10 effect relatively quickly through a one
11 base year type lease that's renewable.
12 Certainly in connection with City Council
13 for a longer term commitment we would
14 bring that lease back.

15 COUNCILWOMAN TASC0: What are
16 you talking about?

17 MR. DIAZ: We do not have the
18 lease yet.

19 COUNCILWOMAN TASC0: What is
20 this lease agreement that's attached to
21 this ordinance? Are we approving this
22 lease agreement attached to this
23 ordinance?

24 MR. DIAZ: Councilwoman, if you
25 could just give me a moment, I'll take a

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2 look at it, because I wasn't focused on
3 this bill today.

4 Councilwoman, I apologize for
5 the confusion. What we've got here is
6 essentially a template for what a lease
7 would look like for this property to the
8 Overbrook Civic Association. The terms
9 have not yet been fully approved by any
10 of the clients and so, therefore, what
11 we've tried to do is put forward to
12 Council what we believe would be the
13 elements of that lease.

14 But that lease has not yet been
15 negotiated as to its details, and in
16 order to allow us to proceed with a
17 legally binding lease, having consulted
18 with clients, having gotten the Fairmount
19 Park Commission approval, it would be my
20 intent to have a one-year lease that
21 would be renewable. That lease not
22 having been negotiated is not attached.
23 It's really a form of that lease.

24 COUNCILWOMAN TASCO: I think
25 you're being unfair to City Council.

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2 You're asking --

3 COUNCILWOMAN BROWN: Excuse me.

4 We know you're discussing very,
5 very important business, but we would ask
6 that you allow us to get through this
7 hearing, to the gentlemen on my left.
8 Thank you very much.

9 COUNCILWOMAN TASC0: Yesterday
10 we approved a lease with the Women's
11 Heritage Society, but that had been
12 worked through for many years with the
13 Fairmount Park Commission. And once they
14 worked out all the terms of the
15 agreement, they brought it to City
16 Council for us.

17 I don't see us having to give
18 permission to Fairmount Park to enter
19 into a one-year lease. It seems to me
20 that Fairmount Park could enter into a
21 one-year lease and then subject to the
22 approval of City Council.

23 MR. DIAZ: You're absolutely
24 correct, and I think what has happened as
25 a practical matter is that we got caught

14 To the listeners on my left, to
15 the listeners on my left, I need to ask
16 you, if you would, please take your
17 discussions outside.

20 COUNCILWOMAN TASCIO: I don't
21 want the Overbrook Park community to
22 think I'm against them negotiating a
23 lease. This is not what this is about.
24 This is about process, Council process,
25 and how we handled this. And so I'm a

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2 little uncomfortable with the way we're
3 handling this, because I think we ought
4 to follow the process, because it sets
5 precedent on other things that might come
6 before us and I may not be comfortable
7 with that either. So that's where I am.

8 I think that what they want to
9 do is fine, credible and I support, and I
10 certainly understand Councilwoman
11 Campbell's desire to get this done before
12 she leaves, but for me, I'm uncomfortable
13 with this process.

14 MR. DIAZ: I understand the
15 point, and that's the reason why in order
16 to respect the process and to have an
17 opportunity to negotiate a lease as to
18 its details before Councilwoman Campbell
19 leaves office, we will do it on a
20 one-year basis. It will be approved by
21 the Fairmount Park Commission. It will
22 be fully --

23 COUNCILWOMAN TASC0: You're
24 assuming it will be approved by the
25 Fairmount Park Commission.

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2 MR. DIAZ: It will be proposed
3 to Fairmount Park Commission.

4 COUNCILWOMAN TASC0: And you're
5 asking us to vote for a lease that
6 doesn't exist. What you're saying, you
7 want us to approve that you enter into a
8 one-year lease, which you could get that
9 permission from Fairmount Park and then
10 bring it back to City Council.

11 MR. DIAZ: That is correct.

12 COUNCILWOMAN TASC0: We
13 actually aren't doing anything today on
14 this.

15 MR. DIAZ: That is correct.

16 COUNCILWOMAN BROWN: Any other
17 questions or comments? Anyone else to
18 testify on this bill?

19 (No response.)

20 COUNCILWOMAN BROWN: Thank you,
21 City Solicitor.

22 MR. DIAZ: Thank you.

23 (Pause.)

24 COUNCILWOMAN BROWN: Is the
25 City Solicitor still here? Please.

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2 We're into what might be called
3 semantics. Here you have on Section 2 of
4 Page 1, "The lease shall be substantially
5 in the form set forth in Exhibit A."
6 Interpret that.

7 MR. DIAZ: Because we do not
8 have the details, Madam Chair, of the
9 lease, because we have not sat down with
10 Councilwoman Campbell and the Overbrook
11 Civic Association and others, we don't
12 have the terms detailed out yet, but what
13 we are proposing -- and this is really a
14 choice for this Committee and Council
15 ultimately -- we are proposing if you
16 wanted to approve a long-term lease that
17 would be substantially in conformity with
18 the template that's been attached,
19 subject to the review and approval by
20 Fairmount Park Commission, you have a
21 vehicle for doing that. If that creates
22 a concern, then our fall-back position is
23 the one-year base lease with the
24 renewable periods.

25 We're trying to be respectful

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2 of all parties and Councilmembers and in
3 recognition of the clock, which keeps
4 ticking forward.

5 COUNCILWOMAN BROWN: Councilman
6 Goode.

7 COUNCILMAN GOODE: For the sake
8 of expediting this process, the truth of
9 the matter is that the thrust of this
10 bill is actually limited to what's on
11 Page 1 and the rest of it is filler?

12 MR. DIAZ: I think that's
13 accurate. The attachment is reflective
14 of the kinds of leases that we have
15 negotiated and have been approved with
16 non-profits, but, yes, the bill language
17 is the first page.

18 COUNCILMAN GOODE: For the sake
19 of expediting this process, we can sort
20 of disregard the rest of it?

21 MR. DIAZ: That's absolutely
22 correct.

23 COUNCILMAN GOODE: Thank you.

24 MR. DIAZ: We thought you might
25 want to see it, but you're absolutely

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2 correct, sir.

3 COUNCILMAN GOODE: Thank you.

4 COUNCILWOMAN BROWN: Thank you,
5 Mr. Solicitor.

6 Councilwoman Tasco.

7 COUNCILWOMAN TASCO: But it
8 says on the first page "The President of
9 the Fairmount Park Commission and the
10 Executive Director of Fairmount Park are
11 authorized by this ordinance to enter
12 into a lease with the Overbrook Park
13 Civic Association, a non-profit
14 corporation, under which the City would
15 lease Rose Recreation Center and
16 appurtenant grounds and facilities" to
17 the organization "to occupy and maintain
18 and use to operate benefiting the
19 community," subject to the provisions set
20 forth in the lease.

21 Now, that's the future lease or
22 this lease that's attached to this bill?

23 MR. DIAZ: It's the future
24 lease which, in material terms, we
25 believe, will comply with the model which

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2 is attached.

3 I understand your issue,
4 Councilwoman Tasco, but what we tried to
5 do, not having negotiated the details, is
6 to give you as much a preview of what
7 that ultimate lease would look like, but
8 that has not yet been negotiated.

9 COUNCILWOMAN TASCO: But you're
10 saying the lease shall be substantially
11 in the form set forth in Exhibit A of
12 this ordinance. It seems that the
13 Fairmount Park has its own lease. Are we
14 saying that they have to follow this
15 lease?

16 MR. DIAZ: No, ma'am. What
17 we're saying is that you are
18 authorizing -- I think this is where I go
19 back to what Mr. Goode mentioned. You
20 are authorizing the Fairmount Park
21 Commission to consider and approve, if it
22 so desires, a long-term lease. So they
23 will review it. They will determine
24 whether it's appropriate, but at least in
25 terms of giving you a sense of what

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2 you're authorizing the Fairmount Park
3 Commission to do --

4 COUNCILWOMAN TASC0: But my
5 argument with you is that we don't have
6 to authorize Fairmount Park to do
7 anything. They have the authorization to
8 enter into a lease, long-term lease or
9 short-term lease, without the approval --
10 subject to Council approval once that's
11 executed. We're telling them to enter
12 into the lease, and I don't think that's
13 right. I just think we're not -- we're
14 reversing the process, and for me, I'm
15 uncomfortable. And I won't belabor this.
16 We have other things to deal with. We'll
17 just go ahead and vote whatever way we're
18 going to vote.

19 MR. DIAZ: I would just only
20 mention that in the second line of
21 Section 1 the Commission and the
22 Executive Director are authorized. It
23 doesn't direct them to do it, but they
24 are authorized, if they so desire, to
25 approve a long-term lease along the lines

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2 of what is attached.

3 COUNCILWOMAN BROWN: Thank you,
4 Solicitor.

5 Councilman Rizzo.

6 COUNCILMAN RIZZO:

7 Mr. Solicitor, can the Fairmount Park
8 Commission modify, change what we believe
9 we'd approve here today?

10 MR. DIAZ: Absolutely.

11 COUNCILMAN RIZZO: Absolutely?

12 MR. DIAZ: Yes, sir.

13 COUNCILMAN RIZZO: Thank you,
14 sir.

15 COUNCILWOMAN BROWN: Thank you.

16 Any other questions for the
17 City Solicitor?

18 (No response.)

19 COUNCILWOMAN BROWN: This then,
20 therefore, concludes our public hearing
21 and we will now move into our public
22 meeting.

23 I would ask Councilman Goode to
24 please make a motion on Bill No. 071085.

25 COUNCILMAN GOODE: Thank you,

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2 Madam Chair. I move that Bill No. 071085
3 be reported out of Committee with a
4 favorable recommendation, that the rules
5 of Council be suspended so as to permit
6 first reading at our next Council
7 session.

8 (Duly seconded.)

9 COUNCILWOMAN BROWN: The bill
10 has been moved and seconded by
11 Councilmember Frank DiCicco.

12 All in favor say aye.

13 (Aye.)

14 COUNCILWOMAN BROWN: All
15 opposed?

16 COUNCILWOMAN TASCO: No.

17 COUNCILWOMAN BROWN: Therefore,
18 Bill No. 071085 will be reported out of
19 this Committee with a favorable
20 recommendation and further moved that the
21 rules of Council be suspended so as to
22 permit first reading at the next
23 scheduled session of the Philadelphia
24 City Council.

25 This concludes the meeting of

1 12/6/07 - PARKS - BILL 071085

2 the Committee on Parks, Recreation and
3 Cultural Affairs.

4 The record should reflect that
5 the vote was five to one.

6 This Committee is adjourned.

7 (Committee on Parks, Recreation
8 and Cultural Affairs adjourned at 11:55
9 a.m.)

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CERTIFICATE

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I HEREBY CERTIFY that the

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proceedings, evidence and objections are

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contained fully and accurately in the

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stenographic notes taken by me upon the

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foregoing matter on December 6, 2007, and that

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this is a true and correct transcript of same.

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MICHELE L. MURPHY

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RPR-Notary Public

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(The foregoing certification of this

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transcript does not apply to any reproduction

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of the same by any means, unless under the

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direct control and/or supervision of the

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certifying reporter.)

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