

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON RULES

Room 400, City Hall
Philadelphia, Pennsylvania
Wednesday, December 7, 2011
9:25 a.m.

PRESENT:

COUNCILMAN JAMES KENNEY, CHAIR
COUNCIL PRESIDENT ANNA C. VERNA
COUNCILMAN FRANK DiCICCO
COUNCILMAN W. WILSON GOODE, JR.
COUNCILMAN WILLIAM K. GREENLEE

BILL 110847 - An ordinance to amend the
Institutional Development District Master Plan
of the Aria Health System - Torresdale Campus
(formerly Frankford Hospital), located at
10800 Knights Road, by allowing for the
construction of a building addition to be used
for emergency and outpatient services.

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2 COUNCILMAN KENNEY: Good
3 morning, ladies and gentlemen. This is a
4 recessed hearing of the Rules Committee.

5 We have a quorum present in the
6 presence of Council President Verna,
7 Councilman Greenlee, Councilman Goode and
8 Councilman DiCicco and Councilman Kenney.

9 We are here to continue
10 testimony on Bill No. 110847, an
11 ordinance to amend the Institutional
12 Development District Master Plan of the
13 Aria Health System - Torresdale Campus
14 (formerly Frankford Hospital), located at
15 10800 Knights Road, by allowing for the
16 construction of a building addition to be
17 used for emergency and outpatient
18 services.

19 Could the folks from Aria come
20 up to present the EOP plan.

21 (Witnesses approached witness
22 table.)

23 COUNCILMAN KENNEY: Please
24 identify yourself for the record.

25 MR. TANTALA: Honorable members

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2 of the Committee, good morning. My name
3 is Michael Tantala and I'm an engineer
4 working with Aria Health in support of
5 their proposed IDD Master Plan Amendment.

6 First, thank you for the
7 opportunity for continuing this session.
8 I have again with me today Ms. Christine
9 Winn, Executive Director for Aria Health;
10 Ms. Erin Kelly, Project Architect with
11 Francis Cauffman Architects; Mr. Mark
12 Leemaster, Project Manager for this
13 expansion project; and Mr. Herb Young,
14 Regional Director for Community Affairs
15 for Turner Construction.

16 Ms. Winn will speak in support
17 of our EOP, which we had completed last
18 night.

19 COUNCILMAN KENNEY: Please pull
20 the microphone close to you and identify
21 yourself.

22 MS. WINN: Christine Winn,
23 Executive Director of Aria Torresdale.

24 We had the two submissions, our
25 EOP plan as well as a letter that

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2 Councilman O'Neill has requested that we
3 put as part of our testimony today.

4 We apologize to the Council for
5 a lack of preparation and completion of
6 the EOP template and that we did not come
7 back adequately completed on the second
8 attempt. We do appreciate your
9 generosity in giving us this additional
10 time to complete the template in a
11 comprehensive and thoughtful fashion.

12 Although this is our first
13 experience with the form and it wasn't a
14 good demonstration of our adherence to
15 the Council's ordinances, we would like
16 to offer that my organization, Aria
17 Health, has a long and significant
18 commitment to diversity and embracing the
19 community's business. In fact, diversity
20 is one of our organizational values which
21 guides our decision-making and our
22 organizational philosophies, which is why
23 we actually chose Turner as part of this
24 large construction investment. They
25 share our commitment to diversity,

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community outreach and opportunities for
certified minority, women, disabled and
disadvantaged enterprises.

One thing to clarify is Aria
Health, although the project owner, our
single contract decision is to assign a
general contractor, and that is why our
decision to engage Turner is vital to
ensure success in the use of minority and
women-owned businesses. Turner is then
in turn empowered to award various
subcontractors.

Again, I appreciate the
Council's indulgence to provide us a
third opportunity to complete an
appropriate EOP for our project, Bill
110847. And as a matter of course,
Councilman O'Neill did ask that I submit
a clarification to the letter dated
11/4/11. We submitted that to the
Planning Commission initially, and the
further clarification that you have this
morning addresses both the final closure
and removal of our existing Red Lion Road

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entrance. The removal of this entrance will be completed no later than 60 days prior to the completion of the project, which is currently anticipated to be the summer of 2014.

Thank you, and I now respectfully request approval for our project bill.

COUNCILMAN KENNEY: Thank you very much.

Councilman Goode.

COUNCILMAN GOODE: Thank you, Mr. Chairman.

Just two questions. How much of the professional services work has been contracted?

MS. WINN: A significant portion, but as part of that, we do have a contract that is already awarded to a woman-owned business and we do think that that contract will help us meet the goal that we've put in as 1 percent. And then we do plan to the remaining remainder assign to and look to the women-owned

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2 businesses that we can find or --

3 COUNCILMAN GOODE: What is the
4 significant portion?

5 MS. WINN: There's
6 approximately \$100,000 that's left in our
7 professional services.

8 COUNCILMAN GOODE: Out of how
9 much?

10 MS. WINN: Four million.

11 COUNCILMAN GOODE: Okay. And
12 what portion of the construction work has
13 been contracted?

14 MS. WINN: None.

15 COUNCILMAN GOODE: Thank you.

16 Thank you, Mr. Chairman.

17 COUNCILMAN KENNEY: Thank you
18 very much.

19 MR. TANTALA: We respectfully
20 request a suspension of the rules to
21 ensure final passage by December 15th.

22 COUNCILMAN KENNEY: Thank you.
23 Thank you for coming in. Thank you for
24 your -- and I want to say on behalf of
25 Council and the City, thank you for your

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2 investment too and your expansion of your
3 facilities and the employment that you
4 bring, both permanent and the temporary
5 jobs at the construction site. So we do
6 appreciate that. Our history here in the
7 last number of terms has been that we pay
8 close attention to the EOP, as you can
9 tell, and we're happy you came back and
10 cleared that up, and good luck with your
11 project.

12 MS. WINN: Thank you.

13 COUNCILMAN KENNEY: Anybody
14 else?

15 (No response.)

16 COUNCILMAN KENNEY: Thank you
17 very much.

18 MS. WINN: Thank you.

19 COUNCILMAN KENNEY: Anyone else
20 to testify?

21 Seeing none, that will
22 conclude the public hearing -- oh, I'm
23 sorry. Come forward. I'm sorry.

24 (Witnesses approached witness
25 table.)

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2 COUNCILMAN KENNEY: Please
3 identify yourself for the record.

4 MR. BROWN: Yes. Good morning.
5 My name is Alburn Brown. I'm the
6 President of a steel erection company
7 assigned with 401. I'm a union
8 contractor.

9 I just had a couple questions
10 on the plan. For the minority outreach,
11 we're looking at 50 percent of hours. Is
12 that 50 percent of all hours worked or 32
13 percent for journeymen of all hours
14 worked? I just had that one question.

15 And then as a contractor, I'm
16 always concerned about payment. So on
17 the Page 4, Payment, it lists that the
18 subcontractors would be paid within five
19 business days. Normally applications for
20 payments are 30 days turnaround. You
21 have like the 25th of the month to
22 submit, and you usually -- the 25th on
23 the following month you should expect to
24 receive payment.

25 So is that five days after the

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2 30 days or is that five days? That was
3 my questions.

4 COUNCILMAN KENNEY: Councilman
5 Goode.

6 COUNCILMAN GOODE: Mr. Brown,
7 as stated at yesterday's hearing and as
8 is generally the case, this is a
9 template. So all of it actually is
10 standard and only the boxes were filled
11 in. So this is a template that is given
12 by the Office of Economic Opportunity to
13 project developers and owners, and so I
14 would suggest you direct those questions
15 toward the Office of Economic
16 Opportunity.

17 I believe that the first
18 question in terms of minority
19 apprentices, it is 50 percent of all work
20 hours, but because this is a template
21 that was developed by OEO, I would
22 suggest that they are the best people to
23 answer that question.

24 MR. BROWN: And the reason I
25 ask that question, because the union that

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2 I represent, African American workers are
3 only -- they're less than 1 percent of
4 the union majority, and we're
5 representative throughout most of the
6 unions that way. So I was just trying to
7 figure out how we're going to reach
8 that --

9 COUNCILMAN GOODE: I completely
10 understand your question, and if we need
11 to change this, we actually can change
12 the template in general and not just for
13 this particular project.

14 MR. BROWN: Right. Thank you.

15 MR. ALI: Councilman Goode,
16 members of the Committee, Chairman
17 Kenney, my name is Jihad Ali. I'm here
18 on Bill No. 110847. I wanted to thank
19 this Committee for taking the bold move
20 that you did yesterday by enforcing -- by
21 laying down the gauntlet that the
22 legislation will be enforced.

23 You know, I heard the testimony
24 of the Executive Director. You know,
25 it's really -- we've heard all that type

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of language before in the past. They say that they support this, but when it comes down to the bottom line, we don't get that support. You know, the fruits of the labor goes to the firms like Turner. Turner is an \$8 billion a year company. You know, what African Americans get, we don't get the fruits, we get the thorns, we get the thistle and we get the sweat that goes along with that, and it's only through -- it is only going to change because of the efforts of this Committee, and I thank you for your leadership. I thank you for allowing a citizen like myself to come and testify and speak truth to palate.

COUNCILMAN KENNEY: Thank you very much for your testimony.

Anyone else to testify?

(No response.)

COUNCILMAN KENNEY: Seeing none, we will now conclude our public hearing and start our public meeting.

The Chair recognizes

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2 Councilmember Goode for a motion to
3 approve the amendment to Bill No. 110847,
4 which is the inclusion of the EOP plan.

5 COUNCILMAN GOODE: Thank you,
6 Mr. Chairman. I move that the economic
7 opportunity plan be approved as an
8 amendment to Bill No. 110847.

9 (Duly seconded.)

10 COUNCILMAN KENNEY: Moved and
11 seconded.

12 All in favor?

13 (Aye.)

14 COUNCILMAN KENNEY: There are
15 none opposed. The bill will be amended
16 accordingly.

17 The Chair recognizes Councilman
18 Goode on the amended bill.

19 COUNCILMAN GOODE: Thank you,
20 Mr. Chairman. I move that Bill No.
21 110847, as amended, be reported out the
22 Committee with a favorable
23 recommendation, that the rules of Council
24 be suspended so as to permit first
25 reading at our next Council session.

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2 (Duly seconded.)

3 COUNCILMAN KENNEY: Moved and
4 seconded.

5 All in favor?

6 (Aye.)

7 COUNCILMAN KENNEY: There are
8 none opposed. Bill No. 110847, as
9 amended, will be reported out of this
10 Committee favorably and a request will be
11 made for rules suspension to allow for
12 first reading at our next Council
13 session.

14 Thank you very much for your
15 time.

16 (Committee on Rules concluded
17 at 9:35 a.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 December 7, 2011, and that
8 this is a true and correct transcript of same.

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13 -----
14 MICHELE L. MURPHY
15 RPR-Notary Public
16
17
18

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20 transcript does not apply to any reproduction
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22 direct control and/or supervision of the
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