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COUNCIL OF THE CITY OF PHILADELPHIA
PUBLIC HEARING AND PUBLIC MEETING
BEFORE COMMITTEE ON
PUBLIC PROPERTY AND PUBLIC WORKS

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- - -
Room 400, City Hall
Philadelphia, Pennsylvania
Wednesday, April 28, 1999
10:33 a.m.
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BILL 990199 - Authorizing the Commissioner of
Public Property to lease to the Philadelphia
Authority for Industrial Development for further
sublease to Philcom Ltd. a certain parcel of
ground or a portion thereof located at 5210 Umbria
Street, under certain terms and conditions.

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PRESENT: COUNCILWOMAN AUGUSTA A. CLARK, Chair
COUNCIL PRESIDENT ANNA C. VERNA
COUNCILWOMAN JANNIE BLACKWELL
COUNCILMAN JAMES F. KENNEY
COUNCILWOMAN DONNA REED MILLER
COUNCILMAN MICHAEL A. NUTTER
COUNCILMAN FRANK RIZZO

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2 I N D E X

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4 Page

5 Joseph James 4
6 Deputy Commissioner
Department of Public Property

7 Leonard Stevens. 21
8 President of Philcom

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2 P R O C E E D I N G S

3 COUNCILWOMAN CLARK: Good morning. The
4 Committee on Public Property and Public Works is
5 now in session. My only reason for rushing is
6 that I'm in a hurry.

7 (Laughter.)

8 COUNCILWOMAN CLARK: I can name you ten
9 others, but they don't count. The truth is, I'm
10 in a hurry.

11 Would the record reflect that a quorum
12 is present. In the room today is Council
13 President Anna Verna; Councilwoman Jannie
14 Blackwell; myself, the Chair of this committee,
15 Augusta Clark; Councilman Michael Nutter; and
16 Councilwoman Donna Reed Miller.

17 Will the secretary to this committee
18 please read Bill No. 990199.

19 THE CLERK: An ordinance Authorizing
20 the Commissioner of Public Property to lease to
21 the Philadelphia Authority for Industrial
22 Development for further sublease to Philcom Ltd. a
23 certain parcel of ground or a portion thereof
24 located at 5210 Umbria Street, under certain terms
25 and conditions.

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2 COUNCILWOMAN CLARK: Thank you.

3 Are there persons present who wish to
4 be heard to in favor of or against this bill?

5 MR. JAMES: Yes.

6 COUNCILWOMAN CLARK: Good morning, sir.
7 Would you introduce yourself to the record, spell
8 name for benefit of the stenographer, and proceed
9 with your testimony.

10 MR. JAMES: Yes, I will. Good morning,
11 Chairwoman, and good morning, committee members.
12 My name is Joseph James. J-O-S-E-P-H, J-A-M-E-S.

13 COUNCILWOMAN CLARK: Thank you.
14 Proceed with your testimony, but before you do,
15 let the record reflect that we have been joined at
16 the table by Councilman Rizzo.

17 COUNCILMAN RIZZO: Thank you, Madam
18 Chair.

19 COUNCILWOMAN CLARK: Thank you, sir.

20 All right, please proceed.

21 MR. JAMES: Thank you. Good morning,
22 Councilwoman Clark, and members of the committee.
23 I am Joseph James, Deputy Commissioner of the
24 Department of Public Property. It is a pleasure
25 to appear before the committee today to briefly

1 4/28/99 PUB. PROP. & PUB. WORKS - 990199
2 review the substantive provisions of a lease by
3 the City and Philcom Limited, a/k/a Bank Towers.

4 Bill No. 990199 was introduced on April
5 7, 1999. Representatives from the Department have
6 engaged in continuous discussions with
7 representatives from Philcom Limited concerning
8 leasing of City property, as permitted by the
9 bill. Through the lease negotiation process, we
10 have sought terms for a lease that will best serve
11 the needs of the citizen of the City and
12 facilitate the efforts of the City to construct
13 new 800-megahertz digital radio network.

14 Generally, these terms include
15 compensation in the form of rent with future
16 increases, allocation of rent-free tower space for
17 the City, thus permitting the City to remove one
18 of its obsolete towers at Philcom's expense, and
19 consideration for the City's public-broadcast and
20 independent television stations.

21 The terms to which Philcom Limited has
22 committed itself are acceptable to the
23 Department. Therefore, I respectfully ask that
24 Council approve Bill No. 990199. I also ask the
25 committee to suspend the rules of Council to allow

1 4/28/99 PUB. PROP. & PUB. WORKS - 990199
2 this bill to be reported out of committee and to
3 have its first reading at the next Council
4 session.

5 I am now available to answer any
6 questions you may have.

7 COUNCILWOMAN CLARK: Thank you very
8 much. I have a few questions, but first I call on
9 Councilmember Nutter.

10 COUNCILMAN NUTTER: Thank you, Madam
11 Chair. Good morning, Mr. James.

12 Is it my understanding that the
13 discussions are fully underway and that the City
14 is, in fact, fully supporting this particular
15 proposal to have a new tower go up on the tower
16 owner's property and that this issue before us
17 today is for the purpose of a guide wire and
18 anchor to be placed on a piece of City-owned
19 property?

20 MR. JAMES: That is correct, Councilman
21 Nutter. The City is very supportive of this
22 proposal, and it will allow us to move forward our
23 public safety radio system. And it is, in fact, a
24 viable solution that allows the private builder to
25 build on their property and to anchor right next

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2 to their existing anchor on City property.

3 COUNCILMAN NUTTER: And the discussions
4 that are underway, the City has already come to
5 agreement on financial terms with regard to this
6 lease, but that the City will also benefit from
7 having a tower that we presently utilize for
8 communication services. Those services will be
9 relocated to this tower to be built. Other public
10 agencies or quasi-governmental systems will have
11 their communications systems on this tower if they
12 choose, at no cost to those governmental agencies.

13 Is that also correct?

14 MR. JAMES: That is also correct that
15 our current tower at Port Royal and Horner, we
16 have our existing 450 system. We also have
17 American Red Cross, National Weather Service, and
18 the School District located on there. And
19 provisions of the lease allow for all of those
20 tenants to move to the new tower at no cost to
21 them or to the City.

22 COUNCILMAN NUTTER: And if we choose to
23 have the present 450 tower taken down, it will be
24 done at this tower operator's expense?

25 MR. JAMES: At the sole expense of the

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2 tower operator.

3 COUNCILMAN NUTTER: Okay. And lastly,
4 because of the FCC regulations with regard to the
5 movement into HD TV (high-definition television)
6 and the requirement that all stations have digital
7 tower capacity, there are many stations in our
8 area that are not able to build their own tower;
9 is that correct?

10 MR. JAMES: That is correct.

11 COUNCILMAN NUTTER: And that two of
12 most well-known public television stations, WHYY
13 and WYBE, they will have the opportunity,
14 subsequent to reasonable lease negotiations with
15 them, to locate on this particular tower; is that
16 right?

17 MR. JAMES: That is also correct.

18 COUNCILMAN NUTTER: Okay, thank you
19 very much.

20 MR. JAMES: Thank you.

21 COUNCILWOMAN CLARK: Mr. Rizzo.

22 COUNCILMAN RIZZO: Thank you, Madam
23 Chair.

24 What is the need to take down a tower
25 that is already owned by the City of Philadelphia

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2 that is relatively new? It's not that old, it's a
3 bottom section of a tower that was designed when
4 it was first installed to be made taller if
5 necessary and also potentially draw revenue from
6 the City of Philadelphia to have outside carriers
7 install antennas on that particular tower.

8 I don't particularly think that the
9 800-megahertz radio system is in any jeopardy
10 without this tower. Certainly this kind of
11 softens the blow here but there's no connection
12 between an 800-meg City system and this tower.

13 MR. JAMES: Well, excuse me,
14 Councilman, there is a direct correlation between
15 this tower and our 800-megahertz system and our
16 existing tower at Port Royal and Horner.

17 As you mentioned, the tower that we
18 currently have our 450 system on is a 300-foot
19 stainless steel tower. For us to allow us to put
20 an 800-megahertz system on that particular tower
21 would have to increase the height by an additional
22 300 feet at a sizeable expense to the City, as
23 well as ground on the bottom of the tower that we
24 would have to build out to allow the accommodation
25 of our equipment.

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2 This lease that we are entering in has
3 a very attractive provision in it that allows us
4 to place our 800 system on a brand new tower at a
5 elevation that's acceptable for the coverage that
6 we need along with all of the ground space that we
7 need to put all of our equipment shelters and our
8 tenants. And it also allows to us run parallel
9 systems as we are testing out our 800-megahertz
10 system.

11 It doesn't delay the scheduling so that
12 we can bring up our 800 system, maintain our 450
13 system, which our police will be using during the
14 time of our first phase, and allow us to operate
15 the system. And, in fact, the provision allows us
16 to take down the tower at Port Royal and Horner at
17 the sole expense of the private entity at a time
18 that's acceptable to the City. And if, in fact,
19 the City -- it's at the City's discretion to
20 exercise that right.

21 But at some point in time, that tower
22 will become no longer of any importance, it will
23 no longer be a part of our system. And as we've
24 seen in that particular area, there is a multitude
25 of private entities who are already attracting all

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2 of the local carriers who are looking for a tower
3 space today.

4 So the City would really not be in a
5 position to compete with the private entities for
6 tower space for cellular providers and PCS
7 providers.

8 COUNCILMAN RIZZO: Does that tower have
9 a value? Rather than take it down, could it be
10 sold?

11 MR. JAMES: It's possible that it could
12 be sold. I think it's possible that in our lease
13 negotiations that if there's any salvage value of
14 the tower once it's removed --

15 COUNCILMAN RIZZO: No, I'm not talking
16 about salvage; I'm talking about selling it to a
17 person who would be interested to continue its
18 operation as a communications tower.

19 MR. JAMES: Well, as I just mentioned,
20 there are -- a number of private entities already
21 have existing towers that are directly near and
22 across from the existing City tower that already
23 have a multitude of carriers and they're probably
24 more attractive to the private sector than our
25 City tower would be.

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2 COUNCILWOMAN CLARK: Is the answer,
3 though, that Public Property will protect the
4 City's interests, and if there's a greater value
5 in keeping it, we will keep it; if there's a
6 greater value in renting it, we will rent it; if
7 there's a greater value in taking it down and
8 selling its parts for salvage; we'll do that.

9 MR. JAMES: The City will certainly
10 exercise all of its due diligence to do the most
11 appropriate thing for the City's interests.

12 COUNCILMAN NUTTER: Councilwoman?

13 COUNCILMAN RIZZO: Have you identified
14 the actual -- in the bill at least --

15 MR. JAMES: Yes.

16 COUNCILMAN RIZZO: If I missed it, I
17 apologize. The actual size of the parcel for the
18 anchor location, has that been identified? I
19 think it wasn't clear to me exactly how much land
20 we're talking about.

21 MR. JAMES: Well, I apologize for that,
22 that we don't have the actual lease ready at this
23 particular point in time. But you will see the
24 lease which has a site plan and it does have a
25 survey that shows you -- it's a very small parcel

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2 of land. And even the private entities here today
3 could probably describe to you better how much
4 land we're actually talking about.

5 COUNCILMAN RIZZO: My last question.
6 Has the Streets Department signed off on this? Is
7 there anything in this lease agreement that would
8 interfere with any operational activities at the
9 site where there's planned expansion?

10 My question is, is the Streets
11 Department signed off on this?

12 MR. JAMES: The Streets Department has
13 signed off on this.

14 COUNCILMAN RIZZO: Thank you. Thank
15 you, Madam Chair.

16 COUNCILWOMAN CLARK: Okay.

17 COUNCILMAN NUTTER: Madam Chair, if I
18 could just add one item for the record.

19 COUNCILWOMAN CLARK: Yes, sir.

20 COUNCILMAN NUTTER: And I appreciate
21 your pointing out that any discussion about the
22 current City tower and what happens with it is at
23 the sole discretion of the City. The City will
24 make that decision as to whether or not they want
25 to keep that tower there, but if they decide not

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2 to, it's left to the proposed tower builder to
3 dispose of it.

4 The only other thing I would add to the
5 record on that is, certainly this issue of towers
6 has come up at the community level, and when the
7 proposed tower builder met with various community
8 groups and organizations, virtually any that are
9 in the area, all of them have raised the issue of
10 if ever there are opportunities to lessen the
11 number of towers in the 21st Ward area, they would
12 like us to at least pursue that as an option. And
13 so I believe most of the discussion about keeping
14 this tower or not has been risen at the community
15 level asking that if there is an opportunity to
16 lessen the number of towers in the area, they'd
17 certainly like the City to pursue that.

18 But we will do, and I think you've
19 established for the record, Public Property will
20 always do what's in the City's best interests.

21 Thank you.

22 MR. JAMES: Thank you.

23 COUNCILMAN NUTTER: Thank you.

24 COUNCILWOMAN CLARK: Thank you. Let me
25 put a few questions on, and I'll expect your

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2 briefest answer.

3 MR. JAMES: Sure.

4 COUNCILWOMAN CLARK: Describe the
5 material terms of the lease. You can't do that
6 yet because the lease has not yet been signed?

7 MR. JAMES: The lease has not been --
8 well, not fully been completed and executed.

9 COUNCILWOMAN CLARK: Right, all right.
10 How high will the tower be and what danger does it
11 danger does it pose to people and buildings if it
12 blows over?

13 MR. JAMES: I believe the --

14 COUNCILWOMAN CLARK: And how have you
15 protected their interests?

16 MR. JAMES: If I understand your
17 question, you're asking, how high will the tower
18 be?

19 COUNCILWOMAN CLARK: Mm-hmm.

20 MR. JAMES: And how will we protect the
21 safety of the people who are constructing it or
22 the people in the community?

23 COUNCILWOMAN CLARK: Yes.

24 MR. JAMES: The, tower as I understand
25 it, the total height is 1500 feet. As far as the

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2 safety issues, I think the safety issues are
3 something that the tower developer or the builder
4 can answer better than I can.

5 COUNCILWOMAN CLARK: Well, you have
6 satisfied yourself that every reasonable safeguard
7 has been put in place?

8 MR. JAMES: I am very comfortable that
9 every safeguard that is commonly used in the
10 industry is being put in place to build this
11 tower.

12 COUNCILWOMAN CLARK: Were other
13 locations considered, and why was this site
14 preferable to others?

15 MR. JAMES: I believe that there have
16 been a number of sites that have been looked at
17 for the construction of a tower in the area
18 generally known as "Tower Farm Area." I believe
19 that what makes this site most attractive and most
20 appealing to most folks is that it's going right
21 next to an existing tower that the current private
22 entity already has, so it's not going any further
23 out in the community than where their current
24 tower exists today.

25 COUNCILWOMAN CLARK: What about actual

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2 or potential environmental liability exposure and
3 claims? Has the City been held harmless in
4 writing?

5 MR. JAMES: In the lease, there will be
6 provisions that will protect the City's interests
7 against any kind of claims. And as far as I
8 understand it today, to my personal knowledge,
9 there are no environmental issues at the present
10 time.

11 COUNCILWOMAN CLARK: To your knowledge,
12 is there any unanswered community opposition to
13 the project?

14 MR. JAMES: Not that I have any
15 firsthand knowledge of.

16 COUNCILWOMAN CLARK: How about second-
17 and thirdhand?

18 MR. JAMES: Not that I have any
19 knowledge of.

20 COUNCILWOMAN CLARK: All right. I
21 always worry about those little disclaimers.

22 MR. JAMES: I understand.

23 COUNCILMAN RIZZO: Madam Chair?

24 COUNCILWOMAN CLARK: Just a minute, I
25 hear you.

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2 Is there a brief explanation for what
3 role does this lease play in connection with the
4 800-megahertz telecommunications system? Your
5 briefest answer.

6 MR. JAMES: In the briefest answer,
7 it's as secure a site for us to allow us to allow
8 us to build the first phase of the project on a
9 brand new tower. It will allow us to turn up that
10 new system and test it out without having to
11 interrupt our current 450 existing system.

12 COUNCILWOMAN CLARK: So you won't turn
13 off current system until the proposed system is
14 up, operational, and debugged?

15 MR. JAMES: And fully accepted.

16 COUNCILWOMAN CLARK: All right, thank
17 you.

18 Mr. Rizzo.

19 COUNCILMAN RIZZO: Thank you.

20 Deputy Commissioner, have the FCC
21 licenses been approved, issued -- whatever
22 language is used? How do you know that the
23 800-megahertz system in the antenna farm? Have
24 all of the propagation studies and all of the FCC
25 approvals, are they in place today to put those

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2 transmitters and receivers at the height on that
3 tower?

4 MR. JAMES: We have all of the
5 approvals the City is required by the FCC for
6 their licenses. We have also done all of the
7 propagation studies, and we've also had our
8 potential vendor work with the new entity at the
9 tower site to confirm that the elevations will not
10 cause an interference issue that we will allow to
11 be able to transmit at whatever height that we
12 need to be on the tower without any restrictions.
13 The lease allows us to be at whatever elevations
14 that allows us to get the optimum coverage that we
15 need.

16 COUNCILMAN RIZZO: Another issue that
17 the community has expressed concern in -- aviation
18 lighting. What is the situation with that and how
19 is that going to blend in? Has there been some
20 discussion about how and when those strobe lights
21 will operate? And I assume there will be many of
22 them on that 1500-foot-tall tower?

23 MR. JAMES: Mm-hmm. To the best of my
24 knowledge, Councilman, I do not know how they
25 actually will operate and the frequency and at

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2 what heights they will be at; that is something we
3 will have to see in the actual construction of the
4 tower plan.

5 But it's my understanding that the
6 party that is entering the lease has done those
7 studies to make sure that there will be no
8 interference with flight plans and it will have
9 the proper lighting and that it will meet all of
10 the FCC requirements for both safety and all of
11 the FAA requirements as far as lighting.

12 COUNCILMAN RIZZO: Thank you.

13 That's it, Madam Chair.

14 COUNCILWOMAN CLARK: I appreciate that.

15 Are there any other questions by other
16 members of the committee?

17 (No response.)

18 COUNCILWOMAN CLARK: Seeing none, are
19 there other persons in the room who wish to be
20 heard to speak in favor of or against Bill No.
21 990199?

22 (No response.)

23 COUNCILWOMAN CLARK: I understand that
24 the tower operator and builder is present in the
25 room. If you're coming, sir, come through these

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2 center gates.

3 Thank you, Mr. James.

4 MR. JAMES: Thank you very much.

5 (Mr. Stevens comes forward.)

6 COUNCILWOMAN CLARK: Good morning.

7 MR. STEVENS: Good morning.

8 COUNCILWOMAN CLARK: Please introduce
9 yourself to the record.

10 MR. STEVENS: Good morning, I am --

11 COUNCILWOMAN CLARK: Spell your last
12 name for benefit of the stenographer, and proceed
13 with your testimony.

14 MR. STEVENS: Good morning. I'm
15 Leonard Stevens, S-T-E-V-E-N-S, the President of
16 Philcom, the company that is proposing to erect
17 this new tower in the antenna farm.

18 I'm probably the only thing one still
19 standing or living that built a tower in the
20 farm. We call it "the farm" because it's a term
21 that has grown over the years as a kind of a way
22 to describe the cluster of eight towers that you
23 see blinking away on the side of the hill there in
24 Roxborough and that we can see from the expressway
25 when we cruise up or down that part of the

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2 expressway.

3 But I was one of the founders of
4 Channel 17 back in the late '60s, mid-'60s, and I
5 was there when the tower was built, helped to
6 design it. And when we sold Channel 17 in the
7 '70s, we did not sell that tower, and that is how
8 we come to still own one of those eight towers in
9 the farm.

10 It is -- the new tower that we propose
11 to build is right there next to it, 100 feet away,
12 basically occupying the same footprint, which is
13 one of the virtues of this project. It doesn't
14 expand the farm, it doesn't provide any negative
15 downside to adding another tower right there in
16 the middle of the cluster. And to the best of my
17 knowledge, going through several Zoning Board
18 hearings and addressing personally with my
19 associates, the various civic groups in the 21st
20 Ward, we are unopposed by anyone other than a
21 competitive company that is hoping to build a
22 similar tower.

23 If I may just go back to a couple of
24 questions that Mr. James was unable to address.
25 In terms of the lighting, the lighting is governed

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2 by the Federal Aviation Administration. It will
3 not have strobe lights; it will have just another
4 set of red alternate fixed and blinking red
5 lights. That's a good thing, by the way, because
6 we find that strobe lights are kind of obnoxious
7 to people.

8 In terms of the safety aspects of the
9 tower, all of the towers there are built under
10 federal guidelines which are promulgated by the
11 Electronics Industries Association, adopted by the
12 Federal Communications Commission. And the
13 standard for these towers continues to get tougher
14 and tougher, as they, you know, develop new
15 knowledge about the way the wind blows and the
16 technology of erecting towers. So the current
17 standard, just for the record, is called RS-220-F,
18 as in "Frank," and the tower will be built under
19 that standard.

20 All of the capacity for the tower will
21 be packed into an enormous, beefy brute of a
22 tower. It will look like the others, but if you
23 get up closer to it, you'll see that the steel is
24 this thick instead of this thick (demonstrating).
25 And the guide are more than an inch in diameter

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2 instead of less than an inch in diameter, as the
3 present towers are -- not so much because of the
4 new standard, although that contributes to the
5 safety requirements of the RS-220-F, but rather
6 because of the capacity requirements of the new
7 tower.

8 And we've assured the City that this
9 tower will be able to handle all --

10 COUNCILWOMAN CLARK: Thank you.

11 Mr. Rizzo's insisting on a brief
12 question for which I really have to insist that
13 you have a brief answer.

14 MR. STEVENS: Right.

15 COUNCILMAN RIZZO: Thank you. Thank
16 you, Madam Chair.

17 The question that I have is a reference
18 to collocation on your tower. Are there any
19 restrictions in your leases that would prohibit
20 collocation? Can competitors locate on your
21 tower?

22 MR. STEVENS: Certainly. No, there are
23 no restrictions.

24 COUNCILMAN RIZZO: In other words, if
25 someone wanted to eliminate building another tower

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2 and locate on your tower because Channel 6 is on
3 there, Channel 10 would be able to locate.

4 MR. STEVENS: Absolutely.

5 COUNCILMAN RIZZO: So there's no
6 restrictions in leases.

7 MR. STEVENS: Collocation, by
8 definition, means competitors occupying the same
9 structure.

10 COUNCILWOMAN CLARK: Of course.

11 COUNCILMAN RIZZO: I wanted to hear
12 that. Thank you.

13 COUNCILWOMAN CLARK: It's in the direct
14 testimony as well.

15 COUNCILMAN RIZZO: I wanted to have it
16 on the record, thanks.

17 COUNCILWOMAN CLARK: That's what direct
18 testimony is. However, thank you very much.

19 MR. STEVENS: Well, virtually,
20 everybody on the --

21 COUNCILWOMAN CLARK: To God's ear and
22 Frank Rizzo's ear and the stenographer's.

23 COUNCILMAN RIZZO: That's right.

24 MR. STEVENS: Everyone on the tower
25 will be competitors.

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2 COUNCILMAN RIZZO: I'm sorry we're in
3 such a hurry.

4 MR. STEVENS: Okay.

5 COUNCILWOMAN CLARK: Well, time is
6 finite.

7 Are there others here who wish to be
8 heard to speak for or against this?

9 (No response.)

10 COUNCILWOMAN CLARK: I thank you.

11 MR. STEVENS: Thank you.

12 COUNCILWOMAN CLARK: Okay, I'll take a
13 motion.

14 COUNCILMAN NUTTER: Madam President, I
15 move that we close our public hearing and move
16 into a public meeting.

17 (Duly seconded.)

18 COUNCILWOMAN CLARK: All in favor?
19 Opposes?

20 COUNCILWOMAN CLARK: This meeting is
21 now closed.

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1 4/28/99 PUB. PROP. & PUB. WORKS - Pub. Meeting

2 COUNCILWOMAN CLARK: We are now in
3 public meeting.

4 Mr. Nutter, it's your bill.

5 COUNCILMAN NUTTER: Madam Chair, I move
6 that Bill No. 990199 be reported out of this
7 committee with a favorable recommendation and a
8 further recommendation that the rules of Council
9 be suspended so as to permit first reading at our
10 next session.

11 (Duly seconded.)

12 COUNCILWOMAN CLARK: It's been properly
13 moved and seconded that Bill No. 990199 be
14 reported out of this committee with a favorable
15 recommendation --

16 COUNCILMAN RIZZO: Madam Chair?

17 COUNCILWOMAN CLARK: Just a minute.
18 And that the rules of Council be suspended so as
19 to permit first reading of this bill at the next
20 hearing.

21 All in favor, say aye.

22 Opposes?

23 COUNCILMAN RIZZO: I thought there was
24 an issue of the lease.

25 COUNCILWOMAN CLARK: I'll tell it to

1 4/28/99 PUB. PROP. & PUB. WORKS - Pub. Meeting
2 you off the record.

3 COUNCILMAN RIZZO: Off the record?

4 COUNCILWOMAN CLARK: Mm-hmm.

5 COUNCILMAN NUTTER: It can go on the
6 record.

7 COUNCILWOMAN CLARK: Okay, what's your
8 question?

9 COUNCILMAN RIZZO: I thought we had a
10 sidebar that you said that we were going to hold
11 this until the lease was drawn.

12 COUNCILWOMAN CLARK: And I just had
13 that discussion with the prime sponsor of the bill
14 who assures me that he will not call the bill up
15 until the lease is in place and to his
16 satisfaction, but we've positioned it so that if
17 it happens today, we can go tomorrow.

18 COUNCILMAN NUTTER: Madam Chair, if I
19 can further augment.

20 The lease will come over to us in a
21 signed form, with a transmittal letter either from
22 the Commissioner of the Department of Public
23 Property or the Mayor. And I can establish
24 certainly for this record that no vote will be
25 taken on this bill until there is a fully-executed

1 4/28/99 PUB. PROP. & PUB. WORKS - Pub. Meeting
2 lease by the City and Philcom to the City's
3 satisfaction. That lease will be circulated to
4 all the members for when the bill is ready for a
5 vote.

6 COUNCILWOMAN CLARK: Are there any
7 other questions? Any other unreadiness?

8 (No response.)

9 COUNCILWOMAN CLARK: All in favor?
10 Opposes?

11 (None opposed.)

12 COUNCILWOMAN CLARK: Then Bill No.
13 990199 has been reported out of this committee
14 with a favorable recommendation and with a
15 recommendation that the rules of Council be
16 suspended so as to permit first reading at the
17 next stated session of Council.

18 I thank you. This now ends the
19 deliberation of this Council.

20 Thank you, gentlemen. Thank you,
21 ladies.

22 (Adjourned at 10:29 a.m.)

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C E R T I F I C A T E

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I HEREBY CERTIFY that the foregoing

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proceedings of the Council of the City of

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Philadelphia of Wednesday, April 28, 1999, were

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reported fully and accurately by me, and that this

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is a correct transcript of same.

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RE: COUNCIL COMMITTEE ON PUBLIC PROPERTY
& PUBLIC WORKS

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BILL NO. 990199

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JOSEPHINE CARDILLO,

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Registered Professional Reporter

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