

1
2 COUNCIL OF THE CITY OF PHILADELPHIA
3 COMMITTEE ON PUBLIC PROPERTY AND
4 PUBLIC WORKS
5
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7 Room 400, City Hall
Philadelphia, Pennsylvania
8 Tuesday, May 3, 2011
10:30 a.m.
9
10

PRESENT:

11 COUNCILMAN DARRELL CLARKE, CHAIR
COUNCILMAN WILLIAM K. GREENLEE
12 COUNCILMAN JAMES KENNEY
COUNCILMAN FRANK RIZZO, JR.
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BILLS 110186, 110207, 110209, 110228 and
15 110257
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2 COUNCILMAN CLARKE: Good
3 morning. This is the Committee on Public
4 Property and Public Works. We have
5 established a quorum. To my left we have
6 Councilman Rizzo, Councilman Greenlee and
7 Councilman Kenney.

8 Mr. Carter, will you please
9 read the title of the first bill.

10 THE CLERK: Bill No. 110186, an
11 ordinance authorizing the Commissioner of
12 Public Property on behalf of the City of
13 Philadelphia to convey to the
14 Philadelphia Authority for Industrial
15 Development, a parcel of land with the
16 improvements thereon, located at 1900
17 through 70 North 9th Street, under
18 certain terms and conditions.

19 (Witnesses approached witness
20 table.)

21 COUNCILMAN CLARKE: Thank you.
22 Please proceed.

23 DEPUTY COMMISSIONER HERZINS:
24 Good morning, Chairman Clarke and members
25 of the Committee on Public Property and

1 5/3/11 - PUBLIC PROPERTY - BILL 110186, ETC.

2 Public Works. My name is John Herzins.

3 I am Deputy Commissioner in Public

4 Property here today to testify in support

5 of Bill No. 110186.

6 A request for proposals was

7 issued by the City for the

8 above-referenced parcel of land into

9 market-rate and affordable homeownership

10 units. APM and Jonathan Rose Companies

11 were selected based on their proposal to

12 construct a mixed-use, transit-oriented

13 and environmentally responsible rental

14 housing development for low- and

15 moderate-income families.

16 The approximately 217,000

17 square foot building will consist of 164

18 rental units for individuals and families

19 with household incomes from 50 to 80

20 percent of area median income. Of this,

21 approximately 40,000 square feet will be

22 dedicated to a state-of-the-art community

23 center and cafe on the ground floor. The

24 building will be constructed as an

25 environmentally responsible design that

1 5/3/11 - PUBLIC PROPERTY - BILL 110186, ETC.

2 includes a green roof and community
3 garden, solar panels, rainwater
4 collection and the use of local,
5 recyclable and renewable materials.

6 The Department of Public
7 Property supports this measure and,
8 accordingly, I respectfully ask that City
9 Council approve Bill No. 110186.

10 I am requesting a suspension of
11 the rules so as to allow the first
12 reading at the next session of Council.

13 Thank you.

14 COUNCILMAN CLARKE: Thank you,
15 Mr. Herzins.

16 MR. FLANAGAN: Good morning,
17 Chairman Clarke and members of the
18 Committee on Public Property and Public
19 Works. My name is Brian Flanagan. I am
20 the Chief of Staff to the Deputy Mayor
21 for Economic Development. I am here to
22 testify in support of Bill No. 110186.
23 I'd like to start by thanking Councilman
24 Clarke for his leadership throughout the
25 entire disposition and entitlement

1 5/3/11 - PUBLIC PROPERTY - BILL 110186, ETC.

2 process for this project.

3 This bill would allow for the
4 transfer of the property at 1900 North
5 9th Street from the City of Philadelphia
6 to the Philadelphia Authority for
7 Industrial Development and subsequently
8 to the partnership of Asociacion
9 Puertorriquenos en Marcha and the
10 Jonathan Rose Companies. This
11 development partnership was selected
12 through a competitive request for
13 proposal process that was conducted by
14 the Commerce Department in the summer of
15 2009.

16 The developers are proposing a
17 mixed-use, mixed-income, transit-oriented
18 development consisting of 164 units, 75
19 parking spaces in a grade-level garage
20 that is not visible from the adjacent
21 streets. The site is immediately
22 adjacent to the Temple University Rail
23 Station of the SEPTA Regional Rail
24 System. The design of the building and
25 the site location are consistent with the

1 5/3/11 - PUBLIC PROPERTY - BILL 110186, ETC.

2 principles of transit-oriented
3 development.

4 The building will also include
5 such measures as sunshades to mitigate
6 solar gain, a green roof, photovoltaic
7 solar panels, rainwater collection and
8 the use of local, recyclable and
9 renewable materials. LEED certification
10 will be sought for this project.

11 The zoning for this project was
12 introduced by Councilman Clarke on May
13 20th of 2010 and approved by the City
14 Planning Commission on June 8th and
15 passed by City Council June 17th of 2010.

16 The project received funding
17 from the City of Philadelphia with the
18 support of Councilman Clarke, the Home
19 Depot Foundation, Citibank Foundation and
20 the federal government through Senator
21 Casey's office and a variety of other
22 sources. The project has made it to the
23 final round of Low Income Housing Tax
24 Credits through PHFA that will be awarded
25 this coming summer.

1 5/3/11 - PUBLIC PROPERTY - BILL 110186, ETC.

2 With the award of the Low
3 Income Housing Tax Credits, this project
4 will be fully financed and ready to start
5 construction as early as late summer,
6 early fall. I ask for your support and
7 approval of Bill No. 110186.

8 COUNCILMAN CLARKE: Thank you.

9 Any questions of these
10 witnesses?

11 (No response.)

12 COUNCILMAN CLARKE: Anyone else
13 to testify on this bill?

14 (No response.)

15 COUNCILMAN CLARKE: There being
16 none, thank you very much.

17 Mr. Carter.

18 I'll read it myself. Next up
19 we will have Bill No. 110207.

20 DEPUTY COMMISSIONER HERZINS:

21 Good morning, Chairman Clarke and members
22 of the Committee on Public Property and
23 Public Works. My name is John Herzins,
24 Deputy Commissioner in Public Property,
25 here today to testify in support of Bill

1 5/3/11 - PUBLIC PROPERTY - BILL 110186, ETC.

2 No. 110207, an ordinance naming and
3 designating Public Health Center No. 10,
4 located at 2230 Cottman Avenue, as
5 "District Health Center No. 10, the Judge
6 Edward B. Rosenberg Center." I might
7 want to add that is an amendment to the
8 original ordinance, which listed an
9 incorrect name of Rosenberger. It should
10 be Edward B. Rosenberg.

11 The Department of Public
12 Property is not opposed to this measure
13 and, accordingly, I respectfully ask that
14 City Council approve Bill No. 110207.

15 I am requesting a suspension of
16 the rules so as to allow for first
17 reading at the next session of Council.

18 Thank you.

19 COUNCILMAN CLARKE: Thank you.

20 DEPUTY COMMISSIONER HERZINS:

21 We also have somebody --

22 COUNCILMAN CLARKE: Somebody
23 else?

24 (Witnesses approached witness
25 table.)

1 5/3/11 - PUBLIC PROPERTY - BILL 110186, ETC.

2 MS. BRILL: I'm Lorraine Brill.

3 I'm Vice-Chair of the Board at District
4 Health Center 10, and Stuart Katz, who is
5 the Director of Health Center 10.

6 COUNCILMAN CLARKE: Good
7 morning.

8 MS. BRILL: And it was noted
9 about the correction on the bill to
10 correct the spelling. It's Judge Edward
11 B. Rosenberg.

12 I have, if someone would like
13 to pass this around to the -- it's a copy
14 of our press release for our annual
15 meeting and also information from the
16 letter that was sent out by the community
17 Board, just for your information to give
18 a little more background on the matter.

19 The bill gives you a lot
20 already about the history and how Judge
21 Rosenberg helped us in 1969 and saved the
22 property, which was next to the Northeast
23 Regional Library. And it was about to be
24 sold, and he recognized that, and then we
25 had a big community meeting of all the

1 5/3/11 - PUBLIC PROPERTY - BILL 110186, ETC.

2 people in the Northeast, who campaigned
3 to save the land for the health center,
4 which they did. And then for many years,
5 we had to get the money and all kinds of
6 things. We've worked very hard.

7 So the reason we're so
8 concerned about Judge Rosenberg -- he did
9 die a few years ago, and since he was the
10 person that was very active in the
11 Northeast, he not only did all the things
12 that are on the paperwork that we gave
13 you, but he also was a Board Chair on the
14 Northeast Center for Mental Health and
15 Mental Retardation. He was the first
16 President in Oxford Circle Jewish
17 Community Center, and also he was --
18 well, I think they have it here, that he
19 was on the Zoning Board, and, of course,
20 being the judge.

21 I knew him when I first became
22 involved at the Upper Northwood Community
23 Council. He started that in 1948 and was
24 President. And I got involved in 1963
25 when I was a representative from the Home

1 5/3/11 - PUBLIC PROPERTY - BILL 110186, ETC.

2 and School from J. Hampton Moore School.

3 And then when we had to do a lot of
4 zoning and remapping, rezoning, he was
5 our mentor. I learned a lot from him
6 about zoning and all different things
7 that we do.

8 And so we urge you to support
9 this bill and add his name to the
10 District 10 Health Center name.

11 COUNCILMAN CLARKE: Thank you.

12 MR. KATZ: The only thing I'll
13 add is that the plan that we strongly
14 encouraged Council to pass is that the
15 health center name continue to be Health
16 Center 10, the Judge Edward B. Rosenberg
17 Center, so that we avoid confusion of
18 patients who know it as one thing and
19 suddenly think we've moved someplace that
20 they can't find, but...

21 COUNCILMAN CLARKE: Okay.

22 Mr. Herzins, I'm assuming that's okay
23 with the City?

24 DEPUTY COMMISSIONER HERZINS:

25 That's fine.

1 5/3/11 - PUBLIC PROPERTY - BILL 110186, ETC.

2 COUNCILMAN CLARKE: Thank you.

3 Any questions of these
4 witnesses by members of the Committee?

5 (No response.)

6 COUNCILMAN CLARKE: Anyone else
7 to testify on this bill?

8 (No response.)

9 COUNCILMAN CLARKE: There being
10 none, thank you so much for your
11 testimony.

12 The next bill.

13 THE CLERK: Bill No. 110209, an
14 ordinance renaming and designating the
15 Strawberry Mansion Health Center, located
16 at 2840 West Dauphin Street,
17 Philadelphia, Pennsylvania, as the
18 Dr. Chetwynd Bowling Health Center.

19 DEPUTY COMMISSIONER HERZINS:

20 Good morning, Chairman Clarke and members
21 of the Committee on Public Property and
22 Public Works. My name is John Herzins,
23 Deputy Commissioner of Public Property,
24 here today to testify in support of the
25 bill, which is an ordinance renaming and

1 5/3/11 - PUBLIC PROPERTY - BILL 110186, ETC.

2 designating the health center located at
3 2840 West Dauphin Street, Philadelphia,
4 as the Strawberry Mansion Health Center,
5 the Dr. Chetwynd Bowling Health Center.

6 The Department of Public
7 Property is not opposed to this measure
8 and, accordingly, I respectfully ask that
9 City Council approve Bill No. 110209.

10 I am requesting a suspension of
11 the rules so as to allow for the first
12 reading at the next session of Council.

13 Thank you. And we have some
14 additional testimony here.

15 COUNCILMAN CLARKE: Thank you.

16 (Witnesses approached witness
17 table.)

18 COUNCILMAN CLARKE: Good
19 morning. Please state your name for the
20 record.

21 MR. WILLIAMS: My name is
22 Tyrone Williams.

23 COUNCILMAN CLARKE: Please
24 proceed.

25 MS. RUSSELL: My name is

1 5/3/11 - PUBLIC PROPERTY - BILL 110186, ETC.

2 Patricia Russell, Vice-Chair.

3 MR. WARRAKAH: My name is
4 Kusema Warrakah, Chairman.

5 COUNCILMAN CLARKE: Please
6 proceed.

7 MR. WILLIAMS: Good morning,
8 Chair, Mr. Chair, panel. On behalf of
9 the Strawberry Mansion community of the
10 City of Philadelphia, we, the Advisory
11 Board members of the Strawberry Mansion
12 Health Center, are most honored to
13 present you the following testimony about
14 the late Dr. Chetwynd Bowling. Our
15 honorable City Councilors, we hope and
16 pray for your favor, unreserved support
17 and blessings for our community's desire
18 to become true, to change the current
19 name of our Philadelphia Department of
20 Public Health Clinic, located at 2840
21 West Dauphin Street, Philadelphia,
22 Pennsylvania 19132, from the "Strawberry
23 Mansion Health Center" to the "Strawberry
24 Mansion Health Center - Dr. Chetwynd
25 Edmund Bowling Health Center."

1 5/3/11 - PUBLIC PROPERTY - BILL 110186, ETC.

2 Dr. Chetwynd Edmund Bowling:

3 Chetwynd Edmund Bowling, M.D., was born
4 on July 12th, 1936 in Georgetown, Guyana.
5 He was the son of Richard and Agatha
6 Bowling of New Amsterdam, Guyana. Chet
7 received his early education in both New
8 Amsterdam and Georgetown. After
9 completing his school, he was trained as
10 a registered nurse and dispenser, but he
11 worked in those fields for only a short
12 time before deciding to come to the
13 United States to pursue his dream of
14 becoming a physician.

15 He attended Inter-American
16 University in Puerto Rico for two years
17 and then transferred to the University of
18 Bridgeport in Connecticut, where he
19 received a Bachelor's Degree in chemistry
20 after an additional year of study. He
21 entered Howard University Medical School
22 in Washington, DC in 1964 and earned his
23 M.D. degree in 1968.

24 After completing his internship
25 at Howard University, he worked for one

1 5/3/11 - PUBLIC PROPERTY - BILL 110186, ETC.

2 year as a Physician 1 at Mount Wilson
3 State Hospital outside of Baltimore
4 before coming to Philadelphia in 1970 for
5 his residency in general internal
6 medicine, with a subspecialty in clinical
7 pharmacology, at Hahnemann Medical
8 College and University. He served on the
9 faculty at Hahnemann as an Assistant
10 Professor and as the Director of Minority
11 Medical Students. He also held positions
12 on the faculties of Temple University
13 School of Medicine and Milton Hershey
14 Medical Center.

15 From 1974 onward, Chet
16 practiced medicine in a variety of
17 settings from the medical clinics at the
18 Philadelphia Department of Corrections
19 and at Graterford Prison, to private
20 practice, to clinics of the City of
21 Philadelphia's Department of Public
22 Health. After working for several years
23 at Health Center No. 5, he was appointed
24 Clinical Director of the Strawberry
25 Mansion Health Center in 1998. At both

1 5/3/11 - PUBLIC PROPERTY - BILL 110186, ETC.

2 clinics, he initiated and practiced the
3 special Star 65 clinic, which to date
4 still continues to provide extra support
5 in the treatment of long-term older
6 patients whose health issues require more
7 intense attention. Star 65 clinic
8 includes a social worker in the team at
9 the time of the visit, longer visit times
10 and includes family caregivers whenever
11 possible. He stepped down from the
12 Clinical Director position in 2007, and
13 at the time of his death, he was
14 continuing to care for patients at the
15 Strawberry Mansion Health Center clinic,
16 where he held the title of Clinical
17 Director Emeritus.

18 Chet's love of the study and
19 practice of medicine were evident to all
20 who came in contact with him - his
21 students, his fellow physicians and other
22 health professionals and, most of all,
23 his patients. During his years as a
24 medical student and a physician, Chet was
25 given numerous awards for his research,

1 5/3/11 - PUBLIC PROPERTY - BILL 110186, ETC.

2 his teachings and other work, but he was
3 always proudest and happiest about the
4 respect and the affection that he was
5 honored to receive from his students, his
6 colleagues and his patients.

7 In 1967, Chet married Charis
8 Crosse in Baltimore, Maryland and their
9 marriage produced two sons, David and
10 Kevin. Family was always very important
11 to Chet. He adored his wife and his
12 sons, and he doted on his grandson, Soli
13 Baraka Bowling, who was born on January
14 10th, 2008. Chet never minded when
15 people teased him about having two
16 passions, family and medicine, and it
17 seemed that those two were enough for
18 him. But he did also love to dance, to
19 go to the movies and theatre, and to read
20 occasional science fiction novels.

21 Chet loved and appreciated
22 life, and he lived his own life well. He
23 was a caring and compassionate physician
24 who dedicated his entire medical career
25 to public health. He will be greatly

1 5/3/11 - PUBLIC PROPERTY - BILL 110186, ETC.

2 missed by not only the Strawberry Mansion
3 community but also by many other people
4 in our city who loved him.

5 The Strawberry Mansion Health
6 Center Board of Directors members are:
7 Kusema Warrakah, Chairman; Patricia
8 Russell, Vice-Chairman; Lenora
9 Jackson-Evans, Treasurer; Laura E.
10 McFetridge, Secretary; Tyrone Williams,
11 Secretary (Alternate); Mary Dorothy
12 Smith; Linda Ogunfi; Rodnell Griffin;
13 Carl S. Moore, and we pay honor to our
14 late Vice-President, Mr. Allan Fred, who
15 served many years on the Strawberry
16 Mansion Health Center Advisory Board.

17 COUNCILMAN CLARKE: Thank you.

18 Anyone else to testify on this?

19 MS. RUSSELL: Yes. Good
20 morning. My name is Patricia Russell.
21 Again, I'm Vice-Chair. I'm representing
22 the patients of the Strawberry Mansion
23 Health Center, where I am a patient as
24 well, and I had an opportunity to work
25 with Dr. Bowling. I saw him as a

1 5/3/11 - PUBLIC PROPERTY - BILL 110186, ETC.

2 patient. I also worked with him on the
3 Board of Directors, and he would support
4 any fundraisers that we had that would --
5 where the funds would go towards helping
6 the staff or the patients at Strawberry
7 Mansion. And his Star 65 program, my
8 husband is a member of that, and one of
9 the things that I loved about the program
10 and Dr. Bowling was that when my husband
11 became a patient of the Star 65, he not
12 only called my husband in, but he called
13 me in, because he said this is a family
14 thing. And whatever my husband had to do
15 in order to maintain good health, I was a
16 part of that, that assistance. So he
17 included me and he explained to me
18 whatever the issues were, whatever my
19 husband needed to do just so that we
20 would both know and understand what was
21 involved in him doing what he needed to
22 do. And I found that he did that with
23 all of his patients. Even when I saw him
24 in the absence of my own doctor, he was
25 very concerned, he was very caring, very

1 5/3/11 - PUBLIC PROPERTY - BILL 110186, ETC.

2 soft spoken, but yet firm. He was a
3 very, very smart man, but yet he was a
4 very humble man.

5 So naming Strawberry Mansion,
6 adding his name to the title of
7 Strawberry Mansion is truly an honor, and
8 I'm glad to be a part of that.

9 COUNCILMAN CLARKE: Thank you.

10 MS. RUSSELL: Thank you.

11 MR. WARRAKAH: Honorable
12 Councilmen, thank you for the
13 opportunity. I had an opportunity to --

14 COUNCILMAN CLARKE: Please just
15 state your name for the record again.

16 MR. WARRAKAH: I'm sorry. My
17 name is Kusema Warrakah, Chair of
18 Strawberry Mansion Board of Directors.
19 And I feel so honored today to be able to
20 say a little bit about Dr. Bowling.

21 I met Dr. Bowling when I came
22 to Strawberry Mansion as a Board member
23 or later becoming the Chair of the Board,
24 and I found him to be a very
25 conscientious (unintelligible). He was

1 5/3/11 - PUBLIC PROPERTY - BILL 110186, ETC.

2 very dedicated, so much that it was
3 really amazing. He was very cautious and
4 very kind and gentle.

5 One remarkable thing that I
6 managed to hear was one time when his
7 wife said that he had to leave his
8 vacation, cut his vacation short from the
9 Caribbean with his family just to come
10 back to Strawberry Mansion to come and
11 see his patients.

12 He was a very, very nice man,
13 and it will be a great honor if
14 Strawberry Mansion will be named --
15 sorry; his name will be attached to the
16 Strawberry Mansion name for our
17 community.

18 Thank you very much.

19 COUNCILMAN CLARKE: Thank you
20 for your testimony.

21 Anyone else?

22 (No response.)

23 COUNCILMAN CLARKE: Any
24 questions of these witnesses by members
25 of the Committee?

1 5/3/11 - PUBLIC PROPERTY - BILL 110186, ETC.

2 (No response.)

3 COUNCILMAN CLARKE: There being
4 none, thank you very much for your
5 testimony.

6 MS. RUSSELL: Thank you.

7 THE CLERK: Bill No. 110228, an
8 ordinance authorizing the Commissioner of
9 Public Property to enter into a 25-year
10 Sublicense Agreement with the
11 Philadelphia Authority for Industrial
12 Development ("PAID") for the use of a
13 certain strip of land, owned by the PECO
14 Energy Company and licensed to PAID,
15 approximately 16 feet wide, beginning
16 near the intersection of Nixon Street and
17 Shawmont Avenue, continuing northwest
18 along the east side of the Schuylkill
19 River, and terminating at the Montgomery
20 County border, under certain terms and
21 conditions.

22 DEPUTY COMMISSIONER HERZINS:

23 Good morning, Chairman Clarke and members
24 of the Committee on Public Property and
25 Public Works. My name is John Herzins,

1 5/3/11 - PUBLIC PROPERTY - BILL 110186, ETC.

2 Deputy Commissioner in Public Property,
3 here today to testify in support of Bill
4 No. 110228, an ordinance authorizing the
5 Commissioner of Public Property to enter
6 into a 25-year agreement for the use of a
7 16-foot-wide strip of land owned by the
8 PECO Energy Company, beginning near the
9 intersection of Nixon Street and Shawmont
10 Avenue and continuing northwest along the
11 east side of the Schuylkill River,
12 terminating at the Montgomery County
13 border.

14 This segment of the trail will
15 connect portions of the Schuylkill River
16 Trail in Fairmount Park to portions of
17 the Schuylkill River Trail in Montgomery
18 County.

19 The Department supports this
20 measure and, accordingly, I respectfully
21 ask that City Council approve Bill No.
22 110228.

23 I am requesting a suspension of
24 the rules so as to allow for the first
25 reading at the next session of Council.

1 5/3/11 - PUBLIC PROPERTY - BILL 110186, ETC.

2 Thank you.

3 COUNCILMAN CLARKE: Thank you.

4 Mr. Focht.

5 MR. FOCHT: Good morning,

6 Chairman Clarke and the Committee

7 members. My name is Mark Focht. I'm the

8 First Deputy Commissioner of Parks and

9 Facilities, Philadelphia Parks and

10 Recreation. I am pleased to appear

11 before you today on behalf of Parks and

12 Recreation in support of Council Bill No.

13 110228.

14 The construction of this

15 approximately one-quarter mile trail will

16 complete a critical missing link in the

17 region-wide, 128-mile long Schuylkill

18 River Trail system, 19 miles of which are

19 in the City of Philadelphia. This trail

20 connects City residents with surrounding

21 communities and provides trail users from

22 the surrounding region with a critical

23 connection to Philadelphia. The trail is

24 directly connected to such destinations

25 as Valley Forge National Historical Park,

1 5/3/11 - PUBLIC PROPERTY - BILL 110186, ETC.

2 Manayunk, Schuylkill Banks and Center
3 City.

4 In the fall of 2009, City
5 Council approved Bill No. 090708 in
6 support of this project and authorized
7 the City to enter into a license
8 agreement for that portion of the trail
9 between Shawmont Avenue and Port Royal
10 Avenue. This bill before you today
11 authorizes the City to enter into a
12 similar lease agreement that permits the
13 trail to be extended all the way to the
14 Montgomery County border.

15 Completing the Schuylkill River
16 Trail has long been a mission of Parks
17 and Recreation and our partnering
18 organizations such as the Bicycle
19 Coalition and the Schuylkill River
20 Greenway Association. In addition, in
21 February of 2009, City Council passed a
22 resolution introduced by Councilman Jones
23 in support of completing the Schuylkill
24 River Trail since it is an economic
25 development, recreation, community

1 5/3/11 - PUBLIC PROPERTY - BILL 110186, ETC.

2 revitalization and environmental
3 preservation priority for the region.

4 The Schuylkill River Trail in
5 Philadelphia is in heavy demand by
6 approximately 670,000 users annually,
7 including bikers, pedestrians, runners
8 and families with children, who use the
9 trail for recreation, commuting,
10 relaxation and transportation between
11 destination points.

12 The Department of Parks and
13 Recreation believe that all residents
14 should have the opportunity to be engaged
15 with outdoor recreational activities. By
16 constructing this missing section of the
17 Schuylkill River Trail, we are not only
18 providing residents with an enhanced,
19 safe, recreational opportunity, but also
20 this critical link. Therefore, I appear
21 before you today to pledge the support of
22 Parks and Recreation for this legislation
23 and respectfully request this Committee
24 and City Council's approval of Bill No.
25 100228.

1 5/3/11 - PUBLIC PROPERTY - BILL 110186, ETC.

2 Thank you.

3 COUNCILMAN CLARKE: Thank you.

4 Any questions?

5 Councilman.

6 COUNCILMAN RIZZO: Is this
7 absolutely the kind of arrangement we
8 need, 25 years? It's a piece of PECO
9 property. Not that they'd ever want to
10 call that lease in. What's the option
11 after 25 years? And couldn't we just
12 make an arrangement with PECO that rather
13 than a lease, that they be involved in
14 the process and say that we have easement
15 of their land?

16 MR. FOCHT: Actually,
17 Councilman, the source of funding for
18 this, this is one of the federally funded
19 TIGER projects through the federal
20 stimulus project that's completing seven
21 sections of the Schuylkill River Trail.
22 The funding source requires that we have
23 control of the land via an easement
24 agreement for a minimum of 25 years,
25 which is the agreement we subsequently

1 5/3/11 - PUBLIC PROPERTY - BILL 110186, ETC.

2 struck with PECO. So the actual form of
3 agreement is a result of the funding
4 source.

5 COUNCILMAN RIZZO: Okay.

6 That's fair. But I know that property
7 and I don't think that they'll ever --

8 MR. FOCHT: Right. Neither do
9 we.

10 COUNCILMAN RIZZO: If they
11 really wanted to do it right, they should
12 have just given it to you.

13 MR. FOCHT: Well...

14 COUNCILMAN RIZZO: Okay.

15 Thanks.

16 COUNCILMAN CLARKE: Thank you,
17 Councilman.

18 Anyone else to testify on this
19 bill?

20 (No response.)

21 COUNCILMAN CLARKE: There being
22 none, thank you very much.

23 MR. FOCHT: Thank you.

24 THE CLERK: Bill No. 110257, an
25 ordinance authorizing the Commissioner of

1 5/3/11 - PUBLIC PROPERTY - BILL 110186, ETC.

2 Public Property on behalf of the City of
3 Philadelphia to convey to the
4 Philadelphia Authority for Industrial
5 Development, all or part of an
6 irregularly shaped parcel of land
7 currently used by the Philadelphia Zoo
8 for parking, along with the improvements
9 thereon, in an area generally located on
10 the south side of Girard Avenue, east of
11 North 38th Street and on the north side
12 of the Philadelphia Zoo, under certain
13 terms and conditions.

14 DEPUTY COMMISSIONER HERZINS:

15 Good morning, Chairman Clarke and members
16 of the Committee on Public Property and
17 Public Works. My name is John Herzins,
18 Deputy Commissioner in Public Property,
19 here today to testify in support of Bill
20 No. 110257, an ordinance authorizing the
21 Commissioner of Public Property on behalf
22 of the City to convey to PAID all or part
23 of an irregularly shaped parcel of land
24 currently used by the Philadelphia Zoo
25 for parking, along with the improvements

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2 thereon, in an area generally located on
3 the south side of Girard Avenue, east of
4 North 38th Street and north of the
5 Philadelphia Zoo, under certain terms and
6 conditions.

7 This parcel is currently being
8 used by the Philadelphia Zoo for parking
9 purposes. This conveyance will allow the
10 Zoo to construct a parking garage that
11 will provide much needed additional
12 parking.

13 I would like to amend right now
14 as part of this testimony two sentences
15 that weren't submitted previously. The
16 Law Department is still researching
17 whether or not the parcel in question is
18 Fairmount Park jurisdiction. If it is,
19 we would follow the process as required
20 for transferring parkland.

21 The Department of Public
22 Property supports this measure and,
23 accordingly, I respectfully ask that City
24 Council approve Bill No. 110257.

25 I am requesting a suspension of

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2 the rules so as to allow for the first
3 reading at the next session of Council.

4 Thank you.

5 COUNCILMAN CLARKE: Thank you.

6 The issue with respect to the owner, can
7 you kind of go over that again somehow
8 with a little specificity? You said you
9 would like to amend your testimony today?

10 DEPUTY COMMISSIONER HERZINS: I
11 added two sentences that weren't in the
12 written testimony. I provided --

13 COUNCILMAN CLARKE: Is that
14 going to be an amendment to the bill or
15 is that --

16 DEPUTY COMMISSIONER HERZINS:
17 No. It wouldn't affect the ordinance at
18 all. It would affect how the ultimate --

19 COUNCILMAN CLARKE: And the
20 issue as it relates to the ownership of
21 the parcel?

22 DEPUTY COMMISSIONER HERZINS:
23 Whether it's under Fairmount Park land or
24 not.

25 COUNCILMAN CLARKE: Okay.

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2 Would that require --

3 DEPUTY COMMISSIONER HERZINS:

4 No.

5 COUNCILMAN CLARKE: -- any
6 additional Council action?

7 DEPUTY COMMISSIONER HERZINS:

8 It would change the terms of the
9 ordinance. We would do a long-term lease
10 as opposed to a conveyance.

11 COUNCILMAN CLARKE: Okay. With
12 respect to the construction of the
13 garage, who is going to oversee the
14 garage construction? Would it be the Zoo
15 or would it be any entities within the
16 government?

17 DEPUTY COMMISSIONER HERZINS: I
18 believe it would be the Zoo.

19 COUNCILMAN CLARKE: The Zoo as
20 a private entity? Would there be any --
21 since the conveyance of land is required
22 to allow the construction, will there be
23 any language with respect to
24 participation goals on the construction,
25 local goals as it relates to hiring,

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2 purchase of material?

3 DEPUTY COMMISSIONER HERZINS: I
4 would have to ask the Law Department on
5 that question.

6 COUNCILMAN CLARKE: Is anybody
7 here from the Zoo?

8 Nobody is here from the Zoo,
9 okay.

10 MR. MONDLAK: John Mondlak from
11 the City Law Department.

12 I don't believe I know the
13 answer to your question, but the question
14 is who is required to oversee the
15 project?

16 COUNCILMAN CLARKE: Well,
17 understanding that this is not a
18 City-sponsored project, but there is an
19 issue with respect to Council's
20 involvement on projects that are done
21 pursuant to an ordinance, and we normally
22 ask for an attachment of an equal
23 opportunity plan to talk about the actual
24 construction, participation goals,
25 purchasing goals of material, the whole

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2 nine yards.

3 MR. MONDLAK: Right, and
4 actually, that's a good point,
5 Councilman. I don't know the answer, but
6 I do believe that the EOP requirements
7 would attach to this agreement, because
8 it is a transfer. I don't know if those
9 have been prepared or submitted or
10 shared. I'm not sure where this is in
11 that project -- where it is in the
12 timeline of that.

13 COUNCILMAN CLARKE:

14 Mr. Christmas, you want to --

15 MR. CHRISTMAS: You want me to
16 testify?

17 COUNCILMAN CLARKE: Yes, sir.
18 Get you on the record.

19 MR. CHRISTMAS: John Christmas
20 with Councilwoman Blackwell's office.

21 Yes, an economic opportunity
22 plan will be required for this measure.
23 And while we're looking for a favorable
24 recommendation from the Committee today,
25 we are ironing out the ownership issue of

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2 whether Public Property does in fact have
3 the authority to transfer this property.

4 If this bill moves forward; that is to
5 say, onto the floor, we would be
6 expecting to amend this to include an
7 economic opportunity plan. Even if this
8 moves forward by virtue of a long-term
9 lease, another measure that would come
10 before Council, conveying the property to
11 the Zoo and allowing the erection of the
12 garage, that too would include an
13 economic opportunity plan.

14 So we're looking for a
15 Committee vote, but ultimately upon final
16 passage, it will include an economic
17 opportunity plan, whatever vehicle we
18 use.

19 COUNCILMAN CLARKE: Okay. I
20 just want to be consistent. Thank you.

21 MR. CHRISTMAS: Thank you.

22 COUNCILMAN CLARKE: Thank you
23 very much.

24 Any questions of these
25 witnesses by members of the Committee?

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2 (No response.)

3 COUNCILMAN CLARKE: Anyone else
4 to testify on this bill?

5 (No response.)

6 COUNCILMAN CLARKE: There being
7 none, thank you very much for your
8 testimony.

9 This concludes the public
10 hearing on the Committee of Public
11 Property and Public Works. We will now
12 go into the public meeting.

13 Councilman Kenney.

14 COUNCILMAN KENNEY: Thank you,
15 Mr. Chairman. I move that Bill No.
16 110186 be reported out of this Committee
17 with a favorable recommendation and a
18 request made for rules suspension to
19 allow first reading at our next Council
20 session.

21 (Duly seconded.)

22 COUNCILMAN CLARKE: It's been
23 moved and seconded.

24 All approved?

25 (Aye.)

1 5/3/11 - PUBLIC PROPERTY - BILL 110186, ETC.

2 COUNCILMAN CLARKE: Those
3 opposed?

4 (No response.)

5 COUNCILMAN CLARKE: The ayes
6 have it. Bill No. 110186 is reported out
7 of Committee with a favorable
8 recommendation with rules suspension to
9 allow reading at the next session of
10 Council.

11 Councilman Greenlee.

12 COUNCILMAN GREENLEE: Thank
13 you, Mr. Chairman. I move the adoption
14 of the amendment to Bill No. 110207.

15 (Duly seconded.)

16 COUNCILMAN CLARKE: It has been
17 moved and seconded.

18 All approved?

19 (Aye.)

20 COUNCILMAN CLARKE: Those
21 disapproved?

22 (No response.)

23 COUNCILMAN CLARKE: The ayes
24 have it. The amendment to Bill No.
25 110207 has been approved.

1 5/3/11 - PUBLIC PROPERTY - BILL 110186, ETC.

2 Councilman Greenlee.

3 COUNCILMAN GREENLEE: Thank
4 you, Mr. Chairman. I move that Bill No.
5 110207, as amended, be reported out of
6 this Committee with a favorable
7 recommendation, that the rules of Council
8 be suspended to allow for first reading
9 at our next session of Council.

10 (Duly seconded.)

11 COUNCILMAN CLARKE: It's been
12 moved and seconded.

13 Those in favor?

14 (Aye.)

15 COUNCILMAN CLARKE: Those
16 opposed?

17 (No response.)

18 COUNCILMAN CLARKE: The ayes
19 have it. Bill No. 110207, as amended,
20 has been reported out of Committee with a
21 favorable recommendation with rules
22 suspension to allow reading at the next
23 session of Council.

24 Councilman Rizzo, Bill No.
25 110209.

1 5/3/11 - PUBLIC PROPERTY - BILL 110186, ETC.

2 COUNCILMAN RIZZO: I'd like to
3 report out of Committee Bill No. 110209
4 with a favorable recommendation and the
5 rules of Council be suspended.

6 (Duly seconded.)

7 COUNCILMAN CLARKE: It's been
8 moved and seconded.

9 Those in favor?

10 (Aye.)

11 COUNCILMAN CLARKE: Those
12 opposed?

13 (No response.)

14 COUNCILMAN CLARKE: The ayes
15 have it. Bill No. 110209 is reported out
16 of Committee with a favorable
17 recommendation.

18 Councilman Kenney.

19 COUNCILMAN KENNEY: Thank you,
20 Mr. Chairman. I move that Bill No.
21 110228 be reported out of this Committee
22 favorably and a request made for rules
23 suspension to allow first reading at our
24 next Council session.

25 (Duly seconded.)

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2 COUNCILMAN CLARKE: It's been
3 moved and seconded.

4 Those in favor?

5 (Aye.)

6 COUNCILMAN CLARKE: Those
7 opposed?

8 (No response.)

9 COUNCILMAN CLARKE: The ayes
10 have it. Bill No. 110228 is reported out
11 of Committee with a favorable
12 recommendation with rules suspension to
13 allow reading at the next session of
14 Council.

15 Councilman Greenlee.

16 COUNCILMAN GREENLEE: Thank
17 you, Mr. Chairman. I move that Bill No.
18 110257 be reported out of this Committee
19 with a favorable recommendation and that
20 the rules of Council be suspended to
21 allow for first reading at our next
22 session of Council.

23 (Duly seconded.)

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

1 5/3/11 - PUBLIC PROPERTY - BILL 110186, ETC.

2 Those in favor?

3 (Aye.)

4 COUNCILMAN CLARKE: Those
5 opposed?

6 (No response.)

7 COUNCILMAN CLARKE: The ayes
8 have it. Bill No. 110257 is reported out
9 of Committee with a favorable
10 recommendation with rules suspension to
11 allow reading at the next session of
12 Council.

13 That concludes the public
14 meeting of the Committee of Public
15 Property and Public Works.

16 Thank you all very much.

17 (Committee on Public Property
18 and Public Works concluded at 11:05 a.m.)

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1
2 CERTIFICATE

3 I HEREBY CERTIFY that the
4 proceedings, evidence and objections are
5 contained fully and accurately in the
6 stenographic notes taken by me upon the
7 foregoing matter on May 3, 2011, and that this
8 is a true and correct transcript of same.

9
10
11
12
13 -----
14 MICHELE L. MURPHY
15 RPR-Notary Public
16
17
18

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20 transcript does not apply to any reproduction
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22 direct control and/or supervision of the
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