

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON PUBLIC PROPERTY AND
PUBLIC WORKS

- - -

Room 400, City Hall
Philadelphia, Pennsylvania
Tuesday, May 26, 2009
1:20 p.m.

- - -

PRESENT:

COUNCILMAN DARRELL L. CLARKE, CHAIR

COUNCILMAN FRANK DiCICCO

COUNCILMAN BILL GREEN

COUNCILMAN WILLIAM GREENLEE

COUNCILMAN JAMES F. KENNEY

COUNCILWOMAN JOAN L. KRAJEWSKI

BILL 090289 - An ordinance authorizing the
Commissioner of Public Property, on behalf of
the City, to acquire fee simple title, or a
lesser interest in real estate...

BILL 090361 - An ordinance authorizing the
Commissioner of Public Property and the
Procurement Commissioner, on behalf of the
City, to enter into an agreement with
Motorola, Inc...

BILL 090423 - Resolution approving the City of
Philadelphia, Pennsylvania Emergency 9-1-1...

- - -

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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 right is Councilman DiCicco,
7 Councilman Kenney, Councilwoman Krajewski
8 and Councilman Greenlee.

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

11 THE CLERK: Bill No. 090289, an
12 ordinance authorizing the Commissioner of
13 Public Property, on behalf of the City,
14 to acquire fee simple title, or a lesser
15 interest in real estate, in parcels of
16 land along the Delaware River and the K&T
17 Trail, under certain terms and
18 conditions.

19 COUNCILMAN CLARKE: Thank you.

20 (Witness approached witness
21 table.)

22 COUNCILMAN CLARKE: Good
23 afternoon.

24 COMMISSIONER SCHLOTTERBECK:
25 Good afternoon, Chairman Clarke and

1 5/26/09 - PUBLIC PROPERTY - BILL 090289, etc.

2 members of the Committee on Public
3 Property and Public Works. My name is
4 Joan Schlotterbeck. I am the
5 Commissioner of the Department of Public
6 Property. I'm here today to testify in
7 support of Bill No. 090289, an ordinance
8 authorizing me as the Commissioner, on
9 behalf of the City, to acquire fee simple
10 title, or a lesser interest in real
11 estate, in a parcel of land along the
12 Delaware River and the K&T Trail, under
13 certain terms and conditions.

14 This bill will enable the City
15 to acquire land for the development of
16 the Delaware River Recreation Park and
17 Path, which will be part of the East
18 Coast Greenway.

19 The Department of Public
20 Property supports this measure and,
21 accordingly, I respectfully ask that
22 Council approve Bill No. 090289.

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

1 5/26/09 - PUBLIC PROPERTY - BILL 090289, etc.

2 Thank you. With me today is
3 Jim Donaghy from the Commerce Department
4 to answer any questions you may have.

5 COUNCILMAN CLARKE: Thank you.

6 Any questions by members of the
7 Committee on this particular bill of this
8 witness?

9 (No response.)

10 COUNCILMAN CLARKE: Anyone else
11 to testify on this bill?

12 (No response.)

13 COUNCILMAN CLARKE: Thank you
14 very much.

15 Mr. Carter, please read the
16 title of the next bill.

17 THE CLERK: Resolution No.
18 090423, a resolution approving the City
19 of Philadelphia, Pennsylvania Emergency
20 9-1-1 2008 Triennial Plan as an amendment
21 to the City's 9-1-1 Plan, and authorizing
22 the Commissioner of Public Property, on
23 behalf of the City of Philadelphia, to
24 submit such amended 9-1-1 Plan to the
25 Pennsylvania Emergency Management Agency

1 5/26/09 - PUBLIC PROPERTY - BILL 090289, etc.

2 for review and approval, as required by
3 the Pennsylvania Public Safety Emergency
4 Telephone Act.

5 COUNCILMAN CLARKE: Thank you.

6 Please proceed.

7 COMMISSIONER SCHLOTTERBECK:

8 Good afternoon, Chairman Clarke and
9 members of the Committee on Public
10 Property and Public Works. My name is
11 Joan Schlotterbeck. I'm here today as
12 the Commissioner of Public Property. I
13 am appearing before this Committee today
14 to recommend adoption of Resolution
15 090423, which amends the City's current
16 9-1-1 Plan, as required by the
17 Pennsylvania Public Safety Emergency
18 Telephone Act, Act 78. The Act requires
19 the filing of a 9-1-1 plan every three
20 years with the Pennsylvania Emergency
21 Management Agency, or PEMA.

22 The amended plan attached to
23 Resolution 090423, the last amended plan
24 was filed by the City with PEMA in April
25 2005.

1 5/26/09 - PUBLIC PROPERTY - BILL 090289, etc.

2 The purpose of the amended plan
3 is to document the costs associated with
4 running of the City's 9-1-1 system, the
5 technical capabilities of the existing
6 system and future plans for improving the
7 system. It provides information with
8 respect to the revenues from the
9 contribution rate of \$1 per line per
10 month on each telephone landline or local
11 exchange access line collected by
12 telephone service providers and forwarded
13 quarterly to the City. This plan also
14 incorporates information on the City's
15 use of revenue for mobile phones. Act
16 56, effective March 29, 2004, amended the
17 Public Safety Emergency Telephone Act to
18 create the Wireless E-911 Emergency
19 Service Fund and to require that each
20 wireless service provider collect a
21 monthly charge of \$1 per account and
22 quarterly forward such revenue to PEMA,
23 which in turn makes grants to the local
24 government for the 9-1-1 system expenses.
25 Such wireless funds first became

1 5/26/09 - PUBLIC PROPERTY - BILL 090289, etc.

2 available to the City in Fiscal 2006.

3 Once the City provides the
4 information to PEMA in the form of the
5 amended plan, a copy of the amended plan
6 is forwarded by PEMA to the Pennsylvania
7 Public Utility Commission, which reviews
8 the costs associated with the 9-1-1
9 system and determines if continued
10 collections of 9-1-1 surcharge rate on
11 landline phones is permissible.

12 The amended 9-1-1 plan provides
13 information regarding technical aspects
14 of the City's 9-1-1 system and provides
15 descriptive information regarding the
16 current and planned technical upgrades to
17 be made to the system; updates
18 information regarding the telephone
19 costs, radio system costs, labor costs,
20 operational costs, capital costs; and the
21 City's policy and regulation for the
22 management of the competitive local
23 exchange carriers.

24 The amended 9-1-1 plan contains
25 monetary figures for justification of the

1 5/26/09 - PUBLIC PROPERTY - BILL 090289, etc.

2 continued collection of the City's \$1 per
3 month per line surcharge rate.

4 Act 78 places a cap on the
5 recovery of the costs to \$1 of the cities
6 of the first class, despite the fact that
7 the City expends at least \$3.30 per
8 access line per month to provide 9-1-1
9 access to residents, business
10 organizations and visitors seeking
11 emergency services. The funds collected
12 have been used to pay the salary and
13 operation costs of the City's 9-1-1
14 center and capital costs to replace our
15 E-911 equipment to become Phase I and
16 Phase II compliant and build out the
17 9-1-1 overflow center and will also be
18 used for the proposed 800 megahertz
19 upgrade.

20 In conclusion, the amended
21 9-1-1 plan, as submitted, is reflective
22 of changes and modifications from the
23 original plan and is in a form acceptable
24 to the Department.

25 We'd be happy to answer any

1 5/26/09 - PUBLIC PROPERTY - BILL 090289, etc.

2 questions, and we'd also be happy to walk
3 you through the changes in the amendment
4 if you would like that.

5 And, Mr. Chair, we'd also like
6 to submit for the record the amendments
7 to the resolution.

8 COUNCILMAN CLARKE: There is an
9 amendment?

10 COMMISSIONER SCHLOTTERBECK:
11 Yes. Would you like the Deputy --

12 COUNCILMAN CLARKE: If you
13 could just briefly -- yeah. I think
14 they've actually been circulated. If you
15 could just briefly explain it. It seems
16 to be technical in nature.

17 DEPUTY COMMISSIONER PUNZO: The
18 amendments are actually Page 6 and 9 of
19 Exhibit A have been changed. The prime
20 change, on Page 6 it had referenced the
21 fact that there was a problem in
22 collecting the data by Verizon and by the
23 Police Department. That was corrected,
24 and it was changed in the second
25 paragraph to indicate that. The PSAP,

1 5/26/09 - PUBLIC PROPERTY - BILL 090289, etc.

2 public safety answering point, handles
3 8,216 calls per day. That was the change
4 there.

5 And on Page 9, there was a
6 change to indicate that as the overflow
7 public safety answering point for the
8 Police Department primary public safety
9 answering point in the Fire Department,
10 which is the secondary public safety
11 answering point, is now located in City
12 Hall and has a number -- 47 positions to
13 handle both Police and Fire should there
14 be a need to go to that center in the
15 future in the event of an emergency.

16 COUNCILMAN CLARKE: Is that
17 reflected -- you gave us an executive
18 summary that's attached to the amendment.
19 It says "2. Executive Summary." Do you
20 have an attachment to --

21 COMMISSIONER SCHLOTTERBECK: I
22 don't actually have it with me.

23 COUNCILMAN CLARKE: We have
24 three sheets.

25 COMMISSIONER SCHLOTTERBECK:

1 5/26/09 - PUBLIC PROPERTY - BILL 090289, etc.

2 Yeah. The three sheets -- yes.

3 COUNCILMAN CLARKE: And the two
4 reflect the --

5 COMMISSIONER SCHLOTTERBECK:
6 Exactly. He was calling out the changes
7 to the original submission.

8 DEPUTY COMMISSIONER PUNZO: I
9 didn't read the entire page, yes, just
10 the changes.

11 COUNCILMAN CLARKE: I just
12 wanted to make sure. Thank you.

13 Any questions of these
14 witnesses on this resolution?

15 (No response.)

16 COUNCILMAN CLARKE: Anyone else
17 to testify on this resolution?

18 (No response.)

19 COUNCILMAN CLARKE: There being
20 none, thank you very much.

21 Mr. Carter, please read the
22 title of the next bill.

23 THE CLERK: Bill No. 090361, an
24 ordinance authorizing the Commissioner of
25 Public Property and the Procurement

1 5/26/09 - PUBLIC PROPERTY - BILL 090289, etc.

2 Commissioner, on behalf of the City, to
3 enter into an agreement with Motorola,
4 Incorporated, for Motorola to design,
5 build, install, optimize and maintain
6 facilities and equipment for the upgrade
7 of the City's 800 megahertz trunked
8 municipal radio communications system;
9 and authorizing the Commissioner of
10 Public Property, on behalf of the City,
11 to enter into an agreement for the
12 purpose of financing the lease of
13 equipment, software and related services
14 for the upgrade of the radio
15 communications system with an option to
16 purchase such equipment and software and
17 to enter into an escrow agreement
18 pursuant to the terms of the lease
19 agreement; all under certain terms and
20 conditions.

21 COUNCILMAN CLARKE: Thank you.

22 Please proceed.

23 COMMISSIONER SCHLOTTERBECK:

24 Good afternoon, Chairman Clarke and
25 members of the Committee on Public

1 5/26/09 - PUBLIC PROPERTY - BILL 090289, etc.

2 Property and Public Works. My name is
3 Joan Schlotterbeck. I am the
4 Commissioner of Public Property. I am
5 here today to offer testimony in support
6 of Bill No. 090361, 800 megahertz
7 municipal radio system upgrade with
8 Motorola, Inc. that will implement the
9 needed upgrades of the City's existing
10 800 megahertz radio system. This upgrade
11 employs existing state-of-the-art
12 technology that will address the
13 operational problems experienced by the
14 existing system over the past several
15 years.

16 Our request for Council's
17 support for this bill is based on three
18 closely related factors: Timing,
19 technology and economics. In my
20 testimony today, I will provide an
21 analysis of each of these unrelated
22 factors and show that when taken
23 together, these analyses form the basis
24 for our recommendation to enter into a
25 contract with Motorola to upgrade our

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2 current system.

3 The need for a prompt approval
4 of the bill is a critical component of
5 our recommendation. Our current
6 maintenance agreement with Motorola
7 expires June 2010. Contractually,
8 Motorola is not required to continue
9 maintenance support for our system,
10 existing system, beyond that date. Due
11 to advances in technology and component
12 design, Motorola will have limited
13 ability to support the outdated
14 components and technology of our current
15 system beyond the expiration of our
16 current contract. However, if we do
17 execute the current proposed contract,
18 Motorola has agreed to continue
19 maintenance support for our current
20 system until the upgrade is completed.
21 This is a critical feature since it is
22 anticipated that the completion of the
23 upgrade will require somewhere in the
24 range of 18 to 24 months. Even if we
25 started the upgrade today, the completion

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2 date would almost certainly fall beyond
3 June 2010.

4 Replacing the entire system is
5 another option that was considered, but
6 this option was rejected since current
7 estimates are that the complexities
8 associated with such a replacement could
9 take a minimum of five years to
10 accomplish. Based on existing facts, the
11 contract currently under consideration
12 accomplished two important things.

13 First, it ensures maintenance support for
14 our current system beyond June 2010 until
15 the upgrade is complete, and, second, it
16 addresses the operational problems with
17 the current system in the shortest
18 possible time.

19 Next I would like to address
20 the technical enhancements of the
21 upgraded system. The upgrade involves
22 completely replacing the existing network
23 that connects our tower sites, replacing
24 existing controllers with those of higher
25 speed capability, and rebanding our

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2 system to comply with the federal
3 government requirements. These
4 requirements dictate that rebanding must
5 be completed by 2012. Rebanding the
6 current system will correct the issues of
7 cellular interference that were
8 identified in the past several years and
9 bring the system into FCC compliance.

10 The existing network will be
11 replaced with all new components and
12 technology. We will upgrade from a
13 digital trunked system to an IP-based
14 system. The newer high-speed controllers
15 in the ASTRO P25 IP system have been
16 tested in conditions that are 170 percent
17 of our highest traffic conditions, and
18 the controllers did not roll. We will
19 continue to maintain our A and B system
20 configuration and have the ability to
21 expand channels and tower sites. The
22 upgraded system will allow the use of
23 digital vehicle repeaters to improve
24 below-grade and high-rise coverage, and
25 50 of these components will be included

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2 at no charge to the City. The upgrade
3 will also allow over-the-air programming,
4 which will allow such changes to be
5 conducted with radio remaining in place,
6 substantially reducing the time needed
7 for system programming changes.

8 It is important to note that
9 the upgraded system will be P25
10 compatible, which is the standard for
11 interoperability with other systems. The
12 systems will also be compatible with 700
13 megahertz operation when that technology
14 is available. The contract will provide
15 830 new radios for Fire, 1,300 new radios
16 for Police and 600 new radios for
17 Prisons.

18 The pending contract provides
19 that the required rebanding will be
20 conducted concurrently with the upgrade
21 of the system. The federally mandated
22 rebanding is necessary to stop
23 interference caused by cellular carriers,
24 primarily Sprint - Nextel, and will
25 permanently correct interference at over

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2 65 sites identified by police officers
3 and firefighters where coverage was lost
4 due to interference. Rebanding during
5 upgrade is a highly desirable feature
6 since it is conducted on an existing
7 operational system. Difficulties can
8 occur, creating the possibility of
9 reduced operational capacity during the
10 rebanding process. Performing the
11 rebanding while the system is being
12 updated eliminates this problem. Also,
13 this approach has certain economic
14 advantages that will be addressed as part
15 of the financial consideration addressed
16 next.

17 We have attempted to find the
18 most economical way to provide an
19 improved communication system that will
20 serve the needs of the City, and finance
21 the cost of that system in a way that
22 minimizes the economic burden on the
23 current budget and succeeding years. The
24 total cost of the new system is
25 approximately \$35 million broken down as

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2 approximately 25 million for the network
3 upgrade and 9.5 for radio cost after
4 trade-in and discounts. The City is in
5 receipt of a Public Safety Interoperable
6 Communications grant in the amount of 8.3
7 million, 4.4 million of which will be
8 used as a down payment on the system.

9 The remaining cost, approximately 31
10 million, will be paid for from the 9-1-1
11 funding received annually by the City
12 throughout the Lease Purchase Agreement.

13 The City has elected to enter
14 into a financing agreement with a
15 third-party source with terms that are
16 agreeable to three parties involved. The
17 agreed-upon interest rate and terms
18 reflect what are judged to be appropriate
19 for the tax-exempt Lease Purchase
20 Agreement. The City has placed an RFP to
21 banking institutions in hopes of
22 receiving a better rate than offered by
23 Motorola Credit.

24 After the installation is
25 complete and acceptability testing is

1 5/26/09 - PUBLIC PROPERTY - BILL 090289, etc.

2 completed, the system will be completely
3 paid off in four years, and the City will
4 then pay maintenance on an annual basis
5 for upkeep of the system. This agreement
6 is an annual agreement that will be for
7 the useful life of the system.

8 Included in this bill is an
9 Equal Opportunity Plan that provides for
10 6.6 million to be devoted towards
11 minority and women-owned businesses.
12 This is approximately 19 percent of the
13 total 34.5 million projected cost of the
14 contract. Based upon the City's
15 procurement of additional radios,
16 Motorola anticipates approximately 1.7 in
17 annual minority participation.

18 Reliable communications are the
19 cornerstone of the City's ability to
20 respond to emergency situations. All
21 those who live and work in Philadelphia
22 must have confidence that when an
23 incident involving public safety is
24 reported anywhere in our city, that there
25 is an expectation of timely and effective

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2 response from Police, Fire, medical or
3 any other activity that needs to respond.

4 The upgrade will allow the City to
5 protect the already existing large
6 investment in the system. Most
7 importantly, our public safety users will
8 be able to make changes that will carry
9 our system through the next century.

10 These changes will be made with minimal
11 interruption to operations, something
12 that cannot be guaranteed if a new system
13 were to be installed. We will ensure
14 that all coverage testing done when the
15 system was initially installed will be
16 repeated in its entirety and will be
17 expanded to include the new tools that
18 the upgraded system provides.

19 We have worked hard with
20 Motorola over the past year to arrive at
21 a cost-effective contract that is
22 responsive to the critical operational
23 needs of our city. Due to the
24 time-sensitive need to upgrade our
25 current system, we are asking City

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2 Council's approval to provide funding for
3 this project on an expedited schedule.

4 Chairman Clarke and members of
5 the Committee on Public Property and
6 Public Works, thank you for the
7 opportunity to testify on this vitally
8 important initiative. I am requesting a
9 suspension of the rules so as to allow
10 for first reading at the next Council
11 session.

12 I am here joined today with my
13 Deputy Commissioner for Communications,
14 Frank Punzo, and we're ready to answer
15 any and all questions you may have.

16 COUNCILMAN CLARKE: Thank you,
17 Commissioner, for your summarized
18 testimony.

19 Just kidding.

20 COMMISSIONER SCHLOTTERBECK: I
21 know.

22 COUNCILMAN CLARKE:
23 Commissioner, in the past --

24 COMMISSIONER SCHLOTTERBECK: I
25 can read it again if you'd like.

1 5/26/09 - PUBLIC PROPERTY - BILL 090289, etc.

2 COUNCILMAN CLARKE: No more.

3 In the past, there have been
4 significant issues raised with respect to
5 this whole 9-1-1 system and Motorola. In
6 particular, my colleague, Councilman
7 Frank Rizzo, has raised significant
8 concerns about the operations,
9 intermittent failures in its operations,
10 and initially on the face of it when you
11 look at the fact that we're entering into
12 a long-term agreement with this
13 particular company, the natural response
14 is, Well, why would we do that.

15 What has happened now that puts
16 that at a comfort level that we will no
17 longer receive any problems associated
18 with the operations as we enter into a
19 longer-term arrangement? Has there been
20 something done within the company or
21 within the systems or within the
22 technology that will ensure -- and
23 understand nothing is perfect -- ensure
24 that we will no longer have any
25 interruptions?

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2 DEPUTY COMMISSIONER PUNZO:

3 Councilman, Frank Punzo, Deputy
4 Commissioner of Public Property,
5 Communications.

6 To answer the question, several
7 things we've attempted to put into the
8 new system that have caused those
9 problems in the past. One was touched on
10 by the Commissioner as it deals with the
11 speed of the controller, which was one of
12 the areas that has caused numerous
13 problems. When police go into
14 large-scale triple assists and others,
15 our system would have a tendency as built
16 to roll the controller, but in doing so,
17 there was a loss of communications, hence
18 we upgraded the controller speed and
19 insisted that Motorola upgraded with the
20 new system so that we don't have that
21 problem. That's where we tested at 170
22 percent of the highest volume that the
23 City has.

24 COUNCILMAN CLARKE: So in
25 layperson's terms, it's somewhat of an

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2 overload?

3 DEPUTY COMMISSIONER PUNZO:

4 Correct. Yes.

5 The second part of it was,
6 obviously there have been changes that
7 are necessary to the underlying network.
8 Now, while Motorola does not provide that
9 network, Verizon does currently today, we
10 will be soliciting information from other
11 carriers to find out what is the best
12 solution to solve that network piece,
13 meaning is it microwave, is it T1's, is
14 it some other form of data connectivity,
15 if you will, connect the tower sites
16 together, in a layman's terms.

17 The radios themselves are being
18 upgraded for Police as well as Fire.
19 We've made significant changes. We've
20 also looked at the -- in 1999 when the
21 system was built, I was not involved at
22 that time, not to say that it was done
23 right or wrong, but many of the channels
24 that were put into the radios are what
25 are called talk groups, are being looked

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2 at and in concert with Police and Fire,
3 as well as Prisons and others, we're
4 looking at those talk groups and saying
5 how can we best provide the same services
6 we provide today with less numbers of
7 talk groups in their radios, which has a
8 tendency as you're changing these
9 channels and changing talk groups to have
10 people all over the place, especially if
11 it's in a dark vehicle, you're not able
12 to look at the screen, et cetera.

13 We've looked at the digital
14 vehicle repeaters, which their name says
15 vehicle but they are actually portable as
16 well as vehicle mounted, to increase our
17 coverage in what is really problem areas
18 for firefighters mostly, but in some
19 cases police officers as well. In
20 below-grade fires or in high-rise fires,
21 these will increase our coverage without
22 the cost of adding a brand new tower
23 site, which you can't necessarily put a
24 tower site next to every large building
25 anyway, but just that idea.

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2 As we looked out there at the
3 varying -- the players that had bid back
4 in 1999 and those that are still in the
5 industry today, it was determined that
6 the best course would be to stay the
7 course with our current vendor. We knew
8 the problems that they had. One of the
9 challenges and one of the items that I
10 think that they, as well as even Verizon,
11 has stepped up to the plate, when
12 something breaks, they fix it and they
13 fix it quickly and it is fixed on an
14 almost permanent basis. We can't prevent
15 lightning strikes, which have been some
16 of the problems that we've had with the
17 radio system. We can't --

18 COUNCILMAN CLARKE: You can't
19 prevent what?

20 DEPUTY COMMISSIONER PUNZO:
21 Lightning strikes. That has been areas
22 where towers have been struck by
23 lightning. There's no way that we can
24 actually prevent that. We put all of the
25 grounding possible --

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2 COUNCILMAN CLARKE: It's above
3 our pay grade?

4 DEPUTY COMMISSIONER PUNZO:
5 It's above our pay grade, yes.

6 -- (continued) just in an
7 attempt to solidify what has gone on.

8 The reason we're upgrading the
9 radios is, obviously the Prison System
10 today is on an old 450 megahertz analog
11 system. They need to be brought on this
12 system as well, and providing them with
13 the 600 radios gets all of their
14 personnel onto the radio system, and
15 they're also prepared to procure on their
16 own the consoles that are necessary.

17 Probably the biggest thing is,
18 we don't have to change out the system
19 wholesale and take the chance that we did
20 in 1999 of putting something brand new in
21 and not necessarily knowing what we would
22 face in the problems. Again, getting
23 back to we know what we have today and we
24 know how well it has worked for the most
25 part.

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2 We've covered with your
3 colleague, Councilman Rizzo, a lot of
4 these items, and he had asked that we
5 include them in there. So that's another
6 reason why we have gone to Motorola and
7 asked them to be put in.

8 COUNCILMAN CLARKE: Okay. One
9 quick question. We're hoping that all of
10 the corrections have been made in a way
11 that we don't experience any problems,
12 but in the event that we start to
13 experience any intermittent interruptions
14 in our new system, upgraded system, are
15 there any provisions that call for
16 penalties or clawback provisions in the
17 contract to ensure that as we move ahead,
18 if something happens with this new
19 upgraded system, there's a price to pay
20 by the vendor?

21 DEPUTY COMMISSIONER PUNZO:
22 Throughout the build-out of the system
23 within the first two years, there are
24 penalties for missing thresholds with
25 Motorola. I think that the highest is

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2 \$6,000 per day if they miss certain dates
3 within the proposed timeframe, those 24
4 months, and that reduces, I believe, to
5 the lowest, which is 4,000 or 2,400 per
6 day as we get further and further into
7 the implementation. I mean, there is
8 always the desire not to pay the vendor
9 obviously if that occurs.

10 COUNCILMAN CLARKE: Okay.

11 Commissioner, I know you have a couple of
12 Administration witnesses. Would you
13 prefer that they testify before we enter
14 into questions?

15 COMMISSIONER SCHLOTTERBECK: I
16 think that would be a good idea.

17 COUNCILMAN CLARKE: I know we
18 have the Prisons Commissioner. You want
19 to testify also? You just want to be in
20 response to any issues?

21 (Witnesses approached witness
22 table.)

23 COUNCILMAN CLARKE: I see we
24 are well represented. I feel safer
25 already.

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2 All right, gentlemen. I know
3 we had actually asked for you all to be
4 available today because I know during the
5 course of the briefing, there were some
6 concerns raised about the individuals and
7 the agencies that actually utilize these
8 systems to make sure that they were at a
9 comfort level in what's being proposed,
10 given the history of some of the issues
11 relating to Motorola. We wanted to make
12 sure that you all were on board. So I
13 understand that I know you all may have
14 some written testimony or not, but please
15 proceed.

16 DEPUTY COMMISSIONER ROSS: Good
17 afternoon, Chairman Clarke and members of
18 the Committee on Public Property and
19 Public Works. My name is Deputy Police
20 Commissioner Richard Ross. I'm here with
21 Chief Inspector Mike Feeney.

22 Police radio is the public
23 safety answering point for the City of
24 Philadelphia. The safety of all those
25 who live, work and visit our city is

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2 dependent on this operation working
3 reliably and effectively.

4 Police radio actually consists
5 of three separate but interdependent
6 systems: 9-1-1, where incoming emergency
7 calls are received; computer-aided
8 dispatch, or CAD, which then prioritizes
9 these calls according to severity; and,
10 most critically, the 800 megahertz radio
11 system, which enables the emergency to be
12 transmitted to police officers in the
13 field and which also enables officers to
14 communicate with each other.

15 Approximately 60 calls for
16 service to the 800 megahertz radio system
17 are required each year. These calls are
18 for problems of varying degrees of
19 severity, but all require and receive a
20 timely response from the vendor,
21 Motorola. The maintenance agreement
22 covering the 800 megahertz radio system
23 is scheduled to expire in June of 2010.

24 The radio system is the
25 backbone of public safety and officer

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2 safety. Allowing a lapse of a
3 maintenance contract on such an essential
4 public safety system for any duration
5 significantly increases the risk and
6 liability to the City. It puts our
7 citizens and officers at peril and is
8 unnecessary.

9 We support the purchase and
10 implementation of the needed upgrade to
11 the municipal radio system. It is our
12 belief that this upgrade, in addition to
13 continuing Motorola's support, will
14 correct the deficiencies in the current
15 system. The upgrade will allow for
16 improved radio coverage throughout the
17 City and increase the system's capacity
18 to manage radio traffic during times of
19 emergency. This will ensure that the
20 Police Department can continue to provide
21 the highest level of service and
22 protection to our citizens. And that
23 will conclude my testimony.

24 COUNCILMAN CLARKE: Thank you.

25 Commissioner.

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2 COMMISSIONER AYERS: Chairman
3 Clarke, other members of the Committee,
4 good afternoon.

5 The radio system, the Motorola
6 radio system that we are currently using,
7 we went into service, as you know, back
8 in 2002. Since that time, there have
9 been various issues with the radio system
10 that was corrected over a period of time.
11 We stopped and we looked at how the
12 firefighters utilize the radio system and
13 the complaints that we received over that
14 period of time to date. Back in 2002 to
15 June of 2005, we received 73 complaints
16 from my field operations, and this is
17 from the officers and the firefighters
18 that utilize the radios. From June of
19 2005 to January 2006, there have been no
20 memos submitted. In 2006, there were no
21 memos. 2007, no memos. In 2008, we
22 received four memos depicting areas where
23 there were deficiencies in the field. To
24 date, 2009, we have two memos.

25 There has been cooperation

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2 between Public Property and also the
3 vendor for the City that will work with
4 usually the cellular interference, make
5 sure that that was taken care of, and
6 most of those issues were resolved.

7 To date, we are looking forward
8 to the replacement of the radios that we
9 currently use in the field, again, some
10 800 radios for firefighters, 200 mobile
11 units. We're looking forward to the
12 technical changes and the upgrades that
13 relate to our operations in high rises,
14 our operations in basements and in
15 certain areas where we have some
16 interference with our reception.

17 We look forward to and support
18 an upgrade to our radio system so that we
19 can continue to protect not only the
20 citizens but ourselves as we go about our
21 day-to-day operations in the field.

22 COMMISSIONER GIORLA: Good
23 afternoon, Councilman Clarke, members of
24 the Committee. I'm Commissioner Louis
25 Giorla of the Prisons.

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2 The current state of the
3 Prisons' radio system is that we have two
4 operable radio frequencies they're using.
5 One is 800 megahertz. The other one is
6 the 450 megahertz series that Mr. Punzo
7 described. The expectation some years
8 ago was that we would be upgraded upon
9 the construction of CFCF, and that was 13
10 years ago when Curran-Fromhold was opened
11 and we still haven't been able to upgrade
12 our radio system.

13 Throughout our system,
14 correctional officers today are using
15 second- and third-generation radios that
16 were upgraded and restored after use by
17 the Police and Fire Departments. This
18 contract will give us the ability to
19 provide operable radios throughout our
20 facilities, which extends citywide both
21 to our satellites and our State Road
22 complex. It will also allow us to equip
23 every correctional officer on duty and it
24 is our intent to equip all supervisors on
25 duty 24 hours a day with a working radio,

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2 something we don't have the ability to do
3 now.

4 The Prison System, like the
5 Police and Fire Departments, supports
6 this measure and would ask that you give
7 it your support as well.

8 COUNCILMAN CLARKE: I'm going
9 to ask Ms. Schlotterbeck and Mr. Punzo to
10 come back up, and, gentlemen, if you just
11 stay on the side. There may be questions
12 for you in particular.

13 (Witnesses approached witness
14 table.)

15 COUNCILMAN CLARKE: Thank you.

16 Are there any questions by
17 members of the Committee for these
18 witnesses?

19 (No response.)

20 COUNCILMAN CLARKE: There being
21 none, Councilman Green, you have
22 questions of these witnesses?

23 COUNCILMAN GREEN: Thank you,
24 Mr. Chairman. I appreciate the
25 opportunity to ask a few questions here.

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2 I want to thank Commissioner
3 Schlotterbeck and Mr. Punzo for taking a
4 meeting with me last week -- also in
5 attendance was Allan Frank -- to discuss
6 some of the concerns that I raised in the
7 briefing session they gave Council in the
8 Caucus Room.

9 I want to just go through the
10 testimony and make sure I understand how
11 we got where we are today.

12 In the testimony it says, "Our
13 current maintenance agreement with
14 Motorola expires in June 2010." How long
15 have we known that this is going to
16 expire in June of 2010?

17 DEPUTY COMMISSIONER PUNZO:
18 Well, actually, Councilman, this has been
19 known since we implemented the system.
20 It was part of the contract at that time.

21 COUNCILMAN GREEN: So since
22 2002?

23 DEPUTY COMMISSIONER PUNZO:
24 Yes, since its implementation.

25 COUNCILMAN GREEN: Okay. There

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2 is also testimony that basically because
3 it's expiring in 2010, we have no choice.
4 Timing is one of the issues that forces
5 us to go to Motorola. I'd just like an
6 explanation of how we, knowing for eight
7 years a contract was going to expire, how
8 we are now in a situation where we have
9 no alternative but to choose one vendor.
10 Why is this bill before us now, with no
11 choice?

12 COMMISSIONER SCHLOTTERBECK: As
13 Commissioner in the past Administration
14 for four years and extended into this
15 one, we tried to move this thing out over
16 three years ago into an open-dialogue
17 discussion, position, new system, renewal
18 options, whatever, and we're here today
19 because it never happened.

20 COUNCILMAN GREEN: What about
21 the last 18 months?

22 COMMISSIONER SCHLOTTERBECK:
23 We've been working on it for the last 18
24 months.

25 COUNCILMAN GREEN: Okay. Was

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2 there a plan at the end of the Street

3 Administration for this?

4 COMMISSIONER SCHLOTTERBECK:

5 Not really.

6 COUNCILMAN GREEN: No? Okay.

7 So this began in earnest with the

8 beginning of the Nutter Administration?

9 COMMISSIONER SCHLOTTERBECK:

10 Correct.

11 COUNCILMAN GREEN: What is the

12 problem today with issuing an RFP for

13 this system?

14 COMMISSIONER SCHLOTTERBECK:

15 There's no time.

16 COUNCILMAN GREEN: There's no

17 time.

18 COMMISSIONER SCHLOTTERBECK:

19 And we made a decision that given the two

20 people that were capable of dealing with

21 the issue, the two major firms, that this

22 was the road we were going to go.

23 COUNCILMAN GREEN: The

24 testimony indicates --

25 COMMISSIONER SCHLOTTERBECK:

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2 For the reasons stated in my testimony.

3 COUNCILMAN GREEN: Well, the
4 testimony indicates that Motorola will
5 have limited ability to support the
6 outdated components and technology of our
7 current system, and during his response
8 to Councilman Clarke's questions,
9 Mr. Punzo referred to this as a new
10 system. Can you explain how we can
11 purchase a system without issuing an RFP
12 under the Charter? I mean, I want to --
13 I have an oath to uphold the law, like
14 everybody else that's part of the
15 Administration. I just want to
16 understand how we can do this legally.

17 COMMISSIONER SCHLOTTERBECK:
18 Well, maybe we should get one of the
19 attorneys here.

20 Michael?

21 (Witness approached witness
22 table.)

23 MR. ATHAY: Michael Athay,
24 Chief Deputy City Solicitor in the Law
25 Department.

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2 COUNCILMAN CLARKE: Did you
3 hear the question?

4 MR. ATHAY: No.

5 COUNCILMAN CLARKE: Councilman,
6 you want to repeat the question?

7 COUNCILMAN GREEN: Oh, I'm
8 sorry. I guess my question is, from the
9 testimony it sounds like we're basically
10 getting a new system that we're calling
11 an upgrade, and I'm wondering how we can
12 legally do that without going out to RFP.

13 MR. ATHAY: Well, Councilman,
14 we don't view it as a new system. It is
15 an upgrade to an existing system. It's
16 an upgrade to the same platform.

17 COUNCILMAN CLARKE: Pull the
18 mike up a little closer.

19 MR. ATHAY: We don't view it as
20 a new system. And this was part of the
21 Law Department's analysis. We view it as
22 an upgrade to an existing system. It is
23 the same technology, basically the same
24 technology. It will be enhanced. It
25 will have some new functionality, but it

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2 is basically the same platform within the
3 scope of work of the base contract.

4 COUNCILMAN GREEN: We're going
5 from a digital trunked system to an
6 IP-based system. We're using new
7 software. We're buying new hardware.
8 We're getting digital repeaters. I
9 don't -- I mean, there's a lot that is
10 part of this contract that was not part
11 of the base contract, and I've asked you
12 to send a copy of that over to my office
13 and we'll take a look at it, but rather
14 than get into a debate about the legal
15 merits, if the Solicitor's Office could
16 just submit a written memorandum to the
17 Chair that explains to us why this is
18 legal, I'll be satisfied with that.

19 MR. ATHAY: We'll do that.

20 COUNCILMAN GREEN: Okay.

21 So how long would it take to
22 issue an RFP?

23 DEPUTY COMMISSIONER PUNZO:

24 Councilman, we would estimate to do an
25 appropriate RFP would take between two

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2 and three months to capture everything
3 that's in our system today and make sure
4 all the questions that are answered.

5 This is, again, not just experience on
6 the radio system, but in many of the RFPs
7 that we put out into the field today.

8 The other factor is that even
9 when we arrive at a solution, which we
10 have here, our negotiations of a
11 contract, even one that was amended, have
12 taken over six months to actually bring
13 to fruition a contract that it is deemed
14 acceptable by both the Department of
15 Public Property and the Law Department.

16 So we believe that it would take far
17 longer than what it would appear on the
18 surface, and any delay places us into a
19 situation where we would be, at a
20 minimum, 24 to 36 months out from the
21 date that that would be arrived at to put
22 in a new system, probably closer to the
23 36 months. So these were factors that
24 were considered.

25 COUNCILMAN GREEN: I'm sorry.

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2 How long would an RFP delay the process?

3 A year?

4 DEPUTY COMMISSIONER PUNZO: It
5 could delay the process a year. It could
6 delay the process longer than that. It's
7 hard to say at this juncture. But what
8 we know is that past experience with what
9 occurred in 1999, what has occurred with
10 other systems, what has occurred with the
11 prime competitor to Motorola, it would
12 take upwards of approximately five years
13 to get this full system implemented if we
14 were to go somewhere other than with
15 Motorola, and that would put us into a
16 position where even if we made that
17 decision today, meaning we had a contract
18 in place, we would be well beyond the
19 expiration date of our current
20 maintenance agreement.

21 COUNCILMAN GREEN: Well, one of
22 the things that was talked about a great
23 deal in 2007 during the race that I was
24 in for City Council and other people were
25 in for Mayor was the need to do RFPs. In

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2 fact, in the last session of Council
3 under the Street Administration, people
4 sitting very close to the seat I'm
5 sitting in basically insisted on RFPs.
6 And it seems to me that we're spending an
7 awful lot of the public's money without
8 knowing that we have the cheapest or best
9 solution because we didn't do an RFP.
10 And I understand that your staff did a
11 lot of work evaluating it, but under the
12 Charter, there's only one way to know,
13 and rather than -- if we need to change
14 the Charter for circumstances like this,
15 then let's have that discussion, but
16 until we do, I'm not sure I understand
17 how we can be in a position where a
18 vendor can have a gun to our head.

19 So at this point, I see people
20 from Motorola in the room. I'd like to
21 see if they can come up and answer a few
22 questions of mine.

23 Mr. Chairman, I see people from
24 Motorola in the room. I'm hoping they
25 can answer a few questions of mine.

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2 (Witnesses approached witness
3 table.)

4 COUNCILMAN CLARKE: Before we
5 do that, are there any other questions by
6 members of the Committee, any other
7 questions of the Administration
8 witnesses?

9 (No response.)

10 COUNCILMAN CLARKE: Okay.
11 Thank you.

12 COUNCILMAN GREEN: Thank you
13 for coming up. I couldn't agree with
14 Deputy Commissioner Ross more and with
15 the other people who testified,
16 Commissioner Ayers and Commissioner
17 Giorla, that the safety of our emergency
18 responders, our prison guards need to be
19 paramount in every single thing that we
20 do. And so Commissioner Schlotterbeck
21 testified that you, if we execute the
22 currently proposed contract, will
23 continue maintenance support until an
24 upgrade is completed. Are you saying
25 that if we don't execute this contract

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2 and we go out to an RFP, that you will
3 not support the system until such time as
4 we complete an RFP, and put all our
5 safety officers in the City at risk?

6 MR. SCHNEIDER: Thank you,
7 Councilman. My name is Jim Schneider
8 with Motorola. I'm the Service Director
9 for the Midatlantic and the Northeast.

10 COUNCILMAN CLARKE: Excuse me.
11 Before we get into these questions, were
12 you all prepared to offer testimony
13 today, or you were just here in a
14 supportive role?

15 UNIDENTIFIED WITNESS: We were
16 here in a supportive role to address
17 questions.

18 COUNCILMAN CLARKE: Okay. I
19 just wanted to make sure, because I
20 didn't know you were coming up. We were
21 still talking to the Administration
22 witness, but that's fine.

23 Please proceed.

24 MR. SCHNEIDER: Councilman
25 Green, the many major components of the

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2 system today, frankly, are coming to an
3 end of life in June 2009. Motorola has
4 committed to support the system through
5 June 2010 in support of the contract.
6 Beyond that, the supportability is on a
7 best effort with the availability of
8 parts and allowing us to maintain the
9 system.

10 COUNCILMAN GREEN: So it's your
11 testimony today that if we don't issue
12 this contract and we issue an RFP in
13 order to determine whether or not we've
14 gotten the best deal we can for the
15 taxpayers of Philadelphia, that you're
16 going to put at risk our public safety
17 officers in the City of Philadelphia,
18 that Motorola is willing to do that? You
19 wouldn't give us the time to go do an
20 RFP? You'll let our police radio system
21 fail; is that your testimony?

22 MR. SCHNEIDER: No, sir, that's
23 not my testimony. My testimony is that
24 we've gone beyond a one year of
25 commitment of 2009.

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2 COUNCILMAN GREEN: If you get
3 this contract.

4 MR. SCHNEIDER: In support of
5 the contract, yes, sir.

6 COUNCILMAN GREEN: But if you
7 don't, you're going to abandon us?

8 MR. SCHNEIDER: No, sir, we
9 will not abandon the City. We will
10 continue to maintain the City as best we
11 can with the parts availability to keep
12 the system operational.

13 COUNCILMAN GREEN: Well, can
14 you do that through the length of time
15 that an RFP would be required?

16 MR. SCHNEIDER: That's
17 undetermined. I really don't know.

18 COUNCILMAN GREEN: Okay. Does
19 the contract require that you pay your
20 subs prevailing wage? Will you have any
21 subcontractors on this project, assuming
22 you get it?

23 MS. HOLTSCHEIDER: Yes, we do
24 have subcontractors.

25 COUNCILMAN GREEN: Will they

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2 all be receiving prevailing wage?

3 MS. HOLTSCHNEIDER: I'll have
4 to check into that. I believe so.

5 COURT REPORTER: Please
6 identify yourself.

7 MS. HOLTSCHNEIDER: I'm sorry.
8 Patty Holtschneider, Motorola,
9 Vice-President.

10 COUNCILMAN GREEN: Okay. I
11 understand that many of your
12 subcontractors receive 1099's. Would you
13 agree to provide a list of every single
14 subcontractor and who got paid a check to
15 the City so we can check to make sure
16 that they have business privilege
17 licenses?

18 MS. HOLTSCHNEIDER: Yes.

19 COUNCILMAN GREEN: Well,
20 Mr. Chairman, I don't know what else to
21 say. We'll take a look and see what we
22 get from the City Solicitor, but it's
23 very disappointing that we're at a stage
24 where we have no choice but to contract
25 with somebody at whatever price they come

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2 up with because otherwise our police
3 officers and firemen and prison guards
4 will be in harm's way. This is not the
5 way we should be doing contracting in the
6 City of Philadelphia.

7 COUNCILMAN CLARKE: Thank you,
8 Councilman.

9 Thank you.

10 Commissioner, we wanted to talk
11 about the EOP plan. Will you be making
12 that presentation or Mr. Bell or Motorola
13 or all of the above?

14 COMMISSIONER SCHLOTTERBECK:
15 Michael.

16 I'll have Patty walk through
17 it, and Michael is here. He can also
18 speak for himself.

19 COUNCILMAN CLARKE: I just want
20 to kind of backtrack. I know that we got
21 a presentation the other day during the
22 briefing, and there was this issue with
23 respect to the bulk of the contract was
24 to be done internally. It was like 25
25 million of the 35, I believe the numbers

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2 were. So the initial presentation was
3 that there was only 1.6 available for
4 minority contractors, and there was
5 obviously some concerns raised by
6 individuals at the briefing, because
7 there was a significantly small
8 percentage. And I understand that based
9 on our urging, that there are some
10 revisions to that proposal as it relates
11 to the participation rate.

12 MS. HOLTSCHEIDER: That's
13 correct.

14 COUNCILMAN CLARKE: And in
15 addition to which there were some
16 questions with respect to the breakdown
17 on WBE, MBE and DBE. Is that available
18 yet?

19 MS. HOLTSCHEIDER: Yeah. You
20 had asked last week as far as Motorola,
21 our spending, our corporate spend, right?

22 COUNCILMAN CLARKE: Well --

23 MS. HOLTSCHEIDER: I do have
24 those numbers for you today.

25 COUNCILMAN CLARKE: What I

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2 wanted to know -- because at that time it
3 was said that this 1.6 was available for
4 participation and indicated that the bulk
5 of the contract related to Motorola, and
6 I wanted to know what the breakdown with
7 the company was. It was comparable to
8 the questions that we had asked Verizon
9 when we did the Verizon contract. And
10 then I know in talking to Commissioner
11 Schlotterbeck, there was actually some
12 conversations about some longer-term
13 opportunities for contractors, both in
14 this contract and any additional
15 contracts as related to ongoing work,
16 because it's a long-term commitment. So
17 I'm sorry. Please proceed.

18 MS. HOLTSCHNEIDER: Okay. I'm
19 going to walk you through it.

20 When we left last Wednesday, we
21 went back and we've increased our OE
22 participation to 6.5 million, and that's
23 19.13 percent of the contract. And the
24 breakdown, Urban Harvest Partnership,
25 which is an MBE, they are now going to be

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2 a Motorola manufacturer's rep for us.

3 We've done business with them in the

4 past, and they're responsible for this

5 contract 1,500 subscriber units. And the

6 other thing they're going to do is,

7 they're going to inventory the units.

8 And we also have a trade-in program, and

9 they're going to be responsible for

10 collecting the 1,500 units as well so we

11 can trade those back in.

12 COUNCILMAN CLARKE: So say that

13 in layperson's terms.

14 MS. HOLTSCHNEIDER: They're a

15 manufacturer's rep, Urban Harvest.

16 COUNCILMAN CLARKE: Not that

17 part. Just the part about the units and

18 the collections.

19 MS. HOLTSCHNEIDER: What

20 they're going to do, we've offered you a

21 trade-in on all of your old radios.

22 COUNCILMAN CLARKE: Radios.

23 There you go.

24 MS. HOLTSCHNEIDER: They're

25 just going to go out and get them and

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2 then ship them back.

3 The other MBE is Polaris
4 System, and what they're doing is,
5 they're doing some project management
6 services, some actual physical fixed
7 network equipment installation. And then
8 we have Spectrum Electric, and they were
9 on your contract back in 1999, and
10 they're a WBE, and what they're doing is,
11 they're responsible for some project
12 management services from installation
13 services and upgrades of the electrical
14 services.

15 COUNCILMAN CLARKE: Okay. And
16 Mr. Bell, you are deeply engaged in this
17 process?

18 MR. BELL: Yes.

19 COUNCILMAN CLARKE: As you were
20 with Motorola and as you were with
21 Verizon?

22 MR. BELL: Right. Back in
23 March, we sent a letter to John
24 Caulfield, and we had expressed some
25 concern with the fact that Motorola was

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2 backing almost \$22 to \$24 million worth
3 of equipment purchases out of the
4 contract, and we did feel that City
5 Council was not going to be in agreement
6 with that. I do have a copy of that
7 letter that I could forward to you. So
8 we were happy to see that they actually
9 made a commitment to utilize Urban
10 Harvest, which is an OEO-certified firm,
11 and I think it gives this company a
12 chance to build capacity along with
13 Motorola.

14 And also too in their EOP,
15 Motorola has agreed to conduct various
16 outreach efforts to increase the
17 participation. But this utilization of a
18 Philadelphia-based certified MBE firm is
19 acceptable to the Office of Economic
20 Opportunity.

21 COUNCILMAN CLARKE: Thank you.

22 Commissioner, do you have
23 anything to add?

24 COMMISSIONER SCHLOTTERBECK:

25 No; just that the value of the change is

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2 now 6 -- it's almost 6.6 million as
3 opposed to the 1.6 that was initially
4 offered. And the Urban Harvest
5 Partnership MBE is like a \$5 million
6 opportunity.

7 And in addition, the
8 expectation and the intent -- and I will
9 make sure that I work with Michael Bell
10 and Frank Punzo to make sure it
11 happens -- is that they'll develop some
12 kind of future opportunities that don't
13 exist today over the term of this
14 relationship.

15 COUNCILMAN CLARKE: Are there
16 any opportunities potentially outside of
17 this particular contract with the City?

18 COMMISSIONER SCHLOTTERBECK: In
19 other words --

20 COUNCILMAN CLARKE: Do they
21 manufacture or provide services outside
22 of this particular type of service that
23 the City may be interested in procuring?

24 MS. HOLTSCHEIDER: Yeah. We
25 have a couple things. For Urban Harvest,

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2 as you all replace radios, we're going to
3 continue to have them be our manufacturer
4 rep within the City of Philadelphia, and
5 that was estimated with Public Property
6 about a million seven a year.

7 The other thing that we're
8 doing and starting this summer is, we're
9 going to have a trade fair show, invite
10 all interested diversity companies in,
11 kind of help them to learn how to do
12 business with Motorola.

13 And then additionally, as far
14 as especially for Urban Harvest, if they
15 choose to become a service provider down
16 the road, we're going to help them with
17 the certification and what the process is
18 so that they can actually work on
19 Motorola equipment.

20 COUNCILMAN CLARKE: And I heard
21 you say that this service can be provided
22 within the City of Philadelphia. Too
23 often we find that there are companies
24 outside of the City that provide service
25 to us. I'm assuming that this company

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2 will not be limited to providing
3 opportunities to Motorola nationally,
4 because you all are a national company.

5 MS. HOLTSCHEIDER: Absolutely.

6 COUNCILMAN CLARKE: So if
7 there's an opportunity in New York or
8 Michigan --

9 MS. HOLTSCHEIDER: Wherever
10 their business would choose.

11 COUNCILMAN CLARKE: -- if you
12 have a new company that's just capably
13 positioned to provide that service --

14 COMMISSIONER SCHLOTTERBECK:
15 Exactly.

16 MS. HOLTSCHEIDER: Exactly.
17 We would offer that to them, and we'd
18 continue to offer them ongoing training
19 as well so they can grow their business.

20 COUNCILMAN CLARKE: All right.
21 Thank you.

22 Any questions of these
23 witnesses by members of the Committee?

24 (No response.)

25 COUNCILMAN CLARKE: Thank you.

1 5/26/09 - PUBLIC PROPERTY - BILL 090289, etc.

2 Thank you very much.

3 Is there anyone else to testify
4 on this bill?

5 (No response.)

6 COUNCILMAN CLARKE: Councilman,
7 are you okay?

8 COUNCILMAN GREEN: I have one
9 more question.

10 COUNCILMAN CLARKE: Councilman
11 Green.

12 COUNCILMAN GREEN: Thank you.
13 If this gets approved by
14 Council before we recess, when will work
15 begin?

16 DEPUTY COMMISSIONER PUNZO: We
17 anticipate work to begin in the
18 July/August timeframe.

19 COUNCILMAN GREEN: Thank you.

20 COUNCILMAN CLARKE: Okay. If
21 there are no other witnesses to testify
22 on any of these bills, this concludes the
23 public hearing of the Committee of Public
24 Property and Public Works. We will now
25 move into the public meeting.

1 5/26/09 - PUBLIC PROPERTY - BILL 090289, etc.

2 Councilman Kenney, can you
3 please give me a motion on Bill No.
4 090289.

5 COUNCILMAN KENNEY: Thank you,
6 Mr. Chairman. I move that Bill No.
7 090289 be reported out of this Committee
8 with a favorable recommendation and a
9 request made for rules suspension to
10 allow for first reading at our next
11 Council session.

12 (Duly seconded.)

13 COUNCILMAN CLARKE: It's been
14 moved and seconded.

15 Those approved?

16 (Aye.)

17 COUNCILMAN CLARKE: Those
18 opposed?

19 (No response.)

20 COUNCILMAN CLARKE: The ayes
21 have it. Bill No. 090289 is reported out
22 of Committee with a favorable
23 recommendation.

24 Councilman Kenney, can I please
25 ask for a motion on Bill No. 0904 -- I'm

1 5/26/09 - PUBLIC PROPERTY - BILL 090289, etc.

2 sorry; Resolution --

3 COUNCILMAN KENNEY: Well,
4 first, there's an amendment.

5 COUNCILMAN CLARKE: There's an
6 amendment. Can I please ask for a motion
7 on the amendment to Resolution 090423.

8 COUNCILMAN KENNEY: I move the
9 amendment.

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.

20 Councilman Kenney.

21 COUNCILMAN KENNEY: Thank you,
22 Mr. Chairman. I move that Resolution No.
23 090423, as amended, be reported out of
24 Committee with a favorable
25 recommendation.

1 5/26/09 - PUBLIC PROPERTY - BILL 090289, etc.

2 (Duly seconded.)

3 COUNCILMAN CLARKE: Thank you.

4 Before I make the motion on the next
5 bill -- I'm sorry. I ask for a motion
6 on -- vote for the amended Resolution
7 090423.

8 (Aye.)

9 COUNCILMAN CLARKE: Those
10 opposed?

11 (No response.)

12 COUNCILMAN CLARKE: The ayes
13 have it. Resolution No. 090423 is
14 reported out of Committee with a
15 favorable recommendation, as amended.

16 Before we make a motion on
17 090361, Commissioner, there are still a
18 number of outstanding questions as it
19 relates to this particular contract. My
20 understanding is the letter from the City
21 Solicitor's Office that we need, and I
22 don't know. There may be a couple other
23 outstanding issues. Bear in mind,
24 Councilman Rizzo, who is very involved in
25 this issue, is unfortunately unavailable

1 5/26/09 - PUBLIC PROPERTY - BILL 090289, etc.

2 today. I suspect that he will have a
3 number of questions. So I would -- and
4 actually Councilwoman Miller. So I would
5 ask that next week you reach out to them
6 and make sure that before final passage,
7 that any issues that they have with
8 respect to this are addressed. Prior to
9 the final passage, there are a couple of
10 things you need to do, a couple of
11 housekeeping orders we ask you put in
12 place. Okay?

13 COMMISSIONER SCHLOTTERBECK:

14 All right.

15 COUNCILMAN CLARKE: Thank you.

16 With that, Councilman Kenney.

17 COUNCILMAN KENNEY: Thank you,
18 Mr. Chairman. I move that Bill No.
19 090361 be reported out of Committee with
20 a favorable recommendation and a request
21 made for rules suspension to allow first
22 reading --

23 COUNCILMAN CLARKE: Sorry,
24 Councilman Kenney. I need to get my own
25 housekeeping in order. We have an

1 5/26/09 - PUBLIC PROPERTY - BILL 090289, etc.

2 amendment to this bill.

3 COUNCILMAN KENNEY: I'm sorry.

4 Mr. Chairman, I move the adoption of the
5 amendment to Bill No. 090361.

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.

16 Councilman Kenney.

17 COUNCILMAN KENNEY: Thank you,
18 Mr. Chairman. I move that Bill No.
19 090361, as amended, be reported out of
20 this Committee with a favorable
21 recommendation and a request made for
22 rules suspension to allow for first
23 reading at our next Council session.

24 (Duly seconded.)

25 COUNCILMAN CLARKE: It's been

1 5/26/09 - PUBLIC PROPERTY - BILL 090289, etc.

2 moved and seconded.

3 Those in favor?

4 (Aye.)

5 COUNCILMAN CLARKE: Those
6 opposed?

7 (No response.)

8 COUNCILMAN CLARKE: The ayes
9 have it. Bill No. 090361, as amended,
10 will be reported out of Committee with a
11 favorable recommendation, with rules
12 suspension as to allow reading at the
13 next session of Council.

14 Thank you all very much. This
15 concludes the public meeting on the
16 Committee of Public Property and Public
17 Works. Thank you.

18 (Committee on Public Property
19 and Public Works concluded at 2:15 p.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 26, 2009, and that
8 this is a true and correct transcript of same.

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

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