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COUNCIL OF THE CITY OF PHILADELPHIA

3

COMMITTEE OF THE WHOLE

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Room 400, City Hall

Philadelphia, Pennsylvania

6

Wednesday, December 3, 2008

12:10 p.m.

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PRESENT:

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COUNCIL PRESIDENT ANNA C. VERNA

COUNCILWOMAN JANNIE BLACKWELL

COUNCILMAN DARRELL L. CLARKE

11

COUNCILMAN FRANK DiCICCO

COUNCILMAN W. WILSON GOODE, JR.

12

COUNCILMAN BILL GREEN

COUNCILMAN WILLIAM GREENLEE

13

COUNCILMAN CURTIS JONES, JR.

COUNCILMAN JACK KELLY

14

COUNCILMAN JAMES F. KENNEY

COUNCILWOMAN JOAN L. KRAJEWSKI

15

COUNCILMAN BRIAN J. O'NEILL

COUNCILWOMAN MARIA QUINONES-SANCHEZ

16

COUNCILWOMAN DONNA REED MILLER

COUNCILWOMAN BLONDELL REYNOLDS BROWN

17

COUNCILMAN FRANK RIZZO

COUNCILWOMAN MARIAN B. TASCO

18

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BILLS 080875 and 080857

RESOLUTIONS 080911 and 080912

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V A R A L L O Incorporated

Litigation Support Services

Eleven Penn Center

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COUNCIL PRESIDENT VERNA: This
is the public hearing of the Committee of
the Whole.

I would ask Mr. McPherson to
please read the title of Resolution No.
080911.

MR. MCPHERSON: Resolution No.
080911, resolution appointing Gary
Brandeis to the Board of Directors of the
City Avenue Special Services District of
Philadelphia and Lower Merion.

COUNCIL PRESIDENT VERNA: Is
Mr. Brandeis here?

(No response.)

COUNCIL PRESIDENT VERNA: Is
Mr. Brandeis present?

COUNCILMAN JONES: No, he's
not, Madam President. We have Terry
Foley from the Center City District.

COUNCIL PRESIDENT VERNA: Well,
this is your bill, Councilman. Perhaps
you would like to tell us something about
Mr. Brandeis and why he believes he would
want to be on the City Avenue Special

1 12/3/08 - WHOLE - BILL 080875, etc.

2 Services District.

3 COUNCILMAN JONES: Madam

4 President, what I'd like to do is allow

5 Terry Foley talk about him, but I would

6 like to talk about the Center City

7 District a bit.

8 I am pleased and proud to be

9 able to say that in the City Avenue

10 District it is a classic, classic

11 cooperation between suburbs and urban

12 development on mutual interests, which is

13 a commercial corridor. It's about a

14 three, three and a half mile corridor

15 connecting Bala Cynwyd to Philadelphia,

16 and the idea there is to create a vibrant

17 corridor that increases density without

18 increasing too much inconvenience and

19 traffic.

20 It is a cleaner, safer, more

21 productive by way of tax revenue corridor

22 than it ever has been, and, therefore,

23 the prior Councilperson lit a bridge of

24 City Avenue to the suburbs and I want to

25 continue keeping it moving in the right

1 12/3/08 - WHOLE - BILL 080875, etc.

2 direction.

3 And to that degree, I welcome
4 Terry Foley, who is the head of the City
5 Avenue District.

6 COUNCIL PRESIDENT VERNA:

7 Welcome, Mr. Foley.

8 MR. FOLEY: Thank you.

9 Very briefly, just so everyone
10 is aware, to follow up with the
11 Councilman's words, the District is a
12 partnership between Philadelphia and
13 Lower Merion Township. Our three main
14 objectives are, number one, to improve
15 public safety; number two, to enhance the
16 area's image; and, third, to attract and
17 shape development.

18 We have two major initiatives
19 underway, which is why it's so important
20 we keep our Philadelphia Board complement
21 up to date. One is a streetscape and
22 safety capital improvement program, which
23 involves lighting, pedestrian safety
24 issues and traffic safety. And a second
25 is the zoning overlay, which will

1 12/3/08 - WHOLE - BILL 080875, etc.
2 encourage pedestrian and transit-oriented
3 development, urban mixed-use development,
4 retail investment upgrading and higher
5 density.

6 Mr. Brandeis is the Managing
7 Director of FB Capital Partners that are
8 headquartered here in Philadelphia. This
9 group acquired the Holiday Inn on
10 Presidential Boulevard approximately
11 three years ago. It was a problem
12 property for us in the District. They've
13 invested millions of dollars in what is
14 now known as the Crowne Plaza
15 Philadelphia Main Line. It is now a
16 first-class property and definitely a
17 complement to the City of Philadelphia.

18 Mr. Brandeis' expertise is in
19 real estate finance and development,
20 which we will value very much in our
21 quest to move forward with the District's
22 initiatives.

23 COUNCIL PRESIDENT VERNA: Thank
24 you.

25 Any questions from members of

1 12/3/08 - WHOLE - BILL 080875, etc.

2 the Committee?

3 (No response.)

4 COUNCIL PRESIDENT Verna:

5 Seeing none, I would ask Mr. McPherson to

6 please read the title of Resolution No.

7 080912.

8 MR. McPHERSON: A resolution

9 reappointing Michael Woodward to the

10 Board of Directors of the City Avenue

11 Special Services District of Philadelphia

12 and Lower Merion.

13 COUNCIL PRESIDENT Verna: I

14 assume Mr. Woodward is not here?

15 MR. FOLEY: Correct.

16 COUNCIL PRESIDENT Verna: Okay.

17 MR. FOLEY: Mr. Woodward is the

18 President of Woodward Properties, which

19 is headquartered in the District and in

20 Philadelphia. He's been a very active

21 Board member for five years. He serves

22 as our Treasurer and also on our

23 Executive Committee. He owns and

24 operates several multi-family apartment

25 communities in Philadelphia and he is

1 12/3/08 - WHOLE - BILL 080875, etc.

2 also the incoming President of the
3 Apartment Owners Association of Greater
4 Philadelphia.

5 COUNCIL PRESIDENT Verna: Thank
6 you.

7 Can you tell us how often the
8 Board meets?

9 MR. FOLEY: The full Board
10 meets three times a year, and extra
11 special sessions, if necessary. Then we
12 have a number of committees that meet
13 multiple times a year.

14 COUNCIL PRESIDENT Verna: Thank
15 you.

16 Any questions from members of
17 the Committee?

18 (No response.)

19 COUNCIL PRESIDENT Verna:
20 Seeing none, thank you, Mr. Foley.

21 MR. FOLEY: Thank you. Thank
22 you very much.

23 COUNCIL PRESIDENT Verna:
24 You're welcome.

25 At this time, I would ask

1 12/3/08 - WHOLE - BILL 080875, etc.

2 Mr. McPherson to please read the title of
3 Bill No. 080857 -- I'm sorry. It's 75;
4 is it not?

5 MR. McPHERSON: Bill No.
6 080875, an ordinance authorizing the
7 Commissioner of Public Property, on
8 behalf of the City, to convey to the
9 Philadelphia Authority for Industrial
10 Development the parcels of land owned by
11 the City in Pike and Monroe Counties,
12 Pennsylvania that were formerly used by
13 the City to operate Camp Happy, for
14 further conveyance to the Commonwealth of
15 Pennsylvania, acting by and through the
16 Department of Conservation and Natural
17 Resources, for fair market value, under
18 certain terms and conditions.

19 COUNCIL PRESIDENT VERNA: Thank
20 you.

21 Our first witness,
22 Mr. McPherson?

23 MR. McPHERSON: Commissioner
24 Slawson.

25 (Witness approached witness

1 12/3/08 - WHOLE - BILL 080875, etc.

2 table.)

3 COUNCIL PRESIDENT VERNA: Good
4 afternoon. Kindly identify yourself for
5 the record and proceed with your
6 testimony.

7 COMMISSIONER SLAWSON: Good
8 morning, Council President Verna and
9 members of City Council. My name is
10 Susan Slawson, Recreation Commissioner
11 for the City of Philadelphia. I appear
12 before you today to present testimony in
13 support of Bill No. 080875, which
14 authorizes the Commissioner of Public
15 Property to convey Camp William Penn,
16 formerly known as Camp Happy, to PAID for
17 further conveyance at fair market value
18 to the State Department of Conservation
19 and Natural Resources.

20 Camp William Penn is a 677-acre
21 parcel of land located 82 miles from
22 Philadelphia in Marshalls Creek,
23 Pennsylvania in Monroe and Pike Counties.
24 The Department of Recreation has managed
25 this camp since 1951.

1 12/3/08 - WHOLE - BILL 080875, etc.

2 In Fiscal Year 2007, it cost
3 approximately \$450,000 to operate Camp
4 William Penn. Though the facility can
5 accommodate 720 youth per summer, only
6 313 children participated in the summer
7 of 2007 at a cost of slightly more than
8 1,400 per camper for a one-week
9 encampment. By contrast, the Recreation
10 Department offered 151 summer programs at
11 142 facilities, which did not operate
12 Camp William Penn this past summer due to
13 a variety of reasons, including declining
14 enrollment, unsafe conditions of the
15 facility, the increasing cost to operate
16 and maintain the camp, and difficulty in
17 recruiting qualified camp counselors and
18 seasonal staff.

19 My testimony will briefly
20 discuss the challenges the Department
21 faces in operating and maintaining this
22 facility as a summer camp for children.

23 Declining camp enrollment:
24 During the 1970s, the 1980s, the
25 Department offered four two-week

1 12/3/08 - WHOLE - BILL 080875, etc.

2 encampments throughout the summer.

3 Beginning in the early 1990s, camp

4 enrollment began to decline, most likely

5 due to the outdated facilities and

6 overall substandard conditions. The

7 Department reduced the length of the

8 encampments from two weeks to one week in

9 an effort to increase participation. In

10 2002, faced with an aging infrastructure

11 and declining numbers of attendees, the

12 Department again shortened the

13 encampments to four nights and hired a

14 full-time camp director to recruit

15 children.

16 Though total capacity of the

17 camp for each summer is 720 children,

18 there have not been more than 500 campers

19 since 2002. Some of the one-week

20 encampments have had as few as 34

21 campers. The total attendance for the

22 past three summers is as follows: The

23 summer of 2005, 417. The summer of 2006,

24 387. The summer of 2007, 313.

25 It should be noted that in 2005

1 12/3/08 - WHOLE - BILL 080875, etc.

2 and 2006, the facility hosted a soccer

3 club that accounted for 180 campers.

4 Without the soccer club's encampment,

5 attendance would have been only slightly

6 more than 200 youth.

7 Summer of 2008: For the summer

8 of 2008, the Department of Recreation

9 contracted with Outward Bound

10 Philadelphia to offer a new program to

11 potential campers, Adventure Leadership

12 Program, ALP. The recruitment efforts

13 were extensive. Flyers were mailed to

14 600 families. One hundred flyers were

15 given to each City Council member.

16 Flyers were distributed to the libraries,

17 recreation facilities, and the

18 information was placed on our website.

19 ALP was a six-week skills clinic in

20 camping, climbing, canoeing,

21 environmental education and wilderness

22 for young people. Campers learned

23 leadership techniques, team work skills,

24 outdoor ethics and self-discovery through

25 technical mastery and real-life

1 12/3/08 - WHOLE - BILL 080875, etc.
2 experiences in and around Philadelphia's
3 Fairmount Park. Sessions were Monday
4 through Friday from 8:30 a.m. to 3:00
5 p.m., with one overnight expedition.
6 Lunch and snacks were provided.

7 Outward Bound guaranteed 180
8 slots at \$300 per camper. The camper
9 paid \$90, the same fee charged for Camp
10 William Penn, and the Department paid the
11 remaining 210. The Department filled 40
12 of the 180 slots.

13 Because we were unsuccessful in
14 filling all 180 slots, we included youth
15 in our Teen Center Camps, and each
16 attended a one-day workshop during the
17 summer. There were 210 youth that
18 participated in the Teen Camp experience.

19 In addition, the Department of
20 Recreation offered encampment to Ladore
21 Camp. Ladore Camp and Conference Center
22 is located within the Mosaic Mountain
23 Range 20 minutes from Scranton,
24 Pennsylvania. It consists of more than
25 1,400 acres of pristine woodlands, trails

1 12/3/08 - WHOLE - BILL 080875, etc.
2 and a 265-acre lake, owned and operated
3 by the Salvation Army since 1967.
4 Week-long camp experiences were offered
5 for children between the ages of 7
6 through 12. Campers were provided with a
7 wide range of activities that challenge
8 and inspire them, such as arts and
9 crafts, basketball, soccer, volleyball,
10 fishing, music instruction, a working
11 farm, overnight camping on a private
12 island and hayrides. There is a ratio of
13 five campers to one counselor. Two
14 full-time registered nurses, Pennsylvania
15 licensed, were on site and on 24-hour
16 call. Ladore Camp provided
17 transportation to and from the facility.
18 Camp fees were \$40 per child, and the
19 Department paid the remaining 210. There
20 were 400 slots available, with the same
21 recruitment efforts as used for Adventure
22 Leadership Program. Eighty-four campers
23 attended.
24 A total of 580 slots were
25 available for Philadelphia youth, which

1 12/3/08 - WHOLE - BILL 080875, etc.
2 is slightly less than twice the number of
3 children who went to Camp William Penn in
4 2007. For the coming summer, we will
5 recruit extensively as before for the
6 Adventure Leadership Program and explore
7 opportunities with radio and television
8 to spread the word about upcoming camping
9 opportunities.

10 Increasing operating costs: In
11 Fiscal Year 2008, the costs to operate
12 Camp William Penn included the following:
13 Seasonal staffing and transportation
14 costs, \$345,000; full-time camp director,
15 \$55,000; maintenance, \$50,000, for a
16 total of \$450,000.

17 With a camp staff of 65
18 part-time seasonal employees and a total
19 budget of \$450,000, the price per camper
20 is approximately \$1,400. These costs,
21 coupled with the liability of housing
22 children over the course of one week at
23 an outdated facility 80 miles from
24 Philadelphia, presents a risk for the
25 Department and the City.

1 12/3/08 - WHOLE - BILL 080875, etc.

2 Deferred capital improvements
3 and unsafe conditions: Over the past
4 three years, the Recreation Department
5 has made slightly more than 150,000 in
6 capital improvements. A new roof on
7 guest house was \$50,000; a new roof on
8 four cabins was 28,000; electrical,
9 \$20,000; new siding on Mess Hall,
10 \$30,000; new windows, \$25,000, for a
11 total of \$153,000.

12 If the City had operated Camp
13 William Penn this past summer, the
14 following capital improvements, at a
15 minimum, would have been required in
16 order for the camp to operate safely:
17 New kitchen and appliances, \$100,000;
18 generators for emergency pumping of
19 water, refrigeration, infirmary and
20 access lighting, \$120,000, for a total of
21 \$220,000.

22 It should be noted that the
23 entire kitchen structure, which is all
24 wood, is very unsafe and has caught on
25 fire in the past. Therefore, the Capital

1 12/3/08 - WHOLE - BILL 080875, etc.

2 Program Office strongly recommended a
3 complete replacement of the kitchen if
4 the City continued to operate the camp.

5 The dining hall needs to be replaced, and
6 the cost to completely replace the dining
7 hall is approximately \$400,000.

8 Overall, given the condition
9 and age of all the structures, the
10 Capital Program Office estimated that the
11 total replacement cost is nearly \$5.5
12 million. This estimate does not include
13 site improvements for roads, outdoor
14 activity spaces, water facilities,
15 utilities. It should be noted that there
16 is only well water and a septic system
17 that serves the site.

18 Alternatives: Subsequent to
19 the close of Camp William Penn earlier
20 this year, a work group was convened by
21 the Mayor's Office to consider the future
22 operation of Camp William Penn.
23 Participants included representative from
24 the Recreation Department, Public
25 Property, Commerce and Law. Based on

1 12/3/08 - WHOLE - BILL 080875, etc.
2 various restrictions on the land,
3 including zoning, a power line easement
4 and lack of water and sewer
5 infrastructure, combined with the fact
6 that significant portions of the site are
7 in the 100-year floodplain and that it
8 borders State game lands, it was
9 determined that the parcel should remain
10 as park and recreational space. The
11 opportunity to continue to provide
12 overnight camping experiences for the
13 City's youth was also a key goal.

14 John Herzins, Deputy
15 Commissioner for Public Property, will
16 further explain the different options
17 that were explored and the
18 recommendations contained within Bill No.
19 080875.

20 As I conclude my testimony, I
21 would like to state for the record that
22 as Recreation Commissioner, I am very
23 excited by the opportunity this
24 legislation presents to build on our
25 partnership with the State DCNR. The

1 12/3/08 - WHOLE - BILL 080875, etc.
2 land will remain as open space and
3 children will continue to have a camping
4 experience. Yet, the City will not be
5 burdened with the operating costs,
6 deferred capital maintenance and the
7 managerial challenges of overseeing a
8 nearly 60-year-old seasonal facility 80
9 miles away from the City.

10 I look forward to working with
11 DCNR Secretary DiBerardinis and his staff
12 to provide new and improved camping
13 opportunities, as well as environmental,
14 educational and recreational programs.

15 COUNCIL PRESIDENT VERNA: Thank
16 you, Commissioner.

17 With the Camp William Penn
18 being sold, what programs has the City
19 developed to help the Philadelphia
20 children attend summer camp?

21 COMMISSIONER SLAWSON: Well,
22 some of the things I just mentioned were
23 Camp Ladore, as well as --

24 COUNCIL PRESIDENT VERNA: Camp?

25 COMMISSIONER SLAWSON: Camp

1 12/3/08 - WHOLE - BILL 080875, etc.

2 Ladore, L-A-D-O-R-E. And we offered
3 opportunities this summer for --

4 COUNCIL PRESIDENT VERNA: What
5 is Camp Ladore?

6 COMMISSIONER SLAWSON: I'll go
7 back.

8 Camp Ladore and Conference
9 Center is located within the Mosaic
10 Mountain Range 20 minutes from Scranton,
11 Pennsylvania. It's also an outdoor
12 camping opportunity as well, just like
13 Camp William Penn.

14 COUNCIL PRESIDENT VERNA: And
15 who owns Camp Ladore?

16 COMMISSIONER SLAWSON: It's
17 owned by the -- it's been run by the
18 Salvation Army.

19 COUNCIL PRESIDENT VERNA: Oh.
20 And do we know what the cost per camper
21 will be?

22 COMMISSIONER SLAWSON: Yes.
23 The camp fees for Camp Ladore were \$40
24 for the children, and the Department of
25 Recreation paid the other remaining \$210.

1 12/3/08 - WHOLE - BILL 080875, etc.

2 And we had 400 slots for Camp Ladore,
3 Madam President, and we were only able to
4 fill 84 of those slots.

5 COUNCIL PRESIDENT VERNA: Why
6 is that, do you think?

7 COMMISSIONER SLAWSON: We did
8 major recruiting for these camps, and for
9 various reasons, parents and young people
10 are not interested in going out and
11 staying out overnight and going on these
12 overnight camps.

13 COUNCIL PRESIDENT VERNA: Okay.
14 The Chair recognizes Councilman Kenney.

15 COUNCILMAN KENNEY: Thank you,
16 Madam President.

17 Commissioner Slawson, maybe you
18 know or perhaps Public Property may know.
19 Have we surveyed the land to see if
20 there's any opportunities for natural gas
21 exploration there? I know that a lot of
22 more rural areas people own hunting
23 lodges and camp sites that have found,
24 after some investigation, that from time
25 to time there's natural gas deposits on

1 12/3/08 - WHOLE - BILL 080875, etc.
2 their land, and they've actually set up
3 kind of like a mom-and-pop gas provision
4 shop, and I'm wondering with the acreage
5 that big, whether or not we've ever
6 looked at that. Before we convey it to
7 the State, perhaps there's something
8 under there that we can make a profit
9 from.

10 COMMISSIONER SCHLOTTERBECK: We
11 didn't look into it. Actually,
12 Councilman, we have never looked into
13 that opportunity, no.

14 COUNCILMAN KENNEY: I would
15 urge you to do that. I mean, my own -- I
16 have people in my family that are
17 involved in a hunting lodge up in Tioga
18 County and they found, through
19 exploration, that they had some natural
20 gas deposits and are actually selling it
21 to either the local municipality or the
22 county. And I would think with almost
23 700 acres of land, there might be a shot
24 that there's something there. And even
25 if we convey the open space to the State

1 12/3/08 - WHOLE - BILL 080875, etc.
2 for recreational purposes but maintain
3 some ownership rights over the
4 possibility that the gas exists, it's
5 certainly the time to kind of sell that
6 stuff right now.

7 COMMISSIONER SCHLOTTERBECK:

8 Okay. We can look into it.

9 COUNCILMAN KENNEY: Thank you.

10 COUNCIL PRESIDENT VERNA:

11 Councilman, I'm sorry. I was distracted.

12 Are you finished?

13 COUNCILMAN KENNEY: Yes.

14 COUNCIL PRESIDENT VERNA:

15 Councilman Jones.

16 COUNCILMAN JONES: Good

17 morning, Commissioner.

18 COMMISSIONER SLAWSON: Good

19 morning, Councilman Jones.

20 COUNCILMAN JONES: I too want

21 to know if the Clampetts have moved up

22 into that area and if we have some black

23 crude under the ground, Texas tea or

24 something, before we go selling that

25 land.

1 12/3/08 - WHOLE - BILL 080875, etc.

2 A couple of serious questions,
3 though. Have we -- and let me preface my
4 remarks by saying I totally trust your
5 judgment by way of what is best for the
6 young people's camp experience this
7 summer. That is not even up for
8 discussion when it comes to you. I've
9 toured with you. I've heard your passion
10 as we looked at some of the recreation
11 facilities, and on the record, I'm very
12 comfortable with that.

13 The questions I have are, did
14 we consider ever leasing the land as
15 opposed to outright selling the land and
16 if there was a market for leasing?

17 COMMISSIONER SCHLOTTERBECK:
18 That's actually going to be part of my
19 testimony, Councilman.

20 COUNCILMAN JONES: Okay. Let's
21 put a pin in that one.

22 COMMISSIONER SCHLOTTERBECK:
23 Okay.

24 COUNCILMAN JONES: And I
25 understand we will be receiving, if this

1 12/3/08 - WHOLE - BILL 080875, etc.
2 goes through, \$1.36 million and we will
3 be saving about \$450,000 worth of
4 expense.

5 COMMISSIONER SLAWSON: That's
6 correct.

7 COUNCILMAN JONES: Have you
8 pre-determined what those revenues and
9 savings would be applied towards, and is,
10 kind of steering your answer, any of that
11 going to the Robin Hood Dell?

12 COMMISSIONER SLAWSON: Well,
13 currently that's not part of my budget,
14 so I can't steer it anywhere.

15 COUNCILMAN JONES: Okay.
16 That's a safe answer. But I understand
17 in the Dell we are a little short --

18 COMMISSIONER SLAWSON: That's
19 correct.

20 COUNCILMAN JONES: -- on some
21 construction dollars and we're looking at
22 options when it comes to the Dell East,
23 and we want some of those thoughts to be
24 given to that summer experience. We
25 won't be able to go up to Camp William

1 12/3/08 - WHOLE - BILL 080875, etc.

2 Penn, but we can maybe make it to the
3 Dell this summer if we can get some of
4 those proceeds directed that way.

5 Is that at least something that
6 is up for discussion?

7 COMMISSIONER SLAWSON: It's up
8 for discussion.

9 COUNCILMAN JONES: Okay. I'll
10 take that.

11 Thank you, Madam President.

12 COUNCIL PRESIDENT VERNA: Thank
13 you.

14 The Chair recognizes
15 Councilwoman Brown.

16 COUNCILWOMAN BROWN: Thank you,
17 Madam President.

18 Let me echo Councilman Jones'
19 remarks regarding our confidence in
20 knowing that you've done the best that
21 you can with regards to camp experiences
22 for young people.

23 I'm interested in knowing what
24 institutional plans are in place for
25 ensuring that young people can continue

1 12/3/08 - WHOLE - BILL 080875, etc.
2 to have those type of experiences going
3 forward.

4 COMMISSIONER SLAWSON: We're
5 going to continue to offer the same
6 opportunities that we offered this summer
7 as far as Camp Ladore and Outward Bound,
8 and we're going to continue our efforts
9 in recruiting extensively to try to get
10 our young people and possibly get people
11 that they're comfortable with, their
12 parents, to join, because we're just not
13 able to get -- we actually have 400 slots
14 and we were paying the \$210 and their
15 parents only had to pay \$40 for Camp
16 Ladore, and we were only able to fill 84
17 slots.

18 Outward Bound is an experience
19 that the young people can do right here
20 in Philadelphia. We had four days and
21 one overnight, and we were even
22 unsuccessful at filling those slots.

23 So we have been offering. We
24 are willing to take the major portion of
25 the cost, and we still have been unable

1 12/3/08 - WHOLE - BILL 080875, etc.
2 to get our young people interested in
3 staying overnight and being involved in
4 environmentally sound educational
5 opportunities.

6 COUNCILWOMAN BROWN: So two
7 follow-up questions. You say you're
8 going to continue. So that means that
9 there's a tangible, formal agreement with
10 Outward Bound and Camp Ladore?

11 COMMISSIONER SLAWSON: Yes.
12 That's correct.

13 COUNCILWOMAN BROWN: And
14 recognizing the challenge that the
15 Department faced this past summer, do you
16 then plan on starting recruitment in
17 January? Because recruitment actually --
18 recruitment, orientation, awareness, all
19 of that has to start in January,
20 capturing the attention of young people
21 and parents in both traditional ways,
22 through the rec centers, but
23 non-traditional ways, through the School
24 District and the religious community and
25 non-profit organizations that are serving

1 12/3/08 - WHOLE - BILL 080875, etc.
2 young people, the Y's, the Girl Scouts,
3 the Boy Scouts.

4 Have you thought about the
5 actual strategy you're going to use to
6 ensure that we meet the mark? Because we
7 have 200,000-plus young people in public
8 schools, you factor in the charter
9 schools, looking for safe, structured,
10 stimulating places for their young people
11 to be during the summer.

12 COMMISSIONER SLAWSON: As a
13 matter of fact, we've had that
14 conversation. As a part of our
15 PhillyStat presentations, we are pretty
16 much required to show how we're going to
17 plan for the next year, and we've already
18 put a plan in place to begin our
19 recruiting for a number of our summer
20 programs in March and January.

21 COUNCILWOMAN BROWN: All right.
22 March I think is late. I really do
23 believe, given my experience having done
24 recruitment, right after Martin Luther
25 King's birthday, things need to hit the

1 12/3/08 - WHOLE - BILL 080875, etc.

2 street.

3 COMMISSIONER SLAWSON: Okay.

4 COUNCILWOMAN BROWN: Thank you,

5 Madam President.

6 COUNCIL PRESIDENT VERNA: Thank

7 you.

8 The Chair recognizes Councilman

9 Green.

10 COUNCILMAN GREEN: Thank you,

11 Madam President.

12 Good afternoon, Commissioner.

13 COMMISSIONER SLAWSON: Good

14 afternoon, Councilman.

15 COUNCILMAN GREEN: I too am

16 wondering about the Marcellus Shale,

17 which is the land in the northeastern

18 part of the State where a lot of natural

19 gas has been trapped. I have clients

20 that have been paid \$2,000 per acre on an

21 option, which is not the sale of the

22 land, which option will renew and require

23 \$2,000 payments on each acre, and that it

24 is before the gas companies have

25 determined whether or not there's

1 12/3/08 - WHOLE - BILL 080875, etc.
2 actually gas there. So, frankly, until
3 we have the answer to that question, I
4 don't think the City of Philadelphia
5 should be selling this land. That's 1.4
6 million for several years we could get
7 while the gas companies are looking at
8 the possibility of gas being there.

9 Can we get an assurance if we
10 pass this bill out today from the
11 Administration that you will look at
12 dealing with some of the brokers from the
13 gas companies, getting bids for the land
14 for the mineral rights, and if there is
15 money there, reserving the mineral rights
16 for the City of Philadelphia prior to
17 conveying this land to the State of
18 Pennsylvania?

19 COMMISSIONER SCHLOTTERBECK:
20 Councilman, since the question was asked
21 earlier, my attorney, Henry Schwartz,
22 came up and told me that in 1856, there's
23 a clause in the lease that we do own the
24 land, but there is -- we've given away
25 the rights or we do not have the right to

1 12/3/08 - WHOLE - BILL 080875, etc.

2 the underground.

3 COUNCILMAN GREEN: I'm sorry.

4 COMMISSIONER SCHLOTTERBECK: I

5 can have him come up. I can read you the

6 clause.

7 COUNCILMAN GREEN: I'm sorry.

8 Our deed --

9 COMMISSIONER SCHLOTTERBECK:

10 Yes. So the question about whether or

11 not we have an opportunity to investigate

12 whether or not we have some monies there

13 related to fuel, gas, I think the answer

14 is, we don't have the right to do that.

15 MR. SCHWARTZ: My name is Henry

16 Schwartz with the City of Philadelphia

17 Law Department.

18 Councilman, there's been -- the

19 property before we took title, they

20 entered into an agreement. So our

21 ownership is under an agreement dated

22 November 22, 1845 that reserved all the

23 ores, minerals and mines. Now, I haven't

24 done an analysis about whether that

25 includes natural gas or not, but with

1 12/3/08 - WHOLE - BILL 080875, etc.
2 respect to essentially the coal rights,
3 which is often the way it was done in
4 those days, they were separated from the
5 land rights. So we would have to look at
6 the issue of whether natural gas is
7 included in that reservation or not,
8 which we can do.

9 COUNCILMAN GREEN: So then my
10 question still stands. Assuming we own
11 the natural gas rights, can we get a
12 commitment that we'll look at that
13 possibility for revenue prior to
14 conveying it to the land and reserving it
15 if there is revenue?

16 COMMISSIONER SCHLOTTERBECK:
17 The answer is, as Commissioner of Public
18 Property, I think the answer is we can,
19 but I definitely will make sure I check
20 with the Administration. I don't see why
21 we wouldn't want to do it, though.

22 COUNCILMAN GREEN: Thank you.

23 COMMISSIONER SCHLOTTERBECK:
24 You're welcome.

25 COUNCILMAN GREEN: Do you know

1 12/3/08 - WHOLE - BILL 080875, etc.

2 what the fastest growing county in

3 Pennsylvania is?

4 COMMISSIONER SCHLOTTERBECK: I

5 do not.

6 COMMISSIONER SLAWSON: I do

7 not.

8 COUNCILMAN GREEN: It's Pike

9 County, where this land is. It grew

10 about 60 percent in the last decade and

11 about 26 percent so far in the 2000 to

12 2006 period. Many, many people from New

13 York are moving there. In fact, there

14 was an article in the New York Times

15 about that on January 22, 2006.

16 Why is the land worth so

17 little, I guess my question is, \$1.36

18 million, when that is where a ton of New

19 York development is going on in Pike

20 County?

21 COMMISSIONER SLAWSON: The site

22 straddles three different townships and

23 has at least four different zoning

24 classifications, but the majority of the

25 land, 69 percent, is zoned Open Space

1 12/3/08 - WHOLE - BILL 080875, etc.

2 Conservation District.

3 COUNCILMAN GREEN: And that

4 gets to my question. This hearing was

5 delayed for hours because there were

6 people in here requesting a zoning change

7 so that they could develop some property.

8 So my question is, did the City of

9 Philadelphia consider going before those

10 townships and requesting a zoning change

11 so that residential development could

12 happen there and we could maximize the

13 value of this property?

14 COMMISSIONER SCHLOTTERBECK:

15 Councilman, I'm going to ask Deputy

16 Commissioner John Herzins to come up.

17 He's a lot more familiar with the

18 specifics on the real estate issue.

19 (Witness approached witness

20 table.)

21 DEPUTY COMMISSIONER HERZINS:

22 Councilman, in addition to the -- we

23 didn't approach certainly a zoning change

24 in those two townships. I mean, there

25 are a lot of issues to consider with

1 12/3/08 - WHOLE - BILL 080875, etc.
2 that. We wouldn't be -- I don't want to
3 use the word "presumptuous," but we
4 didn't want to determine how these
5 townships felt they wanted to have their
6 zoning.

7 However, that being said, there
8 are other issues besides -- there's the
9 lack of public roads. There's the lack
10 of utilities. All of those would
11 probably work towards developing it
12 anything but conservation.

13 COUNCILMAN GREEN: Well, I
14 mean, that's what developers do. All
15 over Pike County they come into farms
16 where there's no roads and no
17 infrastructure and they put it in as part
18 of a development.

19 So I guess the answer to the
20 question is, we did not explore zoning
21 changes that would maximize the value of
22 the land as residential or otherwise
23 prior to entering into an agreement with
24 the State?

25 DEPUTY COMMISSIONER HERZINS:

1 12/3/08 - WHOLE - BILL 080875, etc.

2 No, because one of the goals in our
3 request during this whole process was to
4 make sure there remains on that land
5 recreational and camping opportunities
6 for children.

7 COUNCILMAN GREEN: Why is that
8 a goal? I mean, as fiduciaries we have
9 an obligation to maximize the money that
10 we receive from the sale of our public
11 lands. How did that priority or goal
12 come into place versus trying to maximize
13 the dollars we receive at a time when
14 we're closing libraries, et cetera?

15 DEPUTY COMMISSIONER HERZINS:
16 Well, the decision -- there was a
17 committee that worked on this, and the
18 decision was made to get a fair market
19 value as presently -- as it presently
20 stands zoning, to look at making sure
21 that whoever ends up with the property
22 still provides opportunities for
23 recreational. Those were the two
24 decisions we were working toward.

25 COUNCILMAN GREEN: Do you think

1 12/3/08 - WHOLE - BILL 080875, etc.
2 that that's responsible in this time of
3 crisis? I mean, do we not have a duty to
4 our citizens to maximize the value of
5 property that we sell that's not in the
6 City of Philadelphia?

7 COMMISSIONER SCHLOTTERBECK:
8 Councilman, I think the answer is, we
9 always look towards making the most
10 profit for the taxpayers, but often other
11 circumstances come into play which
12 overrule the "I just want to get the most
13 money" scenario.

14 COUNCILMAN GREEN: So we're
15 choosing green space somewhere outside
16 Philadelphia instead of resources that
17 can help us keep open libraries and rec
18 centers?

19 COMMISSIONER SCHLOTTERBECK:
20 Well, actually, no, I don't think that
21 I'm doing that and I don't think it was a
22 conscious decision made by anyone else to
23 do that. When this whole thing --

24 COUNCILMAN GREEN: But that's
25 the effect of what's happening.

1 12/3/08 - WHOLE - BILL 080875, etc.

2 COMMISSIONER SCHLOTTERBECK:

3 Well, I think given what has happened in
4 the past six or eight weeks, yes, I guess
5 you could take that slant, but that is
6 not the intent, nor was it the desire at
7 the beginning of this process.

8 COUNCILMAN GREEN: Thank you.

9 I have no further questions.

10 COUNCIL PRESIDENT VERNA: Thank
11 you.

12 The Chair recognizes
13 Councilwoman Sanchez.

14 COUNCILWOMAN SANCHEZ: Thank
15 you, Madam Chair.

16 I wanted to echo some of the
17 issues of concern and then why we are
18 where we are today.

19 Notwithstanding what I believe
20 to be somewhat of a historical failure
21 and at some point deliberate attempt to
22 really sabotage Camp William Penn. From
23 someone who has worked with young people
24 for a very long time, I've never run into
25 a young person who is not interested in

1 12/3/08 - WHOLE - BILL 080875, etc.
2 that type of experience. So I had some
3 really big concerns and reservations
4 around the move that we were making, but
5 also understood that there was a lot of
6 infrastructure investment that we needed
7 to make locally in our own rec centers
8 and that, for the short term, I
9 understood that there was not the
10 commitment or the resources at this time
11 for us to run this programming.

12 But I say that on the record
13 because as we move forward, as we see it
14 with the Robin Hood Dell, as we see it
15 here, sometimes people make decisions
16 that they don't want to do certain
17 things, so they slowly kill it, and I
18 think that's what we did with Camp
19 William Penn.

20 That said, I want to thank the
21 Administration for allowing both
22 Councilman Clarke, a representative from
23 Councilman Jones' office and others and
24 the Commissioner of Public Property. We
25 went up there and looked at the facility,

1 12/3/08 - WHOLE - BILL 080875, etc.
2 and it is a beautiful, beautiful piece of
3 land and property and one that I would
4 argue to my colleagues should be kept as
5 open space and, more importantly, that
6 the property and its potential for
7 providing programming not only for
8 Philadelphia young people but for the
9 State be tried to be maintained and
10 preserved. And for that, I want to
11 publicly thank Secretary DiBerardinis,
12 who very early on expressed an interest,
13 also met with us and committed that they
14 would do what they can to maintain it as
15 open public space and where there are
16 opportunities to partner with
17 organizations who could provide youth
18 programming, both for Philadelphia and
19 Pennsylvania's young people, that they
20 were going to maximize and do that.

21 And that's why as much as I
22 think we didn't need to get here,
23 understanding our current financial
24 realities, understanding why the City
25 would want to dispose of it, but I'm more

1 12/3/08 - WHOLE - BILL 080875, etc.
2 comfortable because the State will be
3 able to take the 667 acres and add it to
4 current publicly held land adjacent to
5 this and their commitment to keep open
6 space and provide opportunities for other
7 young folk. So I want to put that on the
8 record.

9 Thank you.

10 COUNCIL PRESIDENT VERNA: Thank
11 you.

12 The Chair recognizes
13 Councilwoman Tasco.

14 COUNCILWOMAN TASCO: Thank you.

15 Good morning.

16 COMMISSIONER SCHLOTTERBECK:

17 Good morning.

18 COUNCILWOMAN TASCO: I'd just
19 like for you to explain to me what are we
20 doing. We are conveying this land to
21 PAID?

22 COMMISSIONER SCHLOTTERBECK:

23 Actually, I have not given my testimony
24 yet, but I think when I do, it will be
25 clear what the options are.

1 12/3/08 - WHOLE - BILL 080875, etc.

2 COUNCILWOMAN TASC0: Okay.

3 COMMISSIONER SCHLOTTERBECK: I
4 haven't read my testimony.

5 COUNCILWOMAN TASC0: Could we
6 hear hers. Then maybe it will clarify
7 some of the questions I have.

8 COUNCIL PRESIDENT VERNA: Okay.

9 COUNCILWOMAN TASC0: Okay.
10 Thank you.

11 COUNCIL PRESIDENT VERNA:
12 Councilman Rizzo, did you want to ask
13 questions of the Commissioner, the
14 Commissioner of Recreation, or would you
15 prefer waiting until the Commissioner of
16 Public Property has had an opportunity to
17 testify?

18 COUNCILMAN RIZZO: I think I'll
19 wait, because the question might be
20 answered in her testimony.

21 COUNCIL PRESIDENT VERNA: Very
22 well. Thank you.

23 COUNCILMAN RIZZO: Thank you
24 for that.

25 COUNCILWOMAN TASC0: Point of

1 12/3/08 - WHOLE - BILL 080875, etc.
2 order. If I could ask the Recreation
3 Commissioner, the money that's coming
4 from the sale of land, does it go back to
5 the Recreation Department?

6 DEPUTY COMMISSIONER HERZINS:
7 General Fund.

8 COUNCIL PRESIDENT VERNA: No.
9 General Fund.

10 COUNCILWOMAN TASC0: Is that
11 what the committee recommended?

12 COMMISSIONER SCHLOTTERBECK:
13 Actually, that's just the way it works.

14 COUNCILWOMAN TASC0: That's
15 part of your --

16 COMMISSIONER SCHLOTTERBECK:
17 That's basically what happens. It is not
18 a particular sale. All sales, they go to
19 the General Fund.

20 COUNCIL PRESIDENT VERNA:
21 Councilwoman, I believe under the City
22 Charter.

23 COUNCILWOMAN TASC0: Right.
24 Okay. Thank you.

25 I'll wait until you finish.

1 12/3/08 - WHOLE - BILL 080875, etc.

2 Don't forget me. I was before
3 him.

4 COUNCIL PRESIDENT Verna:

5 Commissioner, do you want to testify at
6 this point.

7 COMMISSIONER SCHLOTTERBECK:

8 Good morning, Council President Verna and
9 members of the Committee on the Whole.
10 My name is Joan Schlotterbeck. I'm the
11 Commissioner of Public Property. I'm
12 here today to testify in support of Bill
13 No. 080875, an ordinance authorizing me
14 as the Commissioner, on behalf of the
15 City, to convey to the Philadelphia
16 Authority for Industrial Development the
17 parcel of land owned by the City in Pike
18 and Monroe Counties, Pennsylvania that
19 were formerly used by the City to operate
20 Camp William Penn, formerly known as Camp
21 Happy, for further conveyance to the
22 Commonwealth of Pennsylvania, acting by
23 and through the Department of
24 Conservation and Natural Resources, for
25 fair market value, under certain terms

1 12/3/08 - WHOLE - BILL 080875, etc.

2 and conditions.

3 Camp William Penn is located
4 partly in Monroe County and partly in
5 Pike County. The total land area of the
6 property is 671 acres, reflecting a
7 primary camp site of 160 acres and an
8 excess land area of 511 acres. The
9 subject property encompasses five zoning
10 classifications across three
11 municipalities. Much of the land is
12 within some form of a conservation
13 classification, limiting the use and
14 development on the site. Public
15 utilities are limited to electric and
16 telephone. Significant portions of the
17 site are located in a floodplain. Most
18 of the soil types limit agricultural and
19 building uses due to the slow
20 permeability and rocky surfaces. A power
21 line easement and various road easements
22 crisscross the site.

23 The increasing operational
24 costs, the necessary capital improvement
25 costs and the declining enrollment led

1 12/3/08 - WHOLE - BILL 080875, etc.
2 the Department of Recreation to cease
3 operations at the camp earlier this year.
4 With a goal of finding alternative
5 methods of providing camp opportunities
6 for our children, we considered three
7 options for the future reuse of the camp.

8 The first option would be for
9 the City to reopen and manage the camp.
10 The Recreation Commissioner has
11 demonstrated that the costs needed to
12 make this facility safe and desirable
13 make this a costly option. The
14 Recreation Department has also found it
15 increasingly difficult to recruit camp
16 counselors and part-time staff. With the
17 facility 80 miles away, it is also very
18 difficult to perform the appropriate
19 oversight and guarantee basic security of
20 the property.

21 The second option would be for
22 the City to lease the property to an
23 operator who could run the camp. The
24 poor condition of the facility would make
25 it impossible to agree on terms that

1 12/3/08 - WHOLE - BILL 080875, etc.
2 would be beneficial to the City. There
3 was also discussion about marketing the
4 site to groups who are interested in
5 using the space for recreational
6 purposes, such as running camps or soccer
7 camps. This option would result in
8 marketing and lease management costs, as
9 well as a need for the capital
10 improvements.

11 The third option would be to
12 sell the property. The discussion
13 initially focused on issuing an RFP for
14 the parcel, as well as reaching out to
15 the State to gauge their interest, since
16 the property was bordered by Commonwealth
17 game lands. The outreach to the State
18 through the Department of Conservation
19 and Natural Resources' Secretary Michael
20 DiBerardinis was very positive and it
21 became readily apparent that a
22 transaction with the State could be
23 beneficial to all parties, including the
24 children of Philadelphia.

25 The Commonwealth of

1 12/3/08 - WHOLE - BILL 080875, etc.
2 Pennsylvania has agreed to purchase the
3 parcels and ensure that conservation and
4 recreational uses continue on the land.
5 The Commonwealth is in discussions with
6 the YMCA, Outward Bound and other groups
7 to provide camping opportunities for the
8 site.

9 The 1.3 million 6 hundred
10 thousand proceeds representing the fair
11 market value established by an appraisal
12 will be deposited into the General Fund.
13 The estimated annual operating budget of
14 \$450,000 will also be eliminated from the
15 Department of Recreation's current
16 obligations.

17 The Department of Public
18 Property supports this measure and,
19 accordingly, I respectfully ask that City
20 Council approve Bill No. 080875. I am
21 also requesting a suspension of the rules
22 so as to allow for first reading at the
23 next session of Council.

24 Thank you. Myself, Deputy
25 Commissioner and the Recreation

1 12/3/08 - WHOLE - BILL 080875, etc.

2 Commissioner will be happy to answer any
3 questions.

4 COUNCIL PRESIDENT VERNA: Thank
5 you.

6 The Chair recognizes
7 Councilwoman Tasco.

8 COUNCILWOMAN TASCO: Thank you
9 very much.

10 If we sell the land to the
11 State, once they own the land, we have
12 no -- we don't have any further
13 jurisdiction over how they proceed to use
14 this land, do we?

15 COMMISSIONER SCHLOTTERBECK:
16 Actually, can I -- I was remiss. There
17 is someone here from the State
18 representing DCNR and I'd like to
19 introduce him so he can join us at the
20 table here. His name is Dan Devlin.

21 (Witness approached witness
22 table.)

23 COUNCILWOMAN TASCO: Who
24 obtained the appraisal? The City?

25 DEPUTY COMMISSIONER HERZINS:

1 12/3/08 - WHOLE - BILL 080875, etc.

2 Yes.

3 COUNCILWOMAN TASC0: And this
4 was the fair market value?

5 DEPUTY COMMISSIONER HERZINS:

6 Yes.

7 COUNCILWOMAN TASC0: As it
8 presently exists?

9 DEPUTY COMMISSIONER HERZINS:

10 Yes.

11 COUNCILWOMAN TASC0: Could it
12 increase in value in later time, later
13 years?

14 DEPUTY COMMISSIONER HERZINS:

15 Well, with all the restrictions on the
16 site and limiting the development of the
17 site, it would be pretty hard to do
18 anything but keep it as open space. So
19 the value right now we see is actually
20 decreasing.

21 COUNCILWOMAN TASC0: That's the
22 limit on the site. Now, they've --
23 determined by the counties?

24 DEPUTY COMMISSIONER HERZINS:

25 Right. They have elected to keep it

1 12/3/08 - WHOLE - BILL 080875, etc.
2 zoned open conservation. Also it borders
3 the Commonwealth game lands also. So
4 that's why the State here would be a
5 perfect partnership with us to continue
6 our opportunities there.

7 COUNCILWOMAN TASCO: So, sir,
8 tell me the position of the Department of
9 Conservation and Natural Resources. What
10 is your position about this land and
11 maybe possible future use?

12 MR. DEVLIN: My name is Dan
13 Devlin. I'm Director of the Bureau of
14 Forestry within the Department of
15 Conservation and Natural Resources. I'm
16 here representing Secretary DiBerardinis,
17 who unfortunately has some budget
18 hearings today, which otherwise he would
19 be here.

20 Our intent for the land --
21 number one, it's a great acquisition in
22 terms of the Commonwealth. Camp William
23 Penn actually borders State forest lands
24 on both sides, so it actually creates a
25 corridor between two great big blocks of

1 12/3/08 - WHOLE - BILL 080875, etc.
2 public lands. So it's a very critical
3 piece, from our perspective, in terms of
4 acquisition, and at least keep an open
5 space for future uses in terms of
6 recreation. So, in other words, we can
7 do trail connections between the two
8 great big blocks. We can open the area
9 up for all kinds of hiking, fishing,
10 those kinds of things.

11 In terms of the -- that is our
12 intent.

13 In terms of the camp itself, it
14 is our intent to work with the Y, other
15 groups as well and as well as the
16 Recreation Department and try and provide
17 some amenities in terms of youth
18 education, youth programming and perhaps
19 camping as well. So we are in
20 negotiations with the Y and we are
21 working with the Recreation Department as
22 well.

23 So our intent is to use this as
24 State forest lands, open to the public,
25 lots of recreational use, and hopefully

1 12/3/08 - WHOLE - BILL 080875, etc.

2 get the camp facility up and operating in
3 some capacity in the future.

4 COUNCILWOMAN TASC0: All right.

5 Thank you very much.

6 MR. DEVLIN: You're welcome.

7 COUNCILWOMAN TASC0:

8 Ms. Slawson, you're going to save
9 \$450,000 in your operating budget.

10 COMMISSIONER SLAWSON: That's
11 correct.

12 COUNCILWOMAN TASC0: What are
13 you going to do with the money?

14 COMMISSIONER SLAWSON: The
15 money is already not a part of my budget.

16 COUNCILWOMAN TASC0: It's not
17 part of your budget?

18 COMMISSIONER SLAWSON: It is
19 not. Because we did not operate this
20 last summer --

21 COUNCILWOMAN TASC0: It was not
22 in your --

23 COMMISSIONER SLAWSON: It was
24 not in my budget, no.

25 COUNCILWOMAN TASC0: All right.

1 12/3/08 - WHOLE - BILL 080875, etc.

2 Thank you very much.

3 COUNCIL PRESIDENT VERNA:

4 You're welcome.

5 The Chair recognizes Councilman
6 Rizzo.

7 COUNCILMAN RIZZO: Thank you,
8 Madam Chair.

9 Just so I understand, this
10 transaction, when it occurs, it goes to
11 the State. At that point, if an operator
12 of a camp, a camp company, came to the
13 State, there's nothing that we could do
14 after it's transferred to stop that
15 transaction from occurring? Not that
16 that would happen. That's just a
17 scenario.

18 COMMISSIONER SCHLOTTERBECK:
19 Councilman, I'm not clear. Are you
20 suggesting that the State would turn
21 around and sell it?

22 COUNCILMAN RIZZO: Who knows.

23 COMMISSIONER SCHLOTTERBECK:
24 Oh, okay.

25 COUNCILMAN RIZZO: In other

1 12/3/08 - WHOLE - BILL 080875, etc.
2 words, it's a camp right now. It's not
3 in good repair. But now this is getting
4 some publicity that maybe it didn't get
5 when we in fact came up with this idea to
6 transfer it to the State. It sounds like
7 a good idea to me. We get a new governor
8 that doesn't think like this one. All of
9 a sudden, some operator of a camp -- what
10 do they call it, KAA, whatever they call
11 it, KOA, comes to the State and said,
12 Look, you've got this camp, we want to
13 buy it. Is there anything in the State's
14 regs that will prevent that from being
15 sold? I'm asking the State that.

16 Could you sell this after we
17 transfer it to you?

18 MR. DEVLIN: By law we cannot
19 sell State forest land or State parkland
20 unless we get an act of the Legislature
21 that allows us to do so. So it would
22 have to go through a whole legislative
23 process.

24 We have not sold State forest
25 land for the over hundred years that I

1 12/3/08 - WHOLE - BILL 080875, etc.

2 know of so far, but that's not to say it
3 will never happen. But it certainly is
4 not our intent to sell the land, and we'd
5 have to go through a legislative process
6 in order for it to be transferred.

7 COUNCILMAN RIZZO: There's a
8 lot of things that develop along the way
9 that changes. Let me ask you this: Once
10 you take it over, you did say that you
11 plan to intend to use it as a camp in
12 some capacity. What's that mean?

13 MR. DEVLIN: The majority of
14 the land, the large portion of land, will
15 become part of State forest lands and
16 will be open to the public for
17 recreation, fishing, boating, hiking, all
18 those things. The camp area itself where
19 the facilities are, where the
20 infrastructure is, we are trying to
21 negotiate with the YMCA, also Outward
22 Bound as well and maybe some others in
23 terms of forming a partnership where they
24 can use the facilities and we can go into
25 a long-term lease agreement or those

1 12/3/08 - WHOLE - BILL 080875, etc.

2 kinds of things with them to run a
3 facility.

4 COUNCILMAN RIZZO: Okay.

5 Thank you, Madam President.

6 COUNCIL PRESIDENT VERNA:

7 You're welcome.

8 The Chair recognizes Councilman
9 Green.

10 COUNCILMAN GREEN: Thank you,
11 Madam President.

12 My question relates to
13 transaction fees and expenses. I'm
14 curious why we are -- I assume we have to
15 transfer it to somebody, some
16 organization. The City of Philadelphia
17 can't sell land directly; is that the
18 case?

19 COMMISSIONER SCHLOTTERBECK:

20 That's correct. I can't sell directly as
21 the owner.

22 COUNCILMAN GREEN: So why we
23 chose the vehicle we've chosen to sell it
24 versus some other authority or agency and
25 what the transaction fees are, because

1 12/3/08 - WHOLE - BILL 080875, etc.

2 obviously the City has already negotiated
3 this, we know what the price is --

4 COUNCIL PRESIDENT Verna:

5 Commissioner -- I'm sorry, Councilman.
6 We could sell it directly, but we would
7 have to put it out for bid; would we not?

8 COMMISSIONER SCHLOTTERBECK:

9 We'd have to do an auction.

10 COUNCIL PRESIDENT Verna: So
11 you could sell it directly.

12 COMMISSIONER SCHLOTTERBECK:

13 Yes.

14 COUNCIL PRESIDENT Verna: It
15 would have to be through a bid process.

16 COMMISSIONER SCHLOTTERBECK:

17 Right, or an auction. And we do not make
18 a practice of doing that.

19 COUNCILMAN GREEN: I learned
20 something new today. That's great.
21 Thank you.

22 So why wouldn't we -- if we
23 know we have a bidder at 1.36, why
24 wouldn't we auction it?

25 COMMISSIONER SCHLOTTERBECK:

1 12/3/08 - WHOLE - BILL 080875, etc.

2 Because I guess the answer is because of
3 what it is, what it represents. It's a
4 conservation land. It's sitting right --

5 COUNCILMAN GREEN: Okay. So
6 we're not going to auction it. So what
7 are the transaction fees that -- how much
8 will the City net of the \$1.36 million?

9 COMMISSIONER SCHLOTTERBECK:
10 That's a good question.

11 DEPUTY COMMISSIONER HERZINS:
12 It will be the 1.36, 1,360,000 minus the
13 staff time that PAID works on completing
14 the deal.

15 COUNCILMAN GREEN: Charged at?
16 Is there any agreement about what the
17 fees are going to be associated with
18 this?

19 DEPUTY COMMISSIONER HERZINS:
20 On this particular transaction, it would
21 be -- it's -- we couldn't answer with a
22 definite amount until we're billed, but
23 it would be, I would guess, 10,000.

24 COUNCILMAN GREEN: Ten thousand
25 dollars for a deal that we've already

1 12/3/08 - WHOLE - BILL 080875, etc.

2 made with the State?

3 COMMISSIONER SCHLOTTERBECK:

4 Yeah.

5 COUNCILMAN GREEN: Thank you.

6 COUNCIL PRESIDENT VERNA: The
7 Chair recognizes Councilman Goode.

8 COUNCILMAN GOODE: Thank you,
9 Madam President.

10 I heard the question asked, but
11 I didn't hear the answer of who conducted
12 the appraisal.

13 DEPUTY COMMISSIONER HERZINS:
14 Councilman Goode, that was Kaiman's
15 Associates (ph).

16 COUNCILMAN GOODE: And when was
17 it done?

18 DEPUTY COMMISSIONER HERZINS:
19 July of '05.

20 COUNCILMAN GOODE: And how much
21 did it cost?

22 DEPUTY COMMISSIONER HERZINS:
23 The price to get the appraisal? I'd have
24 to get that.

25 COUNCILMAN GOODE: Do you know

1 12/3/08 - WHOLE - BILL 080875, etc.

2 roughly how much it cost?

3 DEPUTY COMMISSIONER HERZINS:

4 Ten thousand, maybe more.

5 COUNCILMAN GOODE: So roughly

6 10,000. Is there any thought of doing

7 another appraisal?

8 DEPUTY COMMISSIONER HERZINS:

9 I'm sorry. I didn't hear you.

10 COUNCILMAN GOODE: Is there any

11 thought of doing another appraisal?

12 DEPUTY COMMISSIONER HERZINS:

13 This was, I believe, the second or third

14 one. This is the latest one. There were

15 earlier versions also.

16 COUNCILMAN GOODE: But this was

17 done in 2005.

18 DEPUTY COMMISSIONER HERZINS:

19 Right.

20 COUNCILMAN GOODE: Now, the

21 legislation does not include an actual

22 sales price, does it?

23 DEPUTY COMMISSIONER HERZINS:

24 Fair market value established by the

25 appraisal.

1 12/3/08 - WHOLE - BILL 080875, etc.

2 COUNCILMAN GOODE: The
3 testimony says the fair market value was
4 seen to be 1.36 by the appraisal, but the
5 legislation itself calls for fair market
6 value.

7 DEPUTY COMMISSIONER HERZINS:
8 Right.

9 COUNCILMAN GOODE: So another
10 appraisal could be done.

11 DEPUTY COMMISSIONER HERZINS:
12 You're asking why we should?

13 COUNCILMAN GOODE: Another
14 appraisal could be done and possibly
15 should be done if we're approving it at
16 fair market value as of December 2008.

17 DEPUTY COMMISSIONER HERZINS:
18 Also the sale, there will be language in
19 there restricting the use of it, so the
20 value probably would be less if it would
21 include the deed restrictions in there.

22 COUNCILMAN GOODE: But my point
23 was just two simple points. One, the
24 legislation does not include an actual
25 dollar amount. That's correct?

1 12/3/08 - WHOLE - BILL 080875, etc.

2 DEPUTY COMMISSIONER HERZINS:

3 Correct.

4 COUNCILMAN GOODE: And that,
5 two, fair market value was established
6 back in July 2005. It has not been
7 established since that time; is that
8 correct?

9 COMMISSIONER SCHLOTTERBECK:

10 That's correct.

11 DEPUTY COMMISSIONER HERZINS:

12 Correct.

13 COUNCILMAN GOODE: Thank you.

14 Thank you, Madam President.

15 COUNCIL PRESIDENT VERNA: Don't
16 you think values have gone down
17 significantly since '05?

18 COMMISSIONER SCHLOTTERBECK:

19 Actually, I don't do enough as a private
20 citizen. I really don't feel qualified
21 to answer that, but what I can tell you
22 the practice is -- one would assume that
23 that would be the case. When we do more
24 than one appraisal, we then take the
25 average between the two. So we could end

1 12/3/08 - WHOLE - BILL 080875, etc.

2 up with a lesser value.

3 That's just our practice. It's
4 not that we can't do it. We just did not
5 do it.

6 COUNCIL PRESIDENT VERNA: Very
7 well.

8 Are there any other questions
9 from members of the Committee?

10 (No response.)

11 COUNCIL PRESIDENT VERNA: Thank
12 you.

13 Do we have anyone else to
14 testify on this bill?

15 (No response.)

16 COUNCIL PRESIDENT VERNA:
17 Mr. Devlin, thank you.

18 MR. DEVLIN: Thank you.

19 COUNCIL PRESIDENT VERNA: Is
20 there anything you'd like to add?

21 MR. DEVLIN: No. The only
22 thing I would like to add, though, is, I
23 think it's a great opportunity for both
24 the citizens of the Commonwealth as well
25 as potentially maybe the City as well.

1 12/3/08 - WHOLE - BILL 080875, etc.

2 So I look at it as a very nice marriage,
3 and hopefully you will look favorably on
4 the issue.

5 COUNCIL PRESIDENT VERNA: Thank
6 you very much. Thank you.

7 Since we have no one else to
8 testify on this bill, this will conclude
9 our public hearing.

10 We will now go into our public
11 meeting, and at this time -- I would like
12 everybody's attention, please. The noise
13 level is much too high.

14 I would like to remind everyone
15 that we also have Bill No. 080857 on our
16 list for a public meeting. You may all
17 recall that this bill was previously
18 considered at a hearing on November the
19 19th, 2008 and we had indicated at that
20 time that we would then list it for our
21 next public meeting.

22 So at this time, I would like
23 Mr. McPherson to read Bill No. 080857.

24 MR. MCPHERSON: An ordinance
25 amending Title 12 of The Philadelphia

1 12/3/08 - WHOLE - BILL 080875, etc.
2 Code, entitled "Traffic Code," to revise
3 the fees for the use of parking meters in
4 certain locations; to revise fees and
5 charges for the immobilization and
6 impoundment of vehicles for parking and
7 other violations; and to revise the
8 penalties for various parking violations;
9 all under certain terms and conditions.

10 COUNCIL PRESIDENT VERNA: Thank
11 you.

12 The Chair recognizes
13 Councilwoman Blackwell.

14 COUNCILWOMAN BLACKWELL: Thank
15 you, Madam President. In your packet you
16 will find an Administration-sponsored
17 amendment, which I support. This is
18 instead of the amendment that we
19 initially drafted and submitted last
20 week. This will allow the parking meter
21 rates in University City to go up by 50
22 cents in January and another 50 cents
23 January 2010. This was an agreement. Of
24 course, the -- it was also agreed that we
25 would have the meeting where we could

1 12/3/08 - WHOLE - BILL 080875, etc.
2 find out what it's really all about,
3 because that didn't happen in our first
4 meeting. So that was part of it that the
5 Administration agreed to.

6 So we look forward to having an
7 immediate meeting to understand why some
8 43,000 students in my district, what it
9 means and get some understanding. But
10 we're happy to work with it. We're
11 asking the Committee to support it, and
12 everything is fine.

13 COUNCIL PRESIDENT VERNA:
14 Councilwoman, I believe we all have
15 copies of the -- does everybody have a
16 copy of the amendments?

17 COUNCILWOMAN BLACKWELL: It's
18 on the third page. It's on Page No. 3 at
19 the bottom. It would be 3 (b). So we
20 ask that this amendment be adopted.

21 COUNCIL PRESIDENT VERNA: Well,
22 then can we give everybody an opportunity
23 to --

24 COUNCILWOMAN BLACKWELL: Thank
25 you. Absolutely. Absolutely.

1 12/3/08 - WHOLE - BILL 080875, etc.

2 COUNCIL PRESIDENT Verna: Thank
3 you.

4 COUNCILWOMAN BLACKWELL: Thank
5 you, Madam President.

6 (Pause.)

7 COUNCIL PRESIDENT Verna: All
8 right, Councilwoman. You would have to
9 make a motion.

10 COUNCILWOMAN BLACKWELL: Thank
11 you, Madam President. I move for the
12 adoption of the amendment.

13 (Duly seconded.)

14 COUNCIL PRESIDENT Verna: It
15 has been moved and seconded that the
16 amendment be adopted.

17 All in favor will indicate by
18 saying aye.

19 (Aye.)

20 COUNCIL PRESIDENT Verna: Those
21 opposed?

22 (No response.)

23 COUNCIL PRESIDENT Verna: The
24 ayes have it and the motion carries.

25 The Chair recognizes

1 12/3/08 - WHOLE - BILL 080875, etc.

2 Councilwoman Tasco for a motion regarding
3 Bill No. 080858.

4 COUNCILWOMAN TASCO: 080858?

5 COUNCIL PRESIDENT VERNA: 57.

6 I'm sorry.

7 COUNCILWOMAN TASCO: Madam

8 President, I move that Bill 080857, as
9 amended, be reported out of Committee
10 with a favorable recommendation and that
11 the rules of Council --

12 COUNCIL PRESIDENT VERNA:

13 Excuse me. We do need a suspension, yes.

14 COUNCILWOMAN TASCO: --

15 (continued) rules of Council be suspended
16 so this bill can be heard at Council's
17 next session.

18 (Duly seconded.)

19 COUNCIL PRESIDENT VERNA: It
20 has been moved and seconded that Bill No.
21 080857 be reported out of Committee with
22 a favorable recommendation, as amended;
23 further, that the rules of Council be
24 suspended so as to permit first reading
25 at our next session of Council.

1 12/3/08 - WHOLE - BILL 080875, etc.

2 All in favor will indicate by
3 saying aye.

4 (Aye.)

5 COUNCIL PRESIDENT Verna: Those
6 opposed?

7 (No response.)

8 COUNCIL PRESIDENT Verna: The
9 ayes have it and the motion carries.

10 The Chair recognizes
11 Councilwoman Tasco regarding Bill No.
12 080875.

13 COUNCILWOMAN TESCO: Madam
14 President, I move that Bill 080875 be
15 reported out of Committee with a
16 favorable recommendation and that the
17 rules of Council be suspended so the bill
18 can be heard at Council's next session.

19 (Duly seconded.)

20 COUNCIL PRESIDENT Verna: It
21 has been moved and seconded that Bill No.
22 080875 be reported out of Committee with
23 a favorable recommendation; further, that
24 the rules of Council be suspended so as
25 to permit first reading at our next

1 12/3/08 - WHOLE - BILL 080875, etc.

2 session of Council.

3 All in favor will indicate by
4 saying aye.

5 (Aye.)

6 COUNCIL PRESIDENT VERNA: Those
7 opposed?

8 (No response.)

9 COUNCIL PRESIDENT VERNA: The
10 ayes have it and the motion carries.

11 The Chair again recognizes
12 Councilwoman Tasco regarding Resolution
13 No. 080911.

14 COUNCILWOMAN TASCO: Madam
15 President, I move that Resolution 080911
16 be reported out of Committee with a
17 favorable recommendation.

18 (Duly seconded.)

19 COUNCIL PRESIDENT VERNA: It
20 has been moved and seconded that
21 Resolution 080911 be reported out of
22 Committee with a favorable
23 recommendation.

24 All in favor will say aye.

25 (Aye.)

1 12/3/08 - WHOLE - BILL 080875, etc.

2 COUNCIL PRESIDENT Verna: Those
3 opposed?

4 (No response.)

5 COUNCIL PRESIDENT Verna: The
6 ayes have it and the motion carries.

7 Again, the Chair recognizes
8 Councilwoman Tasco regarding Resolution
9 No. 080912.

10 COUNCILWOMAN TESCO: Madam
11 President, I move that Resolution 080912
12 be reported out of Committee with a
13 favorable recommendation.

14 (Duly seconded.)

15 COUNCIL PRESIDENT Verna: It
16 has been moved and seconded that
17 Resolution No. 080912 be reported out of
18 Committee with a favorable
19 recommendation.

20 All in favor will say aye.

21 (Aye.)

22 COUNCIL PRESIDENT Verna: Those
23 opposed?

24 (No response.)

25 COUNCIL PRESIDENT Verna: The

1 12/3/08 - WHOLE - BILL 080875, etc.

2 ayes have it. The motion carries.

3 That concludes our public

4 meeting. Thank you all for your

5 patience.

6 (Committee of the Whole

7 adjourned at 1:15 p.m.)

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CERTIFICATE

I HEREBY CERTIFY that the
proceedings, evidence and objections are
contained fully and accurately in the
stenographic notes taken by me upon the
foregoing matter on December 3, 2008, and that
this is a true and correct transcript of same.

MICHELE L. MURPHY
RPR-Notary Public

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