

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON RULES

Room 400, City Hall
Philadelphia, Pennsylvania
Tuesday, February 25, 2014
1:25 p.m.

PRESENT:

COUNCILMAN WILLIAM K. GREENLEE, CHAIR
COUNCILWOMAN CINDY BASS
COUNCILMAN W. WILSON GOODE, JR.
COUNCILMAN BOBBY HENON
COUNCILMAN JAMES KENNEY
COUNCILMAN DENNIS O'BRIEN
COUNCILWOMAN BLONDELL REYNOLDS BROWN

BILLS 130920, 140005, and 140009

- - -

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2

COUNCILMAN GREENLEE: Good

3

afternoon, everyone. This is the

4

Committee on Rules. For the record, we

5

have a quorum: Councilman Kenney, the

6

Vice Chair of the Committee; Councilman

7

Henon; Councilman O'Brien; Councilman

8

Goode; and Councilwoman Bass; and myself,

9

Bill Greenlee.

10

First, for the record, Bill No.

11

130920 will be held to the call of the

12

Chair at the request of the sponsor.

13

Ms. Marconi, will you please

14

read the title of the two bills that are

15

before us today.

16

THE CLERK: Bill No. 140005, an

17

ordinance to amend the Philadelphia

18

Zoning Maps by changing the zoning

19

designations of certain areas of land

20

located within an area bounded by 18th

21

Street, 19th Street, Arch Street and

22

Cuthbert Street.

23

Bill No. 140009, an ordinance

24

to amend Section 14-701 of the Zoning

25

Code, entitled "Dimensional Standards,"

1 2/25/14 - RULES - BILL 140005, etc.
2 and to amend Section 14-702(4) of the
3 Zoning Code, entitled "Maximum Floor Area
4 and Height Bonus Amounts," and to amend
5 Section 14-806 of the Zoning Code,
6 entitled "Off-Street Loading," and to
7 amend Section 14-502 of the Zoning Code,
8 entitled "CTR Center City Overlay," under
9 certain terms and conditions.

10 COUNCILMAN GREENLEE: Thank
11 you. Our first witness?

12 THE CLERK: Alan Greenberger.

13 COUNCILMAN GREENLEE: Thank
14 you.

15 (Witness approached witness
16 table.)

17 COUNCILMAN GREENLEE: Good
18 afternoon, Mr. Greenberger.

19 DEPUTY MAYOR GREENBERGER: Good
20 afternoon.

21 COUNCILMAN GREENLEE: Please
22 identify yourself and proceed.

23 DEPUTY MAYOR GREENBERGER: Good
24 afternoon, Councilman Greenlee and
25 members of the Rules Committee. I'm Alan

1 2/25/14 - RULES - BILL 140005, etc.
2 Greenberger, Deputy Mayor for Economic
3 Development and Director of Commerce and
4 Chairman of the Philadelphia City
5 Planning Commission. I'm here to testify
6 in support of Bills 140005 and 140009,
7 which were introduced into City Council
8 on January 23rd of this year.

9 These bills will assist the
10 development of the Comcast Innovation and
11 Technology Center at 1800 Arch Street.
12 The proposed development will replace a
13 30-year-old surface parking lot with a
14 59-story commercial tower designed by
15 world-renowned architect Lord Norman
16 Foster. The development will include 1.3
17 million square feet of office space and
18 222 luxury-class hotel rooms and result
19 in the addition of 1,500 new permanent
20 jobs to the City.

21 The Comcast Innovation and
22 Technology Center will have significant
23 public benefit. That includes 20,000
24 square feet of public space at various
25 levels of the building, food and retail

1 2/25/14 - RULES - BILL 140005, etc.
2 amenities, ground-level indoor winter
3 garden, and new public concourse level
4 extension between 18th and 19th Streets.
5 The development is a model of
6 transit-oriented development with its
7 direct connection to Suburban Station and
8 the provision of all parking underground.
9 It also meets the highest standards in
10 environmentally sensitive design by
11 striving to achieve what's known as a
12 LEED Platinum status.

13 Bill 140005 will rezone the
14 property from CMX-4 classification to
15 CMX-5, the most appropriate zoning
16 classification for Philadelphia's central
17 business district. The surrounding
18 blocks to the east, south, and west of
19 1800 Arch Street are also designated
20 CMX-5, making this an appropriate
21 remapping.

22 I should also add I've just
23 been told that there will be an amendment
24 to this bill to add maps that are being
25 submitted to Council.

1 2/25/14 - RULES - BILL 140005, etc.

2 Bill No. 140009 makes
3 relatively minor adjustments to several
4 sections of the Zoning Code, and let me
5 note what those are for you. The first
6 one is to simplify the required building
7 massing relative to something known as
8 sky plane. The bill allows sky plane
9 blockages to be average for buildings
10 with three or more street frontages.
11 That has all to do with the degree to
12 which the building's massing allows
13 people to see sky brightness. That's
14 what sky plane is about.

15 The bill increases the maximum
16 floor area ratio in CMX-5 Commercial
17 district from 1,000 percent or an FAR of
18 10 of the lot area to 1,200 percent of
19 the lot area in recognition of the fact
20 that many successful buildings in Center
21 City are built at these higher densities.
22 And, in fact, I would point out that
23 these are all bonus FARs that the project
24 is achieving from the menu of bonuses
25 that are available in the current Zoning

1 2/25/14 - RULES - BILL 140005, etc.
2 Code.

3 Third, the bill also reduces
4 the size of the required loading spaces
5 when the access street to them is
6 narrower than 35 feet, and this is done
7 to encourage loading from these small
8 service streets rather than from our
9 major public arterials, in this case
10 18th, 19th, and Arch Streets.

11 Finally, the bill removes the
12 1800 block of Arch Street from the
13 Benjamin Franklin Parkway area's 125 foot
14 height limit.

15 The City Planning Commission
16 considered these Bills 140005 and 140009
17 at its meeting on February 18th and
18 recommended that the bills be approved.

19 Before I conclude my testimony,
20 I also want to commend Comcast and
21 Liberty Property Trust for conceiving
22 what will be a truly unique and
23 innovative development perfectly suited
24 for our urban core. We welcome this
25 center to our skyline. It will be a

1 2/25/14 - RULES - BILL 140005, etc.

2 lasting symbol of Philadelphia's rise as
3 an innovation and technology hub.

4 Happy to answer any of your
5 questions.

6 COUNCILMAN GREENLEE: Thank
7 you, Mr. Greenberger. And just for the
8 record, those two amendments you alluded
9 to have been distributed to the Committee
10 and will be offered at the public
11 meeting.

12 DEPUTY MAYOR GREENBERGER:
13 Thank you.

14 COUNCILMAN GREENLEE:
15 Councilman Goode.

16 COUNCILMAN GOODE: Thank you,
17 Mr. Chairman.

18 Good afternoon,
19 Mr. Greenberger.

20 DEPUTY MAYOR GREENBERGER: Good
21 afternoon.

22 COUNCILMAN GOODE: Do you have
23 a copy of the Economic Opportunity Plan?

24 DEPUTY MAYOR GREENBERGER: The
25 Economic Opportunity Plan that had been

1 2/25/14 - RULES - BILL 140005, etc.

2 developed has been amended through
3 discussions between Liberty Property
4 Trust and Council and I think is being
5 rewrote right now for signing.

6 COUNCILMAN GOODE: Do you have
7 a copy of the one that was drafted?

8 DEPUTY MAYOR GREENBERGER: I
9 have the copy of the draft, yes.

10 COUNCILMAN GOODE: Could you
11 turn your attention to Page 5.

12 DEPUTY MAYOR GREENBERGER: Bear
13 with me a sec.

14 Go ahead.

15 COUNCILMAN GOODE: How were the
16 employment goals on Page 5 of the EOP
17 determined?

18 DEPUTY MAYOR GREENBERGER: I
19 believe that they were determined through
20 a discussion between the Office of
21 Economic Opportunity and Liberty Property
22 Trust, consistent with other large
23 projects and what's achievable.

24 COUNCILMAN GOODE: You believe
25 that or are you sure of that?

1 2/25/14 - RULES - BILL 140005, etc.

2 DEPUTY MAYOR GREENBERGER: I
3 believe it. I can't say that I'm a
4 hundred percent sure. I wasn't in those
5 discussions.

6 COUNCILMAN GOODE: Are the
7 employment goals generally the same for
8 all projects?

9 DEPUTY MAYOR GREENBERGER: I
10 don't know the answer to that relative to
11 all projects, no.

12 COUNCILMAN GOODE: Didn't the
13 Economic Opportunity Cabinet, of which
14 you are a member, actually adopt
15 employment goals for EOPs?

16 DEPUTY MAYOR GREENBERGER: I
17 don't know whether they have been
18 formally adopted. These are consistent
19 with the goals that we have done for
20 other large projects.

21 COUNCILMAN GOODE: That's not
22 necessarily true. The EOPs are generally
23 boilerplate. In most of them there's
24 actually a footnote that says, These
25 goals, which have been adopted by the

1 2/25/14 - RULES - BILL 140005, etc.
2 Economic Opportunity Cabinet, are the
3 recommendation of the Mayor's Commission
4 on Construction Industry Diversity, and
5 the goals are set at 32 percent minority
6 male and 7 percent female. The goals
7 within this project are 25 percent
8 minority male and 2 percent female.

9 So were the goals adopted by
10 the Economic Opportunity Cabinet or not?

11 DEPUTY MAYOR GREENBERGER: I'm
12 sorry. Are not?

13 COUNCILMAN GOODE: Were those
14 goals -- actually, I see Ms. Dowd-Burton
15 here. She can come forward.

16 COUNCILMAN GREENLEE: Ms.
17 Dowd-Burton, please come forward.

18 DEPUTY MAYOR GREENBERGER:
19 Please. Thank you.

20 (Witness approached witness
21 table.)

22 COUNCILMAN GREENLEE: Please
23 identify yourself for the record.

24 MS. DOWD-BURTON: Good
25 afternoon. My name is Angela

1 2/25/14 - RULES - BILL 140005, etc.

2 Dowd-Burton. I'm Executive Director for
3 the Office of Economic Opportunity.

4 COUNCILMAN GOODE: Ms.

5 Dowd-Burton, were the goals of 32 percent
6 minority male and 7 percent female in
7 terms of workforce diversity adopted by
8 the Economic Opportunity Cabinet?

9 MS. DOWD-BURTON: By the
10 Economic Opportunity Cabinet or by the
11 Mayor's Advisory Commission on
12 Construction Industry Diversity?

13 COUNCILMAN GOODE: In the
14 footnote of mostly every Economic
15 Opportunity Plan that I have reviewed,
16 there's a footnote under Employment Goals
17 that says, These goals, which have been
18 adopted by the Economic Opportunity
19 Cabinet, are the recommendations of the
20 Mayor's Commission on Construction
21 Industry Diversity. So either that's
22 true or it's not true, but if it's not
23 true, it's not true for a whole host of
24 plans.

25 MS. DOWD-BURTON: It is true,

1 2/25/14 - RULES - BILL 140005, etc.
2 and it's true for those plans that are
3 under the public sector, City of
4 Philadelphia.

5 COUNCILMAN GOODE: The question
6 simply was, were the goals of 32 percent
7 minority male and 7 percent female
8 adopted by the Economic Opportunity
9 Cabinet?

10 MS. DOWD-BURTON: Yes.

11 COUNCILMAN GOODE: And those
12 goals were recommended by the Mayor's
13 Commission on Construction Industry
14 Diversity?

15 MS. DOWD-BURTON: That's
16 correct.

17 COUNCILMAN GOODE: When is the
18 last time that Commission met?

19 MS. DOWD-BURTON: 2009 that
20 report was published. The Commission was
21 re-established in 2010. The last meeting
22 was last fall.

23 COUNCILMAN GOODE: And whose
24 responsibility is it to convene that
25 Commission?

1 2/25/14 - RULES - BILL 140005, etc.

2 MS. DOWD-BURTON: Angelo
3 Perryman is Chair of that Commission, and
4 I work to convene meetings for that
5 Commission on a quarterly basis.

6 COUNCILMAN GOODE: Whose
7 responsibility is it to convene the
8 Commission?

9 MS. DOWD-BURTON: I'm not sure
10 what you mean by "convene" it.

11 COUNCILMAN GOODE: The Mayor's
12 Executive Order on economic opportunity
13 does not say that it's the job of the
14 Director of the Office of Economic
15 Opportunity to convene the Commission?

16 MS. DOWD-BURTON: Well, I work
17 to bring the Commission together on a
18 quarterly basis, that's correct.

19 COUNCILMAN GOODE: So has the
20 Commission changed its recommendations?

21 MS. DOWD-BURTON: No, it hasn't
22 changed its recommendations.

23 COUNCILMAN GOODE: Has the
24 Economic Opportunity Cabinet adopted any
25 new employment goals?

1 2/25/14 - RULES - BILL 140005, etc.

2 MS. DOWD-BURTON: No, it
3 hasn't, not as of this point.

4 COUNCILMAN GOODE: So how were
5 the goals of 25 percent and 2 percent
6 versus 32 percent and 7 percent adopted?
7 Who made that decision and why, and what
8 analysis was done?

9 MS. DOWD-BURTON: The decision
10 was made in the Office of Economic
11 Opportunity and it was basically driven
12 by the magnitude of this project and
13 other projects that are currently
14 underway.

15 COUNCILMAN GOODE: I want you
16 to explain your decision-making process
17 in terms of what analysis was done. The
18 goals of 32 percent and 7 percent were
19 based upon analysis done by the Mayor's
20 Commission on Construction Industry
21 Diversity. What analysis went into
22 setting these goals?

23 MS. DOWD-BURTON: Just an
24 overall analysis of the market and
25 looking at how many projects are

1 2/25/14 - RULES - BILL 140005, etc.
2 currently underway that are requiring
3 minority and female participation,
4 journey persons, the average level of
5 participation by minority and women that
6 were able to generate on capital projects
7 that --

8 COUNCILMAN GOODE: Actually,
9 I'm not going where you think I'm going
10 with this. I guess my real question is,
11 how many of the plans are meeting the 32
12 percent and 7 percent goal?

13 MS. DOWD-BURTON: There are a
14 number of City operating department goals
15 that are meeting the 30 percent. The
16 private sector --

17 COUNCILMAN GOODE: Excuse me.
18 How many of the Economic Opportunity
19 Plans are meeting that 32 percent and 7
20 percent goal? If you don't know, say you
21 don't know.

22 MS. DOWD-BURTON: I don't have
23 a number. I will tell you that many do
24 not meet the 32 percent.

25 COUNCILMAN GOODE: So should

1 2/25/14 - RULES - BILL 140005, etc.
2 there still be a 32 percent and 7 percent
3 goal?

4 MS. DOWD-BURTON: I would say
5 not at this time, and we really need to
6 take a closer look at the demographics
7 and how we --

8 COUNCILMAN GOODE: And whose
9 job is that?

10 MS. DOWD-BURTON: It's the
11 Commission, and we have that analysis
12 underway.

13 COUNCILMAN GOODE: So is it
14 fair to say that in terms of OEO, you
15 haven't done much on workforce diversity
16 in terms of monitoring and enforcement in
17 terms of the actual analysis; you've been
18 focusing on business contracting instead?

19 MS. DOWD-BURTON: No. We've
20 also, in the projects where we have
21 oversight committees, have looked very
22 closely at workforce.

23 COUNCILMAN GOODE: So how many
24 of the EOPs are meeting the workforce
25 diversity goals? Can you tell me that?

1 2/25/14 - RULES - BILL 140005, etc.

2 MS. DOWD-BURTON: No. I do not
3 have that number.

4 COUNCILMAN GOODE: Can you tell
5 me what the goals should be for this
6 project?

7 MS. DOWD-BURTON: Right now
8 we're looking at goals of 25 percent,
9 which are reasonable for this project.

10 COUNCILMAN GOODE: And that's
11 based upon what analysis?

12 MS. DOWD-BURTON: Looking at
13 the minority and women who have actually
14 worked on other major capital projects
15 that have oversight committees where
16 we --

17 COUNCILMAN GOODE: You made the
18 number up.

19 MS. DOWD-BURTON: I'm sorry?

20 COUNCILMAN GOODE: You made the
21 number up or somebody made the number up,
22 because it's not based upon any analysis
23 you can show me.

24 MS. DOWD-BURTON: I'll be happy
25 to show you analysis after this meeting.

1 2/25/14 - RULES - BILL 140005, etc.

2 COUNCILMAN GOODE: No. That's
3 not acceptable. I want to know what
4 process you went through to come to that
5 number. If there was a commission that
6 came on the heels of the Convention
7 Center expansion and that was supposed to
8 solve the problem, there was an Economic
9 Opportunity Cabinet and that was supposed
10 to solve the problem, if there were goals
11 that were set at 32 percent minority male
12 and 7 percent female, someone should have
13 been monitoring that to see what is
14 actually being achieved or not achieved
15 and there should be real goals for these
16 projects. I'm not here to say whether
17 that number is high or low. I'm here to
18 say the number is not real. Unless you
19 can prove it's real, it's not real to me.

20 MS. DOWD-BURTON: And I'm here
21 to say that we do have data, that we have
22 tracked it and --

23 COUNCILMAN GOODE: Then explain
24 it.

25 MS. DOWD-BURTON: -- this

1 2/25/14 - RULES - BILL 140005, etc.
2 number is based on the average levels of
3 participation from minorities and women
4 that we've been able to capture on actual
5 projects that have oversight committees.

6 COUNCILMAN GOODE: Then do the
7 calculation for me. Explain it.

8 MS. DOWD-BURTON: Well, we're
9 talking about the number of hours that
10 are actually worked by minorities and
11 women compared to total hours of everyone
12 who has worked on the project.

13 COUNCILMAN GOODE: Can you give
14 me real numbers in terms of how you
15 determined this goal right now?

16 MS. DOWD-BURTON: Looking at
17 the percentage of minorities and women
18 who have actually worked on the job based
19 on --

20 COUNCILMAN GOODE: That's
21 anecdotal. I'm asking for how did you
22 calculate -- the goal-setting process is
23 very specific in terms of how it's
24 supposed to be done. It's specifically
25 outlined within the Charter, in the code

1 2/25/14 - RULES - BILL 140005, etc.
2 as it relates to business contracting.
3 In terms of workforce diversity, we
4 relied upon the Commission. I never
5 believed that work was real then. I
6 don't believe the work is real now. So I
7 don't think the 32 and 7 numbers are
8 real, and I don't know whether the 25 and
9 2 numbers are real or not and you're not
10 explaining them to me in terms of how
11 it's actually calculated.

12 MS. DOWD-BURTON: These numbers
13 are based on track record of the other
14 projects. I'll be happy to share that
15 detail with you.

16 COUNCILMAN GOODE: So, in other
17 words, it's your opinion that that's what
18 it should be?

19 MS. DOWD-BURTON: It's based on
20 the facts that we've generated on --

21 COUNCILMAN GOODE: You have not
22 presented any of those facts here today.

23 MS. DOWD-BURTON: Not today
24 with me.

25 COUNCILMAN GOODE: You haven't

1 2/25/14 - RULES - BILL 140005, etc.
2 presented any of those facts here today.

3 Thank you.

4 COUNCILMAN GREENLEE: The
5 record will reflect that Councilwoman
6 Reynolds Brown is here. Does she want to
7 be recognized?

8 COUNCILWOMAN BROWN: Yes.

9 COUNCILMAN GREENLEE:
10 Councilwoman Reynolds Brown.

11 COUNCILWOMAN BROWN: Good
12 afternoon. Following Councilman Goode's
13 questioning regarding a detailed look at
14 this EOP plan, there's a growing
15 sentiment that the 50 percent for local
16 residents can or should be better.
17 Twenty-five percent poverty rate. So
18 help us understand why that seems to be
19 the boilerplate number in most of these
20 documents that we get.

21 MS. DOWD-BURTON: There are two
22 driving factors. One, in working with
23 our Law Department, our Law Department
24 has expressed some concern with regard to
25 us setting higher goals for local

1 2/25/14 - RULES - BILL 140005, etc.
2 employment on projects around the City.
3 So that's one overarching. The other is
4 looking at the lack of information that
5 we have regarding the demographics of
6 workers within each of the union trades
7 that actually not only are minorities and
8 women, but also how many actually live
9 within the City of Philadelphia. And so
10 it's a blind spot for us. The 50 percent
11 we think is a reasonable reachable goal,
12 but we don't have the data actually to
13 substantiate that at this time.

14 COUNCILMAN GOODE: Point of
15 information.

16 COUNCILMAN GREENLEE:
17 Councilman Goode.

18 COUNCILMAN GOODE: Ms.
19 Dowd-Burton, how many of the Economic
20 Opportunity Plans have achieved that 50
21 percent goal?

22 MS. DOWD-BURTON: Well, not all
23 of the plans have the 50 percent goal.

24 COUNCILMAN GOODE: How many of
25 the Economic Opportunity Plans have

1 2/25/14 - RULES - BILL 140005, etc.

2 achieved the 50 percent goal?

3 MS. DOWD-BURTON: I don't have
4 that number with me.

5 COUNCILMAN GOODE: I didn't
6 think so.

7 COUNCILMAN GREENLEE: Before,
8 Councilwoman, if you continue, I mean,
9 Councilman Goode has raised some issues
10 here, questions. Ms. Dowd-Burton, you're
11 saying you don't have the information
12 today. Could you get that information to
13 us, please.

14 MS. DOWD-BURTON: Yes.

15 COUNCILMAN GREENLEE: Because
16 I'm sure this issue will come up in
17 subsequent hearings on subsequent
18 dealings, and I think it's fair questions
19 that Councilman Goode is asking, and if
20 you could get that to the Chair and I
21 could distribute it, I would appreciate
22 it.

23 MS. DOWD-BURTON: I would be
24 happy to do that.

25 COUNCILMAN GREENLEE: I'm

1 2/25/14 - RULES - BILL 140005, etc.

2 sorry, Councilwoman. Please.

3 COUNCILWOMAN BROWN: The record
4 should reflect that in recent Rules
5 hearings these questions around how you
6 arrived at these numbers have been
7 raised. So it's time to really back it
8 up with data.

9 Along the same line of
10 questioning, I see here the Youth
11 Internship Program, which is a great
12 thing. What provisions or considerations
13 is your department doing to ensure that
14 there is a linkage and a connection of
15 these jobs with this ultimate project?

16 MS. DOWD-BURTON: This is a
17 program that was initiated by Comcast.
18 The oversight committee will be working
19 with Comcast to ensure that the linkages
20 are made between the program and the
21 workers.

22 COUNCILWOMAN BROWN: So is it
23 too far a leap to say that these training
24 opportunities will lead to a job with
25 this program?

1 2/25/14 - RULES - BILL 140005, etc.

2 MS. DOWD-BURTON: I will -- I
3 believe so. I think that's a reasonable
4 assumption. Comcast is here and I'd be
5 happy to --

6 COUNCILMAN GREENLEE: Ms.
7 Dowd-Burton, you got to talk in the
8 microphone. We can't hear you.

9 MS. DOWD-BURTON: So I will
10 confirm that the goal is to actually have
11 programs that end with full employment.

12 COUNCILWOMAN BROWN: That's
13 going to be important, because we know if
14 it's not in the initial document when it
15 comes to us, if it's not in writing, it
16 doesn't exist.

17 MS. DOWD-BURTON: Sure.

18 COUNCILWOMAN BROWN: So that
19 connection needs to be reflected in this
20 EOP plan.

21 The statement says, Liberty
22 will also encourage its contractors to
23 make a best and good-faith effort to
24 maximize employment opportunities for
25 United States veterans. What does that

1 2/25/14 - RULES - BILL 140005, etc.
2 mean?

3 MS. DOWD-BURTON: So I have
4 Liberty here. I mean, I can speak with
5 them, but based on our conversations, it
6 is a best and good-faith effort. The
7 Economic Opportunity Plan is based on
8 companies demonstrating a best and
9 good-faith effort through taking certain
10 actions. One is having aggressive
11 outreach and ensuring that the public is
12 aware of the opportunities that they're
13 trying to create for veterans, for
14 minorities, and for women.

15 Historically if you look at
16 some of the outreach that Comcast has
17 done with the African American Chamber,
18 the Hispanic Chamber, you would also add
19 to that the Veterans Administration and
20 organizations that they would be a part
21 of. So I would also invite members of
22 Liberty and Comcast to join me.

23 COUNCILWOMAN BROWN: I think it
24 might be appropriate to raise that
25 question when they come to the witness

1 2/25/14 - RULES - BILL 140005, etc.
2 table.

3 COUNCILMAN GREENLEE: Yes, when
4 they come up.

5 COUNCILWOMAN BROWN: So as you
6 meet with major project leaders, are they
7 required to provide data, evidence that
8 what they say they will do in the future
9 they've already done? They provide
10 actual evidence of work product that they
11 can achieve the goals as stipulated in
12 this document?

13 MS. DOWD-BURTON: No. There
14 are a number of cases where project
15 owners or contractors have projects and
16 they've never been to OEO before. So
17 they may not have evidence of a previous
18 project where they demonstrated the
19 inclusion or level of inclusion of
20 minority and women-owned businesses that
21 we'd like to see. So that's not a
22 prerequisite for having an Economic
23 Opportunity Plan.

24 What is required is, number
25 one, to make the commitment to look at

1 2/25/14 - RULES - BILL 140005, etc.
2 goals that we collaboratively establish
3 for the project and then have an
4 oversight committee that's comprised of
5 the community, the City Council, Office
6 of Economic Opportunity to work on a
7 regular basis, in this instance monthly
8 basis, on the outcome of this project.

9 COUNCILMAN GOODE: Point of
10 information.

11 COUNCILMAN GREENLEE:
12 Councilman Goode.

13 COUNCILMAN GOODE:
14 Ms. Dowd-Burton, did you say that a
15 diversity track record is not part of the
16 Economic Opportunity Plan process?

17 MS. DOWD-BURTON: No, I did
18 not.

19 COUNCILMAN GOODE: So project
20 owners are supposed to present their
21 diversity track records as part of the
22 Economic Opportunity Plans; is that not
23 correct?

24 MS. DOWD-BURTON: No, it's not
25 correct. I'm not --

1 2/25/14 - RULES - BILL 140005, etc.

2 COUNCILMAN GOODE: It's
3 absolutely correct.

4 MS. DOWD-BURTON: I'm not sure
5 how you're using "diversity track
6 record."

7 COUNCILMAN GOODE: There's a
8 specific law that I passed that said as
9 part of the Economic Opportunity Plan, it
10 should include -- you have not been
11 including it or requesting it or
12 mandating it, but it should include not
13 only what they've done on past projects,
14 but it should include the demographics of
15 their Boards. We passed that law.

16 MS. DOWD-BURTON: So one of the
17 things that we're looking at is how we
18 employ the Economic Opportunity Plan in
19 the public sector where we require --

20 COUNCILMAN GOODE: The
21 diversity track record is part of the
22 Economic Opportunity Plan. It should be
23 included.

24 MS. DOWD-BURTON: We have --

25 COUNCILMAN GOODE: Thank you,

1 2/25/14 - RULES - BILL 140005, etc.

2 Mr. Chairman.

3 MS. DOWD-BURTON: Thank you for
4 that clarification, Councilman.

5 COUNCILMAN GREENLEE:
6 Councilwoman.

7 COUNCILWOMAN BROWN: So has the
8 time passed where we cannot secure that
9 information for -- the company that's
10 taking leadership on this, this is not
11 new for them. We've all been down this
12 road before. So with that, to Councilman
13 Goode's question, can you show for us in
14 your deliberations with Liberty Property
15 Trust that evidence that, yes, indeed
16 they've done X, Y, Z in the past as
17 relates to MBE/WBE participation?

18 MS. DOWD-BURTON: So we have an
19 Economic Opportunity Plan report that
20 includes companies in the private sector,
21 the non-profit, and the public sector
22 where we report now on the performance of
23 property owners. What we're focused on
24 for this project and in conversations
25 with Liberty and Comcast is what the

1 2/25/14 - RULES - BILL 140005, etc.
2 opportunity is for this project, this
3 \$1.2 billion project. We took a look at
4 what Comcast did on the previous tower.
5 And so, yes, that's a track record that
6 they have promoted. It's in the media.
7 Our goal line here is to, based on this
8 project, do better than historic track
9 records, and we know projects that have
10 oversight committees do better.

11 COUNCILWOMAN BROWN: So then we
12 can assume then that given past track
13 record, companies in question met their
14 goals?

15 MS. DOWD-BURTON: I don't have
16 the details of the last project. What I
17 do have is the reports that based on the
18 commitments, over a hundred million
19 dollars was awarded to minority and
20 women-owned businesses. And while 50
21 percent of the participation when you
22 look at furniture and design was the
23 goal, they did not hit a 50 percent mark,
24 but at the end of the day, they did
25 achieve that hundred million dollar

1 2/25/14 - RULES - BILL 140005, etc.

2 benchmark.

3 For this project we've talked
4 about a tripling of -- more than tripling
5 of that goal for this project.

6 COUNCILWOMAN BROWN: Okay.

7 MS. DOWD-BURTON: And so we're
8 using relative benchmarks of what they've
9 done in the past, but we know that we
10 have a more deliberate process for
11 measuring and monitoring and driving the
12 projects today than we've had in the
13 past.

14 COUNCILWOMAN BROWN: Okay,
15 then. Thank you for your testimony.

16 COUNCILMAN GREENLEE: Thank
17 you.

18 COUNCILWOMAN BROWN: Thank you,
19 Mr. Chairman.

20 COUNCILMAN GREENLEE: Thank
21 you, Councilwoman.

22 Councilman Kenney, just let me
23 get back before I forget to say this.

24 Ms. Dowd-Burton, on the request
25 I made a few minutes ago for the

1 2/25/14 - RULES - BILL 140005, etc.
2 information, the data and the analysis
3 that Councilman Goode requested, how
4 long -- just off the top, it doesn't
5 sound like it should be that long.
6 Realistically how long might you say you
7 could get that to us? Because, again, as
8 Councilwoman Reynolds Brown said, this
9 issue has been raised at other hearings
10 and we'd probably like to know that
11 before we have another hearing on
12 something else.

13 MS. DOWD-BURTON: So --

14 COUNCILMAN GREENLEE: Which
15 could be soon.

16 MS. DOWD-BURTON: So we're
17 actually scheduled for an Economic
18 Opportunity Review Committee meeting on
19 Monday here in this Council, and what I
20 will do is ask my team to pull as much
21 information together on all of the
22 Economic Opportunity Plans that we can
23 have for that meeting as a start.

24 COUNCILMAN GREENLEE: Okay.
25 And if you could get whatever that is to

1 2/25/14 - RULES - BILL 140005, etc.

2 me so I could give it to the Committee
3 also.

4 MS. DOWD-BURTON: Sure.

5 COUNCILMAN GREENLEE:

6 Councilman Goode, you seem like you have
7 a question.

8 COUNCILMAN GOODE: What did you
9 just commit to?

10 MS. DOWD-BURTON: We're going
11 to look at the data that we currently
12 have on Economic Opportunity Plans where
13 we have oversight committees and we
14 actually track workforce as well as --

15 COUNCILMAN GOODE: My question
16 was, of the Economic Opportunity Plans,
17 how many met the goal of 32 percent
18 minority male participation, how many met
19 the goal of 7 percent female
20 participation, how many met the goal of
21 50 percent local work participation? You
22 can't have that by Monday, and you know
23 that.

24 MS. DOWD-BURTON: What I said
25 is, I would get as much as I could have

1 2/25/14 - RULES - BILL 140005, etc.
2 by Monday.

3 COUNCILMAN GOODE: I know what
4 you said, but you're not going to have it
5 by Monday and the Chairman asked you when
6 you could actually have that information.

7 MS. DOWD-BURTON: So I will
8 have to get back to you, if I could, with
9 a reasonable time to have all of the
10 Economic Opportunity Plans reviewed for
11 this information.

12 COUNCILMAN GREENLEE: If you
13 could get it to us as soon as possible,
14 because, again, I think this question
15 logically will keep coming up at other
16 hearings, so I think if you get us that
17 information, I think it would, you
18 know...

19 MS. DOWD-BURTON: I'll be happy
20 to do the best we can.

21 COUNCILMAN GREENLEE: Thank
22 you.

23 I'm sorry. Councilman Kenney.

24 COUNCILMAN KENNEY: I just want
25 to express my concern that we've been

1 2/25/14 - RULES - BILL 140005, etc.
2 through scores and scores of these
3 hearings, and Councilman Goode is the
4 most consistent person that I have known
5 relative to these questions. So why
6 don't you come in one time and dazzle him
7 with numbers and that will be the end of
8 it as opposed to going through -- it's
9 very uncomfortable. It takes a long
10 time. And you know it's coming up. It's
11 not like it hasn't been raised before.
12 And he has a right to ask for the
13 information, and we should be prepared to
14 at least give him what he's asking for so
15 we don't have to do this every time we
16 have one of these projects. It's
17 frustrating.

18 MS. DOWD-BURTON: Understood,
19 Councilman.

20 COUNCILMAN GREENLEE: Thank
21 you. The Chair agrees.

22 Councilman Goode.

23 COUNCILMAN GOODE: Just lastly,
24 if a project owner comes before us for a
25 second or third time, they have a

1 2/25/14 - RULES - BILL 140005, etc.
2 diversity track record. By law, it's
3 supposed to be included. The only reason
4 I haven't pushed the issue before now is
5 because some smart lawyers got around and
6 decided to form separate LLP's for each
7 project, and so they disguise who the
8 project owners are by forming separate
9 LLP's for each project. But you should
10 be digging through that to give us the
11 diversity track record information.

12 MS. DOWD-BURTON: Okay.

13 COUNCILMAN GREENLEE: Thank
14 you.

15 Any other questions for either
16 Ms. Dowd-Burton or Mr. Greenberger?

17 Councilwoman Reynolds Brown.

18 COUNCILWOMAN BROWN: Thank you.

19 Given the fact that the Mayor
20 has signed the Women on Boards bill and
21 that's now law, I was conferring here
22 with my colleague to learn where and when
23 will that new effort be reflected in
24 documents like this.

25 MS. DOWD-BURTON: So we've had

1 2/25/14 - RULES - BILL 140005, etc.
2 conversations on the administrative side,
3 and one of the last things that we have
4 to review is whether or not the Mayor
5 wants to issue an Executive Order that
6 not only includes women but minorities as
7 well when we're doing the demographics on
8 Boards. And so that's the last issue
9 that has to be resolved, and we'll wait
10 for -- we're waiting for a final answer
11 from the Mayor, and we can hopefully get
12 that in short order.

13 COUNCILWOMAN BROWN: Thank you.
14 Thank you, Mr. Chair.

15 COUNCILMAN GREENLEE: Thank
16 you, Councilwoman.

17 Any other questions for
18 Ms. Dowd-Burton or Mr. Greenberger?

19 (No response.)

20 COUNCILMAN GREENLEE: Seeing
21 none, thank you both very much.

22 MS. DOWD-BURTON: Thank you.

23 COUNCILMAN GREENLEE: Our next
24 witnesses, Ms. Marconi.

25 THE CLERK: William Hankowsky,

1 2/25/14 - RULES - BILL 140005, etc.

2 John Gattuso, and Karen Dougherty

3 Buchholz.

4 (Witnesses approached witness
5 table.)

6 COUNCILMAN GREENLEE: Long
7 time, no see. Only a few minutes ago in
8 the Streets and Service hearing.

9 I know you have your
10 presentation, but I think you heard the
11 questions that were raised by
12 Councilwoman Reynolds Brown. I don't
13 know if you're prepared to answer any of
14 them now, if you want to start off with
15 that, if you want to -- after you give
16 your testimony if you want to touch on
17 it, you can.

18 MR. HANKOWSKY: If it's okay,
19 Mr. Chairman, why don't I go through the
20 testimony. I'll try to pick up on some
21 of them. I probably will miss some. So
22 I'm sure you'll catch that --

23 COUNCILMAN GREENLEE: That's
24 fine. I think she'll remind you.

25 MR. HANKOWSKY: -- during the

1 2/25/14 - RULES - BILL 140005, etc.
2 course of Q&A. That way, I think we'll
3 get it all out there.

4 COUNCILMAN GREENLEE: That's
5 fine. That's fine. Thank you.

6 MR. HANKOWSKY: Great. Thanks.

7 So good afternoon, Chairman
8 Greenlee and the members of the Committee
9 on Rules. I'm Bill Hankowsky, Chairman
10 and CEO of Liberty Property Trust. With
11 me this afternoon are Karen Buchholz of
12 Comcast, John Gattuso of Liberty, who are
13 also going to be providing some
14 testimony.

15 We're here to respectfully
16 request the Committee's favorable action
17 on Bills 140005 and 140009, which would
18 allow for the development of the Comcast
19 Innovation and Technology Center project
20 at the 1800 block of Arch Street. I'd
21 like to spend a few minutes giving you an
22 overview of the project. Karen will
23 offer some testimony covering Comcast's
24 involvement and their growth, and John
25 will discuss the particulars of these two

1 2/25/14 - RULES - BILL 140005, etc.
2 bills. Then all of us will be pleased to
3 answer any questions, if that's okay.

4 COUNCILMAN GREENLEE: Thank
5 you. Yes.

6 MR. HANKOWSKY: I'd like to
7 just comment on six aspects of the
8 project. First, the Comcast story itself
9 is one of extraordinary growth. Comcast
10 has grown as a company both in scale,
11 acquisition of NBC Universal as an
12 example, and in range - technology,
13 entertainment, innovation. That growth
14 will be happening here in Philadelphia
15 with the Comcast Innovation and
16 Technology Center.

17 Second, this project is a major
18 real estate development. It's a \$1.2
19 billion investment to construct a 1.5
20 million rentable square foot 1,121 foot
21 tall, 59-story, mixed-use project. The
22 building will contain 1.28 million square
23 feet of office space, of which Comcast
24 will lease at least 957,000 square feet.
25 It will contain a 222-room Four Seasons

1 2/25/14 - RULES - BILL 140005, etc.
2 Hotel, TV studios for NBC10/WCAU and
3 Telemundo 62/WWSI, incubator space for
4 local start-ups, and an extended SEPTA
5 concourse back to Suburban Station. The
6 project will be owned by a joint venture,
7 which is 80 percent Comcast and 20
8 percent Liberty Property Trust, and we'll
9 be the developer/manager of the project.

10 The joint venture will finance
11 900 million, with an additional 300
12 million in tenant-funded interior
13 improvements. The Commonwealth of
14 Pennsylvania has offered to provide 30
15 million in grant support and the City 10
16 million to defray the cost of various
17 public infrastructure-related costs of
18 the project - tunnels, SEPTA connections,
19 street widenings, sidewalks, that kind of
20 stuff.

21 The third aspect of the project
22 is economic development. The combination
23 of Comcast's growth and this real estate
24 investment will result in major economic
25 development gains for the City and for

1 2/25/14 - RULES - BILL 140005, etc.
2 the Commonwealth. The building will
3 generate -- will house, excuse me,
4 approximately 4,000 workers, of which at
5 least 1,500 will be brand new jobs.
6 During construction of this project, it
7 will generate over 20,000 direct and
8 indirect temporary jobs, 6,300 of which
9 will be in the City. There will be
10 construction period taxes of about 66
11 million for the Commonwealth and 16
12 million for the City. Once open, on an
13 annual basis this project will generate
14 approximately a billion dollars of
15 economic activity, yielding 4,000-plus
16 new jobs, and annual tax revenues of
17 about 30 million to the State and 21
18 million to the City.

19 The fourth aspect of the
20 project is about place-making in the
21 urban environment. The Comcast
22 Innovation and Technology Center, when
23 combined with Comcast Center, will create
24 an extraordinary vertical corporate
25 campus, while also creating an

1 2/25/14 - RULES - BILL 140005, etc.
2 extraordinary urban environment. From
3 extending the SEPTA concourse another
4 block west to combining interior and
5 exterior plazas, to placing a hotel above
6 the City, this development reinforces and
7 advances the increasing vibrancy of
8 Center City Philadelphia.

9 The final aspect of the
10 development is the building itself. It's
11 beautiful, exciting, techy, and
12 distinctive. Thirty years ago Bill Rouse
13 asked the question of whether
14 Philadelphia could have a world-class
15 skyline. We're excited to be able to
16 continue to answer that question in the
17 affirmative by the addition of this
18 tower, the tallest outside of New York
19 and Chicago, to Philadelphia's skyline.

20 In addition, please note that
21 both Comcast and Liberty Property Trust
22 have established Economic Opportunity
23 Plans to demonstrate the company's
24 commitments to diversity and ensure
25 participation of minority, women, and

1 2/25/14 - RULES - BILL 140005, etc.
2 disabled contractors and subcontractors
3 during the construction of the Comcast
4 Innovation and Technology Center.

5 And I'll go off course here for
6 a second. So we developed the plan. We
7 had dialogue with the City's
8 Administration offices. We signed a
9 plan. We've been in dialogue with the
10 Council President's office. We are going
11 to be amending that plan a bit so that
12 we're -- that is a little bit of a work
13 in progress, and we've agreed to a number
14 of things today in regard to that.

15 COUNCILMAN GREENLEE: That's
16 what I was going to say, I understand the
17 one we have now is going to be changed in
18 some way.

19 MR. HANKOWSKY: Is going to be
20 definitely changed, Mr. Chairman.

21 COUNCILMAN GREENLEE: Thank
22 you.

23 MR. HANKOWSKY: So I want to
24 just get that on the record. We can come
25 back to that.

1 2/25/14 - RULES - BILL 140005, etc.

2 In conclusion, this development
3 represents the growth of a major
4 Philadelphia corporation, the largest
5 private investment in the City's history,
6 new jobs and taxes, an expanded Center
7 City, and an iconic addition to our
8 skyline. So we respectfully ask the
9 Committee's support for 140005 and
10 140009. And I don't know if I'm supposed
11 to ask for suspension of rules, but...

12 COUNCILMAN GREENLEE: We know
13 what we're doing here.

14 MR. HANKOWSKY: Anyhow, thank
15 you. And I'll turn it over to Karen, if
16 that's okay.

17 COUNCILMAN GREENLEE: Please.
18 We'll hear from all and then go for
19 questions.

20 Ms. Buchholz.

21 MS. BUCHHOLZ: Great. Thank
22 you, Bill.

23 Good afternoon, Chairman
24 Greenlee and Vice Chair Kenney. My name
25 is Karen Dougherty Buchholz and I'm Vice

1 2/25/14 - RULES - BILL 140005, etc.
2 President of Administration for Comcast
3 Corporation. It is my pleasure to be
4 here today to echo the comments delivered
5 by Bill Hankowsky and the Liberty
6 Property Trust team and to express
7 Comcast's tremendous enthusiasm for the
8 project before you.

9 I'd like to mention I also have
10 with me to my right Ajamu Johnson, who is
11 Executive Director of Supplier Diversity
12 and Strategic Procurement for Comcast and
13 was actually involved with us from the
14 UAC side on our last project.

15 So I'd like to read testimony
16 on behalf of David L. Cohen, who could
17 not be with us here today, but --

18 COUNCILMAN GREENLEE: We have
19 that testimony. It's been distributed.

20 MS. BUCHHOLZ: So not have me
21 read it?

22 COUNCILMAN GREENLEE: No, you
23 don't have to read it.

24 MS. BUCHHOLZ: That's fine.
25 Then I would respectfully submit that

1 2/25/14 - RULES - BILL 140005, etc.

2 testimony on the record, and he

3 apologizes --

4 COUNCILMAN GREENLEE: He says

5 all kinds of nice things about the plan.

6 MS. BUCHHOLZ: -- for not being

7 here. He is in a Board meeting in New

8 York.

9 COUNCILMAN GREENLEE: Sure.

10 MS. BUCHHOLZ: So I'll just

11 turn it over to you, John, then.

12 MR. GATTUSO: Thank you, Karen.

13 Good afternoon, Chairman

14 Greenlee and Vice Chairman Kenney and

15 members of the Committee. I would like

16 to just take a moment to describe the two

17 bills before you.

18 Bill No. 140005, this ordinance

19 amends the Philadelphia Zoning Maps by

20 changing the designation of the project

21 site from CMX-4 to CMX-5 to allow the

22 proposed density. This change is

23 consistent with the property's placement

24 by the new Zoning Code within the Center

25 City/University City floor area ratio

1 2/25/14 - RULES - BILL 140005, etc.

2 map, which shows the intention to restore
3 this property to the CMX-5 designation.

4 Bill No. 140009, this ordinance
5 allows buildings with three or more
6 frontages that are subject to the sky
7 plane bulk and massing controls to comply
8 with the sky plane controls based on the
9 average percentage of the sky plane
10 blockage on all applicable frontages at
11 each measurable level. This change
12 allows creative building layouts to
13 comply with sky plane controls while also
14 ensuring the goals of the sky plane
15 provisions are still being accomplished.

16 This ordinance increases the
17 allowable maximum combination of floor
18 area bonuses from 1,000 to 1,200 percent
19 of the lot area for properties located in
20 the CMX-5 district and included in the
21 Center City/University City floor area
22 ratio area. This ordinance does not
23 change the criteria to earn the
24 individual bonuses.

25 The ordinance further reduces

1 2/25/14 - RULES - BILL 140005, etc.
2 the requirement that certain loading
3 spaces be 60 feet in length when access
4 to those loading spaces is from a street
5 that is less than 35 feet wide, which is
6 the case with Cuthbert Street in this
7 project. This adjustment recognizes the
8 practical aspects of deliveries to
9 loading docks on narrow streets by
10 allowing loading spaces to be sized
11 according to the trucks which are capable
12 of accessing such docks.

13 The ordinance adjusts the
14 boundary of the Benjamin Franklin Parkway
15 area to exclude the area bounded by 18th
16 Street, 19th Street, Arch Street, and
17 Cuthbert Street from the 125 foot maximum
18 height limitation.

19 Related to the Benjamin
20 Franklin Parkway area, this ordinance
21 replaces the existing map depicting the
22 Benjamin Franklin Parkway area to exclude
23 the area bounded by 18th, 19th, Arch
24 Street, and Cuthbert Streets.

25 In light of the nature of the

1 2/25/14 - RULES - BILL 140005, etc.
2 improvements contemplated, Liberty has
3 established and is maintaining an ongoing
4 dialogue with our adjacent neighbors,
5 including the Sterling Apartments, the
6 Kennedy House with whom we had a meeting
7 with residents not too many weeks ago,
8 the Arch Street Presbyterian Church
9 you've heard from earlier and who I
10 believe will be testifying, as well as
11 the Logan Square Neighborhood
12 Association. We realize that a project
13 of this scale requires -- or, frankly, we
14 look forward to doing things which would
15 help our neighbors during the
16 construction period with things such as
17 pedestrian access, so forth.

18 These ordinances received a
19 favorable recommendation from the
20 Philadelphia City Planning Commission on
21 February 18th, 2014.

22 This concludes my testimony.

23 COUNCILMAN GREENLEE: Thank
24 you, Mr. Gattuso. And as I said at the
25 Streets and Services Committee, I want to

1 2/25/14 - RULES - BILL 140005, etc.
2 acknowledge your cooperation and pledge
3 to continue dialogue with all the various
4 entities that will be affected during
5 this time and after.

6 MR. GATTUSO: Absolutely.

7 COUNCILMAN GREENLEE: So thank
8 you.

9 Any questions from members of
10 the Committee?

11 COUNCILWOMAN BROWN: Yes.

12 COUNCILMAN GREENLEE:
13 Councilwoman Reynolds Brown.

14 COUNCILWOMAN BROWN: Good
15 afternoon, everybody. On Page 7 of your
16 testimony, last paragraph, elaborate, if
17 you will, and just share with us in more
18 detail an update on what's happening at
19 Naval Shipyard and Arch Street, 1800 Arch
20 Street. On that -- this is actually a
21 copy of the OEO plan wherein it states
22 that Liberty Property Trust's commitment
23 to inclusion is documented. So for the
24 record, just share with us the kinds of
25 things you're doing down at the Navy

1 2/25/14 - RULES - BILL 140005, etc.

2 Shipyard.

3 MR. HANKOWSKY: I'll maybe
4 start and I'll ask John Gattuso perhaps
5 to join.

6 As you might recall,
7 Councilwoman, going back now maybe a
8 decade when the process was originally
9 run to select a developer to deal with
10 the commercial center portion of the Navy
11 Yard, we, Liberty, which was not part of
12 any part of the process at the time,
13 thought to ourselves that what might make
14 a lot of sense would be to seek out a
15 local minority partner. So Synterra
16 Associates has been our equity partner.
17 They are the developer, pro developer,
18 with us throughout the project and have
19 now been there with us for a decade.

20 In addition, as we proceed --
21 and I don't have -- I'll anticipate
22 Councilman Goode. I don't have with me
23 every fact and figure, but I'm happy to
24 provide it. But we go through each
25 building as a separate building that's

1 2/25/14 - RULES - BILL 140005, etc.
2 developed. We went through a process
3 actually where -- and I'm happy to
4 provide a little -- for a year I worked
5 with Team Clean actually as a mentor in
6 the Chamber program. Subsequently now
7 they are actually a vendor there
8 operating. It's the first time they've
9 been able to sort of get into the
10 commercial space. But there's other
11 facts like that, and I don't know, John,
12 what our overall numbers look like, but
13 I'm happy to get them to the Committee.

14 COUNCILWOMAN BROWN: So what we
15 know is that Liberty Property Trust took
16 a leadership role in and you say equity
17 partner and/or mentoring relationship
18 with a local company?

19 MR. HANKOWSKY: Yes.

20 COUNCILWOMAN BROWN: What do we
21 need to do as a city to get more
22 corporate citizens to adopt, embrace, and
23 act on that philosophy?

24 MR. HANKOWSKY: Councilwoman,
25 that is a very good question, because I

1 2/25/14 - RULES - BILL 140005, etc.
2 think, quite candidly, if people get to
3 know each other a little bit and
4 understand people's capabilities and can
5 build a level of what I would call
6 business trust, then it's a lot easier to
7 do it. It's easy to call somebody you
8 dealt with before because you know
9 they're going to perform, and the result
10 is this repetitive behavior where
11 everybody goes back to the same people
12 they've always used and it's very hard to
13 get in.

14 You know, I think the one
15 program that the Chamber started where
16 we've taken members of the Board and
17 paired them up with both minority and
18 female firms and provided a one-year
19 mentorship program is a good example of
20 that. I think it might be helpful if
21 that work expanded. I think in the --
22 I'm going to be very honest. I know most
23 members of the Committee for many years.
24 I think we need to be actually helping to
25 grow some minority and female businesses.

1 2/25/14 - RULES - BILL 140005, etc.
2 We have a fairly small stable of firms
3 and, therefore, what happens is, it's
4 good that they are there and that they
5 have an opportunity and that they're
6 available to assist in these projects,
7 but I don't think we have a big enough
8 pool to draw from. Other cities have
9 bigger pools, to be quite candid.

10 So I think it might be
11 something that between PIDC and others
12 and we think about how we sort of provide
13 financing, working capital, which is how
14 companies generally can get going, and
15 then as their mentorship. So it's a
16 combination I think a little bit of
17 mentorship and a little bit of capital
18 and a little bit of networking would help
19 the process.

20 COUNCILWOMAN BROWN: You should
21 know that I've been in discussions with
22 OEO about broadening and expanding that
23 type of circumstance based on a model out
24 of New York City where STB in particular
25 does that well, exceedingly well, and

1 2/25/14 - RULES - BILL 140005, etc.
2 we've been in discussions with them to
3 see how we can bring that type of an
4 enterprise partnership effort to
5 Philadelphia.

6 So we have evidence that it
7 does work in New York and evidence here,
8 but you might be one out of X number of
9 corporations across the City that have
10 made that kind of commitment of wanting
11 to grow businesses like Synterra, Inc.

12 MR. HANKOWSKY: There's a
13 couple others we're working with. I'm
14 hopeful soon I'll be able to show some
15 evidence of success there too, but
16 they're like year-long efforts.

17 COUNCILWOMAN BROWN: So how old
18 is this program at the Chamber where
19 corporate Philadelphia linked up?

20 MR. HANKOWSKY: I may be wrong.
21 It feels like it's three years old. It
22 might be four, but it's about that. I
23 would call it relatively new.

24 COUNCILWOMAN BROWN: And so any
25 reports as such that we could read,

1 2/25/14 - RULES - BILL 140005, etc.

2 become familiar with what the goals are
3 going forward?

4 MR. HANKOWSKY: Yeah. I'd be
5 happy to get that. I'm rotated off as
6 Chair, but I can easily get all that
7 information to you. It feels like it's
8 about 25 firms in it on a kind of
9 calendar-year basis. I think my numbers
10 are roughly right.

11 COUNCILWOMAN BROWN: So if you
12 forward that the Chair.

13 MR. HANKOWSKY: I'd be happy to
14 do that.

15 COUNCILWOMAN BROWN: Thank you.
16 Thank you, Mr. Chairman.

17 COUNCILMAN GREENLEE: Thank
18 you, Councilwoman.

19 If you could forward that
20 information to me, we'll get that. Thank
21 you.

22 Councilman Kenney.

23 COUNCILMAN KENNEY: Thank you.

24 I have a design question
25 relative to the facade. Liberty One and

1 2/25/14 - RULES - BILL 140005, etc.

2 Two and Comcast One are all interesting
3 buildings as it relates to the time of
4 day, time of year. It's always a
5 changing look, either the cloud cover in
6 the Comcast building or coming over the
7 Walt Whitman Bridge the different blues
8 and hues at Liberty One and Two. Is
9 there anything in this structure that
10 will have that kind of external facade
11 feature?

12 MR. GATTUSO: I'm going to look
13 for the design critique, but, Councilman,
14 I think one of our objectives, both
15 Comcast and Liberty, was to create,
16 because we frankly think Philadelphia
17 deserves it, a world-class, absolutely
18 stunning piece of high-rise architecture,
19 and with that effort, we've been working
20 with Foster and Partners to, we believe,
21 create that. What the intent was was not
22 to create a carbon copy or the junior
23 version of the initial Comcast Center,
24 but rather to create a building which has
25 its own unique features. It will be a

1 2/25/14 - RULES - BILL 140005, etc.
2 contrast to the Comcast building, because
3 it will actually show its structure on
4 its facade, which you can see in the
5 renderings that are just to the side.
6 And those details will be stainless steel
7 details at the major column lines and the
8 horizontals.

9 The building will also be
10 capped with an architectural blade that
11 will rise to 1,121 feet in height, and we
12 believe will be a very interesting
13 building on the skyline and, as
14 importantly, hopefully be a building that
15 actually contributes to reinvigorating
16 the street and reconnect the core with
17 the Logan Square neighborhood back to the
18 Center.

19 So there are a lot of features
20 architecturally here that have been
21 worked in to make this, we think, a
22 phenomenal building and will be one that
23 will be a new landmark for the City.

24 COUNCILMAN KENNEY: Good.

25 Thank you.

1 2/25/14 - RULES - BILL 140005, etc.

2 COUNCILMAN GREENLEE: Thank
3 you, Councilman.

4 Councilwoman Reynolds Brown.

5 COUNCILWOMAN BROWN: Lastly,
6 what fragile balance has been struck
7 between this major economic development
8 opportunity and the local community?

9 MR. GATTUSO: We are
10 immediately -- this is a very unique
11 site. It sits between a high-rise core
12 that rises almost a thousand feet in
13 height and a neighborhood that has
14 retained or has begun to realize just an
15 amazing degree of charm architecturally
16 and a three- and four-story height. Very
17 few cities in America where those two
18 elements come together in such an abrupt
19 way, going from a thousand foot high core
20 area to a residential neighborhood. And
21 the balance is both from a standpoint of
22 architecturally first to make sure that
23 we energize the street, and that's why
24 the main restaurant for the new Four
25 Seasons Hotel, one of two restaurants,

1 2/25/14 - RULES - BILL 140005, etc.
2 will be along Arch Street. So there will
3 be life, there will be people coming in
4 for dinner and so forth, and really
5 starting to put people on the street in a
6 way that we think is very important and,
7 frankly, connects that residential
8 neighborhood into the core so we don't
9 have one or two barren blocks of parking
10 lots.

11 Also I think it's very
12 important, we have an obligation to have
13 dialogue with the community, to listen to
14 what the concerns are. I mean,
15 construction can be a very disruptive
16 process, and one of the things we are
17 very committed to is to handle that
18 period of the project, the construction
19 period, in a way that is as sensitive as
20 possible, one that would be -- one would
21 ask how would I want it to be if I lived
22 in the neighborhood, how would I want
23 that experience to be. It doesn't mean
24 it's always going to be perfect every
25 single day, but it does mean that we are

1 2/25/14 - RULES - BILL 140005, etc.
2 going to do the best we can to maintain
3 pedestrian connections on our side of the
4 street. It means things as simple as
5 getting graffiti off the construction
6 fence immediately and watching for debris
7 that might accumulate. So these things
8 are sensitive things we should pay
9 attention to to make it a much more
10 comfortable co-existence.

11 COUNCILWOMAN BROWN: Very well.
12 Very informative.

13 MR. HANKOWSKY: Councilwoman,
14 we've met with the Sterling, the Kennedy,
15 the Byers School, the church, the
16 leadership of the Logan Square. More
17 dialogue has to happen, but we've taken
18 all that into construction techniques and
19 all that is already...

20 COUNCILWOMAN BROWN: Very well.
21 Thank you very much for your testimony.

22 COUNCILMAN GREENLEE: Thank
23 you, Councilwoman.

24 Any other questions for the
25 panel?

1 2/25/14 - RULES - BILL 140005, etc.

2 (No response.)

3 COUNCILMAN GREENLEE: Seeing
4 none, thank you all very much.

5 MR. GATTUSO: Thank you.

6 COUNCILMAN GREENLEE: Ms.
7 Marconi, I think we just have one more at
8 least on record.

9 THE CLERK: Reverend William
10 Golderer.

11 (Witnesses approached witness
12 table.)

13 COUNCILMAN GREENLEE: After the
14 Reverend and Mr. Martin, is there anyone
15 else here to testify?

16 (No response.)

17 COUNCILMAN GREENLEE: They'll
18 be our last witnesses.

19 Once again, good afternoon.

20 MR. MARTIN: Good afternoon,
21 Mr. Chairman. William Martin, 2000
22 Market Street, Philadelphia, here in my
23 capacity as counsel to Arch Street
24 Presbyterian Church. I'm joined by the
25 Pastor of the church, Reverend William

1 2/25/14 - RULES - BILL 140005, etc.
2 Golderer, who has testimony to deliver
3 both in connection with Bill No. 140005
4 and also 009. We have additional copies
5 of his prepared testimony if you don't
6 have it with you.

7 COUNCILMAN GREENLEE: We have
8 it all in our packet, yes.

9 MR. MARTIN: Thank you.

10 COUNCILMAN GREENLEE: And it
11 will be made part of the record in whole.

12 REVEREND GOLDERER: Good
13 afternoon, Mr. Chairman, members of the
14 Committee. My name is Reverend Bill
15 Golderer and, yes, I was here last week
16 in conjunction with another skyscraper
17 that's going up wherever I'm pastoring a
18 church. It looks like there's a big real
19 estate development. That's very
20 interesting.

21 Anyway, today I'm representing
22 myself as the Senior Pastor of the Arch
23 Street Presbyterian Church located at
24 1724 Arch Street in Center City
25 Philadelphia. The church was built on

1 2/25/14 - RULES - BILL 140005, etc.
2 this site in 1855 by noted architectural
3 firm of Hoxie and Button. It was added
4 to the National Register of Historic
5 Places in 1971, and now in 2014 a very
6 active, vibrant, and very diverse
7 congregation convenes every Sunday for
8 worship and a fully subscribed preschool
9 program exists and is thriving where
10 children from the local neighborhood and
11 throughout the City attend most days of
12 the week.

13 The two bills being reviewed by
14 this committee are intended to facilitate
15 the development of the Comcast Innovation
16 and Technology Center by Liberty Property
17 Trust, and my testimony today
18 particularly addresses one particular
19 aspect of Bill No. 140009.

20 The bill includes a series of
21 revisions to the Philadelphia Zoning Code
22 which are specifically designed to
23 facilitate the desired height and bulk of
24 the Comcast Innovation and Technology
25 Center. Particularly I note the portion

1 2/25/14 - RULES - BILL 140005, etc.
2 of the bill which proposes to amend the
3 boundaries of the Benjamin Franklin
4 Parkway are of the Center City Overlay
5 District.

6 The ordinance amends the Height
7 Control Area Map two in order to remove
8 from the height restrictions the portion
9 of the 1900 block of Arch Street on which
10 Liberty Property Trust proposes to locate
11 the development.

12 I'm going to leave it to the
13 lawyers the legal issues associated with
14 this legislation, but as a non-lawyer, as
15 a Philadelphian, as a citizen, as a
16 pastor, it's clear that the purpose of
17 the bill is to provide extraordinary
18 relief to Liberty Property Trust in order
19 to allow for this development to proceed
20 as a matter of zoning right. This type
21 of extraordinary relief may be
22 appropriate in the judgment of members of
23 this committee and City Council, but in
24 exercising that judgment, I'd invite you
25 to consider that a developer seeking this

1 2/25/14 - RULES - BILL 140005, etc.
2 type of relief carries the burden of
3 demonstrating that the project being
4 facilitated by the change in law will
5 provide not only short-term and long-term
6 benefits to the City in terms of jobs and
7 tax revenue, but that the development is
8 planned with a sensitive eye toward not
9 only its impact on neighboring property
10 owners and institutions but also with an
11 intent to preserve and grow the social
12 fabric of the impacted neighborhood.

13 I could go on for some time
14 regarding the impact that this
15 development will have on Arch Street
16 Presbyterian Church both during and after
17 construction, noise and dirt and traffic
18 disruptions, eliminating street parking,
19 elimination of natural light, risk to the
20 integrity of the property. These are
21 just a few of the areas of highlighted
22 concern. Nonetheless, given the counter
23 veiling benefits that are likely to arise
24 from this project, it is our intent to
25 adopt -- it is not our intent to adopt an

1 2/25/14 - RULES - BILL 140005, etc.
2 adversarial or negative perspective.
3 However, I do believe it should be
4 incumbent upon not only the developer but
5 also Comcast as the ultimate user of the
6 project to engage in direct and
7 productive conversations with the church
8 and its representatives to ensure that
9 not just negative impacts are minimized,
10 but that the development be seized as an
11 opportunity to establish a partnership
12 between the church and these huge
13 neighboring commercial developments so
14 that a happy coexistence can proceed
15 throughout the 21st century.

16 As I indicated in my prior
17 testimony, very preliminary steps have
18 been taken toward establishing such a
19 dialogue with the developer. We stand
20 ready to continue those discussions now.
21 I think it is appropriate that City
22 Council prior to issuing the blank check
23 that Liberty Property Trust, which these
24 collections of ordinances constitute,
25 ensure that the developer is working with

1 2/25/14 - RULES - BILL 140005, etc.
2 us in good faith and with a fair respect
3 for the extraordinary impositions it
4 proposes to press upon our congregation
5 and our continued ministry in the
6 neighborhood.

7 I'd be happy to entertain any
8 questions you might have.

9 COUNCILMAN GREENLEE: Thank
10 you, Reverend. Just as was stated at the
11 Streets and Services Committee, we want
12 to make sure -- that's why we want to get
13 on record -- that the Liberty Trust and
14 Comcast will be continuing conversations,
15 not just with you but with the Sterling,
16 with Kennedy House, with the Logan Square
17 neighborhood. And I know I can speak for
18 Council President Clarke here, as he is
19 District Councilperson, he will certainly
20 be monitoring any kind of ongoing
21 discussions, because we want this to work
22 for everybody.

23 Personally, I think it can work
24 for everybody. This is going to be a
25 tremendous, I think, addition to the

1 2/25/14 - RULES - BILL 140005, etc.
2 City, but certainly as a longstanding
3 member of the community as your church
4 is, you need to feel as comfortable as
5 possible that this is not going to
6 adversely affect you and, like you said,
7 be a -- you can also be part of that
8 positive that is around. And I'm
9 optimistic enough on this one that it
10 will work. I'm not optimistic on
11 everything, but I think this one is going
12 to work, and I think it will work for you
13 and I think it will work for other people
14 and I think, again, it will be a good
15 addition to the City. But please -- and
16 I'm sure you will; I don't have to tell
17 you this -- keep us informed.

18 Councilman Kenney.

19 COUNCILMAN KENNEY: You must be
20 saying the right prayers, because you get
21 the right neighbors. You got Dranoff on
22 one property next to one church and you
23 got Comcast next to another. I mean,
24 however you're praying, it's working,
25 because you could wind up obviously with

1 2/25/14 - RULES - BILL 140005, etc.
2 someone or some other developer that's
3 not as high end, as high class, that is
4 involved in the community as the two of
5 them. So, I mean, I know there's details
6 to work out, but what two great partners
7 to work the details out with.

8 COUNCILMAN GREENLEE: Thank
9 you, Councilman.

10 Councilwoman Reynolds Brown.

11 COUNCILWOMAN BROWN: I concur
12 with Councilman Kenney. He and I were
13 both here with the long and challenging
14 times of the stadium negotiations, and
15 many, many, many, many, many, many, many
16 long nights and days were spent with all
17 of the neighbors down where those
18 stadiums now exist, and the good news is
19 is that all the stakeholders were able to
20 figure it out.

21 And so it's evidence that that
22 is what's reflected here. So to the
23 extent that that can be encouraging,
24 given the partners in question, we have
25 history which says when stakeholders are

1 2/25/14 - RULES - BILL 140005, etc.
2 working together, they actually do figure
3 it out.

4 MR. MARTIN: And, Councilwoman,
5 I had some experience with those stadium
6 dealings, and I feel confident that I can
7 give Mr. Hankowsky comfort that his
8 dealings with the Reverend will be no
9 more difficult than his dealings with the
10 neighbors in South Philadelphia.

11 COUNCILMAN GREENLEE: Just for
12 the record, when the ball park was
13 mentioned, Mr. Hankowsky's whole
14 expression changed, you know. He
15 remembers that.

16 Any other questions or
17 comments?

18 (No response.)

19 COUNCILMAN GREENLEE: Seeing
20 none, thank you both very much.

21 (Thank you.)

22 COUNCILMAN GREENLEE: Once
23 again, is there anyone else here to
24 testify on these two bills?

25 (No response.)

1 2/25/14 - RULES - BILL 140005, etc.

2 COUNCILMAN GREENLEE: Seeing
3 none, that will conclude the public
4 hearing of the Rules Committee. We will
5 commence the public meeting just very
6 shortly. There's some copies being made.
7 Thank you.

8 (Short recess.)

9 COUNCILMAN GREENLEE: Sorry for
10 the delay. Could I have your attention
11 again. This is now the meeting of the
12 Committee on Rules, and the Chair
13 recognizes Councilman Kenney.

14 COUNCILMAN KENNEY: Thank you,
15 Mr. Chairman. I move that Bill No.
16 140005 be amended to include a map and
17 both EOPs.

18 (Duly seconded.)

19 COUNCILMAN GREENLEE: It's been
20 moved and seconded.

21 All in favor?

22 (Aye.)

23 COUNCILMAN GREENLEE: Opposed?

24 (No response.)

25 COUNCILMAN GREENLEE: Hearing

1 2/25/14 - RULES - BILL 140005, etc.

2 none, the amendments are adopted.

3 Councilman Kenney.

4 COUNCILMAN KENNEY: Thank you,

5 Mr. Chairman. I move that Bill No.

6 140005, as amended, be reported out of

7 this committee favorably and a rules

8 suspension to allow first reading at our

9 next Council session.

10 (Duly seconded.)

11 COUNCILMAN GREENLEE: It's been

12 moved and seconded.

13 All in favor?

14 (Aye.)

15 COUNCILMAN GREENLEE: Opposed?

16 (No response.)

17 COUNCILMAN GREENLEE: Hearing

18 none, Bill No. 140005, as amended,

19 reported out of this committee favorably

20 with a rules suspension.

21 Councilman Kenney.

22 COUNCILMAN KENNEY: Thank you,

23 Mr. Chairman. I move that Bill No.

24 140009 be reported out of this committee

25 favorably and a rules suspension to allow

1 2/25/14 - RULES - BILL 140005, etc.

2 first reading at our next Council

3 session.

4 (Duly seconded.)

5 COUNCILMAN GREENLEE: It's been

6 moved and seconded.

7 All in favor?

8 (Aye.)

9 COUNCILMAN GREENLEE: Opposed?

10 (No response.)

11 COUNCILMAN GREENLEE: Hearing

12 none, Bill No. 140009 is reported out of

13 this committee favorably with a rules

14 suspension.

15 That concludes the business of

16 the Rules Committee today. Thank you all

17 very much.

18 (Committee on Rules concluded

19 at 2:40 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

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