

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

Room 400, City Hall
Philadelphia, Pennsylvania
Thursday, December 3, 2015
8:35 a.m.

PRESENT:

COUNCILMAN BOBBY HENON, CHAIR
COUNCIL PRESIDENT DARRELL L. CLARKE
COUNCILWOMAN JANNIE BLACKWELL
COUNCILMAN WILLIAM K. GREENLEE
COUNCILMAN CURTIS JONES, JR.
COUNCILMAN DAVID OH
COUNCILWOMAN MARIA D. QUINONES-SANCHEZ
COUNCILWOMAN BLONDELL REYNOLDS BROWN
COUNCILMAN MARK SQUILLA

BILL 150809 - An ordinance authorizing the
City's Managing Director or his designee to
enter into a cable television franchise
renewal agreement with Comcast of
Philadelphia, LLC...

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December 3, 2015

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COUNCILMAN HENON: Good morning, ladies and gentlemen. This is the continuation of the Committee of Public Property and Public Works that was recessed December 1st with regards to Bill No. 150809.

I would like to recognize that a quorum is present. To my right I have Councilwoman Jannie Blackwell, Councilman Oh, and to my left Councilman Greenlee.

The Chair recognizes Councilman Greenlee.

COUNCILMAN GREENLEE: Thank you, Mr. Chairman. I move that the Committee on Public Property and Public Works be recessed until 1:00 p.m. this afternoon.

(Duly seconded.)

COUNCILMAN HENON: All those in favor?

(Aye.)

COUNCILMAN HENON: The ayes have it. The Committee on Public Property and Public Works is recessed

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1 12/3/15 - PUBLIC PROPERTY - BILL 150809
2 until today at 1:00 p.m.

3 Thank you very much for your
4 time.

5 (Recess from 8:35 a.m. to 1:25
6 p.m.)

7 COUNCILMAN HENON: Good
8 afternoon, everybody. An announcement
9 that the Committee on Public Property and
10 Public Works will stand in recess until 3
11 o'clock.

12 Thank you for your time.
13 (Recess from 1:25 p.m. to 3:20
14 p.m.)

15 COUNCILMAN HENON: Good
16 afternoon, ladies and gentlemen. This is
17 the continuation of the public hearing on
18 the Committee of Public Property and
19 Public Works that was recessed regarding
20 Bill No. 150809.

21 I would like to recognize that
22 a quorum is present. To my left,
23 Councilman Greenlee. To my right,
24 Councilman Oh and Councilman Squilla.
25 And I want to thank you all for joining

1 12/3/15 - PUBLIC PROPERTY - BILL 150809
2 us here today.

3 Clerk, would you please read
4 the title of the bill.

5 THE CLERK: Bill No. 150809, an
6 ordinance authorizing the City's Managing
7 Director or his designee to enter into a
8 cable television franchise renewal
9 agreement with Comcast of Philadelphia,
10 LLC and Comcast of Philadelphia II, LLC,
11 renewing the cable television franchises
12 granted by the City to Comcast for
13 Franchise Areas I, II, III and IV, under
14 certain terms and conditions.

15 COUNCILMAN HENON: Thank you.

16 Public testimony was taken back
17 at our hearing on November 12th and also
18 at the public hearing December 1st on
19 Bill No. 150809. So all public testimony
20 has been exhausted, although we will
21 continue to hear some at the end of our
22 hearing.

23 So if there's anyone from the
24 Administration and Comcast that are here
25 that wishes to testify on the purpose of

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2 this bill and introduce and speak on the
3 amendments, please approach the bench.

4 So we're going to begin by
5 having Adel and Mark come to the witness
6 table, but before we make any kind of
7 prepared remarks, I want to get some
8 major issues out of the way that have
9 been raised in between our hearings.

10 So during the last hearing, the
11 members of this Committee identified the
12 following items as needed to be addressed
13 in a meaningful way before the Committee
14 would take action on this franchise
15 agreement. So I'm going to state each of
16 the issues, and I would like you to
17 describe how the franchise and the side
18 letters will address each issue that we
19 have raised is going to be addressed, and
20 then I would like to hear from both
21 parties, both Comcast and the City, the
22 lead negotiators, where we started out
23 and where we are now and how we're going
24 to move forward.

25 So if Adel Ebeid and Mark

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2 Reilly and both of the negotiating teams
3 please come forward to the witness table.

4 (Witnesses approached witness
5 table.)

6 COUNCILMAN HENON: So Council
7 has raised these issues, and through the
8 amendments, they are -- through the
9 amendment and side letters, they're going
10 to be addressed, but I wanted to go one
11 by one with everybody here publicly,
12 because a lot of hard work and I
13 recognize the tremendous amount of hard
14 work that everybody has put into getting
15 here to this point. And it's been a lot,
16 so I want to thank you and the members of
17 this Committee and the staff, especially
18 my staff.

19 So, first, the increased
20 funding for the programs designed to
21 support low-income individuals who don't
22 have children and are not seniors, how is
23 that issue resolved? And it's going to
24 be a little redundant, but let me go
25 through this process, because as you

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2 know, this has been quite the process.

3 So state your name for the
4 record and then proceed to answer.

5 MR. REILLY: My name is Mark
6 Reilly. I'm here on behalf of Comcast
7 today.

8 So for this program that we
9 have created, this really sought to
10 address the need that members of this
11 body had raised regarding those
12 individuals who are not eligible under
13 the current Internet Essentials program,
14 and we had announced that there would be
15 a senior pilot that we'll talk about in a
16 moment, but whether you're talking about
17 the seniors at one end or families with
18 children at the other end, there was
19 concern raised about those individuals
20 who fall in the middle, in between those
21 two groups.

22 So we have agreed to fund a new
23 program that will have \$250,000 a year
24 submitted into that program, and then in
25 Year 2, there would be the original

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2 250,000 but an escalator, if you will, to
3 increase that funding up to 40 percent of
4 that amount in Year 2, contingent upon a
5 match. So it really gives an opportunity
6 if there is a, first of all, need but
7 also a desire to grow that fund, we've
8 got a platform to do so, 40 percent in
9 the second year and then for that larger
10 amount, another 40 percent in the third
11 year, same for the fourth and fifth. So
12 it takes a program that was originally
13 going to have funding of \$1.25 million
14 from Comcast up to a potential of \$2.7
15 million for this program, not including
16 the match funding.

17 MR. EBEID: The only thing I
18 would add, Chairman, is that amount, just
19 in terms of how many subscribers we're
20 able to sign up, we would be able to sign
21 up just a little north of 1,000
22 subscribers in the first year. So those
23 are 1,000 households that are not
24 enjoying the program today who would be
25 able to take advantage of the program.

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2 COUNCILMAN HENON: Who are not
3 enjoying the program, meaning they don't
4 have access to it?

5 MR. EBEID: One thousand in the
6 first year. And as the 40 percent
7 escalation is applied, then obviously
8 that amount continues to go up.

9 COUNCILMAN HENON: Okay. Any
10 questions from the members here?

11 (No response.)

12 COUNCILMAN HENON: So one of
13 the other issues, the second one, is to
14 ensure Philadelphia's young people have a
15 chance to enter into the Comcast
16 workforce through the development of CTE
17 goals and programs. How was that issued
18 resolved?

19 MR. REILLY: So we had heard
20 that there was a potential for Comcast to
21 partner with CTE in Philadelphia and
22 create a pathway for children who
23 graduate to find a career, not just a job
24 but a career, with Comcast, and through
25 this partnership, we will work with CTE

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2 on the curriculum that they currently
3 offer so that it matches what our biggest
4 hiring needs are, and what this creates
5 is really a pathway for us to be able to
6 partner with CTE and create those
7 opportunities for children.

8 This would be in the 50 to 100
9 people per year who would come out of
10 this program and find employment in the
11 Philly area, but would not be limited to
12 the Philly area. If you had students who
13 graduate who had an interest in going
14 beyond the Philadelphia area, it would
15 open up more potential job opportunities
16 for those graduates.

17 COUNCILMAN HENON: Thank you.

18 The Chair would like to
19 recognize an appointed member to the
20 Committee, as had the previous two
21 committees, from our Council President,
22 Councilwoman Maria Quinones-Sanchez.

23 Another issue is establishing a
24 more EOP robust goals to ensure that
25 veterans are appropriately represented in

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2 the diversity goal-setting. Was this
3 issue resolved? I think that's two --
4 there's two questions. So a more robust
5 EOP goal-setting, including veterans. So
6 if you can expand on both of those.

7 MR. REILLY: Yes. And we've
8 addressed those in making the goals more
9 aggressive as part of the EOP plan, and I
10 think that not only considers veterans to
11 help meet those EOP goals, but separately
12 Comcast has made a commitment in terms of
13 hiring of veterans and we would be
14 supporting veterans to those separate
15 efforts in addition to what we're talking
16 about as part of the franchise renewal.

17 COUNCILMAN HENON: Ensuring
18 that -- to ensure the Philadelphia
19 workforce is protected and committed to
20 pay prevailing wage. I know that was an
21 issue with some of the build-out, and
22 could you explain or touch on that a
23 little bit on prevailing wages and the
24 commitments to the workforce in both the
25 21st century wage as well as prevailing

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2 wages for contractors and subcontractors
3 regarding the franchise work in the
4 franchise agreement or side letter only?

5 MR. REILLY: Sure. So we have
6 made a commitment that is now in the
7 amendment before you where we attest to
8 the compliance with the 21st century
9 living wage, but we've also, in addition
10 to that, put language in the franchise
11 that speaks to the prevailing wage and
12 the work that we will be doing -- the
13 City work that we will be doing and the
14 prevailing wages that we will be paying
15 for that City work.

16 COUNCILMAN HENON: Great.

17 Demonstrate on -- develop a
18 solution to the infamous Internet
19 Essentials 90-day problem or issues
20 raised regarding not understanding the
21 90-day shut-off issue. But I think the
22 negotiating team came up with a pretty
23 ingenious way to address that issue to an
24 extent that you could have a compromise
25 with that, without losing service.

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2 MR. EBEID: I think we --

3 COUNCILMAN HENON: And I do
4 want to hear from both of you on that.

5 MR. EBEID: We heard
6 Councilmembers loud and clear on that one
7 and we worked through the night to put
8 together a creative solution whereby we
9 can catch those individuals who are low
10 income but cannot take advantage of
11 Internet Essentials because they
12 triggered the 90-day, and we would, in
13 essence, be putting them into a new
14 program that allows them to get in right
15 away. The program would continue to be
16 at \$9.95 moving forward. So they would
17 continue to enjoy the benefits as though
18 they were in the Internet Essentials
19 program. The City would subsidize some
20 of the cost of that to make sure that the
21 customer is not paying more, to the tune
22 of about \$170,000 each year. And we felt
23 that the City having some skin in the
24 game, frankly, the goal was to try to
25 make sure that we sign as many of those

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2 individuals as possible who trigger that
3 90-day so that they can immediately get
4 into the program.

5 MR. REILLY: I think we have
6 been able to reach a creative solution,
7 and obviously with any of our Internet
8 Essentials programs that we offer, these
9 are steeply discounted services that we
10 offer. So at the same time that the City
11 has, as Adel described, some skin in the
12 game, we're continuing to discount the
13 service so that we've got ongoing skin in
14 the game and think that we have, between
15 that and our other Internet
16 Essentials-related programs, put in place
17 programs that are going to change
18 thousands and thousands of people's lives
19 in the City of Philadelphia. And I
20 think, importantly, nowhere else in
21 America do we have any kind of 90-day
22 program like this or for the people in
23 the middle that we've talked about and
24 for the senior pilot. This will be only
25 the fourth city in America that will have

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2 this kind of a program. So really unique
3 commitments that we're making here in
4 Philadelphia.

5 (Applause.)

6 COUNCILMAN HENON: Thank you.

7 The Chair would like to
8 recognize that Councilwoman Blackwell has
9 joined us for this hearing.

10 Adel and Mark, I would like
11 each of you, if you would, share any
12 additional information that you think is
13 relevant for the public record, including
14 what the process was to get to this point
15 and any other major provisions that you
16 want to draw the public attention to.

17 MR. EBEID: Sure. I'm happy to
18 start. So this really started more than
19 two and a half years ago. It's been a
20 long journey, where we started with the
21 Community Needs Assessment, going out,
22 listening to the community, trying to
23 understand what services -- what
24 additional services they need, looking at
25 customer service, code violations. And

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2 like in any negotiations, frankly, even
3 though we did not get everything we want,
4 what we have today as a package, we've
5 heard several consultants, both on the
6 City side and on the Council side, label
7 it as one of the best franchise
8 agreements throughout the nation.

9 It has some strong commitments
10 from Comcast as well as some strong
11 financial liability if those commitments
12 are not met. It addresses one major
13 component that the City desperately
14 needed, which is a fiber-based
15 high-speed, reliable, and affordable
16 network to connect north of 225
17 facilities. Those are things that we
18 struggle with today, so we're not able to
19 deliver the best service we can at the
20 least cost possible to taxpayers. The
21 I-Net, or sometimes referred to as the
22 managed service, would really give us a
23 path to doing that.

24 We also were -- we made sure
25 that the Community Needs Assessment

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2 continues to be -- it's an open process
3 and it will continue until such time that
4 we actually have an agreement and the ink
5 is on the piece of paper, and we need to
6 do that to make sure that we protect the
7 City's interest.

8 We've come a long way, and I
9 hope that this package meets everyone's
10 expectations. As I said, sometimes it's
11 not about getting everything you want.
12 It's about getting enough of what we
13 want. This truly represents the best
14 deal that the City of Philadelphia can
15 get at this time.

16 COUNCILMAN GREENLEE: Thank
17 you.

18 Mark, did you want to add
19 anything?

20 MR. REILLY: You know, the
21 thing that I would add to that as I step
22 back and look at 20 years of cable
23 franchising that has taken me to a lot of
24 different cities as well as small towns
25 all across the country, there isn't a

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2 single agreement that we have entered
3 into that has as many things both within
4 the franchise and under franchising law
5 as well as other commitments that we've
6 made. And I think there are commitments
7 here that really will change people's
8 lives for the better, not only with
9 respect to the Internet Essentials
10 program but also the Digital Inclusion
11 Fund that we are creating that will look
12 for more ways to partner with both the
13 City officials in the community and the
14 non-profit community to find ways that we
15 can work together to be able to get more
16 people connected who are being left
17 behind.

18 We have made a commitment to
19 create one of our first pilots in the
20 country for virtual customer care agents.
21 So when you think about those individuals
22 who might not have a car and the ability
23 to get to a bricks and mortar call center
24 or perhaps a disability that makes it
25 more challenging to get to one of our

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2 call centers, there are 150 to 200 new
3 jobs that will come to the City for
4 Philadelphia residents. And these are
5 not 1099 or contractor positions. These
6 are jobs, creating a career for people
7 and a career path.

8 I think, finally, one thing we
9 haven't mentioned, which I think is one
10 of the more important and exciting
11 commitments, we've made a Philly first
12 commitment with respect to any other new
13 Internet Essentials programs. So it puts
14 Philly in first place to be getting any
15 other new programs that we might create
16 in the future for Internet Essentials.
17 And I think that's not only another
18 testament to our desire to put Philly
19 first and do something unique here, but
20 it's an assurance that you've got a sort
21 of most-favored-nations clause when it
22 comes to Internet Essentials for any new
23 or exciting programs that are coming up
24 in the future.

25 So as you've heard earlier

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2 today, when you combine the breadth of
3 things that we are committing to do here
4 in Philadelphia, it's the strongest
5 commitment that we have made to any city
6 in the country.

7 COUNCILMAN GREENLEE: Thank
8 you.

9 I think we're in line for
10 questions now.

11 Councilman Squilla.

12 COUNCILMAN SQUILLA: Thank you,
13 Councilman.

14 I know a couple questions we
15 have, and this was really tough
16 negotiations, and appreciate the time and
17 effort that has gone into this. As this
18 business continues to evolve and change
19 with technology, what it seems to be
20 every year comes up with something new
21 and how this transpires. Obviously we
22 see an increase in the pay, and I know
23 it's not the initial ask that was
24 requested, but maybe this answer is then
25 more for the City.

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2 It seems like 50 percent of the
3 money is earmarked toward PhillyCAM,
4 which is an important program for the
5 City of Philadelphia. Is there a policy
6 or a direction that the City will have to
7 maybe increase the percentage of PEG
8 dollars to PhillyCAM? Adel, I guess this
9 would be for you.

10 MR. EBEID: Yeah. So as it
11 currently stands, the entire amount, we
12 made sure that the City has discretion
13 over how that's allocated across public
14 education and government. Currently, we
15 believe that a 50 percent allocation to
16 PhillyCAM -- they're our designee for the
17 public channels -- is adequate to meet
18 their needs. I think there's
19 opportunities in the future that should
20 they come to us and demonstrate that
21 there is additional content and
22 additional programming and if we feel
23 that that deserves a greater allocation,
24 that's completely the City's decision as
25 opposed to Comcast deciding the

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2 allocation.

3 COUNCILMAN SQUILLA: So at the
4 time, the Administration will decide
5 based on need or based on production?
6 What would be your credentials or
7 criteria?

8 MR. EBEID: So I think we would
9 look at a few things, Councilman. We
10 would look at clearly PhillyCAM in this
11 case making a business case that they
12 have increased their programming, they've
13 increased their hours, viewership is on
14 the rise. That is half of the equation.
15 The other half is striking a balance
16 between public education and government.
17 So if there is in a given year, if
18 government or education needs less, I
19 think we could make that determination
20 that a greater percentage goes to
21 PhillyCAM.

22 COUNCILMAN SQUILLA: So that
23 would be basically on a year-by-year
24 basis?

25 MR. EBEID: I mean, probably

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2 it's a three-year conversation. So I
3 think we would sit with PhillyCAM and the
4 other stakeholders who have an allocation
5 and we would request a three-year plan
6 and then, based on that, just gauge
7 performance and then decide the
8 allocation based on that. But without
9 seeing any plans from anyone, if we had
10 to make a decision today, we would go
11 with 50 percent for public access and
12 then split the remaining 50 percent
13 across government and education.

14 COUNCILMAN SQUILLA: Okay.
15 Thank you. And I do want to thank the
16 negotiating committee, Councilman Henon,
17 for all the hard work, and his staff.
18 Things like this only happen once every
19 15 years. So it's not something
20 everybody is used to doing, and I got to
21 give credit to both sides for sticking in
22 there and working out a lot of these
23 issues. It's really appreciated by not
24 only Council but everybody in
25 Philadelphia.

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2 Thank you.

3 COUNCILMAN HENON: Thank you,
4 Councilman.

5 The Chair would like to
6 recognize the presence of Councilwoman
7 Blondell Reynolds Brown.

8 I got a question. Adel, can
9 you talk in terms of the I-Net. Not the
10 actual terms but what does that mean for
11 the City of Philadelphia and I-Net?

12 MR. EBEID: Sure. So I-Net is
13 short for Institutional Network, and
14 under the Cable Act of 1984, the
15 jurisdiction has every right to request
16 for an Institutional Network to be part
17 of the franchise agreement.

18 Based on the Community Needs
19 Assessment, it was determined that the
20 current state of connectivity is not
21 adequate enough to help to allow the City
22 government to deliver services in a more
23 stable fashion and connect the multiple
24 sites around the county. So we used that
25 Community Needs Assessment to request an

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2 I-Net -- sometimes it's also referred to
3 as a managed service -- proposal from
4 Comcast that would be part of the
5 franchise agreement, eighteen months to
6 build, and at the end of it we would have
7 connected 225 sites around the state at
8 speeds roughly 30 to 40 times faster than
9 what we have today at a savings of
10 roughly \$50,000 less than what we pay
11 today on a monthly basis.

12 There is a capital construction
13 cost that goes along with that, \$9
14 million in Year 1, \$1 million in Year 7,
15 and throughout the negotiations, Comcast
16 has agreed to absorb that capital cost as
17 well as not pass it through to the
18 subscribers. There is a requirement that
19 we continue with the managed service
20 commitment, and the City has every
21 intention to do that.

22 COUNCILMAN HENON: And we had a
23 managed service over the last 15 years,
24 correct? And was that with the City?

25 MR. EBEID: We have not had

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2 managed service for the last 15 years.
3 What we've had over the last 15 years are
4 I-Net obligations met by Comcast in the
5 form of -- I don't mean to get technical,
6 but 12 strands of fiber, some cable
7 modems for Internet access here and
8 there, but it was all more of assets
9 assigned to the City and the City is
10 responsible for managing those assets.
11 And that arrangement did not, frankly,
12 work very well, which is why in the
13 Community Needs Assessment we tried to
14 focus on a different way of getting that
15 type of service.

16 COUNCILMAN HENON: Is a managed
17 service an I-Net by service needs?

18 MR. EBEID: I'm not a lawyer
19 and I feel like I'm sitting in the room
20 full of lawyers. So I would say --

21 COUNCILMAN HENON: And that's
22 why this agreement took so long, by the
23 way, too many lawyers involved.

24 MR. EBEID: Managed service I
25 think is one form of how an I-Net

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2 obligation can be satisfied between a
3 jurisdiction and a franchisee, and we
4 chose the path of a managed service as
5 opposed to, let's say, continuing to
6 access dark fiber strands from Comcast,
7 which historically have not been very
8 helpful.

9 COUNCILMAN HENON: Okay. Thank
10 you.

11 I see Councilwoman Blondell
12 Reynolds Brown's light on. Would you
13 like to ask a question?

14 COUNCILWOMAN BROWN: Yes.
15 Thank you, Mr. Chairman.

16 COUNCILMAN HENON: Sure.

17 COUNCILWOMAN BROWN: Good
18 afternoon, gentlemen. While not an
19 official member of this Committee, I've
20 tried to follow as best as I can the
21 fluid developments, and I'm pleased to
22 see where we were and where we've moved
23 to.

24 I want to revisit the strong
25 interest around what we're doing for

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2 seniors. And so can either one of you
3 speak to historically what Comcast has
4 done. And I know clearly the work of
5 Kathleen Sullivan and Sharon Powell-Lee
6 around marketing Internet Essentials. So
7 just for the record share with us a
8 capsule of what historically has happened
9 to get the word out and what you intend
10 to do going forward to maximize the
11 awareness and usage of Internet
12 Essentials.

13 MR. REILLY: So as we went
14 through this process and met with many
15 people, your staff and yourself included,
16 looking to find out what are the needs of
17 seniors in this community, there were a
18 couple of things that had come up. One
19 was the video needs of seniors in this
20 community.

21 COUNCILWOMAN BROWN: Video?

22 MR. REILLY: Video. And there
23 are two different agreements that we've
24 made that are new for Philadelphians.
25 For low-income seniors in the City, there

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2 now will be two different senior
3 discounts for video customers.

4 Separately, there are --
5 there's a large population of low-income
6 seniors in Philadelphia who don't have
7 access to the Internet. And we approach
8 this effort with the understanding that
9 we need to work together if we are going
10 to reach seniors to raise awareness about
11 this product being available for them
12 steeply discounted, not only the service
13 but help them understand that there's
14 training that they can go to that we
15 offer as well as a subsidized computer.

16 COUNCILWOMAN BROWN: When you
17 say "we," you mean whom? Who is "we"?

18 MR. REILLY: So Comcast is the
19 first part of "we." And when I say
20 "Comcast," it's not -- as wonderful as
21 Kathleen and Sharon are, we are not going
22 to be able to do this just -- and I would
23 imagine, although I can't see behind me,
24 there's probably nodding that is taking
25 place in extreme agreement that this is

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2 not Sharon and Kathleen alone. So here's
3 what we've done that I would imagine we
4 would replicate in this process: We've
5 had success with Internet Essentials in
6 the City by having our 333 employees who
7 adopt schools to get the Internet
8 Essentials message out. We would support
9 our employees adopting senior centers and
10 other locations in the City to help get
11 this message out. In the past, we have
12 done PSAs for Internet Essentials. I
13 would imagine that the same sort of
14 outreach through every medium that we
15 have, whether it's our people showing up
16 at different events. So we've seen over
17 the years our employees come to festivals
18 to try to reach families. They've gone
19 to PTA meetings to try to meet families.
20 Our vision is that we've got to shift
21 gears for this new community who we are
22 trying to reach out to.

23 So I think a festival may be a
24 solution, but we're going to need to go
25 to those locations where we're going to

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2 find the highest concentrations of
3 seniors and be able to get the word out.
4 I envision that this is really going to
5 be a combination of Comcast people,
6 Comcast technology, non-profit partners
7 in the community, and City leaders. And
8 when I say "City leaders," I mean those
9 elected officials in addition to
10 religious leaders and others to get the
11 message out.

12 COUNCILWOMAN BROWN: Meeting
13 seniors where they are, we know, matters.
14 Because we learned very early on just in
15 coming to City Hall, they come in the --
16 they used to come in the northeast corner
17 and the help they needed was on the
18 southwest corner. So going to senior
19 citizen centers where they're comfortable
20 and where they don't have to worry about
21 access matters. I would also suggest the
22 Philadelphia Corporation of Aging, which
23 is the organization in the business of
24 delivering services and information to
25 seniors.

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2 MR. REILLY: I agree. And I
3 think one of the things we'll need to do
4 first is meet with really anybody who has
5 a passion about reaching low-income
6 seniors to provide that opportunity to
7 access information. So if you think
8 about all of the information that the
9 City makes available to seniors that can
10 help them with programs they participate
11 in or how to find answers with respect to
12 their healthcare needs or insurance, et
13 cetera, there's a lot of information out
14 there that if they don't have that
15 broadband connection at home, they're
16 being left behind and don't have access
17 to information that can help them.

18 So our vision is that in
19 talking with different City agencies,
20 particularly those who care for the
21 senior population, we're going to learn
22 about ways in which we can reach this
23 population, that when we're doing the
24 Internet Essentials for children, we're
25 not in those conversations with those

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2 right people. That's part of the work
3 that we will embark upon here in
4 Philadelphia.

5 COUNCILWOMAN BROWN: Very well.
6 Thank you.

7 Thank you, Mr. Chairman.

8 COUNCILMAN HENON: Thank you,
9 Councilwoman.

10 The Chair recognizes Councilman
11 Oh.

12 COUNCILMAN OH: Thank you very
13 much, Mr. Chairman.

14 For the City, I just was
15 curious, just some details, the agreement
16 is basically 21.3 million in total for
17 the PEG portion, of which 1.3 million is
18 already received in terms of equipment.
19 So that's about 20 million. And that
20 over a 15-year period of time is
21 delivered on an annual basis of 1.33
22 million to the City, of which about
23 517,000 at this point in time you're
24 saying will be allocated to the PEG
25 channel; is that right? To PhillyCAM.

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2 I'm sorry. To PhillyCAM.

3 MR. EBEID: So I would do the
4 math a little differently. I would look
5 at the entire -- before Council helped us
6 push for an additional \$2 million, we
7 were at \$18 million for PEG. So 50
8 percent of that is 9 million. When
9 Council was successful in asking and
10 receiving \$2 million additional from
11 Comcast, we've made a conscience decision
12 on our side to allocate that entire 2
13 million to PhillyCAM. So it actually
14 works out to be a little more than 50
15 percent obviously. So it's an \$11
16 million allocation to PhillyCAM. So we
17 would prorate what that means in annual
18 basis when a payment of 1.333 is
19 received.

20 COUNCILMAN OH: Okay.

21 MR. EBEID: So if I'm doing the
22 math correctly, it might work out to be
23 more in the \$730,000 range.

24 COUNCILMAN OH: On an annual
25 basis, okay.

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2 And in terms of the fact that
3 there's a City channel, there's Community
4 College of Philadelphia, there's a School
5 District, and PhillyCAM, is there an
6 ability on the part of the City to do
7 capital expenditures in a way that may be
8 beneficial to all entities, such as a
9 mobile unit that is available to all
10 those entities? Each entity could not
11 afford to purchase or begin to purchase a
12 mobile entity, but the City could obtain
13 one on behalf of one or several of the
14 entities involved.

15 MR. EBEID: Those conversations
16 have not come up yet, and I don't think
17 it precludes us from sitting after this
18 franchise agreement is behind us with all
19 the stakeholders and recipients of the
20 government, the education, and the public
21 channel and collaborating on some shared
22 services or shared opportunities across
23 all three. What's important is that
24 Comcast is not placing a restriction on
25 that allocation. So I think if there's

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2 an opportunity where, for example,
3 instead of building multiple studios,
4 frankly, around the City, is there an
5 opportunity to collaborate and share
6 studios, is there an opportunity to make
7 sure that we can support PhillyCAM as
8 much as possible so that they can
9 increase their content, their programming
10 and we see that their viewers are on the
11 rise, that over time gives more
12 credibility obviously to the program, and
13 that credibility might equal a greater
14 allocation.

15 COUNCILMAN OH: All right.

16 Thank you very much.

17 MR. EBEID: You're welcome.

18 COUNCILMAN OH: Thank you,
19 Mr. Chair.

20 COUNCILMAN HENON: Thank you,
21 Councilman.

22 With that, does any other
23 member of this Committee have any other
24 questions?

25 (No response.)

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2 COUNCILMAN HENON: So I'm going
3 to say between now and next week, I'm not
4 asking, I need both the City and Comcast
5 administration to reach out to every
6 member of this body entirely, more to
7 confirm if they understand the agreement,
8 if they understand what's in front of us,
9 if they have any further questions, is
10 there anything that they are considering
11 as they review the finite detail that we
12 can in this agreement and answer any
13 outstanding questions that they have to
14 make sure that they feel comfortable. So
15 it's in your hands moving forward. So
16 I'm asking you to do that, please. And
17 my office will also be conducting more
18 briefings with staff members and
19 advocates. And we're going to take
20 action here today, but everything that is
21 going to be leaving this Committee will
22 be on the website by noon tomorrow and
23 the summary of the documents.

24 So before we vote this bill out
25 on the floor of Council, I want to say

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2 that this franchise agreement process has
3 certainly tested, tested every aspect of
4 every level the relationship between
5 Comcast and the City of Philadelphia, and
6 it was a very difficult process, I
7 understand, for both sides. But at the
8 end of the day, Comcast, you didn't
9 blink. You hung in there, without
10 walking away. The City did an incredible
11 job hanging in there and speaking with
12 the members, addressing their concerns up
13 until we reconvened just a short period
14 of time ago. We all serve many
15 communities, all communities throughout
16 the City of Philadelphia and Comcast
17 across the United States, but if this
18 agreement is implemented the way that we
19 have discussed, it will prove to the
20 world that Comcast has put Philadelphia
21 first, and that's what we want and that's
22 what we demand. So I want to thank you
23 for that. Because this is what
24 Philadelphia wants and that's what
25 Philadelphia deserves.

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2 So I thank you all for being
3 here and your testimony and your due
4 diligence to get to this point. I have
5 no further questions. If any other
6 members don't, Clerk, would you read --
7 we will now hear testimony from the
8 public.

9 Oh, the Chair recognizes
10 Council President Clarke.

11 COUNCIL PRESIDENT CLARKE:

12 Thank you, Mr. Chairman. Real brief.

13 Just a little clarity on the
14 program, because I know the 90-day issue
15 was -- and I apologize if I'm asking a
16 question that was already answered in
17 detail, the specificity that I'm going to
18 ask the question.

19 In terms of the appropriations,
20 because a portion of this support will
21 come from the City's General Fund; am I
22 correct?

23 MR. EBEID: The 90-day program,
24 the new program, would be capped at
25 \$170,000 each year, and that \$170,000

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2 would be deducted from the 5 percent
3 franchise fee that the City receives.

4 COUNCIL PRESIDENT CLARKE: That
5 would traditionally going into the City's
6 General Fund?

7 MR. EBEID: Correct.

8 COUNCIL PRESIDENT CLARKE: Is
9 the appropriation consistent with the
10 number of people that actually enter into
11 the program or is the 170 put in a fund
12 somewhere? And we may not have the
13 mechanics on all of this worked out,
14 because we're basically -- there will be
15 future Councils, although we're winding
16 down, but in the next term will be a new
17 Council. So we're kind of committing a
18 next Council in terms of appropriations,
19 which is questionable as to whether or
20 not we could do it, but that's another
21 story.

22 MR. EBEID: You're correct, we
23 don't have all those mechanics, and I do
24 plan to follow up with the Finance
25 Director and the Budget Director to try

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2 to understand how do we operationalize
3 this request. While it's capped at
4 170,000, our hope is that we sign as many
5 households or subscribers as quickly as
6 possible, and it's our hope that we can
7 sign at least 700. It also gives us a
8 litmus test of how many people are really
9 waiting in the queue and are triggered by
10 that 90-day requirement, and it helps us
11 adjust in the future if that number is
12 higher than what everyone thought.

13 COUNCIL PRESIDENT CLARKE:

14 Okay. And I don't know. Maybe this was
15 also discussed. The head of household
16 issue for seniors, did we reference that?
17 And, again, I apologize for coming in
18 late. Was the head of household issue
19 addressed in the hearing today or was
20 that an aside?

21 MR. REILLY: It wasn't raised.
22 I think there's been some question does
23 this mean that we're talking about the
24 IRS definition of head of household or
25 other. And I can tell you that the last

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2 thing we want to do is start aligning
3 ourselves with code that is associated
4 with the IRS. This is really just about
5 finding the person who is head of
6 household, meaning they're the one whose
7 name is on the deed or the lease for
8 whatever housing unit that they're in or
9 they are the one who pays the bills in
10 the homes. So it's really about having
11 somebody who that's their residence and
12 they're the ones who have the name on the
13 lease or deed or whatever it might be.
14 They would be considered a head of
15 household.

16 COUNCIL PRESIDENT CLARKE: So
17 that's a long way of saying a senior
18 citizen that does not have a dependent
19 will qualify for the program?

20 MR. REILLY: So --

21 COUNCIL PRESIDENT CLARKE:
22 That's a low-income.

23 MR. REILLY: So if you've got a
24 senior citizen --

25 COUNCIL PRESIDENT CLARKE: I'm

1 12/3/15 - PUBLIC PROPERTY - BILL 150809
2 a single senior citizen -- I'll be there
3 actually soon. On the low-income part, I
4 will not meet that qualification, but the
5 senior citizen lives in a household,
6 qualifies from the income perspective,
7 does not have a dependent child, that
8 person or family member will qualify for
9 the program?

10 MR. REILLY: Yeah. So if
11 you've got a senior citizen who -- well,
12 I guess there's a couple of things. If
13 you had a senior citizen who had a young
14 child in the home, they probably have two
15 different ways that they can qualify,
16 through the original program or just as a
17 senior citizen who that's their
18 apartment, they're the one -- or house,
19 they're the one who either owns or rents
20 that particular housing unit, whatever it
21 might be. They would be eligible for
22 that low-income as long as -- there are
23 about a dozen different ways in which you
24 can demonstrate low income, but, yes,
25 they would qualify.

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2 COUNCIL PRESIDENT CLARKE:

3 Okay. And I understand -- and, again, I
4 apologize, Mr. Chairman. I know how good
5 you are. I'm sure you've taken -- with
6 respect to some of these side issues,
7 will that be subject to as exhibits or
8 other issues? Because I know they are
9 limited in terms of some things that can
10 and cannot be a part of the franchise
11 agreement.

12 MR. REILLY: There have been a
13 number of commitments that we've made
14 that are really in addition to the
15 franchise.

16 COUNCIL PRESIDENT CLARKE: It
17 will be an exhibit? How would it be
18 entered into the record?

19 MR. REILLY: I'm not sure how
20 that's introduced.

21 COUNCILMAN HENON: I could
22 answer that question --

23 COUNCIL PRESIDENT CLARKE:
24 Thank you, Mr. Chairman.

25 COUNCILMAN HENON: --

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2 Mr. President. Give me one minute.

3 They'll either be an exhibit or an

4 attachment. I think the EOP will be an

5 attachment, and the exhibits may be in

6 the side letters, but I don't want to

7 affirm that without speaking with

8 counsel.

9 COUNCIL PRESIDENT CLARKE: The
10 question is just the enforceability of
11 some of the agreements. That's what I
12 want to get a little clarity on.

13 COUNCILMAN HENON: Can I answer
14 this? Can I answer this question,
15 Council President, if I may, directly to
16 Comcast?

17 Have you in other jurisdictions
18 had any side letters that you did not
19 honor? Because we're going to hold you
20 accountable here.

21 MR. REILLY: I think everybody
22 knows where to find us in the City. Yes.
23 We have made for decades side letter
24 commitments that we have honored in every
25 community in which we offer them.

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2 COUNCIL PRESIDENT CLARKE: I
3 didn't ask that question. The Chairman
4 asked that question. I just want to know
5 the enforceability of side agreements.
6 Having been here a long, long time in
7 various -- I actually used to be Chair of
8 this Committee until Councilman Henon
9 came along and arrested it away from me,
10 because he knew you guys were going to be
11 coming in a couple of years.

12 COUNCILMAN HENON: Council
13 President, you are the Chair of all
14 committees.

15 COUNCIL PRESIDENT CLARKE: I
16 just need to know about the -- will they
17 be an exhibit?

18 MR. REILLY: There are separate
19 documents from the franchise. So these
20 are separate commitments that we're
21 making in a side letter. They're not
22 part of the franchise.

23 COUNCIL PRESIDENT CLARKE: But
24 my question is, will they be exhibits to
25 the agreement?

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2 MR. REILLY: Well, they're
3 separate from the agreement.

4 COUNCIL PRESIDENT CLARKE: I'm
5 going to ask the question in another way.

6 COUNCILMAN HENON: Those side
7 agreements will be entered into the
8 record as an exhibit upon the amendment
9 adoption here.

10 COUNCIL PRESIDENT CLARKE:
11 Okay.

12 You understand?

13 MR. REILLY: Yes.

14 COUNCIL PRESIDENT CLARKE: I
15 just want to make sure, because every now
16 and then -- this clearly wouldn't happen
17 with Comcast -- there's some dispute
18 about what people agreed on, and we just
19 would like that for the record, because
20 we represent a whole lot of people, and
21 they definitely know where we live,
22 right? All right. Thank you.

23 Thank you, Mr. Chairman.

24 COUNCILMAN HENON: Thank you,
25 Council President.

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2 Does any other member of this
3 Committee have any other questions?

4 (No response.)

5 COUNCILMAN HENON: Clerk, any
6 other members of the public that wish to
7 testify?

8 Thank you for your testimony.
9 There's no further questions.

10 Members of the public, if you
11 signed up with the Clerk, please read the
12 names and approach the witness table and
13 state your name for the record and begin.
14 Thank you.

15 THE CLERK: William Mackey,
16 Madeline Shikomba, and Arnett Woodall.
17 (Witnesses approached witness
18 table.)

19 COUNCILMAN HENON: Ms.
20 Shikomba.

21 MS. SHIKOMBA: Oh, okay.
22 Members of City Council, many of you are
23 already familiar with me. My name is
24 Madeline Shikomba. I'm here to talk
25 about this so-called Comcast contract.

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2 It's appalling to say the
3 least. I just got a bill from them --
4 not a bill; an increase, increasing my
5 Internet up \$4. Now, just take, for
6 instance, the average bill is increased
7 by \$1, with all their millions of
8 subscribers. That's \$1 million in one
9 month, \$12 million in a year. And they
10 sitting up here talking about the little
11 bit they want to give the City. They're
12 not giving the City nothing. It's what
13 they begged, borrowed, and stolen from us
14 that they supposed to be giving back to
15 us.

16 Now let me talk to you about
17 this. Their bottom line won't be
18 affected, not in the least, by the little
19 bit they going to give us. They talked
20 about they going to create 20,000
21 temporary jobs. They temporary all
22 right. No sick pay, no health insurance,
23 no vacations, no nothing. And we
24 supposed to be happy about that? That
25 they going to be working maybe 20, 24

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2 hours? I don't know what they call that,
3 giving that 20,000.

4 They supposed to hire 150 new
5 techs. Man, in the past two months I had
6 ten of them out at my house, and none of
7 them knew nothing. I finally got one
8 tech on the last time a few weeks ago who
9 came out who knew what he was talking
10 about. He's been with the company for
11 five years. He finally found the
12 problem, which was Comcast's problem, and
13 he fixed it. And then they had the nerve
14 to want to turn around and charge me for
15 the tech to come out \$40 when it was
16 their problem. Of course I had to call
17 them and get it straightened out. They
18 reduced it, told me -- I said, Well, let
19 me pay today on the phone.

20 No, you can't pay on the phone.
21 Because you have to pay the whole amount.

22 Why am I paying \$88 when I owe
23 you only \$48?

24 We don't take partial payments.

25 I said, I ain't paying you no

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2 \$48. Am I going to get interest on this?

3 No.

4 So I sent it in, and what do
5 they do? They slapped me with a \$9.50
6 late payment fee. And this is Comcast.

7 Okay. Then they said they
8 going to give 70,000 low-income people
9 this year Internet. We got millions of
10 people in poverty. We are at the bottom
11 rung when it comes to the City with
12 people in poverty, millions of kids, and
13 they going to tell us that they going to
14 give 70,000? We got 70,000 low-income
15 people, according to this sheet here.
16 That's a drop in the bucket, a big bucket
17 at that, considering how much money they
18 making. I don't know why you fall for
19 all of this. This is ridiculous.

20 And then they said they going
21 to have 875,000 -- what is it? Senior
22 citizen program. Another problem here.
23 They are going to have the first year,
24 from what they said, \$250,000 into the
25 program. The cheapest Internet is \$50.

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2 That comes to about, what, 5,000 senior
3 citizens that will qualify? Have anybody
4 looked at the census for this city
5 considering how many senior citizens are
6 in this city? Five thousand is another
7 drop in the bucket. How many drops are
8 we going to have before we get a full
9 bucket? Too many if you ask me.

10 Okay. Next thing, they going
11 to talk about prevailing wages. You know
12 what prevailing wages means? Minimum
13 wage.

14 COUNCILWOMAN SANCHEZ: Ms.
15 Madeline, we appreciate you coming. We
16 know this is not the first time you've
17 come to testify, but we want you to wrap
18 it up.

19 MS. SHIKOMBA: Just one more
20 part. All I'm saying is this, do not
21 settle for this from Comcast. You're
22 talking about Scrooge? They ten times
23 worse than Scrooge. And as far as
24 Grinch, they done stole my Christmas with
25 this increase. They worse than the

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2 Grinch.

3 I'd really appreciate it if you
4 would not be guilted into working with
5 these people at the level they want to
6 work with us. This is ridiculous as what
7 they call themselves offering us and
8 putting it on the table. They not
9 putting anything on the table. They got
10 two buildings that they're not even
11 paying any real estate tax on. If they
12 paid the school portion of the abatement,
13 we wouldn't be in so much trouble with
14 the schools today.

15 Thank you.

16 COUNCILWOMAN SANCHEZ: Thank
17 you, Ms. Madeline. We always appreciate
18 your opinion.

19 Please proceed.

20 (Applause.)

21 MR. WOODALL: Good afternoon.
22 Arnett Woodall, owner and builder of West
23 Philadelphia Produce and CEO of A&W
24 Community Solutions. And out in West
25 Philadelphia, I'm here speaking for the

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2 constituents of West Philadelphia and
3 especially the youth that are in our
4 public school systems. And we need for
5 our school systems to be funded better.
6 We need more help with the situation.

7 We have a hub out in West
8 Philadelphia, and there's a number of
9 children that does not have Internet
10 service in our communities. So what we
11 do is, we have open WiFi cafe, and the
12 number of children that we see coming
13 through our establishment just to use
14 Internet WiFi, something has to be done
15 different to fund better education for
16 these youth. They don't have Internet at
17 home, and something has to be done about
18 it. Comcast is probably the solution,
19 but they have to get with their community
20 partners and come up with a better way of
21 accessing affordable Internet service for
22 the youth. And that's all I'm here to
23 say and represent the youth and community
24 of the City of Philadelphia.

25 COUNCILWOMAN SANCHEZ: Thank

1 12/3/15 - PUBLIC PROPERTY - BILL 150809

2 you. Thank you so much.

3 Anyone else --

4 (Applause.)

5 COUNCILWOMAN SANCHEZ: We have
6 no one else that has registered with the
7 Clerk.

8 Okay. Thank you. You may
9 proceed.

10 MR. ACOSTA: My name is Orlando
11 Acosta and just like the gentleman that
12 was just speaking just now, we have an
13 abundance of critical issues that Comcast
14 really needs to address more
15 systematically and more strongly
16 conversant with the communities on what
17 is the critical points of -- we have a
18 School District that is well underfunded
19 from the state level. They haven't even
20 figured out a budget yet, and we have
21 children that don't even have -- some
22 schools don't even have chairs, don't
23 even have books or other fundamental
24 issues within Comcast.

25 So if you're talking about

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2 being a partnership within the City of
3 Philadelphia and, you know, making a more
4 stronger input into changing the
5 environment in the City of Philadelphia,
6 you have to put dollars into the School
7 District directly, directly to impact
8 what it does for schools and different
9 things, events as well as bringing the
10 Internet and different things from an
11 educational standpoint in there too.
12 Because right now when you have a school
13 district and other funding issues that
14 need to be addressed, that's very
15 critical and whatnot, the dollars need to
16 come directly there. Because when you
17 have a district that don't even -- can't
18 even fund paper for classrooms, different
19 things like that, that's the kind of
20 conversation that we definitely need to
21 have at this critical time and critical
22 point.

23 And also one other thing. We
24 really have to look at when you send out
25 bills to individuals, like, for instance,

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2 I got a Comcast bill for 500-and-some-odd
3 dollars and, you know -- I mean, it was
4 like one bill was like 197 and then one
5 month I got the next bill was like \$520.
6 So, I mean, the bill aspect has to be
7 more according to monthly, because it
8 fluctuates too much in that kind of time
9 span.

10 Thank you very much.

11 COUNCILMAN HENON: Thank you.

12 (Applause.)

13 COUNCILMAN HENON: The Chair
14 would like to recognize the presence of
15 Councilman Jones. Thank you.

16 Is there anyone else here who
17 wishes to testify on Bill No. 150809?

18 (No response.)

19 COUNCILMAN HENON: Seeing none,
20 this concludes our public hearing and we
21 will now move into our public meeting.

22 The Chair recognizes Councilman
23 Greenlee for a motion on Bill No. 150809.

24 COUNCILMAN GREENLEE: Thank
25 you, Mr. Chairman. I move the adoption

1 12/3/15 - PUBLIC PROPERTY - BILL 150809
2 of the amendments to Bill No. 150809.

3 (Duly seconded.)

4 COUNCILMAN HENON: It has been
5 seconded. All those in favor respond by
6 aye.

7 (Aye.)

8 COUNCILMAN HENON: The ayes
9 have it and the amendment to Bill No.
10 150809 has been adopted.

11 The Chair recognizes Councilman
12 Greenlee for a motion on Bill No. 150809,
13 as amended.

14 COUNCILMAN GREENLEE: Thank
15 you, Mr. Chairman. I move that Bill No.
16 150809, as amended, be voted out of this
17 Committee with a favorable
18 recommendation. Furthermore, I move that
19 the rules of Council be suspended so as
20 to permit first reading of this said bill
21 at our next session of Council.

22 COUNCILMAN HENON: Do I hear a
23 second?

24 (Duly seconded.)

25 COUNCILMAN HENON: It has been

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2 moved and seconded.

3 All those in favor?

4 (Aye.)

5 COUNCILMAN HENON: The ayes
6 have it. Bill No. 150809, as amended,
7 has been reported out of Committee with a
8 favorable recommendation and with a
9 suspension of the rules as to allow
10 reading of said bill at our next Council
11 session.

12 This concludes our public
13 meeting. Thank you very much for your
14 time and patience.

15 (Committee on Public Property
16 and Public Works concluded at 4:15 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, and that this is a true and
correct transcript of same.

MICHELE L. MURPHY
RPR-Notary Public

(The foregoing certification of this
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