

City of Philadelphia



(Bill No. 100446)

AN ORDINANCE

Authorizing the Commissioner of Public Property, on behalf of the City of Philadelphia, to enter into a sublease agreement with the Philadelphia Authority for Industrial Development, for use by the City, of a premises located at 2800 S. 20th Street, Philadelphia, Pennsylvania, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. The Commissioner of Public Property, on behalf of the City of Philadelphia, as subtenant, is hereby authorized to enter into a sublease agreement for a period not to exceed 30 years with the Philadelphia Authority for Industrial Development, as tenant and sublandlord, for use by the City, affiliated agencies and other government agencies cooperating with the City, of a premises located at 2800 S. 20th Street, Philadelphia, Pennsylvania, pursuant to terms substantially set forth in the document attached hereto as Exhibit "A".

SECTION 2. The City Solicitor is hereby authorized to review and to approve the lease and other documents necessary to effectuate this Ordinance, which lease and documents shall contain such terms and conditions as the City Solicitor shall deem necessary and proper to protect the interests of the City of Philadelphia and to carry out the purpose of this Ordinance.

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EXHIBIT "A"

Terms of Proposed Lease and Sublease for 2800 S. 20TH STREET

1. **Landlord:** Defense Realty, LLC
2. **Tenant and Sublandlord:** Philadelphia Authority for Industrial Development
3. **Subtenant:** City of Philadelphia
4. **Square Footage:** Approximately 47,000 square feet
5. **Premises Address:** 2800 S. 20th Street, Building 6, Philadelphia, PA 19145
6. **Use of the Premises:** The Premises shall be used exclusively as the Delaware Valley Intelligence Center (DVIC) and for purposes related to the operations of the DVIC. The DVIC will function primarily as a "regional fusion center" for information and intelligence gathered from various criminal justice and public safety agencies related to terrorist threats, criminal activity, natural disasters and other hazards.

The Premises shall not be used for any of the following, whether operated publicly or privately: penal or correctional institutions, prisoner pre-release programs, day reporting for ex-offenders, programs or housing for ex-offenders, the detention of persons under arrest, under charge or conviction of a crime or where the detention is for purposes of: (i) extradition, (ii) deportation or (iii) other law enforcement.

For purposes of this Section 6, the following definitions shall apply:

1) Ex-offender. A person previously convicted of a felony or who was incarcerated for any conviction or a person currently on probation or parole for any conviction.

2) Penal or correctional institution (public)(private). As defined in Section 14-102 of the Philadelphia Code.

3) Pre-release program. A program for persons not yet formally paroled from prison and therefore remaining under detention, even if such persons are housed outside the walls of a correctional institution.

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- 7. Commencement Date:** Work on fit out will commence during the first quarter of the 2010-2011 fiscal year in order to preserve grant funds.
- 8. Term:** The lease will be a long term lease to be negotiated with the landlord determined by and subject to grant allocations and the fit out amortization schedule.
- 9. Rent:** The rent will be negotiated with the landlord.
- 10. Maintenance and Utilities:** The City will be responsible for the maintenance and utilities associated with the leased premises.
- 11. Cost of Fit-Out:** The estimated cost of fit out is just over \$20 million. The Task Force has accumulated over \$11 million in federal funding to date. Fit out costs exceeding the money available at the lease inception will be amortized over the life of the lease.

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CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on June 17, 2010. The Bill was Signed by the Mayor on June 30, 2010.



Michael A. Decker
Chief Clerk of the City Council