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COUNCIL OF THE CITY OF PHILADELPHIA

3

COMMITTEE ON PUBLIC PROPERTY AND

4

PUBLIC WORKS

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Room 400, City Hall
Philadelphia, Pennsylvania
Tuesday, June 3, 2008
3:10 p.m.

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PRESENT:

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COUNCILMAN DARRELL L. CLARKE, CHAIR

12

COUNCILMAN FRANK DiCICCO

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COUNCILMAN WILLIAM GREENLEE

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COUNCILWOMAN JOAN L. KRAJEWSKI

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COUNCILWOMAN DONNA REED MILLER

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BILL 080499 - An ordinance authorizing the
Commissioner of Public Property, on behalf of
the City of Philadelphia, to enter into a
lease agreement with the Philadelphia
Municipal Authority for further sublease to
Philadelphia Biosolids Services...

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V A R A L L O Incorporated

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Litigation Support Services

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Eleven Penn Center

1835 Market Street, Suite 600
Philadelphia, Pennsylvania 19103

215.561.2220 215.567.2670

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COUNCILMAN CLARKE: Good

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afternoon. This is the Committee on

4

Public Property and Public Works that has

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been recessed from 1 o'clock.

6

We have a quorum established:

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Councilman DiCicco, Councilwoman

8

Krajewski and Councilman Bill Greenlee.

9

Will the Clerk please read the

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title of the bill.

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THE CLERK: Bill No. 080499, an

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ordinance authorizing the Commissioner of

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Public Property, on behalf of the City of

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Philadelphia, to enter into a lease

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agreement with the Philadelphia Municipal

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Authority for further sublease to

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Philadelphia Biosolids Services, LLC, a

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certain portion of a parcel of ground

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located on 7800 Penrose Ferry Road; all

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under certain terms and conditions.

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COUNCILMAN CLARKE: Thank you.

22

(Witnesses approached witness

23

table.)

24

COUNCILMAN CLARKE: Please

25

proceed. Anyone to testify?

1 6/3/08 - PUBLIC PROPERTY - BILL 080499

2 COMMISSIONER BRUNWASSER: Good
3 afternoon, Councilman Clarke and members
4 of the Committee on Public Property --
5 Public Works and Public Property. My
6 name is Bernard Brunwasser and I am the
7 Acting Water Commissioner. I am here
8 today to testify on Bill No. 080499.

9 This bill would authorize the
10 Commissioner of Public Property to enter
11 into a lease agreement for the Biosolids
12 Recycling Center site with the
13 Philadelphia Municipal Authority for
14 further sublease to Philadelphia
15 Biosolids Services. Together with the
16 Bills 080495 and 080498 that are being
17 reviewed by the Finance Committee, these
18 bills will authorize the City of
19 Philadelphia, acting through the
20 Philadelphia Municipal Authority, to
21 engage in a long-term contract with
22 Philadelphia Biosolids Services for the
23 long-term operation of the City's
24 Biosolids Recycling Center. This project
25 will make major improvements at that

1 6/3/08 - PUBLIC PROPERTY - BILL 080499
2 facility, including a significant
3 reduction in odors.

4 The benefits of the proposed
5 BRC Improvement Project are many.
6 Briefly, they include a significant cost
7 savings projected to be nearly \$200
8 million over the life of the contract.
9 The Southwest Community Development
10 Corporation recognizes the benefits of
11 this project and supports it. It will
12 result in much less truck traffic, 3,000
13 rather than 10,000 trucks trips per year
14 entering and exiting the plant. Odors
15 will be eliminated beyond the fence line.
16 Site aesthetics will be greatly improved,
17 and the City will have a new corporate
18 member of the community.

19 The thermal drying process will
20 produce pathogen-free Class A biosolids.
21 PBS, Philadelphia Biosolids Services,
22 will bear full responsibility for
23 managing the disposition of this material
24 and is better positioned to react to
25 market changes than the City could ever

1 6/3/08 - PUBLIC PROPERTY - BILL 080499

2 be.

3 Synagro, a partner in PBS,
4 Philadelphia Biosolids Services, has a
5 long track record of successfully
6 operating thermal drying systems, and the
7 technology that has been chosen for this
8 project is state of the art.

9 No City employee will lose
10 their job or be demoted as a result of
11 this project.

12 Thank you for this opportunity
13 to come before you on this very important
14 project. At this time, I, as well as
15 others from my staff, will be happy to
16 answer any questions that you may have.

17 COUNCILMAN CLARKE: Thank you.

18 Will anyone else be testifying?
19 Mr. Herzins. Okay.

20 Any questions of this panel by
21 members of the Committee?

22 (No response.)

23 COUNCILMAN CLARKE: Just very
24 briefly, it's my understanding in the
25 earlier hearing there were a list of

1 6/3/08 - PUBLIC PROPERTY - BILL 080499
2 issues that were brought up during the
3 course of the hearing, and I understand
4 that there is a commitment to respond to
5 all of those issues raised. Could you
6 just quickly tick them off? I just want
7 to make sure we're consistent with the
8 earlier hearing.

9 DEPUTY MAYOR CUTLER:
10 Councilman, Rina Cutler, Deputy Mayor for
11 Transportation and Utilities.

12 The two major issues that we
13 have agreed to provide the Finance
14 Committee with is an EOP plan, which when
15 this contract was negotiated was not law
16 and so had not been in the original
17 submission. We've agreed to comply with
18 that and move that forward.

19 Also, Councilman Green
20 requested a list of percentages in a
21 variety of categories, women-owned
22 businesses, disabled businesses,
23 Philadelphia businesses, African-American
24 businesses, Asian businesses, Latino
25 businesses. So we will compile that by

1 6/3/08 - PUBLIC PROPERTY - BILL 080499
2 percentage, which was what he was seeking
3 in terms of goals and participation.
4 There may be one --

5 COUNCILMAN CLARKE: Something
6 about training I think I heard over the
7 speaker, training program.

8 DEPUTY MAYOR CUTLER: Training,
9 yeah. That would be part of the EOP and
10 part of the workforce development plan.
11 There may be one other issue.

12 Oh, yes. Councilman Green
13 requested that we respond to the union
14 document that they provided. We have not
15 seen it and do not have it, but as soon
16 as we get it, we will also provide that.

17 Councilman Greenlee has just
18 volunteered his.

19 COUNCILMAN CLARKE: Okay.
20 Thank you.

21 Any questions?

22 Councilman Greenlee.

23 COUNCILMAN GREENLEE: Thank
24 you, Mr. Chairman. Just for the record,
25 the Committee did put an amendment

1 6/3/08 - PUBLIC PROPERTY - BILL 080499
2 codifying what Commissioner Brunwasser
3 was talking about as far as the job
4 protection issue. We amended that in
5 today.

6 COUNCILMAN CLARKE: My
7 understanding is that the jobs that will
8 be made available at the new facility,
9 which are currently DC 33 jobs, will then
10 be --

11 DEPUTY MAYOR CUTLER: Yes,
12 Councilman. It had two parts to it. One
13 was that no member would lose their job,
14 lose any pay or any of the seniority and
15 benefits. Part two was that they could,
16 for up to a period of a year, apply for
17 and go to work for the new vendor and if
18 they did not like it, they would come
19 back to the Water Department,
20 specifically to the Water Department.

21 COUNCILMAN CLARKE: Okay.
22 Thank you.

23 Any other questions?

24 (No response.)

25 COUNCILMAN CLARKE: There being

1 6/3/08 - PUBLIC PROPERTY - BILL 080499
2 none, thank you very much for your
3 testimony.

4 Any other witnesses?

5 DEPUTY COMMISSIONER HERZINS:

6 Good afternoon, Chairman Clarke and
7 members of the Committee on Public
8 Property and Public Works. My name is
9 John Herzins, Deputy Commissioner in
10 Public Property. I'm here on behalf of
11 Commissioner Schlotterbeck today to offer
12 support of Bill No. 080499, an ordinance
13 authorizing the Commissioner of Public
14 Property, on behalf of the City of
15 Philadelphia, to enter into a lease
16 agreement with the Philadelphia Municipal
17 Authority for further sublease to
18 Philadelphia Biosolids Services, LLC, a
19 certain portion of a parcel of ground
20 located at 7800 Penrose Ferry Road, all
21 under certain terms and conditions.

22 This bill will allow the
23 Philadelphia Municipal Authority to
24 provide biosolids services to the City
25 under a service contract at the

1 6/3/08 - PUBLIC PROPERTY - BILL 080499

2 City-owned Biosolids Recycling Center.

3 PMA will make improvements to the center

4 to enhance the performance of the

5 processing of the City biosolids.

6 The Department of Public

7 Property supports this measure and,

8 accordingly, I respectfully ask that City

9 Council approve Bill No. 080499 and that

10 this Committee vote this bill out of

11 Committee with a favorable recommendation

12 and that the rules be suspended to permit

13 first reading at the next Council

14 session.

15 Thank you.

16 COUNCILMAN CLARKE: Thank you.

17 Any questions of this witness

18 by members of the Committee?

19 (No response.)

20 COUNCILMAN CLARKE: There being

21 none, thank you very much for your

22 testimony.

23 We have another follow-up.

24 DEPUTY MAYOR CUTLER: I

25 apologize, Mr. Chairman. Rina Cutler,

1 6/3/08 - PUBLIC PROPERTY - BILL 080499
2 Deputy Mayor for Transportation and
3 Utilities.

4 As part of the original Water
5 Department presentation, I believe it was
6 necessary to request that you suspend the
7 rules so that this can be heard at first
8 reading.

9 COUNCILMAN CLARKE: Thank you.

10 DEPUTY MAYOR CUTLER: Thank
11 you.

12 COUNCILMAN CLARKE: Thank you,
13 Ms. Cutler.

14 Okay. Anyone else here to
15 testify on this bill?

16 (No response.)

17 COUNCILMAN CLARKE: There being
18 none, we will leave the public hearing
19 and we will now go into the public
20 meeting.

21 Councilwoman Krajewski, can I
22 please ask for a motion on Bill No.
23 080499.

24 COUNCILWOMAN KRAJEWSKI:
25 Mr. Chairman, I move that Bill 080499 be

1 6/3/08 - PUBLIC PROPERTY - BILL 080499
2 reported out of this Committee with a
3 favorable recommendation and the rules of
4 Council be suspended so as to permit
5 first reading at the next session of
6 Council.

7 (Duly seconded.)

8 COUNCILMAN CLARKE: Those in
9 favor?

10 (Aye.)

11 COUNCILMAN CLARKE: Those
12 opposed?

13 (No response.)

14 COUNCILMAN CLARKE: The ayes
15 have it. Bill No. 080499 will be
16 reported out of Committee with a
17 favorable recommendation, with rules
18 suspension as to allow reading at the
19 next session of Council.

20 Thank you very much.

21 (Committee on Public Property
22 and Public Works adjourned at 3:20 p.m.)

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CERTIFICATE

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

MICHELE L. MURPHY
RPR-Notary Public

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