

1

2

COUNCIL OF THE CITY OF PHILADELPHIA

3

COMMITTEE ON PUBLIC PROPERTY

4

- - -

5

Room 400, City Hall
Philadelphia, Pennsylvania
Monday, December 7, 2009
1:15 p.m.

6

7

- - -

8

9

PRESENT:

10 COUNCILMAN DARRELL L. CLARKE, CHAIR
COUNCILMAN WILLIAM GREENLEE
11 COUNCILMAN JAMES F. KENNEY
COUNCILWOMAN DONNA REED MILLER
12 COUNCILMAN FRANK RIZZO

13

14 BILLS 090707, 090750, 090786 and 090847

15

16

17

18

19

20

21

- - -

22

23

V A R A L L O Incorporated
Litigation Support Services
Eleven Penn Center
24 1835 Market Street, Suite 600
Philadelphia, Pennsylvania 19103
25 215.561.2220 215.567.2670

1

2

COUNCILMAN CLARKE: Good

3

afternoon. This is the Committee on

4

Public Property and Public Works.

5

We have established a quorum.

6

On my left is Councilman Frank Rizzo,

7

Councilman Bill Greenlee, Councilman Jim

8

Kenney and Councilwoman Donna Reed

9

Miller.

10

Mr. Carter, will you please

11

read the title of the first bill.

12

THE CLERK: Bill No. 090707, an

13

ordinance authorizing the Water

14

Commissioner, on behalf of the City, to

15

enter into an agreement for a license

16

from the Pennsylvania Department of

17

Environmental Protection to occupy

18

certain submerged lands of the

19

Commonwealth in the Schuylkill River in

20

the vicinity of Lock Street, under

21

certain terms and conditions.

22

COUNCILMAN CLARKE: Thank you.

23

Is a member of the

24

Administration here to testify?

25

(Witness approached witness

1 12/7/09 - PUBLIC PROPERTY - BILL 090707, etc.
2 table.)

3 COUNCILMAN CLARKE: Good
4 afternoon. Please state your name for
5 the record.

6 MR. HOLST: My name is Arthur
7 Holst, H-O-L-S-T.

8 COUNCILMAN CLARKE: Pull the
9 mike a little closer, sir.

10 MR. HOLST: Good morning,
11 Chairman Clarke and members of the City
12 Council Committee on Public Property and
13 Public Works. My name is Arthur Holst.
14 I'm Business and Government Affairs
15 Manager for the Philadelphia Water
16 Department. I'm here today to testify
17 regarding Bill No. 090707, which was
18 introduced by Councilman Jones on October
19 8th of 2009.

20 This bill, if passed, would
21 allow the Water Commissioner to enter
22 into an agreement for a license from the
23 Pennsylvania Department of Environmental
24 Protection to occupy submerged lands of
25 the Commonwealth in the Schuylkill River

1 12/7/09 - PUBLIC PROPERTY - BILL 090707, etc.

2 in the vicinity of Lock Street to
3 facilitate the construction of a wet
4 weather sewage overflow tank.

5 I'll explain the need for that.

6 Several years ago, the Water
7 Department discovered that during very
8 high-intensity rain events, the main
9 intercepting sewer, which runs along the
10 Schuylkill River, would exceed its
11 capacity and discharge sewage into the
12 Schuylkill River in the vicinity of Shurs
13 Lane. As required by law, the
14 Philadelphia Water Department notified
15 the Pennsylvania Department of
16 Environmental Protection of this
17 occurrence and agreed to engage in a
18 process to further understand the wet
19 weather overflow issue and to ultimately
20 mitigate the problem.

21 The Water Department conducted
22 a thorough sewer system evaluation and an
23 extensive hydraulic analysis of this
24 sewer system. It was determined that
25 during extreme wet weather events, the

1 12/7/09 - PUBLIC PROPERTY - BILL 090707, etc.

2 main interceptor sewer exceeds its
3 capacity. In order to mitigate this
4 condition, the Water Department proposed
5 the construction of an offline overflow
6 tank to capture and store excess flows,
7 thereby eliminating surcharges and
8 preventing overflow conditions.

9 The tank will be located on the
10 lower end of Venice Island on a four-acre
11 City-owned parcel and will be
12 predominantly underground.

13 On March 11th, 2008, the
14 Pennsylvania Department of Environmental
15 Protection and the Philadelphia Water
16 Department entered into a Consent Order
17 and Agreement regarding the mitigation of
18 wet weather overflows at this location.
19 The Consent Order and Agreement requires
20 the Water Department to construct an
21 overflow tank on Venice Island to abate
22 the overflows.

23 The Water Department has worked
24 with local community groups and other
25 impacted stakeholders to create an

1 12/7/09 - PUBLIC PROPERTY - BILL 090707, etc.

2 acceptable solution to the issue while

3 taking into account community concerns.

4 The restoration of the site will provide

5 an improvement over the current state of

6 the parcel and will be an amenity to the

7 community.

8 Although the City owns the

9 parcel where the tank will be built, the

10 boundary of the parcel stops short of the

11 river bank. The narrow strip of land

12 along the river is considered submerged

13 lands and is the jurisdiction of the

14 Commonwealth of Pennsylvania. The strip

15 of land is approximately 425 feet long by

16 17 feet wide, which is approximately 0.2

17 acres.

18 In order to construct a tank,

19 the project will impact this strip of

20 land, and as such, the City will need to

21 enter into a license agreement in order

22 to gain permission to use and occupy this

23 land. There are no annual license fees

24 associated with this license agreement.

25 On behalf of the Water

1 12/7/09 - PUBLIC PROPERTY - BILL 090707, etc.

2 Department, I request that you report
3 this bill favorably out of the Committee
4 so that the City may continue to move
5 forward its plan to abate the overflows
6 at this location. I also request that a
7 first reading of this bill be allowed at
8 the next session of City Council, and I'd
9 be happy to answer any of your questions.

10 COUNCILMAN CLARKE: Thank you.

11 Councilman Rizzo.

12 COUNCILMAN RIZZO: Who is
13 paying for this?

14 MR. HOLST: We are.

15 COUNCILMAN RIZZO: Stimulus
16 money, shovel-ready, we've been hearing a
17 lot about stuff.

18 MR. HOLST: To the best of my
19 knowledge, this is not being paid by
20 stimulus dollars.

21 COUNCILMAN RIZZO: Could it?

22 MR. HOLST: It's from our
23 operating budget.

24 We have made transfers of
25 operating budget projects with stimulus

1 12/7/09 - PUBLIC PROPERTY - BILL 090707, etc.

2 money where we could, and that's been

3 done already.

4 COUNCILMAN RIZZO: How much is

5 this costing?

6 MR. HOLST: I'd have to get

7 back to you on that.

8 COUNCILMAN RIZZO: Please get

9 back to the Chair. But I think we should

10 on all projects make sure that we're

11 taking advantage of this federal stimulus

12 money.

13 MR. HOLST: Okay.

14 COUNCILMAN CLARKE: You'll have

15 that relatively soon?

16 MR. HOLST: I can get somebody

17 on the phone before the end of the day.

18 COUNCILMAN RIZZO: I can tell

19 you that this is not going to be -- this

20 is going to be a very expensive project.

21 COUNCILMAN CLARKE: Mr. Holst,

22 if you can forward that today and --

23 MR. HOLST: I'll get you the

24 answer.

25 COUNCILMAN CLARKE: Thank you.

1 12/7/09 - PUBLIC PROPERTY - BILL 090707, etc.

2 Real quick, this is pretty much
3 the Main Street area?

4 MR. HOLST: It's off the river.
5 It's in the river off of Main Street.

6 COUNCILMAN CLARKE: I
7 understand, but I'm saying I know that
8 along that particular -- this is close to
9 Main Street, right, where the retail
10 development is?

11 MR. HOLST: Right.

12 COUNCILMAN CLARKE: And I know
13 from time to time along the banks there's
14 been a significant number of flooding,
15 and the concern about developing down on
16 that location was as a result of that.

17 MR. HOLST: That's correct.

18 COUNCILMAN CLARKE: Will this
19 alleviate that problem and enhance the
20 possibility of more development along
21 that riverfront, along the Towpath and
22 all that?

23 MR. HOLST: Yes. That's why we
24 haven't been able to do any development
25 in that area, because the state wouldn't

1 12/7/09 - PUBLIC PROPERTY - BILL 090707, etc.

2 allow us to approve any project because
3 of the overflow problem.

4 COUNCILMAN CLARKE: So the
5 development of this storm water diversion
6 will essentially enhance our opportunity
7 as it relates to development down there?

8 MR. HOLST: That's correct.

9 COUNCILMAN CLARKE: Thank you.

10 MR. HOLST: And I will get back
11 to you shortly.

12 COUNCILMAN CLARKE: Any other
13 questions?

14 (No response.)

15 COUNCILMAN CLARKE: Thank you
16 so much.

17 Anyone else to testify on this
18 bill?

19 (No response.)

20 COUNCILMAN CLARKE: There being
21 none, Mr. Carter, will you please read
22 the title of the next bill.

23 THE CLERK: Bill No. 090750, an
24 ordinance authorizing the Commissioner of
25 Public Property on behalf of the City to

1 12/7/09 - PUBLIC PROPERTY - BILL 090707, etc.

2 execute and deliver to the Philadelphia
3 Authority for Industrial Development a
4 deed conveying fee simple title to
5 certain parcels of land, with the
6 improvements thereon, located at 5201
7 Frankford Avenue, for further conveyance,
8 under certain terms and conditions.

9 COUNCILMAN CLARKE: Thank you.

10 (Witness approached witness
11 table.)

12 COUNCILMAN CLARKE: Good
13 afternoon.

14 DEPUTY COMMISSIONER HERZINS:

15 Good afternoon, Chairman Clarke and
16 members of the Committee on Public
17 Property and Public Works. My name is
18 John Herzins and I am Deputy Commissioner
19 of the Department of Public Property here
20 today to testify in support of Bill No.
21 090750.

22 The property 5201 Frankford
23 Avenue will be redeveloped into a new
24 cellular phone retail outlet by HK
25 Philadelphia Real Estate. The \$165,000

1 12/7/09 - PUBLIC PROPERTY - BILL 090707, etc.

2 proceeds from the sale will be deposited
3 into the General Fund.

4 The Department of Public
5 Property supports this measure and,
6 accordingly, I respectfully ask that City
7 Council approve Bill No. 090750.

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

11 Thank you. I'll be happy to
12 answer any questions you may have.

13 COUNCILMAN CLARKE: Thank you.

14 Any questions of this witness
15 on this bill by members of the Committee?

16 Councilman Rizzo.

17 COUNCILMAN RIZZO: Did you say
18 it's going to be a retail store?

19 DEPUTY COMMISSIONER HERZINS:
20 Retail cellular phone store.

21 COUNCILMAN RIZZO: Not a cell
22 tower site?

23 DEPUTY COMMISSIONER HERZINS:
24 No.

25 COUNCILMAN RIZZO: Okay. Thank

1 12/7/09 - PUBLIC PROPERTY - BILL 090707, etc.

2 you.

3 COUNCILMAN CLARKE: Thank you,

4 Councilman.

5 Thank you very much. You're

6 testifying on the next bill.

7 Anyone else to testify on this

8 bill?

9 (No response.)

10 COUNCILMAN CLARKE: There being

11 none, Mr. Carter.

12 THE CLERK: Bill No. 090786, an

13 ordinance authorizing the Commissioner of

14 Public Property, on behalf of the City,

15 to accept from the School District of

16 Philadelphia conveyance of title to a

17 portion of the land bounded by

18 Susquehanna Avenue, North 15th Street,

19 Diamond Street and North 16th Street, and

20 further authorizing transfer of the

21 property to the Philadelphia Authority

22 for Industrial Development, under certain

23 terms and conditions.

24 DEPUTY COMMISSIONER HERZINS:

25 Good afternoon, Chairman Clarke and

1 12/7/09 - PUBLIC PROPERTY - BILL 090707, etc.

2 members of the Committee on Public
3 Property and Public Works. My name is
4 John Herzins. I am the Deputy
5 Commissioner of the Department of Public
6 Property here today to testify in support
7 of Bill No. 090786.

8 NewCourtland, a 501(c)(3)
9 organization that provides housing and
10 healthcare to low-income seniors
11 throughout Philadelphia, will develop the
12 property as outlined in the bill, into
13 affordable housing for low-income
14 seniors. The agreement of sale to
15 NewCourtland will be subject to their
16 acquisition of HUD 202 funding.

17 The Department of Public
18 Property supports this measure and,
19 accordingly, I respectfully ask that City
20 Council approve Bill No. 090786.

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

24 Thank you. I'll be happy to
25 answer any questions you may have.

1 12/7/09 - PUBLIC PROPERTY - BILL 090707, etc.

2 COUNCILMAN CLARKE: Thank you.

3 Mr. Herzins, for the record,
4 this bill will essentially -- and thank
5 you again for your support, along with
6 the School District, because this was one
7 that had a lot of challenges as it
8 relates to moving it.

9 This will essentially authorize
10 the acceptance of the property from the
11 School District?

12 DEPUTY COMMISSIONER HERZINS:
13 And also for further conveyance.

14 COUNCILMAN CLARKE: And you
15 guys will essentially enter into an
16 agreement with PAID to convey the
17 property to potentially that particular
18 developer?

19 DEPUTY COMMISSIONER HERZINS:
20 Correct.

21 COUNCILMAN CLARKE: But that
22 transaction will not be done in this
23 bill?

24 DEPUTY COMMISSIONER HERZINS:
25 Correct.

1 12/7/09 - PUBLIC PROPERTY - BILL 090707, etc.

2 COUNCILMAN CLARKE: The latter
3 part. Am I correct?

4 DEPUTY COMMISSIONER HERZINS:
5 Right. The agreement of sale will be
6 subject to financing, yes.

7 COUNCILMAN CLARKE: I just want
8 some clarity on the purpose of this
9 particular legislation.

10 Any questions of Mr. Herzins
11 from the members of the Committee?

12 (No response.)

13 COUNCILMAN CLARKE: Thank you.
14 Please proceed.

15 The School District is going to
16 testify? I think we're okay.

17 That didn't mean you guys can
18 go. No. You're eager to get up and
19 eager to leave.

20 COUNCILMAN RIZZO: It's not
21 that easy.

22 COUNCILMAN CLARKE: Please
23 state your name for the record.

24 MR. KENT: My name is Max Kent.
25 I'm the Senior Project Manager for

1 12/7/09 - PUBLIC PROPERTY - BILL 090707, etc.

2 NewCourtland Elder Services.

3 COUNCILMAN CLARKE: Please
4 proceed.

5 MS. JOE: My name is Alicia Joe
6 and I'm a Project Manager for
7 NewCourtland Elder Services also.

8 MS. STONE: And I'm Suzanne
9 Stone and I'm a consultant to
10 NewCourtland.

11 COUNCILMAN CLARKE: Do you have
12 testimony?

13 MR. KENT: Chairman Clarke, we
14 do. We also have --

15 COUNCILMAN CLARKE: Pull the
16 mike a little closer to you.

17 MR. KENT: We have testimony
18 and we have a facts sheet, if you would
19 like it.

20 COUNCILMAN CLARKE: Sure.

21 MR. KENT: The background on
22 this development is that NewCourtland
23 Elder Services will apply for a HUD fund
24 reservation for development of 60
25 one-bedroom apartments under HUD Section

1 12/7/09 - PUBLIC PROPERTY - BILL 090707, etc.
2 202 and 13 two-bedroom cottages under HUD
3 Section 811 for the property at 1500
4 Susquehanna Avenue, which is bounded by
5 15th Street and 16th Street. Contingent
6 on receiving our fund reservation from
7 HUD, we would then transfer the property
8 from PIDC to NewCourtland Elder Services
9 with all the provisions in the agreement.

10 COUNCILMAN CLARKE: Okay.
11 What's the income criteria eligibility
12 for the proposed tenants?

13 MR. KENT: The proposed tenants
14 are, first, age 62 and older, and the
15 income is at 30 percent and lower of
16 median income. That would place it
17 between an annual income of \$6,607 up to
18 \$25,250, with rents, monthly rents, for
19 the individual that would range from \$260
20 up to about \$600.

21 COUNCILMAN CLARKE: Did you say
22 260?

23 MR. KENT: Yes, sir.

24 COUNCILMAN CLARKE: Okay.
25 That's quite affordable.

1 12/7/09 - PUBLIC PROPERTY - BILL 090707, etc.

2 Okay. Will there be services
3 on site for the residents?

4 MR. KENT: There will be
5 services on site. The services mirror
6 our NewCourtland Life program. There
7 will be a property manager to support the
8 tenants with rental issues and property
9 issues. There would be a social services
10 coordinator that will provide assistance
11 with transportation and wellness
12 activities. We'll have organized weekly
13 activities driven by a weekly kind of
14 calendar of events. We offer recreation
15 and cultural programs. We'll provide
16 assistance to all community-based
17 programs through Philadelphia Corporation
18 for Aging, and where appropriate, if a
19 tenant has the need, we'll enroll them in
20 our Living Independently for Elders
21 program.

22 COUNCILMAN CLARKE: Okay.
23 There will be 24-hour staffing at the
24 site?

25 MR. KENT: There will be --

1 12/7/09 - PUBLIC PROPERTY - BILL 090707, etc.

2 COUNCILMAN CLARKE: For

3 security purposes.

4 MR. KENT: -- security on the

5 site 24 hours. Beyond that, we have a

6 telehealth technologies program that

7 allows connectivity with each tenant to a

8 call center 24 hours a day.

9 COUNCILMAN CLARKE: All right.

10 We're having a ceremony with a 202 I

11 think it's next week, Haven Panal. In

12 that, they actually are hiring one of the

13 residents as a part of the operation of

14 the development. Is that something that

15 you guys --

16 MR. KENT: That is consistent

17 with HUD regulations, that if we have a

18 tenant that could be appropriate for

19 staffing this particular development, we

20 would certainly consider it. In

21 addition, we have many volunteer

22 activities that our tenants get involved

23 with either to support one of the local

24 life centers in our catchment area or one

25 of our nursing homes. So we offer many

1 12/7/09 - PUBLIC PROPERTY - BILL 090707, etc.

2 activities and employment opportunities,
3 if qualified.

4 COUNCILMAN CLARKE: Okay. Are
5 you in conversation with or had any
6 conversation with State Representative
7 Jewell Williams?

8 MR. KENT: Yes. We have a
9 letter of support.

10 COUNCILMAN CLARKE: And you
11 will be interacting with him during the
12 course of this process, if we're
13 fortunate enough to get funded?

14 MR. KENT: Yes, sir.

15 COUNCILMAN CLARKE: Thank you.

16 Any questions?

17 Councilman Greenlee.

18 COUNCILMAN GREENLEE: Thank
19 you, Mr. Chairman.

20 Just quickly. Just more of a
21 statement. I've seen NewCourtland, some
22 of your other establishments, and I have
23 to say I was very impressed with it.
24 It's run very well. Folks seem very
25 happy there, which is a big key, I think.

1 12/7/09 - PUBLIC PROPERTY - BILL 090707, etc.

2 So I hope, like Chairman said, if you get
3 the funding for this, I'm sure it will be
4 run the same way. So good luck with it.

5 MR. KENT: Thank you.

6 COUNCILMAN CLARKE: Councilman
7 Kenney.

8 COUNCILMAN KENNEY: Thank you
9 very much, Mr. Chairman.

10 How are the residents selected?
11 What's the selection process to obtain
12 either an apartment or a cottage?

13 MR. KENT: We follow HUD
14 guidelines for fair housing.

15 COUNCILMAN KENNEY: Is there a
16 waiting list?

17 MR. KENT: In the City of
18 Philadelphia, it started with a waiting
19 list, which will be created at the time
20 we receive our Certificate of Occupancy,
21 and we'll maintain the waiting list
22 throughout the life of the program.

23 COUNCILMAN KENNEY: Is there
24 any provisions in the HUD regulations or
25 your own policy where residents,

1 12/7/09 - PUBLIC PROPERTY - BILL 090707, etc.

2 long-term residents in the community
3 where the facility is located, get more
4 weighted consideration?

5 I think one of the things that
6 we've been trying to do over the years is
7 when we do developments in a community,
8 that people are not -- people can age in
9 place kind of from moving out of their
10 single row house if they can't maintain
11 it anymore into a facility like this, but
12 stay in their own neighborhood, stay in
13 their old neighborhood that they're used
14 to with the stores and other amenities
15 that are around there or people come from
16 all over the region.

17 MR. KENT: Councilman Kenney,
18 that is specifically why we would like
19 this development in the neighborhood
20 that's selected. Historically, with our
21 other HUD properties and tax credit
22 properties, it's the near neighbors and
23 residents of these neighborhoods that
24 take advantage of these programs.

25 For your question regarding a

1 12/7/09 - PUBLIC PROPERTY - BILL 090707, etc.

2 weighted numeric opportunity for somebody
3 on a waiting list, that I know of that
4 provision isn't available through the
5 Fair Housing Act, but we do actively
6 advertise in the neighborhood where the
7 property is being built so that there's
8 plenty of advanced notice that the doors
9 are going to open and that the near
10 neighbors can move up to get on -- their
11 name on the application list.

12 COUNCILMAN KENNEY: Living in a
13 neighborhood that's generational, it's
14 much easier for folks to move around the
15 corner than it is across town. So I'm
16 glad you're at least -- not at least, but
17 I'm glad that you have that policy and
18 philosophy about your tenant selection,
19 because I think it's important for older
20 folks to age in place.

21 MR. KENT: And our programs are
22 supported by the social services programs
23 by outlined in our Life program, and just
24 historically when you look at our numbers
25 and our occupancy for tenancy, these

1 12/7/09 - PUBLIC PROPERTY - BILL 090707, etc.

2 folks are coming from within their own
3 neighborhood and trying to avoid being
4 placed in some other institution.

5 COUNCILMAN KENNEY: Thank you.

6 COUNCILMAN CLARKE: Thank you,
7 Councilman.

8 Councilwoman Miller.

9 COUNCILWOMAN MILLER: Thank
10 you. Thank you.

11 Good afternoon. I just want to
12 support and add on to what Councilman
13 Greenlee said. Certainly you're a good
14 neighbor in my district and we enjoy
15 having you there, and your facilities are
16 always open for community use, for
17 meetings and whatnot, and that's really
18 an asset.

19 I do have questions about the
20 811 low-income elderlies suffering from
21 Alzheimer's. I actually wasn't familiar
22 with that funding. So someone with
23 Alzheimer's can live there with their
24 caregiver or if they have a 24-hour
25 caregiver, I guess? Can you just explain

1 12/7/09 - PUBLIC PROPERTY - BILL 090707, etc.

2 that a little?

3 MR. KENT: Yes. HUD Section

4 811 is a -- provides a rent subsidy that

5 a caregiver can live in with a tenant

6 without the income of the caregiver being

7 considered for occupancy. So that the

8 income of the caregiver would not

9 disqualify the tenant because there was

10 too much funding coming into that

11 particular apartment.

12 Generally, we're finding that

13 caregivers are family members, though it

14 could also be a professional caregiver if

15 the tenant elected to have a professional

16 caregiver.

17 Our 811 programs are based for

18 NewCourtland on a two-bedroom design so

19 that the tenant and caregiver can have

20 separate bedrooms. And we petition HUD

21 for a housing preference so that persons

22 with a diagnosis of dementia could

23 actually move forward on our standing

24 list to be considered for a vacant

25 property.

1 12/7/09 - PUBLIC PROPERTY - BILL 090707, etc.

2 COUNCILWOMAN MILLER: And the
3 811 funding is specifically for Alzheimer
4 patients or dementia?

5 MR. KENT: The 811 funding by
6 HUD is specifically for persons with
7 disabilities, and the housing preference
8 that we petition HUD for is specifically
9 for the disability of dementia or
10 Alzheimer's.

11 COUNCILWOMAN MILLER: All
12 right. Good. Okay. Thank you.

13 COUNCILMAN CLARKE: Thank you,
14 Councilwoman.

15 Any other questions?

16 Councilman Rizzo.

17 COUNCILMAN RIZZO: I guess I
18 can't be left out of this. I agree with
19 everything that was said. This is a
20 great project, and nothing better than
21 seeing our senior citizens taken good
22 care of. Thank you.

23 MR. KENT: Thank you.

24 COUNCILMAN CLARKE: Thank you,
25 Councilman.

1 12/7/09 - PUBLIC PROPERTY - BILL 090707, etc.

2 Thank you very much for your
3 testimony.

4 Anyone else to testify on this
5 bill?

6 (Witness approached witness
7 table.)

8 MS. ROBINSON: Good afternoon.

9 COUNCILMAN CLARKE: Good
10 afternoon, Ms. Robinson.

11 MS. ROBINSON: My name is
12 Judith Robinson. I want to say I hope
13 that -- I'm hearing all these flowery
14 accolades for this project. I hope you
15 all don't have already a foregone
16 conclusion that you're going to just vote
17 yes without hearing from the people of
18 the community in which this would be
19 developed. Maybe they're good in other
20 areas, and that's fine. Maybe they're
21 even good in this particular area, but
22 regarding Bill No. 090876, the
23 community -- there has been no community
24 meeting regarding this project. That's
25 first of all.

1 12/7/09 - PUBLIC PROPERTY - BILL 090707, etc.

2 This project was presented at
3 City Planning Commission, and I was quite
4 embarrassed. The Planning Commission
5 didn't have a clue about such things as
6 the replacement of this play area. There
7 was no community meeting documented at
8 the Planning Commission, the agency which
9 tells us community participation is
10 important. They really didn't have a
11 clue. After I did testify in front of
12 them, one of the planners voted against
13 the project, because she says we just
14 don't have any information.

15 I think that in these hard
16 economic times when friends are few and
17 money is hard to find, that you just
18 shouldn't run ahead on a development.
19 We're not as desperate as we used to be
20 in North Philly for development. We have
21 senior housing presently catty-cornered
22 from this development. This is open
23 space. It's behind Duckery School, 15th
24 and Susquehanna. It's behind a school.
25 It's a play area that's used. Some of

1 12/7/09 - PUBLIC PROPERTY - BILL 090707, etc.

2 you might remember Mr. Kintu, who had his
3 tournaments here. You might have
4 supported his efforts there. It's not
5 like this is open space that's not being
6 used. And then we have very senior
7 housing in the area within a one-mile
8 radius from this site.

9 This is a commercial corridor.
10 So we're very clear that our commercial
11 corridor is not going to come back as it
12 was, but I was on the Board of Advocate
13 Community Development Corporation and we
14 had a verifiable plan for the Avenue to
15 not be as it was, but to be as it can be
16 in the future to bring vitality around
17 the corner of Susquehanna Avenue.

18 I am a business owner on
19 Susquehanna Avenue. I am a homeowner in
20 the area. I understand there's some
21 seniors that may want senior housing, but
22 most seniors want to age in place. Age
23 in place means aging in their home where
24 they could have their grandchildren come
25 over. Senior housing is made for seniors

1 12/7/09 - PUBLIC PROPERTY - BILL 090707, etc.

2 who do not have families who may want to
3 come visit them. They're prohibited from
4 staying overnight, et cetera. There are
5 all kinds of rules and regulations as it
6 relates to senior housing.

7 But as I mentioned, being on
8 the Board of Advocate Community
9 Development Corporation, we had a plan
10 for the area. Now that Advocate
11 Community Corporation is defunct, plans
12 are just being presented without
13 community input. It is disrespectful.
14 It's not of value, and I think we should
15 rethink this whole project.

16 We're in the 5th District. The
17 5th District has more vacant land open
18 and available where we could do senior
19 housing. I'm not against senior housing,
20 believe me. I sell real estate, been
21 selling real estate for 25 years. I'm
22 not against development. I'm not against
23 senior housing. I am against
24 disrespectful, willy-nilly planning of
25 development that's not of value.

1 12/7/09 - PUBLIC PROPERTY - BILL 090707, etc.

2 Let me tell you what I mean
3 when I say "value." I sold one parcel of
4 land, 1830 West Diamond Street, one
5 single parcel for one house for 65,000.
6 I understand this organization --
7 \$65,000, yes. So one parcel compared to
8 this vast amount of land that's to be
9 given away for senior housing I think is
10 not of value to our community. We need
11 maybe a design contest or some open
12 process that's transparent where we can
13 determine as a community what is of the
14 best value for our community, especially
15 when you have senior housing already
16 catty-cornered to where this proposed
17 development will be.

18 So I'm not just asking for you
19 not to vote on this out of committee.
20 I'm asking for you to come. I am a
21 certified tour guide. I would love to
22 give you a tour of my neighborhood before
23 you go voting on a project that's not of
24 value to that particular site. I'll be
25 more than happy to work with my

1 12/7/09 - PUBLIC PROPERTY - BILL 090707, etc.

2 Councilman and Representative Jewell
3 Williams, who, by the way, I spoke with
4 just within the hour and I told him,
5 Hell, no, this is not the place. And I'm
6 not being disrespectful, but that's how
7 adamant I was.

8 I have done a cursory survey of
9 our community, business people,
10 neighbors, people who are affiliated with
11 the school. They don't understand it.
12 They don't understand why this hearing is
13 being held while people's attention is on
14 holiday. They want more information
15 about it. They do not want it to be.

16 So I would like to have an
17 opportunity to come to each one of you
18 bringing you documentation, and I would
19 like for you to go on record today as
20 saying that you would not vote for this
21 to come out of committee until you have
22 come up to the site, come up to our
23 community and see where we can do this
24 project. We have plenty of vacant land,
25 but this is not the place for it.

1 12/7/09 - PUBLIC PROPERTY - BILL 090707, etc.

2 Just not too long ago, a couple
3 years -- you can consult with the
4 Councilman; he'll be able to better
5 inform you -- this site, money was spent
6 to refurbish this site. Now, just within
7 a matter of two, three years or less,
8 we're going to just demolish the site and
9 plop another senior housing right
10 catty-corner to where senior housing is
11 now. It's not of value on this site.

12 We have had many senior
13 housing. This is something that really
14 concerns us, too. Iris Jeffries was
15 senior housing. It's now Temple student
16 housing. We have 20th and Burke. Forgot
17 the name of what was formerly senior
18 housing. It's now a shelter for women
19 and children. So if there's such a need
20 for senior housing, why are these
21 buildings then being converted to other
22 uses?

23 I'm not stupid. I know a lot
24 about financing. I understand maybe some
25 housing can be easily assembled through

1 12/7/09 - PUBLIC PROPERTY - BILL 090707, etc.
2 the 202 program and these senior programs
3 and then after the mortgage paid off or
4 whatever, they can be converted to other
5 sources, but don't come to us with a
6 back-door type of transaction wherein it
7 will be converted to something other than
8 what it is now. If that be the case,
9 open it up to all developers. I'm sure
10 we'd have developers clamming around our
11 community just in need of land. So if
12 we're going to do some development, let's
13 open it up and get the best value out of
14 that land and not just give it to a
15 non-profit or anyone else that would not
16 have a development that will be of value
17 to our community, that will bring
18 vitality to that corridor. And please
19 know that I'm not looking for it to be as
20 it was, but I ask you, especially you
21 Councilpeople at-large, who represent me
22 also, to talk to my Councilman about
23 this, because maybe he has impressions on
24 him only he will talk to you all about,
25 but this is not the best and highest use

1 12/7/09 - PUBLIC PROPERTY - BILL 090707, etc.

2 for this land. And that's what I'm
3 requesting, that you talk about the best
4 and highest use, come do a tour before
5 you vote on this, and I thank you very
6 much for your attention.

7 COUNCILMAN CLARKE: Thank you
8 for your testimony, Ms. Robinson. If I
9 could take a moment to respond to a
10 couple of the issues that you brought
11 forth today.

12 One, with respect to community
13 meetings, I would like to concur with you
14 that we have not had the appropriate
15 community meetings. This is a particular
16 case that is a little abnormal in that
17 there's a timeline. This bill simply
18 authorizes the acceptance of a property
19 from the School District to Public
20 Property; i.e., PAID. It is not the
21 final disposition of the property.
22 There's always, as you know me, my
23 practice, that any substantive
24 development in a district, there will be
25 community meetings to talk about the

1 12/7/09 - PUBLIC PROPERTY - BILL 090707, etc.

2 project, to talk about the neighborhood
3 participation in the project, to talk
4 about the design, to talk about all of
5 the things associated with this project.

6 Our challenge here was because
7 there was a request for funding from HUD
8 202, which is probably one of the most
9 competitive type of financing that is due
10 like yesterday pretty much -- today. So
11 there was a timeline that we needed, at a
12 minimum, to be in a position where we
13 showed HUD that there was a process in
14 place.

15 Unfortunately, the developer
16 cannot tell HUD they actually own the
17 property, because they don't yet, but we
18 wanted to show the likelihood that there
19 would be some ability to have some site
20 control. So that's why we were doing it
21 as quickly as possible. And I want to
22 thank again the School District for
23 accelerating the process to allow us in a
24 public forum -- actually, at two public
25 forums to make sure that we were, at a

1 12/7/09 - PUBLIC PROPERTY - BILL 090707, etc.

2 minimum, in the position to show that
3 there's some chance.

4 We will have community
5 meetings. As you know, it's my practice.

6 Second, with respect to the
7 commercial corridor, as you know being a
8 person in real estate and involved in
9 development activities, a person who
10 sells anything, at the end of the day
11 they must have people to purchase. One
12 of the problems that we've had in a
13 number of areas in North Philadelphia is
14 that our population has diminished
15 dramatically. Therefore, it has been
16 very difficult for us to get commercial
17 corridors. As you know, fortunately we
18 have a ground-breaking -- ribbon cutting
19 ceremony finally for Progress Plaza
20 Supermarket. It took us ten years.
21 Every supermarket operator came and said,
22 You just don't have enough people here.
23 What we want to do is ensure that when
24 they do their one-mile, two-mile radius
25 to check on the population, that we have

1 12/7/09 - PUBLIC PROPERTY - BILL 090707, etc.

2 adequate number of people to support a
3 redeveloped commercial corridor.

4 With respect to the basketball
5 court -- and as we all know and love
6 Kintu -- moving the courts, which, by the
7 way, were done about ten years ago, what
8 the plan is to do is to develop
9 Winchester Playground to be a first-class
10 facility, which is only a block away.
11 Winchester has money committed from the
12 State Representative, there's a
13 commitment from my office, and there's
14 also a commitment by the developer to
15 contribute to the redevelopment of the
16 Winchester Playground to put it at the
17 level that it needs to be so we will have
18 an enhanced commercial corridor.

19 Second, believe me, I do
20 believe that this will require a zoning
21 hearing; am I correct? So there will be
22 another public process that will require
23 that the community has an opportunity to
24 speak about the actual project.

25 So I appreciate the fact that

1 12/7/09 - PUBLIC PROPERTY - BILL 090707, etc.

2 you brought your concerns to our
3 attention, but I would think that as long
4 as you've known me, that you would know
5 that I wouldn't do anything that's
6 inappropriate for the community that I
7 also grew up in and I love and have the
8 blessing to represent. So we will make
9 sure that there is complete public access
10 to all information related to this
11 project.

12 MS. ROBINSON: Councilman, just
13 as a counter to what you just said, I
14 know you heard the saying haste makes
15 waste. To just push through a
16 development project without community
17 input, community participation, community
18 want or community even need, I think
19 would be not of value to your
20 constituents. I appreciate that you're
21 going to have community meetings, but
22 community meetings before we get to
23 trying to figure things out later,
24 especially at this time of year, it's
25 very, very important that community

1 12/7/09 - PUBLIC PROPERTY - BILL 090707, etc.

2 participate in the very beginning of the
3 processes.

4 It appears that NewCourtland
5 has spoken with our representatives, but
6 they haven't spoken to the people. I
7 don't know what type of studies they have
8 done to talk about need. I haven't heard
9 anything about that. I'm just giving
10 them some things they need to come to the
11 community with. Community participation
12 includes talking about how we would have
13 our center replaced.

14 So I really just would
15 encourage you all not to rush to vote
16 this out for any good reason, whether
17 it's funding or whatever. This is not
18 the best piece of land for rushing into a
19 development.

20 Councilman, you said I know
21 about development because of my
22 background in real estate. Sir, I can
23 tell you this: Land is of value in North
24 Philadelphia, and if you as an elected
25 official would open the process up so you

1 12/7/09 - PUBLIC PROPERTY - BILL 090707, etc.

2 can find out that developers are
3 interested in acquiring land in North
4 Philadelphia, especially when it's that
5 close to Broad Street, open this process
6 up, sir. Give it a design contest. Give
7 it something open and transparent so we
8 can see. One parcel of land, 1800 block
9 of Diamond, 65,000. I guarantee you if
10 you were to put that large parcel on the
11 market, the City -- we're looking for
12 money, right? We're looking for taxes.
13 Let's get it. Let's get it. Let's not
14 just give away land. We're not hungry
15 for developers like we used to be. I can
16 guarantee you. I get calls daily. They
17 want land. Okay?

18 So please let's not rush this
19 process. You may find that there's a
20 better development for that site that
21 will bring more value to our neighborhood
22 and that will bring more money into the
23 coffers of our city.

24 So I'm going to leave it alone
25 and let you all do your process, but I'm

1 12/7/09 - PUBLIC PROPERTY - BILL 090707, etc.

2 begging the NewCourtland folk not to come
3 to our community being disrespectful,
4 thinking that you're just going to move
5 somewhere because you talked to a few
6 politicians. I will work very hard to
7 make sure this development does not go
8 there. We have too much land to have it
9 just plopped anywhere without community
10 input.

11 Thank you very much.

12 COUNCILMAN CLARKE: Thank you
13 so much for your testimony.

14 Anyone else to testify on this
15 bill?

16 Please come forward.

17 (Witness approached witness
18 table.)

19 MR. JACKSON: Good afternoon.

20 COUNCILMAN CLARKE: Please
21 state your name for the record.

22 MR. JACKSON: My name is Derek
23 Jackson. I'm a Board member of the
24 Susquehanna Avenue CDC and also President
25 of the Susquehanna Avenue Business

1 12/7/09 - PUBLIC PROPERTY - BILL 090707, etc.

2 Association, and I'm here today to

3 testify on Bill No. 090876.

4 Me as being President and our

5 Association are looking forward to a

6 development of that area. Ms. Robinson

7 just spoke about the Susquehanna Village

8 at 15th and Susquehanna. That's

9 currently where my office is, and we are

10 trying to extend that commercial

11 corridor.

12 I agree with Ms. Robinson, we

13 definitely need that commercial area

14 developed, and there's plenty of

15 developers out there, but this land -- we

16 need a stable tenant, somebody that's

17 going to actually develop the land. And

18 as you know, that property right there at

19 15th and Susquehanna, there's a lot of

20 developers -- there are a lot of them

21 want Temple students. It may be a more

22 profitable thing to put student housing

23 there, but as we as a member of the Board

24 of Susquehanna Avenue CDC and President

25 of Susquehanna Business Association

1 12/7/09 - PUBLIC PROPERTY - BILL 090707, etc.

2 believe that elderly people, people over
3 60, are more stable and they're from the
4 community. Like I said, my office
5 currently resides in Susquehanna Village,
6 and every day there's mail with somebody
7 wanting to move into Susquehanna Village.
8 It's a beautiful building and they have
9 great resources there.

10 So there is -- I believe there
11 is still a need for senior housing,
12 especially with dementia and different
13 disabilities, because we see that up and
14 down Susquehanna Avenue every day.

15 Again, I want to emphasize, we
16 want this to be a gateway to the rest of
17 Susquehanna Avenue. As you come down
18 Broad Street, you'll see development
19 going on. There's new stores and new
20 businesses arising. We want to continue
21 that down Susquehanna Avenue. And,
22 again, diversity, we want to try to
23 diversify. As you know, there's an
24 influx of investors there that want to
25 build multi-boarded home style for

1 12/7/09 - PUBLIC PROPERTY - BILL 090707, etc.

2 students. They want to try and change
3 the zoning from single-family to
4 multi-family. And we want to try to
5 solidify that community by having a
6 senior center there and having commercial
7 space on the first floor.

8 What I envision on the first
9 floor of 1500 block of Susquehanna is
10 you'll have NewCourtland there and they
11 have the commercial space on the first
12 floor, but doctors' offices,
13 rehabilitation, that's what I would like
14 to see to come to that location, because
15 there's a need for that. The nearest
16 doctor's office we have is Dr. Gordon
17 Parks at Broad and Dauphin, and then you
18 have Dr. Williams on the 1800 block of --
19 I'm sorry; the 2000 block of Diamond
20 Street. But to have a doctor's office
21 right there, we already have senior
22 housing on one side and you have another
23 set of seniors on the other side, I think
24 that will be a great asset to the
25 community.

1 12/7/09 - PUBLIC PROPERTY - BILL 090707, etc.

2 And in closing, I'd like to say

3 I am a business owner there. I do live

4 in the neighborhood, and also I am a real

5 estate broker as well, so I understand

6 the technical aspects of development.

7 I'm here to lend my support to this

8 development and to this bill so we can

9 get the process going so we can help

10 develop Susquehanna Avenue.

11 Thank you.

12 COUNCILMAN CLARKE: Thank you.

13 Any questions of this witness

14 by members of the Committee?

15 (No response.)

16 COUNCILMAN CLARKE: There being

17 none, thank you so much for your

18 testimony.

19 Anyone else to testify on this

20 bill?

21 (No response.)

22 COUNCILMAN CLARKE: There being

23 none, Bill No. 090847 is being held at

24 the request of the sponsor.

25 This concludes the public

1 12/7/09 - PUBLIC PROPERTY - BILL 090707, etc.

2 hearing on the Committee of Public

3 Property and Public Works. We will now

4 go into the public meeting.

5 Councilman Greenlee, please ask

6 for a motion on Bill No. 090707.

7 COUNCILMAN GREENLEE: Thank

8 you, Mr. Chairman. I move that Bill No.

9 090707 be reported out of this committee

10 with a favorable recommendation and move

11 further that the rules of Council be

12 suspended to allow for first reading at

13 our next session of Council.

14 (Duly seconded.)

15 COUNCILMAN CLARKE: It's been

16 moved and seconded that Bill No. 090707

17 be reported out of committee with a

18 favorable recommendation.

19 Those in favor?

20 (Aye.)

21 COUNCILMAN CLARKE: Those

22 opposed?

23 (No response.)

24 COUNCILMAN CLARKE: The ayes

25 have it. Bill No. 090707 is reported out

1 12/7/09 - PUBLIC PROPERTY - BILL 090707, etc.

2 of committee with a favorable
3 recommendation and a request for
4 suspension of the rules.

5 Councilwoman Miller, please
6 make a motion on Bill No. 090750.

7 COUNCILWOMAN MILLER: Thank
8 you. I move that Bill No. 090750 be
9 reported out of this committee with a
10 favorable recommendation and further move
11 that the rules of Council be suspended so
12 as to permit first reading at our next
13 session.

14 (Duly seconded.)

15 COUNCILMAN CLARKE: It's been
16 moved and seconded that Bill No. 090750
17 be reported out of committee with a
18 favorable recommendation.

19 Those in favor?

20 (Aye.)

21 COUNCILMAN CLARKE: Those
22 opposed?

23 (No response.)

24 COUNCILMAN CLARKE: The ayes
25 have it. Bill No. 090750 is reported out

1 12/7/09 - PUBLIC PROPERTY - BILL 090707, etc.
2 of committee with a favorable
3 recommendation and with rules suspension
4 as to allow reading at the next session
5 of Council.

6 Councilman Rizzo, a motion on
7 Bill No. 090786.

8 COUNCILMAN RIZZO: Point of
9 order. Mr. Chairman, you worked so very
10 hard on this, I'd appreciate you bringing
11 this out of committee.

12 COUNCILMAN CLARKE: Thank you,
13 sir.

14 And to any of my constituents
15 and friends -- and I do consider
16 Ms. Robinson a friend. I know I'm not
17 supposed to be talking at a public
18 meeting -- I want to assure them that the
19 concerns associated with this bill will
20 be dealt with. It is a good project. At
21 the end of the day, I think it is most
22 important that of all people, senior
23 citizens are the treasure of our lives,
24 to have an opportunity to continue to
25 live in North Philadelphia.

1 12/7/09 - PUBLIC PROPERTY - BILL 090707, etc.

2 So with that, Councilman Rizzo,
3 a motion on 090786.

4 COUNCILMAN RIZZO: Let me see
5 here. 090786, I'd like -- suspend the
6 rules?

7 COUNCILMAN CLARKE: Yes, sir.

8 COUNCILMAN RIZZO: Suspension
9 of the rules and report this out of this
10 committee with a favorable
11 recommendation.

12 (Duly seconded.)

13 COUNCILMAN CLARKE: It's been
14 moved and seconded that 090786 be
15 reported out of committee.

16 All in favor?

17 (Aye.)

18 COUNCILMAN CLARKE: Those
19 opposed?

20 (No response.)

21 COUNCILMAN CLARKE: The ayes
22 have it. Bill 090786 is reported out of
23 committee with a favorable recommendation
24 with rules suspension as to allow reading
25 at the next session of Council.

1 12/7/09 - PUBLIC PROPERTY - BILL 090707, etc.

2 This concludes the Committee on
3 Public Property and Public Works. Thank
4 you all very much. And I understand
5 Mr. Holst has the information on the
6 sales price, the cost associated with the
7 development and the stimulus. Please
8 provide that to Councilman Rizzo. You
9 don't have to do it in here. We're
10 pretty much done. You can do it now,
11 though.

12 Thank you all very much.

13 (Committee on Public Property
14 and Public Works concluded at 2:00 p.m.)

15 - - -

16

17

18

19

20

21

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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 7, 2009, and that
this is a true and correct transcript of same.

MICHELE L. MURPHY
RPR-Notary Public

(The foregoing certification of this
transcript does not apply to any reproduction
of the same by any means, unless under the
direct control and/or supervision of the
certifying reporter.)

