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COUNCIL OF THE CITY OF PHILADELPHIA

3

PUBLIC HEARING

4

COMMITTEE ON PUBLIC PROPERTY & PUBLIC WORKS

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Room 696, City Hall
Philadelphia, Pennsylvania
Tuesday, February 10, 2004
2:13 p.m.

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BILL 040034 - an Ordinance requiring the
Philadelphia Authority for Industrial
10 Development to enter into a certain
11 agreement with the City regarding Authority
12 transactions involving non-City government
13 agencies as a condition of Council approval
of future Authority transactions under
certain terms and conditions.

14

15

PRESENT:

16

COUNCILMAN DARRELL CLARKE, Chair
COUNCILWOMAN JOAN KRAJEWSKI
17 COUNCILMAN FRANK RIZZO
COUNCILWOMAN DONNA REED MILLER
18 COUNCILMAN RICHARD MARIANO
COUNCILMAN JACK KELLY
19 COUNCILMAN JUAN RAMOS
COUNCILWOMAN MARIAN TASCO

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I N D E X

BILL 040034	PAGE
PAUL DEEGAN, PIDC, PAID.....	5
RONNEL GRIFFIN, Hunting Park Advisory Committee.....	14
BARBARA LANDERS, Committee Person....	18
THOMAS LOGAN, 43rd Ward.....	25
ARLENE FIELDS, Ward Leader.....	29

1 02/10/04 - PUBLIC PROPERTY - BILL 040034

2 COUNCILMAN CLARKE: Good afternoon.

3 I'd like to call the order the Committee on
4 Public Property and Public Works. Please
5 forgive us. I understand our sound system is
6 the pits.

7 COUNCILWOMAN KRAJEWSKI: Second.

8 COUNCILMAN CLARKE: All in agreement
9 with such assessment, please say aye.

10 (Laughter.)

11 COUNCILMAN CLARKE: A quorum being
12 present, we have in attendance Councilwoman
13 Krajewski, Councilwoman Miller, Councilman
14 Rizzo, Councilman Mariano, and Councilman
15 Kelly

16 Today, I'm hearing the Public
17 Property. Bill No. 040005 was originally
18 scheduled; it has been re-referred to the
19 Committee on Parks and Services.

20 Please note Marian Tasco is here.

21 Please read the title of the bill.

22 THE CLERK: Bill No. 040034, an
23 ordinance requiring the Philadelphia Authority
24 for Industrial Development to enter into a
25 certain agreement with the City regarding

1 02/10/04 - PUBLIC PROPERTY - BILL 040034

2 Authority transactions involving non-City
3 government agencies as a condition of Council
4 approval of future Authority transactions
5 under certain terms and conditions.

6 COUNCILMAN CLARKE: Let me briefly
7 summarize the purpose of this particular bill.
8 In recent community forum on the discussion of
9 the conveyance of property in part of my
10 district, it became clear to me during the
11 course of the community meeting that the
12 subject of the discussion, which was a bus
13 terminal at 10th and Luzerne, had, in fact,
14 been conveyed without my knowledge or
15 community knowledge. I have individuals from
16 the community to testify. The intent of this
17 bill is not to create problems for the
18 operation of PAID, it's simply to ensure
19 something like that never happens in here and
20 we close the loophole in the current
21 agreement.

22 So at this time, what I'd like to do
23 is to ask Mr. Paul Deegan to testify on behalf
24 of PIDC.

25 For the record let me note that

1 02/10/04 - PUBLIC PROPERTY - BILL 040034

2 Councilman Ramos is here.

3 MR. DEEGAN: Good afternoon. My
4 name is Paul Deegan, D-E-E-G-A-N. I represent
5 the Philadelphia Industrial Development
6 Corporation and Philadelphia Authority for
7 Industrial Development. I'm here today to put
8 on the record PIDC and PAID are anxious to
9 work with the Councilman to address this
10 loophole, as you characterize it, and are
11 willing to work with you and anxious to work
12 with you on an agreement as to the
13 requirements of the ordinance that's been
14 introduced today.

15 COUNCILMAN CLARKE: Mr. Deegan,
16 could you briefly go through the process
17 currently in place with City Council involved
18 with conveyance and acquisition of publicly
19 owned properties? What's that process?

20 MR. DEEGAN: Councilman, we operate
21 under agreement 1048 which requires an
22 agreement between the City, PIDC, and PAID and
23 basically allows the City to convey property
24 to the PAID for sale to businesses to promote
25 economic development, subject to approval of

1 02/10/04 - PUBLIC PROPERTY - BILL 040034

2 City Council. In 99 percent of the cases
3 acquiring property from the City and selling
4 it to have businesses throughout the City
5 promise to build buildings and create jobs.
6 Also, if we acquire property from private
7 owners using City money, we're required to get
8 City Council approval. So the overall
9 agreement add to the safeguard City Council,
10 acquire the property with Council approval.

11 COUNCILMAN CLARKE: Is there any a
12 requirement if property is sold or property is
13 acquired and conveyed not owned by the
14 government?

15 MR. DEEGAN: They are addressed in
16 the agreement. I think in some cases, if we
17 were to acquire a property from another
18 non-City governmental agency for sale to a
19 company, it wouldn't necessarily have formal
20 Council approval. As long -- whenever City
21 money is used, we do need City Council
22 approval.

23 COUNCILMAN CLARKE: If there's no
24 City involvement, PAID can enter in such a
25 transaction as a conduit to PAID?

1 02/10/04 - PUBLIC PROPERTY - BILL 040034

2 MR. DEEGAN: In general.

3 COUNCILMAN CLARKE: In the case of
4 the publicly owned property such as SEPTA
5 which is not a municipally-owned property,
6 there is no requirement to have government
7 authorization, be it the state, local,
8 Council?

9 MR. DEEGAN: That isn't covered in
10 Bill 1048.

11 COUNCILMAN CLARKE: The only thing
12 basically is public property owned by the City
13 of Philadelphia?

14 MR. DEEGAN: City of Philadelphia or
15 I think a good example is Byberry Hospital
16 site which is a State-owned property. We are
17 required to use City funds and we came to
18 Council for approval in December. We had an
19 ordinance to authorize us to purchase the
20 property directly from the State. The title
21 went from the State of Pennsylvania to
22 Philadelphia Industrial Development, and we
23 used the City industrial fund money and
24 required City Council approval for that
25 transaction.

1 02/10/04 - PUBLIC PROPERTY - BILL 040034

2 COUNCILMAN CLARKE: Because of
3 public funding for the acquisition?

4 MR. DEEGAN: Yes.

5 COUNCILMAN CLARKE: If financing of
6 the project was not done by the government,
7 although public funding is provided by the
8 government for the developer, then you would
9 not need City approval?

10 MR. DEEGAN: Most of the money we
11 use come from state or federal sources. There
12 is no requirement for City Council approval of
13 different loans and grants that are provided
14 by PIDC and PAID.

15 COUNCILMAN CLARK: Any other
16 questions from members of the Committee?

17 COUNCILWOMAN TASCO: I have a
18 comment. I think that -- if I heard
19 correctly. My hearing is going, too. If it's
20 federal dollars and other dollars, no City
21 dollars, you do not have to get any approval
22 from Council; is that what you said?

23 MR. DEEGAN: Yes. For acquiring
24 property without using City dollars, not City
25 property, there is no requirement, any formal

1 02/10/04 - PUBLIC PROPERTY - BILL 040034

2 requirement for City Council approval.

3 COUNCILWOMAN TASC0: And when you
4 convey that to somebody else, you don't have
5 to have any approval from Council?

6 MR. DEEGAN: That's correct.

7 COUNCILWOMAN TASC0: But you can see
8 the importance of letting the Councilperson
9 know what's going on in his or her district,
10 because sometimes the property could be
11 acquired for use that's something that's not
12 in keeping with what the community might want.

13 MR. DEEGAN: Yes. I understand that
14 Councilwoman. This was an oversight. I don't
15 think we usually do business like that. We
16 regret this happened and are working to
17 correct it.

18 COUNCILWOMAN TASC0: Thank you.

19 COUNCILMAN CLARKE: Councilman
20 Mariano.

21 COUNCILMAN MARIANO: What happens if
22 it happens when we take our summer break and
23 there's a hot development for a project, will
24 you wait until September or try to convene
25 this Committee in the summer if we have to?

1 02/10/04 - PUBLIC PROPERTY - BILL 040034

2 Not that we want to.

3 MR. DEEGAN: I think we would have
4 to wait. We try to get everything approved by
5 the June recess.

6 COUNCILMAN MARIANO: A little bit on
7 Councilwoman Tasco's question. It's important
8 that the District Councilpeople know what's
9 going, even At-Large. But you're saying if
10 you're not here, the person who comes after
11 you, we know that person will tell us? What
12 Councilwoman Tasco is say is it becomes a
13 problem when they don't know and then they
14 come to you. It looks we side stepped and we
15 don't know anything about it.

16 I know I have a relationship with
17 you. I know most of us do, but some day you
18 -- I mean, we need something better than hope.
19 We hope you live forever, but after you, we
20 need something.

21 MR. DEEGAN: I think the
22 ordinance --

23 COUNCILMAN MARIANO: If it's not
24 City money, I should know, he should know, she
25 should know.

1 02/10/04 - PUBLIC PROPERTY - BILL 040034

2 MR. DEEGAN: I think we're
3 addressing that through Councilman Clarke's
4 ordinance.

5 Also, this is the Vice President of
6 real estate at PIDC Thomas Dalfo. I don't
7 know if you've met Tom. He's the person
8 dealing with these transactions, and I'll be
9 still be at PIDC in charge of government
10 relations. And between Tom and I -- he will
11 probably have a check on me so he can remind
12 me because I am getting old. Even if I live
13 forever, I am getting old. He'll remind me to
14 contact the Councilperson.

15 COUNCILMAN CLARKE: Follow-up on
16 Councilman Mariano's question. If there is a,
17 quote, hot development prospect when we're in
18 recess and involve City-owned land which
19 traditionally needs an ordinance or
20 resolution, you have to wait until we come
21 back in session anyway, right?

22 MR. DEEGAN: Yes.

23 COUNCILMAN CLARKE: Essentially, the
24 same. This would be no different than the
25 traditional process?

1 02/10/04 - PUBLIC PROPERTY - BILL 040034

2 MR. DEEGAN: That's correct.

3 COUNCILMAN CLARKE: Councilman
4 Kelly.

5 COUNCILMAN KELLY: Getting back to
6 what Councilman Clarke was alluding to with
7 the SEPTA. That is -- I believe it's sort of
8 a quasi-City-related thing. Could you tell me
9 if what happened in that situation, in other
10 words, what would happen if there's another
11 SEPTA facility that has to go through this
12 process, buying or selling or whatever?

13 MR. DEEGAN: Well, if this happens
14 today, the first thing we're to do is sit down
15 with the District Councilpeople. I don't
16 think we were party to meetings. We weren't
17 active participants there were meetings with
18 SEPTA. PIDC wasn't there. Going forward,
19 when we have this agreement, we'll need a
20 resolution by City Council.

21 COUNCILMAN KELLY: This can be quite
22 embarrassing, especially to the District
23 Councilperson to go to a meeting and the deal
24 has been made and they have no idea, they
25 don't know anything about it. Quite

1 02/10/04 - PUBLIC PROPERTY - BILL 040034

2 embarrassing, to say the least. I can see why
3 this bill was probably necessary, this
4 amendment to a bill anyway.

5 COUNCILMAN CLARKE: Councilman
6 Kelly, I can speak firsthand. It was quite
7 embarrassing. Given that we called the
8 community meeting, some of my key supporters
9 right here putting this information out and
10 soliciting input from the residents as to
11 whether or not they want the proposed
12 development. And halfway through my
13 presentation, someone from the staff came up
14 and whispered in my ear, "Councilman, we
15 already sold the land to the developer."

16 Me being me, I immediately got
17 extremely ticked off, but I told the people
18 what happened. Well, what we're doing here is
19 a fete a compli. It's already sold. That was
20 real embarrassing by myself and anyone on
21 Council to go through something like that.

22 MR. DEEGAN: I understand.

23 COUNCILMAN CLARKE: I can tell you
24 firsthand it is very embarrassing.

25 Any other questions from, members of

1 02/10/04 - PUBLIC PROPERTY - BILL 040034

2 the Committee?

3 (No response.)

4 COUNCILMAN CLARKE: Do you have
5 statement?

6 MR. DALFO: No. Paul has been
7 involved in the process with regard to the
8 amendment, and we would work with the City to
9 prevent this type of situation from occurring.

10 COUNCILMAN CLARKE: Could I ask you
11 gentlemen to stick around? We have some
12 people from the communities to talk about
13 their concerns, I'm assuming about the process
14 as it relates to this particular incident.

15 MR. DEEGAN: Certainly, I will.

16 COUNCILMAN CLARKE: Please state
17 your name for the record.

18 MS. GRIFFIN: My name is Ronnel
19 Griffin, G-R-I-F-F-I-N. I'm the Director of
20 Hunting Park Advisory Committee, a
21 community-based organization located within
22 the 43rd Ward, and I'm also serving as
23 Committee Person of the 43rd Ward, 16th
24 division. We were the coordinators for the
25 community meeting to hear information

1 02/10/04 - PUBLIC PROPERTY - BILL 040034
2 pertaining to a proposed paper recycling
3 center to be located at 10th and Luzerne, the
4 old SEPTA depot. We were so happy that there
5 was going to be economic development within
6 the community, but we were really displeased
7 with the process that was used.

8 I heard briefly about the Councilman
9 being embarrassed, and especially at the
10 meeting we witnessed his embarrassment. Also,
11 there is another component that was
12 embarrassed, that is, myself as one of the
13 leaders for the community who is directly
14 involved in service delivery who people depend
15 upon to present accurate information, who
16 people put trust in because they voted me into
17 office, as well other Committee people. And
18 yet we were at this meeting caught off guard
19 because there has been a major oversight by
20 supposedly experts in this area.

21 Now, one would customary say that
22 grass roots people would make such a terrible
23 mistake. And I would say perhaps not because
24 I look at you guys who are the experts and
25 this should not have been an oversight.

1 02/10/04 - PUBLIC PROPERTY - BILL 040034

2 I am almost at the verge of saying
3 that because the deal needed to be made and
4 perhaps the community would not have supported
5 this economic venture that things were done in
6 the back rooms to avoid the kind of dialog
7 that they may have received from the
8 community.

9 Let me go on record that, yes, the
10 community supports this economic development
11 venture, but under no circumstances do we
12 agree with the way our community was treated.
13 It was embarrassing for our Councilperson who
14 works very effectively with us. It was
15 embarrassing to the block captains who live in
16 that immediate area. The existing businesses
17 and people who have families who live within
18 the immediate area who were not informed that
19 this kind of business or any business was
20 coming into the neighborhood within the near
21 future.

22 You spoke of Public Property and the
23 conveyance of properties and if there aren't
24 City-related dollars involved that you do not
25 have to inform Council, their approval is not

1 02/10/04 - PUBLIC PROPERTY - BILL 040034

2 needed. I take exception to that because
3 perhaps you do not need to inform them because
4 you are getting the federal dollars or other
5 kinds of financial support, but you have
6 Councilpeople that interact with you on a
7 daily basis to get a number of projects passed
8 through the system. And when you do not find
9 it necessary to interact beforehand with our
10 elected Councilpeople, be it our District
11 Councilperson or our Councilpeople-at-Large,
12 you place everyone at a disadvantage. And it
13 cause us not to want to trust the City and its
14 various departments.

15 I could speak forever about this
16 because I'm very passionate about my
17 community. I take my responsibility to heart
18 when it comes to serving the people. It's not
19 about what I want, it's about serving the
20 people and meeting the demands and having
21 respect for people that serve in various
22 places. I thank you.

23 COUNCILMAN CLARKE: Thank you.

24 Before the next witness testifies, I'd like to
25 make clear for the record that there was

1 02/10/04 - PUBLIC PROPERTY - BILL 040034
2 dialog with the District Councilperson from
3 SEPTA and the developer, but the arrangement
4 was there was not going to be any action by
5 PAID or PIDC until the community meeting took
6 place, so there was some dialog. I want it
7 for the record.

8 MS. GRIFFIN: I need to correct that
9 statement. There was dialog and, of course,
10 we were informed by you of the discussions
11 that you had. But when we arrived at that
12 meeting thinking that the deal had not been
13 cut, that SEPTA had not been sold, that it
14 wasn't a done deal, we were caught off guard.
15 And we looked like fools, quite frankly,
16 standing before an auditorium of a hundred
17 people.

18 COUNCILMAN CLARKE: Ms. Landers.

19 MS. LANDERS: Good after, everyone.
20 Happy new year. It's good to see so many of
21 you that I haven't seen this year, and I wish
22 you all the best all. My name is Barbara
23 Landers. I am a Committee Person, as well as
24 I work for State Representative Bill Rieger's
25 office who is the Ward Leader for the 43rd

1 02/10/04 - PUBLIC PROPERTY - BILL 040034
2 Ward. I am here today to say I am not pleased
3 with what happened with the site at 10th and
4 Luzerne. I found out a week prior to from
5 Frances Jones who works for SEPTA because I
6 heard rumors on Election Day that a proposed
7 recycling unit was coming to 10th and Luzerne.
8 I said, that can't be true. I know my good
9 brother here and that our office as well as
10 Councilman Mariano's office, we do work
11 together in the community because we have two
12 Councilpeople and I do know we would have
13 heard something. Rumors are flying in the
14 community, and I called SEPTA's Frances Jones
15 and she said the deal was supposed to cut.
16 The next thing I'm hearing, the deal was
17 suppose to be but had not been signed on the
18 dotted line in black and white. However, I
19 have a problem with anybody that comes into
20 our community -- many of you know me. I've
21 learned in 43 years or 41 years active in that
22 community and many of you upset the people
23 when you come into our community and do not
24 bother to let the leaders know what is going
25 on in the community. How can we all work

1 02/10/04 - PUBLIC PROPERTY - BILL 040034

2 together to make positive change in the 43
3 Ward?

4 When we had this meeting called by
5 Ms. Ronnell Griffin and others, we had this
6 meeting and it really upset me to find out
7 that Councilman Clarke knew nothing that the
8 deal was already signed. And I'm saying, you
9 know, the whole meeting was very -- people
10 were very upset about what happened because
11 you're infringing on our rights. Grant you,
12 PIDC -- I was listening to the gentleman here
13 who stated that they do not, quote/unquote,
14 have to notify said representatives of Council
15 or whatever. And I said that's terribly wrong
16 because you do not come into anybody's
17 community, I don't care who it is, because our
18 community may look like, quote/unquote,
19 blight, but we have concerned, dedicated
20 people in the 43rd Ward. I'm saying something
21 has to stop and it has to stop here with
22 Council. We need to stop people from coming
23 to our community and say, "Hey, we're going to
24 put something here and the community doesn't
25 have a say so on it." That is not right.

1 02/10/04 - PUBLIC PROPERTY - BILL 040034

2 We are voters. We do vote. Look at
3 the record. We may not come out in some
4 areas, but we do vote in the 43 Ward do not
5 take us lightly. That's what happened. We
6 were taken lightly. I'm saying for the record
7 it's time this situation to be stopped in the
8 43rd Ward. And not just in our ward, it needs
9 to stop in any Council District. Nobody
10 should put up with that. We want to put and
11 you, you, you, you, you, all you those not
12 here, you don't have a right in your district.
13 You do have a right. Your voters have a right
14 to say what they want and don't want. I hope
15 this bill gets passed. It needs to stop. I
16 was terribly upset.

17 I don't want the recycle plant. I
18 don't see no benefits. Because I understand
19 that is not up to par either. Our community
20 is not going benefit from it. It's time to
21 stop. Let's all have a say so. That's my
22 point.

23 COUNCILMAN CLARKE: Councilman
24 Rizzo.

25 COUNCILMAN RIZZO: In reference to

1 02/10/04 - PUBLIC PROPERTY - BILL 040034

2 the proposed business that's going to be at
3 the site, isn't there -- is this site, since
4 it's past use, is there any zoning ordinances
5 or anything at all that the City needs to
6 involve itself in to give this business the go
7 ahead to establish itself there?

8 COUNCILMAN CLARKE: Mr. Deegan, you
9 want to respond?

10 COUNCILMAN RIZZO: My question is,
11 the proposed use, the recycle facility, since
12 it's -- I have the impression this is a done
13 deal.

14 COUNCILWOMAN TASCIO: It doesn't
15 require zoning.

16 COUNCILMAN RIZZO: The zoning that's
17 there is for this use?

18 MS. GRIFFIN: May I something before
19 he response, Councilman? The community
20 overwhelmingly supported the project.

21 COUNCILMAN CLARKE: Could I ask him
22 to respond to that question, please.

23 MR. DEEGAN: Councilman, the site is
24 zoned industrial. It has a long industrial
25 history as a SEPTA repair facility, so the

1 02/10/04 - PUBLIC PROPERTY - BILL 040034
2 proposed use for the existing zoning wasn't
3 any requirement for rezoning or Zoning Board
4 of Adjustment hearing. It's an industrial
5 site.

6 COUNCILMAN CLARKE: Thank you.
7 Councilwoman Krajewski.

8 COUNCILWOMAN KRAJEWSKI: I would
9 like to add I appreciate your testimony. It
10 has happened to me as well in my district.
11 And, Paul, I believe you know that to be a
12 fact.

13 MR. DEEGAN: Yes, Councilwoman.

14 COUNCILWOMAN KRAJEWSKI: There's no
15 way that I can appreciate that. And I hope
16 that this session here, this hearing here will
17 clear it up that they do not go into any
18 Council District without notifying that
19 Councilperson because I know because I've been
20 there. Thank you.

21 COUNCILMAN CLARKE: Councilman
22 Kelly.

23 COUNCILMAN KELLY: I just have one
24 question, Ms. Griffin to, you. At your
25 community meeting, did you say after all the

1 02/10/04 - PUBLIC PROPERTY - BILL 040034

2 discussion had taken place the community group
3 did sort of approve the facility?

4 MS. GRIFFIN: They went on record as
5 approving it. The question was asked, "Do you
6 support this project" after a lengthy
7 discussion, and I believe they support it.

8 COUNCILMAN KELLY: At that time, it
9 was a done deal

10 MS. GRIFFIN: That's when they
11 supported it, after they realized it was a
12 done deal. They felt that rather than having
13 this particular site to remain vacant that
14 they would move ahead and support the paper
15 recycling plant. But they were not initially.
16 They were not seeking to support this. But
17 only after they realized it was a done deal
18 did they say they would support it.

19 COUNCILMAN KELLY: There was no
20 community input as far as anything goes?

21 MS. GRIFFIN: No.

22 MS. LANDERS: No.

23 COUNCILMAN KELLY: You didn't have
24 any opportunity to say pro or con until, of
25 course, it was a done deal, then you had no

1 02/10/04 - PUBLIC PROPERTY - BILL 040034

2 choice on anything.

3 MR. LOGAN: Mr. Chairman, if I may
4 be able to speak. At this time I'll try to
5 answer your question. My name is Thomas
6 Logan. I'm the Chairman of the 43rd Ward and
7 also a participant in the meeting that had
8 taken place.

9 I think everyone who came to this
10 meeting came to the meeting with the
11 understanding there was going to be some give
12 and take about the use of this land. And I
13 know I found myself on the stage getting ready
14 to talk about something, and we had a State
15 Senator there, we had State Representatives
16 there, we had our Councilpeople there and
17 elected Committee People and so on. So we all
18 were embarrassed and taken back by what
19 happened and we're all still trying to recoup
20 from that embarrassment.

21 One of the things that had taken
22 place, one of the agreements that caused maybe
23 a calmness for the crowd is we were supposed
24 to meet in January, us, elected officials,
25 along with this manufacturer box company

1 02/10/04 - PUBLIC PROPERTY - BILL 040034

2 operator or waste paper manufacturer to work
3 out an agreement with the community. That has
4 not taken place and it needs to take place
5 because that is one of the reasons why the
6 people said, we'd rather have that than
7 nothing at all. They're tired of looking at
8 what's going on there, a rat-infested, unsafe
9 area. All kind of things that go on.

10 So we're still waiting to go put
11 together this meeting with the elected
12 officials.

13 However one of the things that we
14 all have to be mindful of is the fact that
15 most zoned industrial land, all of you
16 District Councilpeople run the risk of having
17 things placed on this land without your say so
18 because of the way the Zoning Code reads. And
19 that becomes problematic to you as an elected
20 official. Because zoned industrial land
21 encompasses just about everything. We have
22 pockets in the City of Philadelphia,
23 especially North Philadelphia, I believe
24 there's some up in Germantown as well that are
25 now becoming prisons and all kinds of other

1 02/10/04 - PUBLIC PROPERTY - BILL 040034

2 things that are happening. And I don't know
3 what this body can do to kind of protect the
4 citizens they represent. Something needs to
5 be done to broaden or have some input into the
6 industrial zoning classification before they
7 can come in and open up anything they want to.

8 COUNCILMAN RIZZO: Point of
9 information.

10 COUNCILMAN CLARKE: Councilman
11 Rizzo.

12 COUNCILMAN RIZZO: Has the community
13 been advised of the impact?

14 When you're talking about paper
15 recycle, I think of big bales of paper,
16 tractor-trailers track, flatbeds coming in and
17 out of in facility. Has anybody explained
18 what it's going to be like to live in that
19 environment?

20 MR. LOGAN: My understanding what
21 this place is supposed to be is when you talk
22 about recycle, it's cardboard boxes is what I
23 understand. It's not the normal waste
24 operation. That's what we were told.

25 Now, supposedly they're receiving

1 02/10/04 - PUBLIC PROPERTY - BILL 040034

2 four to five tractor-trailers a week or day.

3 And what's supposed to happen is the employees

4 are supposed separate and break the boxes down

5 and reship it back out to their customers as

6 used boxes. Believe it or not, there's an

7 industry for used boxes. There is no chemical

8 breaking down of paper and things like that

9 going on. That's the way it was explained to

10 me at that meeting.

11 MS. GRIFFIN: I later learned from

12 my husband who worked for over 25 years at a

13 paper manufacturing company warehouse as well

14 as some of the other people within the

15 community that there are indeed some

16 environmental issues that need to be

17 addressed. There is a meeting that was

18 scheduled with the American Paper. I forget

19 his name.

20 MR. DEEGAN: Is his name Harman?

21 MS. GRIFFIN: Because of the

22 weather, we were unable to have that meeting.

23 There is A meeting scheduled Wednesday, a tour

24 of his facility. Subsequent to that meeting,

25 there will be a meeting with the Committee and

1 02/10/04 - PUBLIC PROPERTY - BILL 040034

2 Block Captains.

3 COUNCILWOMAN TASCO: Point of
4 information.

5 COUNCILMAN CLARKE: Councilman
6 Tasco.

7 COUNCILWOMAN TASCO: What is the
8 name of this paper recycle company and where
9 is the other facility?

10 MR. DEEGAN: The name of the company
11 is American Box. I'm not sure.

12 MS. FIELDS: Arlene Fields. I'm the
13 Community Ward Leader, 24th Division. The
14 pictures that you have, that's the facility.

15 COUNCILWOMAN TASCO: Where is it?

16 MS. FIELDS: Old Stenton Avenue.

17 Two of the facilities are on Roberts Avenue as
18 you go around towards the expressway. The
19 pictures they showed us has a beautiful front.
20 I went with my camera to take pictures. I
21 know sometimes what we see is not reality.
22 The pictures you have here are the actual
23 pictures of all of the conditions that are
24 existing at his three plants. One is
25 abandoned, and one looks like it's abandoned.

1 02/10/04 - PUBLIC PROPERTY - BILL 040034

2 That's the picture with the doors falling
3 down. And they use the front part that's on
4 Berkley. The other plant on old Stenton next
5 to the abandoned one, it looks like it's
6 abandon with broken dumpsters and everything
7 all over. They're using the front part of
8 that. What we saw at that community meeting
9 was not reality.

10 COUNCILWOMAN TASCO: Thank you.

11 MS. FIELDS: Those are the pictures
12 of the existing sites that they are
13 functioning. Even though it looks abandoned,
14 they're still working in them, in two of them.

15 COUNCILMAN CLARKE: Councilwoman
16 Miller.

17 COUNCILWOMAN MILLER: Is he
18 relocating to 10th and Luzerne and continue to
19 operate Old Stenton?

20 MS. FIELDS: His plan is to relocate
21 to 10th and Luzerne.

22 COUNCILWOMAN MILLER: From?

23 MS. FIELDS: All three of his
24 facility. He plans to relocate his whole
25 operate there. One of the things we did ask,

1 02/10/04 - PUBLIC PROPERTY - BILL 040034

2 because we have no choice, you're coming, it's

3 a done deal, the trash that's around there,

4 you know, we want you to take care of that.

5 He said he has to evaluate those things like

6 trash and decide whether to remove them.

7 COUNCILWOMAN MILLER: I didn't hear

8 last part of the statement.

9 MS. FIELDS: He says he has to he

10 evaluate the trash that's in the area that has

11 built up since being abandoned. He has

12 evaluate before he make a decision whether or

13 he's not going to remove it.

14 COUNCILWOMAN MILLER: He may not

15 remove it?

16 MS. FIELDS: He may not.

17 COUNCILWOMAN TASC0: Excuse me. I'm

18 not clear on that. If he has purchased the

19 lot, are you saying he has to evaluate whether

20 he moves the trash from the 10th and Luzerne

21 spot?

22 MS. FIELDS: On the sidewalk there's

23 trash in that area still on the property.

24 COUNCILWOMAN TASC0: He has to

25 evaluate it before what?

1 02/10/04 - PUBLIC PROPERTY - BILL 040034

2 MS. FIELDS: Before he decides to
3 remove it, it has to be evaluated first.

4 COUNCILWOMAN TASC0: Mr. Deegan what
5 is the responsibility of our agency, PAID,
6 around the issue of the trash?

7 And what is the responsibility of
8 the City to make them clean up the other site?

9 And does he owe any back taxes?

10 MR. DEEGAN: I think for any
11 property owner to maintain their property has
12 a certain level of responsibility. He's
13 required to take trash away on the sidewalk.

14 COUNCILWOMAN TASC0: What are we
15 going to do about it?

16 COUNCILWOMAN MILLER: I have had the
17 same question.

18 COUNCILWOMAN TASC0: I had the same
19 problem at Sixth and Grange with the
20 industrial site and the surrounding quality of
21 life has just deteriorated for the neighbors
22 over there. They went in without me being
23 notified, without any discussion. It's
24 created havoc. These people have no since of
25 responsibility to live up to codes and it's a

1 02/10/04 - PUBLIC PROPERTY - BILL 040034
2 constant fight. I think that as someone who
3 is bringing industrial in, bringing these
4 business into a community, they -- you ought
5 to have some enforcement arm to make sure that
6 they come in and they clean up and that they
7 don't create a disturbance for the existing
8 community. I'm telling you, it is a problem.
9 I have it. I have it at Sixth and Grange. It
10 is a terrible situation. They get these
11 properties -- and we're supposed to bring
12 business in and I appreciate that. But there
13 has to be some better monitoring of these
14 businesses and hold them accountable for what
15 they do in these communities because they do
16 not -- they are terrible. And for him to say
17 he has to evaluate whether he moves the trash
18 or not, I don't think he needs to have the
19 property.

20 MR. DEEGAN: I think if it's trash,
21 it has to be removed.

22 COUNCILWOMAN TASC0: But that's
23 Darrell's district.

24 COUNCILMAN CLARKE: I think we will
25 find a way to ensure he does the appropriate

1 02/10/04 - PUBLIC PROPERTY - BILL 040034

2 thing at both the new site and the existing
3 site.

4 My understanding is the existing
5 site was questioned at the community meeting.
6 Correct me if I'm wrong. There was concerns
7 about leaving three abandon properties to
8 consolidate and move to the new facility. He
9 said he has buyer for the existing site. It's
10 clear we need to follow-up on that on our end.
11 We don't want to essentially leave three
12 businesses and allow them to blight the
13 neighborhood. We want to make follow through,
14 Mr. Deegan? I'm going to participate in that
15 discussion.

16 Also, does anybody from PIDC plan on
17 attending the meeting Ms. Griffin has spoken
18 of earlier, the follow-up meeting?

19 MS. GRIFFIN: The meeting that's
20 scheduled for Wednesday of next week is with
21 the subcommittee that was formed as a result
22 of that meeting for the tour of the facility.
23 Subsequent to that will be the larger
24 community meeting where we would ask PIDC and
25 all of the other agencies to come and meet

1 02/10/04 - PUBLIC PROPERTY - BILL 040034

2 with us.

3 COUNCILMAN CLARKE: Is there anyone
4 specifically designated from PIDC?

5 MR. DEEGAN: I'd be happy to take
6 that role. I'd be happy to be at the meeting
7 and make sure we follow-up on this.

8 COUNCILMAN CLARKE: Councilman
9 Rizzo.

10 COUNCILMAN RIZZO: After seeing
11 these pictures, it makes a light bulb go off
12 and you realize that obviously there's got to
13 be a process here. And if this gentleman
14 plans to operate 10th and Luzerne like he does
15 the other three facilities, he's a slum lord.
16 Maybe he's doing business like we see in these
17 pictures because he's trying to relocate, but
18 he's certainly not a good neighbor. I would
19 hope you already have a plan in place -- and I
20 heard Councilman Clarke say there are
21 potential purchasers, but are you sure of
22 that, and that we're just not leaving
23 Councilwoman Miller with three blighted
24 properties in her Councilmanic District? Is
25 the right hand talking to the left hand here?

1 02/10/04 - PUBLIC PROPERTY - BILL 040034

2 I don't think PAID is doing anything
3 productive here, based on what I've seen.

4 MR. DEEGAN: I can check see talking
5 to the purchasers of the property help them
6 financing do renovation clean up the property.

7 COUNCILMAN RIZZO: I don't think you
8 should have moved forward with the 10th and
9 Luzerne without knowing the answers to what
10 happens into the three. I wouldn't want them
11 to be in my neighborhood.

12 MR. DEEGAN: I'll get those answers
13 for you, Councilman. I don't know them
14 myself.

15 COUNCILMAN RIZZO: If there's
16 anything you can do stop this process until we
17 know the answers, that would be greatly
18 appreciated.

19 COUNCILMAN CLARKE: Councilman
20 Ramos.

21 COUNCILMAN RAMOS: I'm very familiar
22 with the area in the 23rd Ward. It sounds as
23 though you reluctantly went along with this
24 project although you are very, very disturbed
25 about the way they moved getting this property

1 02/10/04 - PUBLIC PROPERTY - BILL 040034
2 without consulting elected officials, our
3 colleagues, and more importantly, the people
4 that live in that community. Have you talked
5 to them because I know the area and I know the
6 people are hurting in your neighborhood like
7 in my neighborhood for jobs. Have they made
8 any commitment to you hire people from your
9 community at this new facility coming to your
10 neighborhood?

11 MS. FIELDS: Arlene fields. That
12 was one of my questions to the gentleman when
13 we were at the meeting about hiring our people
14 in our community that were qualified. He said
15 he would consider it, that's not something he
16 wants to do, he is a businessman, not a
17 developer.

18 And I offered some suggestions that
19 he could do hiring folks in the community, and
20 he doesn't particularly want to do that
21 because his operation is not of that size that
22 he we can hire folks from the community, but
23 he would consider it. And those were his
24 words.

25 And the plan that I offered him, he

1 02/10/04 - PUBLIC PROPERTY - BILL 040034

2 said it was a good plan, he would think about
3 it.

4 COUNCILMAN RAMOS: Maybe
5 reconsidering him moving to your neighborhood.
6 I would say to all community groups in this
7 City that if you have a plan that is
8 transporting from one place to another, they
9 have to do some hiring of the people in that
10 area.

11 MS. FIELDS: This is one of the
12 things I presented to him. He proceeded to
13 say he was going to consider it but it was not
14 something that he was looking towards doing in
15 the very near future.

16 MS. GRIFFIN: There were a number of
17 issues that were identified at this meeting
18 and some of them had to do with the lighting
19 of the surrounding area, as well as the
20 employment piece. It's our understanding that
21 with the subsequent meeting we will have those
22 issues identified with Councilman Clarke's
23 involvement and I believe Representative
24 Thomas involvement as well as state Senator
25 Shirley Kitchen and Ms. Shirley Gregory on

1 02/10/04 - PUBLIC PROPERTY - BILL 040034

2 behalf of Congressman Rob Brady. We're
3 waiting for this meeting of next week so that
4 we can move forward and have our issues
5 addressed.

6 It's refreshing to be here to hear
7 the support that Council continues to have for
8 communities. I'm really glad to be here and
9 support this bill 100 percent.

10 COUNCILMAN RAMOS: You can be
11 assured that I support it and I'll take the
12 lead of my Councilman Darrell Clarke on this
13 issue as well.

14 COUNCILWOMAN MILLER: Is -- what's
15 the person his name?

16 MR. DEEGAN: Is Stu Parmet,
17 P-A-R-M-E-T.

18 COUNCILWOMAN MILLER: Is he the
19 owner of the company?

20 MR. DEEGAN: Yes.

21 COUNCILWOMAN MILLER: Mr. Deegan,
22 one thing that I would have -- and I know
23 Councilman Clarke requested it, and I want to
24 make sure. This is a follow-up question
25 excuse me, Councilman Clarke. Did you ask

1 02/10/04 - PUBLIC PROPERTY - BILL 040034

2 them to organize a meeting and bring in the
3 owner of American Box and Recycling?

4 COUNCILMAN CLARKE: The follow-up
5 meeting?

6 COUNCILWOMAN MILLER: A new meeting,
7 additional meeting to talk about what's
8 coming?

9 COUNCILMAN CLARKE: Where we left
10 it, it was supposed to be a follow-up meeting
11 to discuss the issues. The first meeting was
12 to talk about the employment, talk about the
13 facility traffic flow, talk about all aspects
14 of the new development. And there was going
15 subcommittee formed, we understood, to meet
16 with the City and the developer to talk about
17 those issues and have a follow-up large
18 community meeting. I understand that meeting
19 didn't happen because of the weather, whatever
20 reason. But I expect Mr. Deegan to assist
21 individuals participate in any follow-up
22 meeting with the community to talk about the
23 very pertinent issue, despite the fact they
24 have sold the property. I understand the
25 gentleman has also received financing from

1 02/10/04 - PUBLIC PROPERTY - BILL 040034

2 PIDC, which is troubling to me because I
3 didn't find that out until after that had
4 happened also, which is not normal. Normally
5 we get a call. For some reason, this
6 particular project didn't fit any of the
7 norms. We insist that that happen. In my
8 discussion with the owner of the property
9 indicating they're willing to do all of that.

10 COUNCILWOMAN MILLER: But I need a
11 meeting with the owner of the property to
12 discuss his relocating, moving from -- it's my
13 district and Councilman Nutter's district, to
14 10th and Luzerne. After looking at these
15 pictures and if you drive down Old Stenton
16 Avenue, it's really a very unkempt highway.
17 You actually think most of these businesses
18 are closed and abandoned. And that's the way
19 it's been operating over the years. We've
20 tackled some of that this past summer. But I
21 need to also have a meeting with him.

22 MR. DEEGAN: We'll have a meeting
23 about the existing properties.

24 COUNCILWOMAN MILLER: Absolutely.
25 And Councilman Rizzo wants to be informed

1 02/10/04 - PUBLIC PROPERTY - BILL 040034

2 about that meeting. Let me know, because we
3 can't leave this. Leave this and then not be
4 able to decide whether clean up at 10th and
5 Luzerne? We're slum landlords here.

6 COUNCILMAN RIZZO: Councilwoman
7 Krajewski can tell you how bad it can be.
8 Yesterday, there's a company, a sludge
9 company, whatever it's called, how a company
10 can pull out of an area.

11 COUNCILWOMAN KRAJEWSKI: Pick up and
12 leave.

13 COUNCILWOMAN TASC0: Was the hearing
14 in here?

15 COUNCILWOMAN KRAJEWSKI: We had a
16 site went from Delaware Avenue to Castor that
17 went out of business in '99. They just picked
18 up and relocated, I believe to Florida, and
19 it's been like this since 1999. Left it with
20 a big, big EPA tarp over it. It's a disgrace
21 that these companies are allowed to do this.

22 MS. GRIFFIN: I'm also concerned --
23 and I don't know if this is a correct question
24 to ask or not, but I'm going to ask it. We're
25 concerned about any finances that may be

1 02/10/04 - PUBLIC PROPERTY - BILL 040034
2 available to our community as a result of tax
3 credits. Is there any funds that the
4 community can realize as a result of this
5 business relocating into our area?

6 For example, I know that -- I think
7 its business tax credit. Is that what
8 Councilman Goode introduced?

9 Councilman Goode introduced to
10 Council and we're interesting in being
11 recipient of some finances, if possible. Do
12 you know what I'm talking about?

13 COUNCILMAN CLARKE: I'm thinking a
14 subsequent community meeting there should be
15 City, PIDC, Commerce Department, any agency
16 that deals with financial incentives for
17 emerging or existing businesses to give you a
18 fair shot comparable to what this individual
19 did as a finance of this particular project.
20 I think that's appropriate.

21 Councilwoman Miller.

22 COUNCILWOMAN MILLER: What I think
23 would be very appropriate is when you have a
24 business moving from one part of the City to
25 another that they not get any financial

1 02/10/04 - PUBLIC PROPERTY - BILL 040034
2 assistance until we look at how they're going
3 to clean up where they are in order to move
4 into another area. Because I think we're just
5 promoting bad business practices. We should
6 not giving American Box a dime until we know
7 that they're going to clean this mess up.
8 Because, if not, who's going to clean it up?
9 The City. This is a private corporation. We
10 should not have to clean up their trash.
11 COUNCILWOMAN KRAJEWSKI: Nor allow
12 them to leave it.
13 COUNCILWOMAN MILLER: I agree with
14 the Councilwoman.
15 COUNCILWOMAN TASC0: Are they any
16 getting any money?
17 MR. DEEGAN: I believe it's State
18 financing for the building renovation and
19 building construction.
20 COUNCILMAN CLARKE: It's done
21 through PAID.
22 COUNCILWOMAN TASC0: I think ya'll
23 ought to hold it up.
24 COUNCILMAN CLARKE: They already
25 financed it.

1 02/10/04 - PUBLIC PROPERTY - BILL 040034

2 COUNCILWOMAN TASCO: So it's a
3 lesson that when these transactions are coming
4 before you that you understand the condition
5 from one community to the next, that you've
6 got to look at what they're leaving from one
7 before we give them any dollars. You know
8 it's got to be a connection here. There has
9 to be some responsibility to the City before
10 they move from A to B. If they haven't done
11 well in A, why should we help them in B? They
12 should get no help.

13 COUNCILWOMAN MILLER: Especially
14 with no additional jobs. It doesn't sound to
15 me there's any economic stimulus. He's just a
16 trash basher that moves from one place to the
17 next.

18 COUNCILWOMAN KRAJEWSKI: And the
19 taxpayers have to pay.

20 COUNCILWOMAN MILLER: What's the
21 stimulus? He's not bringing any jobs.

22 MS. FIELDS: That's not a
23 consideration. But also, there's another
24 thing that needs to be kept in mind. He's a
25 businessman, not a developer. He's only there

1 02/10/04 - PUBLIC PROPERTY - BILL 040034

2 to do business. He is a businessman, not a
3 developer. Those are his words.

4 COUNCILWOMAN TASC0: I don't know
5 what that means. He's trying to be slick.

6 COUNCILMAN CLARKE: Any other
7 questions?

8 COUNCILMAN RIZZO: Last one. Can
9 PIDC put the brakes on this project, put a
10 hold on what we're hearing here today until
11 these questions are answered?

12 MR. DEEGAN: I think, unfortunately,
13 he already has the land and the means to build
14 his building.

15 COUNCILMAN RIZZO: You've given him
16 all of the money up-front without --

17 MR. DEEGAN: I don't think he has
18 the money yet.

19 COUNCILMAN RIZZO: That's what I'm
20 asking.

21 MR. DEEGAN: That's something I can
22 check into.

23 COUNCILMAN RIZZO: We need you to be
24 able to stall and make sure that he doesn't
25 take all the money and leave this mess behind

1 02/10/04 - PUBLIC PROPERTY - BILL 040034
2 in a district I have a lot of interest in, and
3 everybody at this table does. It's just not
4 the right thing to do. I hope now you follow
5 a plan, a strategy how to do this kind of deal
6 because obviously you don't.

7 COUNCILMAN CLARKE: Thank you. Is
8 there any other testimony at this time?
9 Anyone else scheduled to testify?

10 (No response.)

11 COUNCILMAN CLARKE: Any questions
12 from Members of the Committee?

13 (No response.)

14 COUNCILMAN CLARKE: Hearing none,
15 I'd like to offer an amendment to the bill
16 circulated earlier. This amendment
17 essentially references the original bill that
18 created the PAID agreement. The new language
19 authorizes, pursuant to Bill 1048 done in
20 1974, that authorizes the original PAID
21 agreement with the City. Part 2 of that
22 amendment incorporates new language that
23 provides that no conveyance of real estate by
24 the City to the Authority be effective until
25 such time the City enters into an agreement

1 02/10/04 - PUBLIC PROPERTY - BILL 040034

2 with the Authority to obtain approval of City
3 Council by resolution

4 In earlier discussions with PIDC, I
5 understand it may take some time to pull such
6 agreement. What I'd like to do, if it's okay
7 with Members of the Committee, is amend the
8 bill today, pass it out of Committee and place
9 it on the Calendar to ensure that PIDC in a
10 timely way does the agreement to amend the
11 current agreement with the City of
12 Philadelphia to incorporate the language, and
13 I would like to do it in a timely way. I will
14 have the bill on the Calendar. We will
15 hopefully, in fact, pass this on the Calendar,
16 and your ability to convey any property will
17 be stopped until this agreement is in place.
18 Is that okay?

19 COUNCILWOMAN TASC0: I'm not clear
20 what we're doing what is amendment one.

21 COUNCILMAN CLARKE: The amendment
22 references what we did in the original
23 ordinance.

24 COUNCILWOMAN TASC0: Is that the
25 bill you introduced?

1 02/10/04 - PUBLIC PROPERTY - BILL 040034

2 COUNCILMAN CLARKE: We didn't
3 reference the statute done in 1974 that
4 created the said agreement.

5 COUNCILWOMAN TASC0: You're amending
6 that. And two?

7 COUNCILMAN CLARKE: Put in the
8 particular language.

9 COUNCILWOMAN TASC0: You want to
10 vote it out and put it on the Calendar. Why
11 would you hold it?

12 COUNCILMAN CLARKE: I may not.
13 Originally, I think I said I would hold it in
14 Committee. After hearing the testimony, I
15 want to vote of out of Committee and get on
16 the Calendar. I understand you can't do the
17 agreement in a day.

18 COUNCILWOMAN TASC0: What is the
19 agreement you're asking them to do?

20 COUNCILMAN CLARKE: Amend the
21 existing agreement that they would have to --

22 MR. DEEGAN: We are committed to
23 working on that agreement as quickly as
24 possible. I have talked to a representative
25 in the Department about the form of the

1 02/10/04 - PUBLIC PROPERTY - BILL 040034
2 agreement, and I think it's something we could
3 get done very quickly.

4 COUNCILMAN CLARKE: And Members of
5 PIDC have to be involved?

6 MR. DEEGAN: PIDC, PAID and Commerce
7 Department.

8 COUNCILMAN CLARKE: Okay. I'm
9 saying since the clock is ticking, let's
10 report bill out of Committee. It's going to
11 be on the Calendar, okay?

12 COUNCILWOMAN KRAJEWSKI: Fine.

13 COUNCILMAN CLARKE: That will
14 conclude the hearing if there is no testimony.
15 If there are no other questions or testimony
16 from the witnesses, we will close the public
17 hearing go into the public meeting.

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COUNCIL OF THE CITY OF PHILADELPHIA
PUBLIC MEETING
COMMITTEE ON PUBLIC PROPERTY

- - - -

Tuesday, February 10, 2004

- - - -

Public meeting conducted by the
Committee on Public Property, held in Room
696, City Hall, Philadelphia, Pennsylvania, on
the above date, to consider action on the
following:

BILL 040034.

PRESENT:
COUNCILMAN DARRELL CLARKE, Chair
COUNCILWOMAN JOAN KRAJEWSKI
COUNCILMAN FRANK RIZZO
COUNCILWOMAN DONNA REED MILLER
COUNCILMAN RICHARD MARIANO
COUNCILMAN JACK KELLY
COUNCILMAN JUAN RAMOS
COUNCILWOMAN MARIAN TASCO

1 02/10/04 - PUBLIC PROPERTY - PUBLIC MEETING

2 COUNCILMAN CLARKE: Councilwoman
3 Krajewski.

4 COUNCILWOMAN KRAJEWSKI: Mr.
5 Chairman, I'd like to submit the amendment to
6 the bill.

7 COUNCILMAN CLARKE: Councilwoman
8 Krajewski made a motion to amend Bill 040034.

9 Is there a second?

10 (Duly seconded.)

11 COUNCILMAN CLARKE: All in favor of
12 the motion?

13 (Aye.)

14 COUNCILMAN CLARKE: All opposed?

15 (No response.)

16 COUNCILMAN CLARKE: The ayes have
17 it.

18 COUNCILWOMAN KRAJEWSKI: Mr.
19 Chairman, I move that bill 040034 be reported
20 out of this Committee, as amended.

21 (Duly seconded.)

22 COUNCILMAN CLARKE: All in favor?

23 (Aye.)

24 COUNCILMAN CLARKE: That concludes
25 the public meeting. Thank you all very much.

1 02/10/04 - PUBLIC PROPERTY - PUBLIC MEETING

2 Mr. Deegan, especially thank you all
3 for coming.

4 (Council adjourned at 3:15 p.m.)

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C E R T I F I C A T I O N

I HEREBY CERTIFY that the foregoing
proceedings of the Council of the City of
Philadelphia of February 10, 2004, were
reported fully and accurately by me, and that
this is a correct transcript of the same.

RE: COMMITTEE ON PUBLIC PROPERTY
AND PUBLIC WORKS

Lisa C. Bradley, RPR