

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON RULES

Room 400, City Hall
Philadelphia, Pennsylvania
Wednesday, May 9, 2012
9:20 a.m.

PRESENT:

COUNCILMAN WILLIAM GREENLEE, CHAIR
COUNCILMAN JAMES F. KENNEY, VICE-CHAIR
COUNCILWOMAN BLONDELL REYNOLDS-BROWN
COUNCILMAN BOBBY HENON
COUNCILMAN CURTIS JONES, JR.
COUNCILMAN DENNIS O'BRIEN
COUNCILWOMAN MARIAN B. TASCO

BILLS NO. 120321 - An Ordinance declaring it is desirable for the health, safety and welfare of the people of the area served by Temple Health System Transport Team, Inc., the American Oncologic Hospital, the Institute for Cancer Research and Fox Chase Network, Inc. for The Hospitals and Higher Education Facilities Authority of Philadelphia to undertake certain projects for such entities, each of which are nonprofit corporations.

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2 COUNCILMAN GREENLEE: Good morning,
3 everyone. This is the Committee on Rules. For
4 the record, we have a quorum consisting of
5 Councilwoman Tasco, Councilwoman Reynolds-Brown,
6 Councilman Henon and Councilman Jones, the
7 Majority Leader Council.

8 Ms. Marconi, will you please read the title
9 of the Bill before us today, please.

10 THE CLERK: Bill No. 120321, an Ordinance
11 declaring it is desirable for the health, safety
12 and welfare of the people of the area served by
13 Temple University Hospital, Incorporated; Jeanes
14 Hospital; Temple Physicians, Incorporated;
15 Temple Health System Transport Team,
16 Incorporated; the American Oncology Hospital;
17 the Institute for Cancer Research and Fox Chase
18 Network, Incorporated for The Hospitals and
19 Higher Education Facilities Authority of
20 Philadelphia to undertake certain projects for
21 such entities, each of which are nonprofit
22 corporations.

23 COUNCILMAN GREENLEE: And we all -- thank
24 you. The record will also reflect that
25 Councilman O'Brien, Member of the Committee, is

1 here.

2 Mr. Lux, if you would like to start off and
3 then Mr. Baker. Whoever would like to go first.
4 Please identify yourself and proceed.

5 MR. BAKER: Good morning. Mr. Chairman,
6 Committee Members, my name is James P. Baker,
7 Jr. I serve as the interim President of the
8 Hospitals and Higher Education Facilities
9 Authority of the City of Philadelphia. I would
10 like to make a brief introductory statement in
11 support of the proposed bill before you today
12 for Temple University Health System.

13 Temple University Health System submitted
14 an application to The Hospitals and Higher
15 Education Facilities Authority of the City of
16 Philadelphia seeking the Authority's assistance
17 in financing. The application was accepted for
18 consideration by the Authority.

19 Today we have the privilege together of
20 assisting Temple University Health System and
21 the many people associated with this remarkable
22 organization. I would like to express my
23 appreciation to each member of the Committee and
24 to Council on behalf of the Board of the
25 Authority for the scheduling of this hearing.

1 A public Tax Equity and Fiscal
2 Responsibility Act, a TEFRA Hearing, on behalf
3 of the Hospital and what will be scheduled
4 shortly in the Authority Boardroom with the
5 Authority and Temple represented at the Hearing.
6 The legislation presented to you today also
7 includes an economic opportunity plan which
8 meets Council's requirements.

9 Please, respectfully, request that the
10 Committee act on this legislation in a way to
11 allow the system to meet its timing
12 requirements.

13 Thank you very much.

14 COUNCILMAN GREENLEE: Thank you, sir. The
15 record will also reflect that Councilman Kenney,
16 the Vice Chair of the Committee, is present.

17 And Mr. Lux, why don't you go. And if
18 anybody has any questions, after that.

19 MR. LUX: Thank you, Mr. Chairman. Good
20 morning, Chairman Greenlee and Members of the
21 Rules Committee. My name is Robert Lux. And I
22 have the privilege of being able to serve as the
23 Vice President, Treasurer and Chief Financial
24 Officer of the Temple University Health System.

25 I would like to say first on behalf of our

1 employees, our patients and certainly our
2 physicians and, of course, Dr. Kaiser who could
3 not be here today, please accept our
4 appreciation for all that City Council and this
5 Committee has done for Temple over the years as
6 we seek to not only preserve but expand our
7 mission of service to the citizens of
8 Philadelphia and the region.

9 I want to express my thanks today for the
10 opportunity to testify before you in connection
11 with Bill No. 120321, which if supported by this
12 Committee Council and the Mayor, will enable our
13 health system to undertake a number of projects
14 that we believe will improve the health, safety
15 and welfare of the citizens of this great city.

16 As you probably know from the material that
17 we had submitted as part of our application, the
18 hallmark of our testimony here today is an
19 affiliation between the Temple University Health
20 System and the Fox Chase Cancer Center, two
21 venerable institutions with a long history in
22 this great city.

23 Under that affiliation, the Fox Chase
24 Cancer Center will become a full member of the
25 Temple University Health System, which will

1 enable not only Fox Chase to expand its reach
2 and services to the citizens of Philadelphia,
3 but also the eight counties surrounding
4 Philadelphia County. But it will also enable
5 Temple to integrate and coordinate those
6 services with our own cancer programs not only
7 on the clinical side, but also in the academic
8 and the research area.

9 Finally, and potentially very important,
10 this affiliation will remove from Fox Chase a
11 very significant amount of debt burden that has
12 caused it to be fairly instable over the last
13 two to three years.

14 Before you in our Ordinance is our request
15 for your support of a 2012 Hospital Revenue Bond
16 in the amount of up to \$320 million. As part of
17 our testimony, we detailed out for you the major
18 components of what would be included in that
19 \$320 million. The major categories are as
20 follows:

21 There's an amount of money needed to
22 acquire the Fox Chase Cancer Center and make
23 some really needed improvements so that they can
24 expand their services in consultation and
25 integration and collaboration with the Jeanes

1 Hospital. There is a tremendous opportunity in
2 the market for us to save a whole bunch of money
3 by refinancing some existing debt that we have.
4 And then we also have a need to replace a
5 parking garage down on Temple University Health
6 Science Center Campus on North Broad Street.

7 At the suggestion of Councilman O'Neill, we
8 have met with the Philadelphia Office of Equal
9 Opportunity and attached and submitted
10 respectfully with the material is an Economic
11 Opportunity Plan. The goals and targets of that
12 plan we are committed to achieving. We are
13 enthusiastic about it, and we look forward to
14 getting started with this.

15 As many of you know, Temple Health System
16 has a long history of working with the City of
17 Philadelphia to improve the health and quality
18 of our communities particularly in the ever
19 changing world of healthcare. Part of our
20 testimony details out many of those
21 accomplishments.

22 In addition, as is also known, Temple
23 provides an economic anchor in that community
24 where we employ approximately 6,000 people with
25 approximately 90 percent of those employees,

1 team members being citizens and residents of
2 Pennsylvania.

3 Fox Chase in the Fox Chase section of
4 Philadelphia employs an additional 2,500 people.
5 So, our long journey to this affiliation, we're
6 really enthusiastic and pleased about where we
7 are. And certainly, with the result of being
8 able to keep the Fox Chase Cancer Center an
9 asset for the citizens of Philadelphia.

10 With the financing that we have proposed,
11 we hope to strengthen our role as an economic
12 anchor for our communities, increase the access
13 to care and other critical healthcare services
14 for the citizens, hopefully enhance
15 Philadelphia's premier role as a destination for
16 quality care and certainly education.

17 And with that, I would like to again thank
18 Mr. Chairman and Members of the Committee and
19 Councilman O'Neill for the opportunity to be
20 able to present before you today this very
21 exciting opportunity for Temple and Fox Chase
22 and the City of Philadelphia.

23 Be happy to answer any questions if any
24 Members of the Committee have them.

25 COUNCILMAN GREENLEE: Thank you, Mr. Lux.

1 And your testimony, your full written testimony,
2 will be made part of the record as will the
3 Equal Opportunity Plan that both of you referred
4 to.

5 Are there any questions for Members of the
6 Committee?

7 No? Okay.

8 COUNCILWOMAN REYNOLDS-BROWN: I'll make a
9 statement.

10 COUNCILMAN GREENLEE: Sure. Councilwoman
11 Reynolds-Brown.

12 COUNCILWOMAN REYNOLDS-BROWN: Good morning.
13 (Good morning.)

14 COUNCILWOMAN REYNOLDS-BROWN: And
15 congratulations on this next important move.

16 I simply want to underscore the importance
17 of honoring the -- I was about to say
18 educational -- the Equal Opportunity Plan,
19 because we're beginning to see instances where
20 what is in writing does not ultimately appear to
21 be. And so, whoever the designated professional
22 is to ensure that what's in writing is honored,
23 is important to this -- to this Body.

24 MR. LUX: Councilwoman, definitely
25 understand that. We made a commitment. We will

1 honor that commitment. In the past, we have
2 reached out for the services of an objective
3 third party, which we would then again do this
4 time to make sure that that discipline and those
5 commitments are, in fact, met.

6 COUNCILWOMAN REYNOLDS-BROWN: Thank you.

7 COUNCILMAN GREENLEE: Councilwoman Tasco.

8 COUNCILWOMAN TASCO: Good morning.

9 MR. LUX: Good morning.

10 COUNCILMAN JONES: Let me ask you this
11 question.

12 We had some issues with Fox Chase a couple
13 years back relative to the expansion in the
14 park. Does any of this development at the Fox
15 Chase site -- will cause any requests for
16 expansion of park land?

17 MR. LUX: It will not, Councilwoman. What
18 is really exciting and invigorating about this
19 relationship is that, as you know, the Jeanes
20 Hospital is literally 50 yards away from the Fox
21 Chase Cancer Center connected by a bridge. And
22 there is some 33 acres of land that the Jeanes
23 Hospital sits on, many of it is grass.

24 So, any expansion plans in the future which
25 we hope will be very robust should be able to be

1 taken care of with the existing property and not
2 in any way cause us to come back to this
3 Committee requesting land or use of land in that
4 park.

5 COUNCILWOMAN TASCO: Are there many
6 residents in that area near the Jeanes Hospital?

7 MR. LUX: It is a densely, populated area,
8 having been a resident of that in the past.

9 COUNCILWOMAN TASCO: Has there been any
10 communication with the Community Civic
11 Associations relative to your plans?

12 MS. LEVINS: Good morning, Councilwoman
13 Tasco and Members of the Committee. I'm
14 Katherine Levins, Director of Government Affairs
15 for the Temple University Health System.

16 Yes. In answer to your question, there
17 have been communications. We had -- both Fox
18 Chase has been out there talking about the
19 plans. We are scheduled to meet tonight with
20 Jeanes Hospital and Fox Chase to review the
21 plans.

22 Just for clarification, Jeanes Hospital is
23 a member of the Temple University Health System.
24 So, they have met with the Fox Chase homeowners
25 in the past whenever we've had zoning issues.

1 This particular project will not require a
2 zoning, you know -- a zoning variance of any
3 sort because all the construction's internal.
4 Nevertheless, we want to make sure that the
5 community is comfortable with that -- the
6 community and also Councilman O'Neill who we
7 have been working with on that issue.

8 So, we do have a number of constituents who
9 we meet with, business owners, but most
10 important is probably the Fox Chase homeowners.
11 So, anything that we do we will work very
12 closely with that organization.

13 COUNCILWOMAN TASC0: Okay. Thank you very
14 much.

15 COUNCILMAN GREENLEE: Thank you,
16 Councilwoman.

17 Councilman Henon.

18 COUNCILMAN HENON: Thank you, Mr. Chairman.
19 Good morning. Thank you for coming in.

20 It's quite pleasant to see an institution
21 like Temple Healthcare choosing to stay and
22 create economic opportunities and jobs for city
23 residents and to retain the many, many thousands
24 of jobs through the acquisition of Fox Chase
25 Cancer.

1 Unfortunately, it's a resource, and it's a
2 safety net that, you know, that the residents
3 have if when need it when plagued upon some
4 unfortunate cancer issues that may arise. I
5 personally have, you know, personal experience
6 with using the can-- with you know family mem --
7 my father in particular, using the Fox Chase
8 Cancer facility on many occasions.

9 Jeanes, the -- I guess, you know, one of
10 the brightest days of my life when, you know, my
11 two kids were born there in labor and delivery.
12 So, I hope that you keep that department and
13 that branch of Jeanes Hospital going because
14 they provide a service to the neighbors.

15 You're coming -- we're asking for the
16 authorization of the bonds --

17 MR. LUX: Yes, sir.

18 COUNCILMAN HENON: -- for some good
19 economic growth and job retention.

20 Is this in any way part of Temple
21 Healthcare's overall ongoing construction and
22 building expansion of some of its services?
23 Does this leverage any other dollars?

24 MR. LUX: It certainly is, Councilman.
25 Dr. Kaiser's vision of growth and expanding the

1 mission of the Temple University Health System
2 both within the City of Philadelphia and the
3 surrounding region is absolutely strong. And
4 the Fox Chase Cancer Center is the first step in
5 that vision.

6 COUNCILMAN HENON: That's great. I have no
7 further questions. Thank you.

8 COUNCILMAN GREENLEE: Thank you. Thank
9 you, Councilman.

10 Councilwoman Reynolds-Brown.

11 COUNCILWOMAN REYNOLDS-BROWN: Question, is
12 this the first EOP plan that the hospital would
13 have engaged in? The first of its type? Have
14 you done EOP plans before?

15 MR. LUX: We -- we have. The most recent
16 one was when we constructed a few years ago,
17 what is our Ambulatory Care Building on the
18 Health Science Center Campus.

19 And in that particular plan, we had the
20 services of, I think it was, the Philadelphia
21 Urban Affairs as the external body that helped
22 us make sure that we were in compliance with it.
23 I believe having been directly involved in that
24 project, that we were very compliant with the
25 targets, and I think we may have even exceeded

1 some of that.

2 COUNCILWOMAN REYNOLDS-BROWN: Okay, then.

3 All right. Thanks again.

4 MR. LUX: You're welcome.

5 COUNCILMAN GREENLEE: Thank you.

6 Councilwoman Tasco.

7 COUNCILWOMAN TASCO: I'd just like to
8 disclose that I am a nonpaid member of the
9 Minority Advisory Council at Fox Chase. But we
10 have no -- we don't have any involvement in
11 their business of this nature.

12 MR. LUX: I want to thank you for
13 contributing your time to such a great
14 organization that has such a great mission for
15 the citizens of Philadelphia.

16 COUNCILMAN GREENLEE: Thank you. Any other
17 questions or comments?

18 Councilman Jones.

19 COUNCILMAN JONES: Thank you, Mr. Chairman.

20 So, the concern about EOPs -- and it's
21 important to submit them in advance. It's also
22 important to review them in the rear view
23 mirror.

24 So, we'd like to get -- if you would
25 provide to the Chair and the members of this

1 Committee, you know, what your projections of
2 what you would like to do, aspirations of
3 inclusion and then what the results of that
4 search and then implementation are. And if you
5 can do that and provide that to the Chair, that
6 would be very helpful.

7 MR. LUX: Certainly.

8 COUNCILMAN GREENLEE: Okay. Thank you.
9 Thank you very much.

10 Any other questions or comments? Anyone
11 else here to testify on this Bill?

12 I should note for the record, I just
13 recently within literally the last few minutes
14 get an e-mail from Hanford Jones who raised, I
15 guess what I would call, general questions about
16 the EOP process, not necessarily directly
17 related to your particular project. But that
18 e-mail will be made part of the record.

19 MR. LUX: Thank you.

20 COUNCILMAN GREENLEE: Any other questions
21 or comments?

22 Seeing none, that concludes the Hearing of
23 the Committee on Rules. We are now going to our
24 Public Meeting.

25 Chair recognizes Councilwoman

1 Reynolds-Brown regarding this Bill.

2 COUNCILWOMAN REYNOLDS-BROWN: Mr. Chairman,
3 I move that Bill No. 120321 be reported out of
4 Committee with a favorable recommendation. And
5 further move that the Rules of Council be
6 suspended so as to permit first reading at our
7 next scheduled session.

8 COUNCILMAN JONES: Second.

9 COUNCILMAN GREENLEE: Been moved and
10 seconded. All in favor?

11 (Ayes.)

12 COUNCILMAN GREENLEE: Opposed?

13 (No response.)

14 COUNCILMAN GREENLEE: Hearing none, Bill
15 No. 120321 has been reported out of Committee
16 with favorable recommendation with rule
17 suspension allow for first reading of our next
18 session of Council. There being no further
19 business for this Committee, that concludes
20 the -- our business for today.

21 Thank you all very much.

22 (Committee on Rules ended at 9:37 a.m.)

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C E R T I F I C A T I O N

I, hereby certify that the proceedings and evidence noted are contained fully and accurately in the stenographic notes taken by me in the foregoing matter, and that this is a correct transcript of the same.

ANGELA M. KING, RPR, Notary Public

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