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COUNCIL OF THE CITY OF PHILADELPHIA

3

COMMITTEE ON RULES

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Room 400, City Hall
Philadelphia, Pennsylvania
Saturday, November 1, 2008
10:15 a.m.

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PRESENT:

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COUNCIL PRESIDENT ANNA C. VERNA, CHAIR

COUNCILMAN FRANK DiCICCO

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COUNCILMAN W. WILSON GOODE, JR.

COUNCILMAN WILLIAM GREENLEE

12

COUNCILMAN JACK KELLY

COUNCILMAN JAMES F. KENNEY

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COUNCILWOMAN BLONDELL REYNOLDS BROWN

14

BILL 080741 - An ordinance to amend the
Philadelphia Zoning Maps by changing the
zoning designations of certain areas of land
located within an area bounded by Eleventh
Street, Filbert Street, Tenth Street and
Market Street.

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BILL 080742 - An ordinance amending Chapter
14-400 of The Philadelphia Code, entitled
"Commercial Entertainment District"...

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COUNCIL PRESIDENT VERNA: Good

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morning, everyone, and welcome. I

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understand that we have quite a number of

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witnesses, approximately 60 to be exact.

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In order to afford everyone an

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opportunity to testify, I'm going to ask

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that each witness be allowed three

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minutes to testify. And in my opinion,

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if you can't say it in three minutes,

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it's not worth saying.

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Because of the Fire Code, we

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cannot allow people standing on this

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floor. They will be invited to the

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gallery, and any overflow will go into

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the Caucus Room, where we have a TV

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that's being set up.

18

So at this time, this is the

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public hearing of the Rules Committee,

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and I would ask Mr. McPherson to please

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read the title of the bills.

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MR. MCPHERSON: Bill No.

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080741, an ordinance to amend the

24

Philadelphia Zoning Maps by changing the

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zoning designations of certain areas of

1 11/1/08 - RULES - BILLS 080741 & 080742
2 land located within an area bounded by
3 11th Street, Filbert Street, 10th Street
4 and Market Street.

5 Bill No. 080742, an ordinance
6 amending Chapter 14-400 of The
7 Philadelphia Code, entitled "Commercial
8 Entertainment District," by adding
9 provisions relating to proposed projects
10 in the Center City area and relating to
11 public art, by providing for revised
12 effective dates, and by making technical
13 changes, all under certain terms and
14 conditions.

15 COUNCIL PRESIDENT VERNA: Thank
16 you.

17 At this time, the Chair
18 recognizes Councilman DiCicco for opening
19 remarks.

20 COUNCILMAN DiCICCO: Thank you,
21 Madam Chair, and good morning to
22 everyone. And welcome back to
23 Philadelphia's great casino debate again.

24 I want to thank all of you and
25 all of my colleagues for being here

1 11/1/08 - RULES - BILLS 080741 & 080742
2 today. For two years we've been working
3 through this issue. Your support has
4 been invaluable and is truly appreciated.

5 This body has been more engaged
6 on this topic perhaps than any other
7 during my tenure and I dare say probably
8 during the tenure of many of those who
9 preceded me and have had a longer time in
10 Council than I.

11 We all know that the Gaming
12 Act, which permits two casinos in
13 Philadelphia, was passed by the General
14 Assembly and signed by Governor Rendell
15 in July of 2004. None of us -- and I'll
16 repeat -- none of us in this room voted
17 for it, but it is our responsibility to
18 deal with it.

19 We know that with gaming
20 revenues comes gaming costs, public
21 safety concerns, addictions, traffic
22 problems, just to name a few. We also
23 know that we've challenged the Gaming Act
24 at taxpayers' expense 14 times, and we
25 lost 14 times. So whether we like it or

1 11/1/08 - RULES - BILLS 080741 & 080742
2 not, we will have two casinos in the City
3 of Philadelphia.

4 I know that doesn't make a lot
5 of people in this room happy, and some
6 may even disagree with that statement. I
7 still and always have respected your
8 opinion. However, City Council is
9 familiar with both sides of the gaming
10 argument. A robust record has already
11 been created on the matter in these
12 Chambers. Therefore, with all due
13 respect, we've requested witnesses to
14 limit their testimony to the legislation
15 before us specifically, and thank you for
16 honoring that.

17 A Saturday hearing is something
18 new to City Council. I think it shows
19 the importance of this topic, as well as
20 our commitment to an open and transparent
21 process. Open and transparent, this is
22 somewhat ironic. We're going to hear a
23 lot about how this legislation is the
24 opposite. We're going to be told that
25 we're rushing this project, how we are

1 11/1/08 - RULES - BILLS 080741 & 080742
2 not giving appropriate consideration to
3 this proposal, that we've already cut a
4 back-room deal. However, as you will
5 hear in the Administration's testimony,
6 nothing could be further from the truth.

7 My office and members of the
8 Administration designed a process to
9 maximize public input and release
10 information in as a timely manner as
11 possible. Foxwoods and PREIT have agreed
12 to work cooperatively with us and
13 understand our demand for process. Most
14 importantly, all of us recognize that
15 this proposal may fail. After all,
16 that's what a process does, it allows
17 decision-makers the opportunity to figure
18 out whether or not a project works and it
19 allows the public to provide input.
20 Without a process, all you have is noise.
21 This legislation allows that process to
22 continue. The Mayor and I have committed
23 to the public, and I assure you now, this
24 process will be open and transparent.

25 But what does open and

1 11/1/08 - RULES - BILLS 080741 & 080742
2 transparent mean? An open process is one
3 that permits new ideas and opinions, that
4 is willing to accept and welcomes
5 criticism. It allows everyone the
6 ability to participate. That was the
7 intent of the Planning Commission's
8 hearing last week. That is the intent of
9 today's hearing. And that is the purpose
10 behind future hearings, to provide
11 everyone the opportunity to participate
12 in the discussion and the decision.

13 Transparency, on the other
14 hand, is about allowing the public to see
15 what we're doing. That's why I announced
16 when I would be introducing this
17 legislation. That's why we've issued
18 detailed explanations and timelines on
19 how this process will work. And that's
20 why I've attended several community
21 meetings on this topic and will probably
22 attend several more, because explaining
23 my thinking, ensuring everyone knows
24 where I am and what I am doing is the
25 essence of transparency.

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2 But just because the process is
3 open and transparent, it does not mean
4 that we're always going to agree. In
5 fact, we've already had several
6 disagreements: the introduction of the
7 legislation, the calling for a hearing --
8 for holding public hearing, the
9 insistence that the process must begin at
10 all.

11 But just because we disagree
12 doesn't mean we're not going to be open
13 and transparent. It simply means we will
14 disagree. And no matter what happens in
15 this process, whether a casino gets built
16 at the Gallery or in South Philadelphia,
17 and believe me when I say there is no
18 other choice, there's going to be a lot
19 of people who are upset. When we make
20 that final decision, I expect those
21 people -- in fact, I expect every
22 Philadelphian -- to hold us responsible
23 for that decision.

24 I promise you the process will
25 be right and I promise that everyone will

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2 be heard, but in the end, City Council
3 was elected to make decisions. I will
4 not avoid that responsibility.

5 But I challenge everyone in
6 this room to ensure that you or your
7 organization is as open and as
8 transparent as you expect us to be.
9 Don't allow passion to defeat process.
10 Listen to those that disagree. Encourage
11 and promote discussion. Permit us to
12 share information when appropriate, and
13 ensure that the information you share
14 with your constituencies is accurate.

15 People should be given the
16 right to make up their own mind. The
17 only way that can happen is by having an
18 open and honest conversation.

19 Open and transparent, I have
20 made that promise and I have always lived
21 up to it. I hope all of you can do the
22 same.

23 Thank you, Madam President, for
24 the opportunity to make that opening
25 statement.

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2 COUNCIL PRESIDENT VERNA:

3 You're welcome.

4 I would ask Mr. McPherson to
5 please call the first witness.

6 MR. MCPHERSON: The first
7 panel, Andrew Altman, Deputy Mayor for
8 Economic Development, and Alan
9 Greenberger, City Planning Commission.
10 (Witnesses approached witness
11 table.)

12 COUNCIL PRESIDENT VERNA: Good
13 morning. Welcome. Please identify
14 yourself for the record and proceed with
15 your testimony.

16 MR. ALTMAN: Good morning,
17 Councilmember Verna and members of the
18 Rules Committee. I'm Andrew Altman. I'm
19 the Deputy Mayor for Planning and
20 Economic Development and the Director of
21 Commerce. I am here this morning to
22 testify in support of Bill Nos. 080741
23 and 080742 introduced by Councilmember
24 DiCicco on October 16, 2008.

25 Joining me today are also Alan

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2 Greenberger, the City Planning

3 Commission, who officially starts on

4 Monday, I'd like to point out.

5 COUNCIL PRESIDENT VERNA:

6 Welcome.

7 MR. ALTMAN: We appreciate your

8 being here.

9 And also Terry Gillen, Senior

10 Advisor to the Mayor for Economic

11 Development.

12 Bill No. 080742 amends the

13 Commercial Entertainment District, CED,

14 section of the Philadelphia Zoning Code,

15 and Bill No. 080741 amends the

16 Philadelphia Zoning Maps by placing the

17 CED classification on the Gallery II site

18 on the 1000 block of Market Street.

19 I will begin by discussing why

20 I believe that the Gallery II location

21 should be reviewed as a gaming site, and

22 then Alan Greenberger, incoming Executive

23 Director of the Planning Commission, will

24 testify about the specifics of the

25 legislation. I think this is important,

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2 because we must remember that our actions
3 today are not focused only on a single
4 property or a casino development by
5 Foxwoods, but instead reflect broader
6 planning principles that affect the City.
7 We must discuss the introduction of
8 gaming into the fabric of Philadelphia by
9 taking into account our more
10 comprehensive land use plan for the area.

11 (Audience member yelling.)

12 COUNCIL PRESIDENT VERNA: No.
13 We are not going to tolerate that. We
14 will respect you. We are asking that you
15 respect us. Thank you.

16 MR. ALTMAN: Downtown casinos
17 have a long tradition in Europe,
18 Australia, Canada, including London,
19 Sydney, Montreal and Berlin. The United
20 States has recently started to follow
21 this trend with Massachusetts in the
22 process of approving gaming that will
23 permit a casino in Boston. By moving
24 away from the model of large facilities
25 that are accessible only by car, downtown

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2 locations have the potential to meet
3 modern urban design principles, as they
4 are more accessible to pedestrians and
5 can capitalize on existing public
6 transit.

7 It is important when we look at
8 this site and the process we're about to
9 undertake to consider current conditions
10 along the Market East corridor.

11 With vacancy rates at 36
12 percent and only 38 percent of its
13 potential development actually built,
14 Market East is currently under-occupied
15 and under-developed.

16 In 2007, Center City accounted
17 for approximately 25 percent of all the
18 jobs in the City of Philadelphia. That's
19 over 145,000 jobs. These are
20 high-paying, good jobs that account for
21 over \$14 billion in annual salaries and
22 over 50 percent of all the annual
23 salaries paid in the City of
24 Philadelphia. Yet, Market East only
25 accounts for 25,000 of those jobs, which

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2 is less than 18 percent of all jobs in
3 Center City.

4 The current conditions at
5 Market East, with high vacancy, vast
6 parking lots, low employment and few eyes
7 on the street, create an unsafe
8 environment, both for pedestrians and for
9 residents.

10 Meanwhile, Philadelphia has
11 undergone a great rebirth over the last
12 20 years, particularly with the growth of
13 its downtown areas, like the office core
14 along West Market Street, residential
15 neighborhoods like Old City, Society
16 Hill, Washington West and Chinatown, just
17 to name a few.

18 Market East has been the
19 subject of redevelopment plans dating all
20 the way back to the Market East plan of
21 1958. Since that first study in 1958
22 through the recent Center City District
23 study, the vision of Market East as an
24 entertainment district with theatres,
25 shops and restaurants has remained the

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2 same. But despite strong downtown

3 growth, strong surrounding neighborhoods,

4 the focus of many Administrations and the

5 success of a few large-scale projects

6 like the Gallery, Convention Center and

7 hotels, this vision of a vibrant Market

8 East remains unrealized.

9 In contrast to its

10 under-utilization, Market East offers

11 many opportunities that can help to spur

12 the achievement of this vision.

13 Its extensive transit

14 infrastructure makes it one of the most

15 accessible areas in the City and in the

16 entire region. This network is

17 impressive. Three rail stations include

18 access to all five subway-to-surface

19 trolley lines, the Market Frankford line,

20 Broad Street line, ten Regional Rail

21 lines and PATCO.

22 There are also 14 SEPTA bus

23 routes through the area, as well as New

24 Jersey Transit buses and the regional bus

25 terminal. In addition to public transit,

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2 there is easy access to Interstate 676,
3 95 and 76.

4 Why is it worth considering and
5 exploring the potential of a casino at
6 Market East? And, again, I want to be
7 clear about this. This is not to say
8 that we have yet agreed that this is the
9 location or have made a decision, but why
10 is it worth considering?

11 First, its downtown location,
12 transit infrastructure history and anchor
13 businesses would allow a potential casino
14 to leverage its extensive infrastructure,
15 the nearby Convention Center expansion
16 and central location.

17 Its potential to encourage
18 further development and growth of the
19 entire corridor, from City Hall to
20 Independence Mall, presents a strong
21 opportunity for the continued
22 revitalization of a key Philadelphia
23 downtown location, and for addressing
24 issues of crime, vacancy and
25 under-utilization currently holding it

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2 back.

3 We support the exploration of
4 Market East as a possible gaming location
5 that is part of a larger plan to realize
6 the potential of the entire corridor. We
7 support an in-depth examination of the
8 ways in which the addition of gaming, as
9 allowed in a CED classification, will
10 revitalize the area while respecting the
11 needs of surrounding neighborhoods.
12 Recognizing that State law provides for
13 two casinos in Philadelphia, we support a
14 serious effort to gather and analyze the
15 information necessary to assure that this
16 development is accomplished in a manner
17 most consistent with our comprehensive
18 planning goals. Only in this way can we
19 hope to achieve a result that fosters the
20 health, safety and general welfare of our
21 citizens.

22 In exploring Market East as a
23 possible location, we are implementing a
24 process to answer important questions
25 that are currently unanswered and must be

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2 addressed. This deal is not done, and
3 the conclusion is not foregone. We still
4 need to answer questions about
5 programming, about financing, about
6 costs, about impacts, and we will do so
7 together through this process with all of
8 the key stakeholders. As the CED zoning
9 legislation mandates, we will require
10 more information, which will be shared
11 and discussed promptly in the appropriate
12 forum, whether it be the Planning
13 Commission, City Council or in
14 discussions with advocacy and other
15 neighborhood groups.

16 This legislation will start a
17 planning process that anticipates the
18 plan of development and the information
19 to be provided by Foxwoods. It is in no
20 way an attempt to force something through
21 that will allow gaming at the Gallery II
22 location. In fact, by creating an
23 inclusive process that facilitates the
24 sharing of information, it is just the
25 opposite.

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2 The CED legislation does not
3 take effect and, therefore, permit gaming
4 until a plan of development is approved
5 by the City Planning Commission and City
6 Council.

7 As adopted by City Council and
8 currently in place, the CED legislation
9 requires the creation of a plan of
10 development for the project that will be
11 examined in great detail and from all
12 angles. Foxwoods will be required to
13 include project specifics about the
14 facility itself, like what the building
15 will look like, where the various uses
16 will be inside the building, where the
17 entrances and exits will be located, how
18 the building will be serviced. But just
19 as important, and more important, it will
20 also include an assessment of how the
21 project will impact the neighborhood on
22 issues like vehicular and pedestrian
23 traffic and parking.

24 In addition to what is required
25 by the legislation, we are not only

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2 examining the economic impact, including
3 the direct revenue the casino will
4 generate, but also the impact it will
5 have on small local businesses and how we
6 can address those concerns and make sure
7 that Foxwoods is a good corporate partner
8 with our local businesses.

9 Finally, and just as important
10 as any other issue, we must consider the
11 social impacts and costs associated with
12 the potential development. We have
13 listened to the surrounding communities,
14 and it is very clear that we need to have
15 a better understanding of key social
16 issues, like crime, public safety,
17 addiction and other associated
18 afflictions. These are issues that we
19 need to address regardless of whether the
20 casinos are on the waterfront or at the
21 Gallery.

22 We take this planning process
23 very seriously and have already been
24 working extensively with Councilmember
25 DiCicco, Everett Gillison, our Deputy

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2 Mayor for Public Safety, Dr. Evans, our
3 Director of Behavioral Health, Alan
4 Greenberger and the entire Planning
5 Commission staff, Rina Cutler, the Deputy
6 Mayor for Transportation, Shelley Smith,
7 the City Solicitor, as part of a team to
8 begin to understand the potential impacts
9 of a casino at this location.

10 Coordinated by Councilmember
11 DiCicco's office, we have already begun
12 the community outreach process and
13 meeting with surrounding community
14 groups, and we will continue to do so
15 throughout the process.

16 The plan of development must be
17 approved by the Planning Commission, the
18 City Council for the proposed CED
19 amendment to take effect. And Alan
20 Greenberger will explain that more, but
21 that's a very important point. That
22 means that we have at least two more
23 formal public hearings on the Foxwoods
24 proposal for this site, and since the
25 plan of development requires the

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2 provision of so many studies and amount
3 of information, we intend to hold
4 additional public hearings to explain the
5 information and provide the public with
6 the opportunity to comment on the work as
7 it is received.

8 With all of the unknowns still
9 surrounding the site, programming,
10 design, floor plans, phasing, use and
11 impacts, this legislation merely sets the
12 stage. It invites Foxwoods to sit down
13 and provide the details in a plan of
14 development to enable the City and the
15 public to fully understand and assess
16 what this development would mean.

17 However, simply to have this
18 option and the potential benefit of
19 receiving a plan to consider, it is
20 important and necessary that we provide
21 this framework now, even though no plan
22 has been created yet, because it is
23 unrealistic to expect that the developer
24 will put forth the time and money to
25 create a plan for review, with all of its

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2 many details, without some showing by the
3 City that we intend to consider that plan
4 in good faith. Passage of these bills
5 simply creates that opportunity. It
6 identifies the process to review the plan
7 at the Gallery site.

8 I will now ask Alan
9 Greenberger, incoming Executive Director
10 of the City Planning Commission, to go
11 into details of the legislation, the
12 zoning and plan of development, and I'll
13 be happy to answer any questions after
14 his testimony.

15 MR. GREENBERGER: Good morning,
16 Council President Verna and members of
17 the Rules Committee.

18 COUNCIL PRESIDENT VERNA: Good
19 morning.

20 MR. GREENBERGER: I'm Alan
21 Greenberger, incoming Executive Director
22 of the Philadelphia City Planning
23 Commission. Thank you for the
24 opportunity to testify on Bills 080741
25 and 080742 introduced by Councilmember

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2 DiCicco on October 16, 2008.

3 Bill No. 080742 amends the
4 Commercial Entertainment District, which
5 is referred to as CED, section of the
6 Philadelphia Zoning Code, and Bill No.
7 080741 amends the Philadelphia Zoning
8 Maps by placing the CED classification on
9 the Gallery II site on the 1000 block of
10 Market Street. At its meeting of October
11 21, 2008, the City Planning Commission
12 considered Bills 080741 and 080742 and
13 recommended that they approved.

14 The total effect of these bills
15 is to establish the permissibility of
16 gaming at this location and to create the
17 possibility of further related
18 development in the surrounding Market
19 East area. These bills do not approve a
20 plan, allow the issuance of zoning or
21 building permits, authorize the start of
22 construction or permit gaming to occur
23 until a formal plan of development is
24 prepared, presented in public and
25 approved by the City Planning Commission,

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2 the City Council and the Mayor.

3 I would like to start by
4 clearing up a misconception about what
5 these two specific bills actually do and
6 the difference between changing the
7 zoning classification and mapping CED or
8 any other zoning classification to a
9 specific property. CED is a zoning
10 classification, just like Residential, R,
11 Commercial, C, Industrial, LR, or any of
12 the others, and those classifications are
13 defined for the entire City in the Zoning
14 Code. Bill 080742 amends some of the
15 specific requirements of the CED
16 classification for the Market East area
17 in order to take advantage of the area's
18 unique conditions. It does not create a
19 district or entitle properties for CED
20 uses. It simply establishes the
21 requirements of CED for a specific area
22 bounded by 6th, Chestnut, Broad and Arch.
23 This is similar to the different
24 requirements of the C-5 Commercial zoning
25 designation between Market East and West

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2 Market.

3 Bill No. 080741 maps the CED
4 zoning designation specifically to the
5 Gallery II site on the 1000 block of
6 Market Street. Under this bill, the
7 zoning designation only applies to the
8 specific site that is identified in the
9 legislation. This is the same process as
10 if the site were proposed for industrial
11 use or another classification that
12 already existed in the Zoning Code. And
13 uniquely under CED, the redesignation of
14 this one square block from C-5 to CED
15 will not take effect unless and until a
16 plan of development is approved. If
17 either the Planning Commission or City
18 Council reject a proposed plan, this site
19 is not reclassified and would remain C-5.

20 As originally conceived, the
21 City's CED zoning classification was
22 written to regulate gaming facilities on
23 large parcels of vacant land. These
24 facilities were envisioned as new
25 construction on, quote, edge sites; that

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2 is, sites located outside the most
3 densely developed portions of the City.

4 Some particular requirements of
5 the CED classification were not designed
6 or intended for already developed sites
7 in the heart of the Central Business
8 District.

9 As a result, the provisions of
10 the current CED classifications are not
11 responsive to or appropriate for
12 developed sites in the heart of Center
13 City, the most intensely developed and
14 infrastructure-rich part of the City and
15 region. Bill No. 080742 addresses this
16 failing by amending the CED
17 classification applicable only to this
18 East Market area to incorporate
19 provisions of the Zoning Code that are
20 the most appropriate for Philadelphia's
21 dense, urban core.

22 Bill No. 080742 amends the
23 provisions of the CED zoning
24 classification when used in the area
25 bounded by 6th Street, Broad Street,

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2 Chestnut Street and Arch Street. In this
3 area, the CED designation would be
4 amended to include provisions consistent
5 with the area's existing zoning
6 designation of C-5 Commercial. These
7 provisions include technical zoning
8 regulations such as basic allowable gross
9 floor area; floor area ratios, known as
10 FAR, bonuses; additional density
11 incentives and certain use and height
12 regulations that are consistent within
13 the boundaries of this district.

14 These amendments would also
15 permit CED parking requirements in this
16 area of Center City to be met by
17 providing parking spaces within 1,000
18 feet, which is roughly a five-minute
19 walk, of a designated CED site. This is
20 consistent with standard planning
21 principles in an urban commercial
22 setting. In addition, freestanding
23 signage would not be permitted as CED
24 would permit on larger, open parcels such
25 as the waterfront. The amendments also

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2 exempt the public art requirements for
3 interior alterations to retail or
4 restaurant uses in existing structures,
5 such as the Gallery, if those uses are
6 not accessory to a licensed gaming
7 facility. We believe that these
8 amendments are necessary to ensure that
9 if a gaming facility is to be relocated
10 to the Market East corridor, it fits
11 appropriately with the surroundings and
12 takes advantage of the area's existing
13 transportation infrastructure.

14 Bear in mind that if these
15 bills are adopted, the one-block site and
16 the potential gaming use would apply to
17 an existing building in a C-5 zone. For
18 that reason, it makes sense to retain
19 many of the current features and
20 requirements of C-5 zoning and would
21 result in no significant structural
22 changes to the building. We do
23 anticipate improvements to the facade and
24 interior elements of the building,
25 changes not directly impacted by the

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2 ordinances before you today.

3 It is important to note that
4 the proposed amendment to this zoning
5 classification does not change the
6 development approval process. As stated
7 earlier, this process will still require
8 the submission of a plan of development
9 by the proponent, which will need to be
10 reviewed and approved by the Philadelphia
11 City Planning Commission and City Council
12 before gaming at this site could occur
13 under the City's Zoning Code.

14 Companion Bill No. 080741
15 amends the Philadelphia Zoning Maps by
16 changing the zoning designation of the
17 block bounded by Market, Filbert, 10th
18 and 11th Street from the existing
19 designation of C-5 Commercial to a zoning
20 designation of CED, Commercial
21 Entertainment District, if and when a
22 plan of development for that location is
23 approved.

24 Both of these bills represent
25 an effort by the City of Philadelphia to

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2 take proactive steps in determining where
3 and how licensed gaming facilities might
4 be relocated. They're just the first
5 steps in a public process to evaluate the
6 proposal to relocate the Foxwoods casino
7 from the South Delaware Riverfront to
8 Center City. These bills also serve to
9 demonstrate that the City is moving
10 forward in good faith and conducting a
11 comprehensive, open and transparent
12 process for evaluating proposals for
13 gaming sites. These public steps are
14 intended to initiate an extended and
15 detailed study by potential developers
16 which will ultimately result in a
17 proposed plan of development.

18 The review of this process by
19 the City Planning Commission and City
20 Council are required steps in the
21 evaluation of this development proposal.
22 The plan of development must include
23 information concerning the size,
24 arrangement and access to buildings on
25 the site, details for landscaping,

1 11/1/08 - RULES - BILLS 080741 & 080742
2 signage and the provision of building
3 services, an analysis of traffic and
4 pedestrian impacts, a parking management
5 study, recommendations for improvements
6 to mitigate traffic and parking impacts
7 and any other information which the
8 Commission may deem necessary in the
9 course of its review. The amount of
10 information required in a plan of
11 development is extensive, will take time
12 and money for the proponents to develop.
13 The City Planning Commission intends to
14 convene additional public meetings about
15 this proposal as details about the plan
16 of development become available.

17 This concludes my formal
18 testimony, and I'll be happy, as will
19 Deputy Mayor Altman, to answer any
20 questions at this time.

21 COUNCIL PRESIDENT VERNA: The
22 Chair recognizes Councilman Goode.

23 COUNCILMAN GOODE: Thank you,
24 Madam President.

25 Just a quick question. Neither

1 11/1/08 - RULES - BILLS 080741 & 080742
2 pieces of this legislation actually
3 mention gaming, do they?

4 MR. GREENBERGER: I'm sorry.
5 Say it again. I didn't hear it.

6 COUNCILMAN GOODE: Neither of
7 these bills actually mention gaming, do
8 they?

9 MR. GREENBERGER: I think that
10 the, correct me if I'm wrong, the bill
11 080742 does mention gaming, because it is
12 part of a Commercial Entertainment
13 District use.

14 COUNCILMAN GOODE: But that's
15 part of the broader definition of
16 Commercial Entertainment District?

17 MR. GREENBERGER: It's a piece.
18 It's a critical piece of a larger
19 district, yes.

20 COUNCILMAN GOODE: So one bill
21 essentially establishes a Commercial
22 Entertainment District; the other bill
23 zones a specific site --

24 MR. GREENBERGER: That's
25 correct.

1 11/1/08 - RULES - BILLS 080741 & 080742

2 COUNCILMAN GOODE: -- as a
3 Commercial Entertainment District site
4 for those purposes. So technically if
5 there was some other Commercial
6 Entertainment District purpose for the
7 site, then it could be used under these
8 bills?

9 MR. GREENBERGER: Yes. If I'm
10 understanding you, yes.

11 COUNCILMAN GOODE: In other
12 words, your legislation says "the
13 proponent," but the proponent has not
14 been identified, although we know who the
15 proponent is. There could be another
16 proponent that develops a plan that would
17 fall under Commercial Entertainment
18 District and would also be viable for
19 that specific site; is that correct?

20 MR. GREENBERGER: If there was
21 another proponent right now under these
22 two bills, the only site that they could
23 work under would be the 1000 block of
24 Market Street, yes.

25 COUNCILMAN GOODE: Thank you.

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2 COUNCIL PRESIDENT VERNA: The
3 Chair recognizes Councilman DiCicco.

4 COUNCILMAN DiCICCO: Thank you,
5 Madam President.

6 And if you could just go a
7 little bit further on that, because
8 there's still a lot of confusion from a
9 number of people.

10 And, Andy, you were at the
11 meeting at Society Hill the other night,
12 where they interpret the boundaries in
13 the one bill as allowing for a casino or
14 casinos anywhere within those boundaries.

15 You explained it well, Alan,
16 but if you could just go a little bit
17 further and explain why maybe that is not
18 the case.

19 MR. GREENBERGER: The first
20 piece -- the first legislation, I think
21 that's the 742 bill, establishes a
22 classification that needed to be
23 different than the one that currently
24 exists, because the one that currently
25 exists does not -- its rules do not

1 11/1/08 - RULES - BILLS 080741 & 080742
2 adequately address a downtown Center City
3 location. However, the establishment of
4 the classification does not establish the
5 viability of gaming on any site within
6 the geography presented or, for that
7 matter, within the City of Philadelphia.
8 All it does is establish a
9 classification. It's the other bill that
10 maps it to a specific site that
11 establishes the viability of the use on
12 the site. Therefore, nobody can come
13 along and legally propose gaming on any
14 other site under these bills than the
15 1000 block of Market Street. And if
16 somebody wanted to do so, it would have
17 to be a separate bill, it would have to
18 come before the Commission again and
19 ultimately before City Council again.

20 MR. ALTMAN: Let me just add to
21 that that it's important to look at it
22 also the other way, which is what are the
23 protections built in that people are
24 concerned about. And at the end of the
25 day as you follow that through, nothing

1 11/1/08 - RULES - BILLS 080741 & 080742
2 takes effect, the bill doesn't take
3 effect until the plan of development has
4 gone through a public hearing process and
5 is ultimately approved by the Council.
6 Until that happens, for this specific
7 site, in this case 1000 block, the
8 legislation doesn't take effect. So it
9 allows a process, but it does not rezone
10 that site until the plan of development
11 is adopted.

12 COUNCILMAN DiCICCO: Thank you.

13 And during the discussions that
14 were between Brian Abernathy of my office
15 and your offices, there was the concern
16 do we keep it C-5 or do we do the CED.
17 Would you just briefly explain what took
18 part in that discussion, why this becomes
19 a better bill in the sense of protection
20 for the community as it relates to future
21 gaming facilities.

22 MR. ALTMAN: That's right,
23 Councilmember, and we've had a lot of
24 discussion and a lot of concerns raised
25 at the different community forums saying

1 11/1/08 - RULES - BILLS 080741 & 080742
2 that this is going too quickly, why are
3 you doing this legislation, it's a
4 foregone conclusion and why have you
5 constructed the zoning proposal in this
6 way. In fact, the easiest way to do this
7 if we were truly trying to do the
8 quickest and fastest and not an open and
9 transparent process would be simply to
10 take the C-5 legislation and allow gaming
11 within C-5 and adopt -- have the bill
12 before you and adopt that legislation and
13 say we're done, and then let Foxwoods or
14 any other casino proceed within the
15 Center City District. This does not do
16 that, and the Councilmember's office, our
17 office, Planning Commission and many
18 people carefully tailored this to take
19 the CED provisions, and they say, why
20 take the CED. Because the important
21 thing that the CED does is allows for the
22 plan of development process, which the
23 C-5 zoning would not allow. So we've
24 kept the Center City zoning, but taken
25 the CED so that we could build a process

1 11/1/08 - RULES - BILLS 080741 & 080742
2 and build safeguards and actually set out
3 the framework by which Foxwoods, PREIT,
4 the owner of the Gallery, the City and
5 everyone can have a very clear
6 understanding of what this process is.
7 And that's how the CED legislation was
8 constructed and why we thought it was so
9 important to do that for this
10 opportunity, this site.

11 COUNCILMAN DiCICCO: Thank you.
12 I have no further questions. Thank you.

13 COUNCIL PRESIDENT VERNA: Thank
14 you.

15 Can you tell us who are the
16 existing tenants at the site? Do we
17 know?

18 MR. ALTMAN: The existing
19 tenants at the --

20 MR. GREENBERGER: Of the 1000
21 block.

22 MR. ALTMAN: 1000 block?

23 COUNCIL PRESIDENT VERNA: Yes.

24 MR. GREENBERGER: I can answer
25 that. I can't recite them all to you

1 11/1/08 - RULES - BILLS 080741 & 080742
2 exactly, but Burlington Coat Factory is
3 in that site I think at the corner of
4 11th Street. Old Navy is at the corner
5 of 10th and Market, and there were a few
6 smaller miscellaneous retails on the
7 upper levels. On the Concourse level
8 within that is heavily occupied by
9 various restaurants, breakfast places,
10 food courts and so on.

11 COUNCIL PRESIDENT VERNA: Will
12 there be any difficulties in removing or
13 relocating existing tenants?

14 MR. ALTMAN: Well, that's
15 really a question we'll have to ask the
16 PREIT. I think one of the issues they're
17 working on right now is and working with
18 Foxwoods is, one, to understand exactly
19 what their physical requirements are
20 going to be, and then they have to
21 look -- PREIT has to look at how they
22 will deal with the existing tenants, and
23 I think that's part of the overall plan
24 that they are working on, will be working
25 on.

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2 COUNCIL PRESIDENT VERNA: Very
3 well.

4 Assuming everything goes well
5 with the development of this site, what
6 would be the earliest opening as a gaming
7 venue? Do we have any indication?

8 MR. ALTMAN: Well, it would
9 probably be best to ask the next group --
10 I think you have Foxwoods coming up -- in
11 terms of how long that would take them to
12 actually open. A lot depends right
13 now -- if legislation is adopted, they'll
14 produce a plan of development. That can
15 take a few months to do. And I don't
16 know if at that point they maybe have a
17 12-month construction schedule, something
18 along those lines, but I'll leave that to
19 Foxwoods to answer.

20 COUNCIL PRESIDENT VERNA: Very
21 well. Thank you.

22 Any other questions?

23 The Chair recognizes Councilman
24 Kelly.

25 COUNCILMAN KELLY: Mr. Altman,

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2 I just want to know, were there any other
3 locations in Center City considered for
4 gaming?

5 MR. ALTMAN: Well --

6 COUNCILMAN KELLY: Other than
7 this location.

8 MR. ALTMAN: I mean, at one
9 point there was, as you know, and I
10 wasn't here for that, but there was a
11 task force, gaming task force, that had
12 looked at a number of sites around the
13 City, including Center City locations.
14 This was something that was brought
15 forward from Foxwoods to us as an
16 alternative, I think as a result of,
17 first of all, understanding better a
18 vision for a waterfront, seeing what the
19 downtown opportunity was, looking at
20 previous studies, and that's how this
21 came forward, but I think there was some
22 evaluation in previous studies of
23 downtown locations.

24 COUNCILMAN KELLY: So it would
25 be correct to say that there were other

1 11/1/08 - RULES - BILLS 080741 & 080742
2 locations in Center City considered at
3 one time or looked at?

4 MR. ALTMAN: I wasn't here to
5 speak to that.

6 (Witness approached witness
7 table.)

8 MS. GILLEN: Hi. I'm Terry
9 Gillen, Senior Advisor to the Mayor,
10 Councilman.

11 As part of this, as you know,
12 the way the process worked actually was
13 that when the Gaming Control Board
14 invited companies to bid on sites, there
15 was a -- it was really a process that was
16 driven by the gaming companies
17 themselves. It was not driven by the
18 City of Philadelphia. So although the
19 City had looked at potential sites, the
20 real process was driven by the companies.
21 And ultimately there were five companies
22 that identified five sites, none of which
23 were Center City sites, and they are the
24 ones that went to the Gaming Board bid,
25 and the Gaming Board was the one that

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2 selected two of them. So that when this
3 Administration came in, that was the
4 situation that we were faced with, as you
5 know. And after lots of back and forth,
6 I think that was what made Foxwoods
7 decide that even though they had been
8 selected to locate on the waterfront, as
9 Andy said, they agreed to look at another
10 site, which is the Gallery site.

11 But it's really up to them.
12 They're in control of this right now.
13 It's not something that the State
14 Legislature wants the City to control.
15 We don't have control over this, and in
16 many ways, it's really being driven by
17 the company itself.

18 COUNCILMAN KELLY: Thank you.

19 Thank you, Madam President.

20 COUNCIL PRESIDENT VERNA: The
21 Chair recognizes Councilman Greenlee.

22 COUNCILMAN GREENLEE: Thank
23 you, Madam President.

24 Mr. Altman, in your answer to
25 the Council President on the timing

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2 issue, I just want to be clear. I
3 understand that I guess I'm getting more
4 specific to the time it would take for
5 government to do what they have to do,
6 forgetting how long it might take for the
7 facility to actually be built. I know
8 you both were very clear in the process,
9 that this is the beginning of the
10 process. Again, to repeat the Council
11 President's question, in assuming that
12 things go along positively as far as
13 moving this thing, how long would that
14 take before it gets to where they can
15 actually put a shovel in the ground or
16 whatever?

17 MR. GREENBERGER: Let me take a
18 crack at that. Having practiced
19 architecture 34 years, I know a little
20 bit about it.

21 It is going to take them
22 several months to do a plan of
23 development. That may be on the short
24 side of several months, it may be on the
25 longer side. It's mostly a function of

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2 what their development team can do and
3 how fast they can produce the work. And
4 then it has to go through the approval
5 processes, both at City Planning
6 Commission, at this Council and then
7 ultimately to the Mayor.

8 From there, they also have to
9 produce a set of design and construction
10 documents that tell a builder what to do.
11 We can't speak to how early on in this
12 process they're willing to invest in
13 that. So that will probably add some
14 time to their development process, which
15 they can choose to shorten by taking the
16 risk of starting to do those kind of
17 documents.

18 Once done, they're renovating
19 existing space, so the time of
20 construction is not going to be -- what
21 could be anywhere from 18 to 24 months
22 for a normal project, it's going to be
23 something less than that. And really the
24 ultimate compression of that schedule is
25 more in their hands.

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2 COUNCILMAN GREENLEE: And if
3 I'm right, there's at least two other
4 times, formal times, where the public can
5 be involved, both with the Planning
6 Commission and with us, right?

7 MR. GREENBERGER: That's
8 correct.

9 COUNCILMAN GREENLEE: And then
10 obviously whatever other community
11 meetings there are. So there will be a
12 lot of other times?

13 MR. GREENBERGER: There will be
14 many other times. And at least just
15 speaking for the Commission itself, our
16 interest on major projects in general
17 these days, and certainly on this one, is
18 that as a plan of development evolves, we
19 would like them to present it at a public
20 meeting of the Commission for information
21 only so that we can see the emerging
22 scheme and have public comment and
23 criticism at that time, and then see it
24 again when they have it pretty much done.

25 Obviously those are public

1 11/1/08 - RULES - BILLS 080741 & 080742
2 meetings. We also have an interest in
3 organizing a public information session,
4 separate from the Commission itself, to
5 discuss a wide range of issues that might
6 be associated with that, and that will
7 probably be -- we're going to have to
8 organize that relative to their schedule
9 of development, but if they move quickly,
10 that could be somewhere before the end of
11 this year, and we'll obviously make
12 announcements accordingly.

13 COUNCILMAN GREENLEE: Thank
14 you. Thank you very much.

15 Thank you, Madam President.

16 COUNCIL PRESIDENT VERNA: Thank
17 you.

18 Are there any other questions
19 from members of the Committee?

20 (No response.)

21 COUNCIL PRESIDENT VERNA: Thank
22 you very much, sir.

23 MR. McPHERSON: Our next
24 panel --

25 COUNCIL PRESIDENT VERNA:

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2 Excuse me, Mr. McPherson. I would like
3 the record to reflect that we indeed have
4 a quorum. To my extreme left is
5 Councilman Kelly, Councilman Greenlee.
6 To my extreme right is Councilwoman
7 Miller, Councilman Goode, Councilman
8 DiCicco and Councilman Kenney.

9 Mr. McPherson, would you please
10 call the next witnesses.

11 MR. MCPHERSON: The next panel
12 consists of Jim Dougherty, President and
13 COO of Foxwoods Philadelphia; Nick Moles,
14 Vice-President and General Counsel of
15 Foxwoods Philadelphia.

16 (Witnesses approached witness
17 table.)

18 COUNCIL PRESIDENT VERNA: Good
19 morning. Welcome. Please identify
20 yourself for the record and proceed with
21 your testimony.

22 MR. DOUGHERTY: My name is Jim
23 Dougherty. I'm the President and COO of
24 Foxwoods Casino Philadelphia. With me
25 this morning is Mr. Nicholas Moles. Nick

1 11/1/08 - RULES - BILLS 080741 & 080742
2 is our Vice-President and General
3 Counsel.

4 COUNCIL PRESIDENT VERNA: Thank
5 you.

6 MR. DOUGHERTY: Good morning,
7 President Verna, Councilman DiCicco and
8 other distinguished members of the
9 Council. Thank you for this opportunity
10 to speak to you today regarding the
11 proposed zoning for the Gallery site and
12 for being here on a Saturday.

13 As you know, about two months
14 ago, at the request of Mayor Nutter,
15 Councilman DiCicco, Governor Rendell and
16 Representative O'Brien, Foxwoods
17 announced that we would evaluate the
18 Gallery as a potential alternative site
19 for our world-class project.

20 At this location, our project
21 can serve as a catalyst for the
22 revitalization at East Market Street,
23 encouraging the growth of additional
24 retail and restaurants. In walking
25 distance are nearly 20 major hotels.

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2 This site will attract a significant
3 out-of-town customer base and is a major
4 transportation hub for the SEPTA Regional
5 Rail and buses, the PATCO high-speed line
6 and New Jersey Transit buses.

7 Foxwoods and City and State
8 officials have continued to have
9 productive discussions regarding the
10 potential for a Foxwoods casino to be
11 developed at the western end of the
12 Gallery between 10th and 11th Streets.
13 This is a decision none of us takes
14 lightly, and we recognize that the City's
15 efforts in introducing this legislation
16 allows these discussions to continue to
17 determine whether this project works for
18 the City and for Foxwoods. In fact,
19 passage of this legislation will give us
20 as the developers the confidence to
21 invest millions more to continue to
22 evaluate this location.

23 While collaborative, good-faith
24 discussions continue with the City, this
25 legislation marks the beginning of a

1 11/1/08 - RULES - BILLS 080741 & 080742
2 process. Considerable work remains
3 before Market East becomes a definitive
4 site, including continued discussions
5 with the surrounding communities. We
6 look forward to continuing to work with
7 you, the Nutter Administration, as well
8 as Governor Rendell and Commonwealth
9 officials. We recognize that everyone
10 would like more information. After
11 zoning is complete, we will enter into
12 the plan of development process where our
13 architects and other consultants will
14 move from the evaluation phase to the
15 design phase.

16 If we do determine that a
17 project that meets our high standards and
18 serves as a catalyst for the
19 revitalization of Market East can be
20 achieved at the site, we expect to fully
21 participate in the processes of the City
22 and the Pennsylvania Gaming Control
23 Board. We look forward to continuing to
24 work collaboratively with the City and
25 State officials, and we thank you for

1 11/1/08 - RULES - BILLS 080741 & 080742

2 your time today.

3 COUNCIL PRESIDENT VERNA: Thank

4 you very much.

5 Mr. Moles, are you going to

6 testify?

7 MR. MOLES: No, ma'am.

8 COUNCIL PRESIDENT VERNA: Thank

9 you.

10 Are there any questions from

11 members of the Committee?

12 (No response.)

13 COUNCIL PRESIDENT VERNA: Thank

14 you, gentlemen. Thank you very much.

15 Our next panel?

16 MR. MCPHERSON: Consists of

17 John Dionis, Alison Wolff and Tony Forte.

18 (Audience member yelling.)

19 COUNCIL PRESIDENT VERNA: Good

20 morning. Kindly identify yourself for

21 the record.

22 MS. WOLFF: Good morning,

23 Councilmembers, staff, public officials

24 and community members. My name is Alison

25 Wolff and I'm an Associate Director of

1 11/1/08 - RULES - BILLS 080741 & 080742
2 the Pennsylvania Real Estate Investment
3 Trust. We are more widely known as
4 PREIT. I am joined by John Dionis, an
5 Associate Director of Development at
6 PREIT, and Anthony Forte, our real estate
7 attorney from the law firm Saul Ewing.

8 We would like to thank City
9 Council for allowing us the opportunity
10 to say a few words about the development
11 project related to the proposed zoning
12 ordinances being reviewed today by this
13 Committee.

14 Founded in 1960, PREIT is a
15 publicly traded corporation and one of
16 the first equity real estate investment
17 trusts in the United States. Our primary
18 investment focus is on retail shopping
19 centers. Currently, our company's
20 portfolio consists of 56 retail
21 properties in 13 states, including 38
22 shopping malls, 14 power and strip
23 centers, and four properties under
24 development. Headquartered in
25 Philadelphia, PREIT primarily invests

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2 within the Midatlantic region, and our
3 local interests include such familiar
4 shopping destinations as the Shops at the
5 Bellevue, Cherry Hill Mall, Willow Grove
6 Mall, Plymouth Meeting Mall and
7 Springfield Mall.

8 Between 2003 and 2006, PREIT
9 acquired interests in the lower six
10 floors of the former Strawbridge and
11 Clothier Building, the original Gallery I
12 shopping mall and the Gallery II shopping
13 mall, stretching from 8th to 11th Streets
14 on Market Street East. We now operate
15 765,000 square feet of above-ground and
16 below-ground retail space at this Market
17 East location.

18 PREIT's vision for the Gallery
19 is to create the premiere shopping
20 destination in Center City Philadelphia.
21 While the Gallery already boasts strong
22 retail sales, we believe the Gallery's
23 full potential has not yet been realized,
24 and we believe it would benefit from a
25 new mixed-use development, improved

1 11/1/08 - RULES - BILLS 080741 & 080742
2 connections to the surrounding
3 neighborhoods, and improved retail
4 offerings serving tourists, commuters,
5 conventioners, local residents and the
6 existing Gallery customers.

7 A key characteristic of the
8 Gallery is its superior location at the
9 nucleus of one of the busiest
10 transportation hubs in Philadelphia. The
11 Market East Rail Station is located
12 underneath the Gallery, serving SEPTA's
13 Regional Rail and subway lines. The
14 Gallery is also directly connected to
15 SEPTA bus lines, New Jersey Transit bus
16 lines and the PATCO rail line, with
17 connections to New Jersey. The Gallery
18 is perhaps the most centrally located and
19 conveniently accessed shopping center in
20 the entire Greater Philadelphia region.
21 And, of course, the Gallery is also
22 directly connected to the Pennsylvania
23 Convention Center and within a short walk
24 from the Center City's downtown business
25 district, tourism and convention hotels

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2 and attractions, and the downtown
3 neighborhood districts.

4 During PREIT's development of a
5 strategic plan to upgrade the Gallery and
6 better fulfill its great potential to be
7 the premiere shopping center in Center
8 City, we were contacted by the
9 representatives of the Foxwoods gaming
10 partnership to explore prospects for
11 utilizing a portion of the Gallery to
12 house a Pennsylvania licensed gaming
13 facility. Although development plans are
14 only in the pre-conceptual stages, a
15 proposed Foxwoods gaming facility would
16 occupy space within the Gallery II
17 building, between 10th and 11th Streets,
18 as a long-term tenant. PREIT is
19 exploring the feasibility of renovating a
20 portion of the space within this existing
21 building for the proposed Foxwoods gaming
22 facility and accessory uses.

23 I have included a
24 cross-sectional view of the Market East
25 stretch from 8th Street to 12th Street in

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2 your package, and we thought that this
3 view would be helpful to provide a visual
4 context both for the scale and the
5 placement of the proposed project.

6 In closing, PREIT has
7 determined that the Foxwoods proposal may
8 offer a beneficial opportunity for the
9 Gallery, the Market East district and the
10 City of Philadelphia. We believe that it
11 is a true catalyst to accelerate plans
12 for upgrading the overall retail,
13 entertainment and commercial district in
14 this area by providing a vibrant
15 destination that connects both ends of
16 the Market Street East corridor.

17 To pursue this opportunity,
18 Foxwoods, PREIT and the City will need to
19 work together in the months ahead on
20 exploring the feasibility of the proposed
21 project and undertaking a planning
22 process, resulting in a plan of
23 development for the site. To begin that
24 process, we first need the assurance that
25 the property will be rezoned to

1 11/1/08 - RULES - BILLS 080741 & 080742
2 accommodate the proposed project, and we,
3 therefore, request that Council vote in
4 favor of the two zoning ordinances being
5 considered today. We look forward to
6 participating in a dialogue and planning
7 process with Foxwoods, the Planning
8 Commission, the City Council, the
9 Administration and members of the
10 community in the coming weeks.

11 Again, we thank you for
12 allowing us to provide this testimony
13 today and welcome any questions you may
14 have.

15 COUNCILMAN KENNEY: Thank you
16 very much for your testimony.

17 Are either two of you gentlemen
18 going to testify?

19 MR. DIONIS: No, sir.

20 COUNCILMAN KENNEY: Councilman
21 Greenlee.

22 COUNCILMAN GREENLEE: Thank
23 you, Councilman.

24 Could you just tell me, just so
25 I understand, exactly how much of the

1 11/1/08 - RULES - BILLS 080741 & 080742
2 Gallery is being taken in measurements if
3 the casino is put in there? And getting
4 back to the Council President's question,
5 you can also address who would be -- I
6 don't know if you've looked into who
7 would be displaced first and how that
8 would be handled. If you could get into
9 that a little bit, please.

10 MS. WOLFF: Well, at this
11 point, we're still in negotiations with
12 Foxwoods, so we can't comment on the
13 exact square footage, but we can confirm
14 that it will be located within the
15 Gallery II building, which is between
16 10th and 11th Street. We also can commit
17 to maintaining the free flow on the
18 Concourse level. We intend to keep that
19 open as it is today.

20 In regards to specific tenants,
21 again, we're not sure exactly where
22 they're going to be located within that
23 building, but we will honor the existing
24 terms of all of the leases that currently
25 exist.

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2 COUNCILMAN GREENLEE: Have
3 there been any discussion with any of
4 those businesses yet at all?

5 MS. WOLFF: Not at this time,
6 no, there has not.

7 COUNCILMAN GREENLEE: Okay.
8 Thank you.

9 COUNCILMAN KENNEY: Thank you
10 very much for your testimony.

11 Next panel, please. Paul Levy,
12 William Walsh, John Connors and Michael
13 Young.

14 (Witnesses approached witness
15 table.)

16 COUNCIL PRESIDENT VERNA: Good
17 morning. Welcome. I would again like to
18 remind you of the three-minute deadline.
19 Thank you.

20 MR. LEVY: Thank you. Good
21 morning. My name is Paul Levy. I'm
22 President of the Center City District,
23 and good morning, Councilwoman Verna,
24 members of the Rules Committee. I've
25 passed out a longer testimony. I'll be

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2 much briefer in my comments here, as will
3 the other owners and developers who have
4 joined me.

5 The Gallery site is positioned
6 at the very center of the Center City
7 District, and that location will have
8 significant operational considerations
9 for us, both in terms of levels of
10 service and time of service, but as head
11 of the Center City District, I strongly
12 support the designation of this area for
13 a Community Entertainment District -- a
14 Commercial Entertainment District.

15 I would like to make three
16 points. One, I think we all need to keep
17 certain things in perspective as we hear
18 criticisms of this site today. One, it
19 is obviously important that the City
20 address the legitimate concerns of
21 adjacent communities about traffic,
22 security and social behavior, but let's
23 remember that the Foxwoods casino will
24 probably be no larger than 300,000 square
25 feet in what is a one million square foot

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2 shopping center. It is next door to a
3 720,000 square foot ARA Tower that draws
4 3,000 workers in each day without any
5 particular problem. It is next door to a
6 440,000 square foot Convention Center
7 that accommodates conventions up to
8 30,000 people at a time and gate shows
9 that go up to 100,000. Down the block is
10 the Independence Visitors Center, which
11 drew 2.3 million people last year,
12 without any detrimental impact. In fact,
13 a very positive impact on the City.

14 On South Broad Street, we have
15 a 400,000 square foot Kimmel Center that
16 draws people into town. Around the
17 corner, a 1.2 million square foot Comcast
18 Center and more than 40 million square
19 feet of office space.

20 My point is very simple. We
21 have a transit system that brings 300,000
22 people into town each day. We have a
23 highway system that brings 50,000 to
24 60,000 cars a day, and we can accommodate
25 all of these.

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2 Philadelphia is not a small
3 town or a village about to be overwhelmed
4 by cataclysmic change. We are the fifth
5 largest American city, and we can handle
6 this development like we handle many
7 other developments.

8 It's clear that the concerns
9 that are raised need to be addressed, and
10 it's important to remember that the
11 Commonwealth has set aside four percent
12 of gross gaming revenues specifically to
13 address social problems, security
14 problems and other problems around the
15 area.

16 Point number two, the design of
17 the casino should promote outward
18 activities, and we've heard that from
19 both the City and from Foxwoods. We need
20 street-level retail and restaurants. We
21 need sidewalk cafes that animate Market
22 Street. It needs to stimulate business
23 in adjacent areas, including the hundreds
24 of excellent restaurants that are within
25 Chinatown.

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2 Point number three, the City
3 should use this casino to stimulate
4 additional development on Market East.

5 (Bell rang.)

6 MR. LEVY: Wow. Okay.

7 We put huge investments into
8 the Convention Center and hotels, huge
9 investments into the Independence Hall
10 area. The area between these two visitor
11 destinations --

12 (Audience members yelling.)

13 MR. LEVY: The area between
14 these two visitor destinations leaves a
15 great deal to be desired. The Convention
16 Center area, the historic area can be
17 linked together with quality retail and
18 destination entertainments if we use the
19 casino.

20 Thank you.

21 COUNCIL PRESIDENT VERNA: Thank
22 you, Mr. Levy.

23 Our next witness?

24 MR. CONNORS: Good morning,
25 Councilmembers. My name is John Connors.

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2 I am President of Brickstone Realty
3 Corporation, and for the past 22 years,
4 our principal business has been the
5 redevelopment of East Market Street. We
6 are currently the owners of Mellon
7 Independence Center, formerly the Litt
8 Brothers Department Store building, but
9 we are also the developers of the John
10 Wanamaker building, the Marriott
11 Courtyard Hotel, formerly City Hall
12 Annex, and 1234 Market Street. So for
13 the past 20 years, we've spent virtually
14 all of our energy on East Market Street,
15 and it's been an extraordinary ride.
16 Market Street East has changed
17 dramatically, but the full promise of
18 East Market Street has not yet been
19 realized. And we have plateaued for many
20 reasons, but if you look at East Market
21 Street, most of the commercial
22 development, private sector development,
23 was done with the benefit of historic tax
24 credits, if you look at the PSFS
25 building, Litt's, Wanamaker's, Reading

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2 Headhouse, and those tax credits have
3 been exhausted. Where we are now is that
4 we've sort of hit a plateau for the last
5 five or six years where nothing
6 significant has happened on East Market
7 Street by way of new development. And I
8 echo Paul's sentiments that the casino as
9 a catalyst for the remake of the Gallery
10 is an extraordinary opportunity. The
11 casino, for its own sake, is not an issue
12 for me, but as a catalyst for the remake
13 of the Gallery, I think it could take
14 East Market Street to that next level,
15 and we've been anxious and poised for it,
16 and I think its time has come.

17 COUNCIL PRESIDENT Verna: Thank
18 you very much.

19 Mr. Walsh, are you testifying?

20 MR. WALSH: Thank you. Good
21 morning, Councilmembers. My name is Bill
22 Walsh. I am the General Manager of the
23 Philadelphia downtown Marriott. In
24 addition to this job, I also have certain
25 oversight responsibilities for the other

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2 Marriott hotels in Center City. Over the
3 past 12 years, Marriott International and
4 our various ownership groups have
5 invested over \$300 million in the
6 development and operation of our hotel,
7 the Marriott Courtyard, the Residence Inn
8 by Marriott and the Ritz Carlton Hotel.
9 Collectively, we have over 2,500 rooms in
10 the marketplace, which comprises about 25
11 percent of the hotel inventory in Center
12 City.

13 Additionally, the same
14 percentage represents a number of staff
15 members we employ relative to the total
16 workforce in Philadelphia hotels. Each
17 year we contribute slightly more than \$5
18 million to the City through various taxes
19 and fees. This figure does not include
20 the wage taxes paid by our associates or
21 the sales and occupancy taxes paid by our
22 customers.

23 I'd further like to say that I
24 am a supporter of bringing gaming to the
25 City for a variety of reasons. My

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2 testimony today is not just to offer
3 support for this proposed site, but it is
4 rather to ask that a detailed
5 comprehensive redevelopment plan is
6 instituted by all stakeholders to ensure
7 that if the site is finalized, it can be
8 successful for everyone. The thought of
9 operating a casino in the heart of our
10 City without such a plan to me is a
11 little bit like putting a cart before the
12 horse.

13 If such a plan is developed and
14 implemented correctly, we can create
15 another component to our city that adds
16 excitement and vitality and provides us
17 with a competitive advantage over other
18 markets in the United States.

19 I'm sure that most people
20 recognize that there is no such thing as
21 a perfect site, and any proposed site
22 will have many obstacles to overcome
23 before becoming a final product. The
24 proposed location at Gallery Mall is no
25 exception.

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2 As a major business
3 operator/employer along the Market Street
4 corridor, I feel that there are several
5 broader social issues to consider in the
6 development of this proposed site. In my
7 job I have the opportunity to speak with
8 many customers and many potential
9 customers. I ask them for their business
10 and I ask them to return to Philadelphia.
11 The overwhelming issue I face is their
12 concern expressed by meeting planners is
13 that the area around the hotel and the
14 Convention Center is unsafe. This
15 mindset of our customers prohibits the
16 ability to book more business and grow
17 revenues. In turn, this creates a
18 situation that decreases City tax
19 potentials and provides less jobs for our
20 citizens.

21 If the Gallery Mall is the
22 ultimate location for the casino, we
23 cannot be blind to the fact that this is
24 where the greatest concentration of
25 homeless people exist in our city. While

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2 it is imperative that these individuals
3 are treated with respect and dignity, the
4 fact remains that we will not change this
5 unsafe perception until we can have local
6 laws and ordinances put into place to
7 properly deal with this issue while
8 maintaining and protecting their rights.

9 Additionally, the outdated
10 entire look of Market Street East between
11 City Hall and the historic district does
12 not promote an image of welcomeness.

13 (Bell rung.)

14 MR. WALSH: A redevelopment
15 plan will modernize and improve the
16 overall aesthetics to this area that is
17 long overdue. It must be developed in
18 conjunction with the casino so that this
19 neighborhood can be more attractive to
20 our citizens and visitors.

21 My final thought relative to
22 this proposal site is that the host fees
23 generated from casino operators and that
24 the revenue generated from the casinos
25 must be used to help finance the

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2 development needed to transform this area
3 of the City and not be used in the City's
4 general funds.

5 As I stated earlier, I am a
6 proponent of gaming in our city, and I
7 believe this industry could be the
8 catalyst for a vision that has Market
9 East as a hub of activity that allows
10 people to be entertained in a safe
11 neighborhood environment.

12 Thank you.

13 COUNCIL PRESIDENT VERNA: Thank
14 you, Mr. Walsh.

15 Mr. Young.

16 MR. YOUNG: My name is Michael
17 Young. I am a General Partner of Girard
18 Square Partners that encompasses 12th to
19 11th Street, Market to Chestnut.

20 As a new investor on the block,
21 we would like to contribute to the major
22 redevelopment of the area, but without
23 the confidence that there is an overall
24 improvement strategy on the street, it's
25 going to be difficult, probably very

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2 difficult.

3 As owner/developers who have
4 major investments on the street and in
5 other areas of the City, we would love to
6 seek passage of this bill as a tool to
7 effectively use to achieve the broader
8 objectives for the area.

9 Our other investments are the
10 Wachovia Bank building in Philadelphia,
11 230 South Broad, 42 South 15th Street,
12 125 South 9th Street, along with a large
13 portfolio of multi-family dwellings
14 throughout the northwest section of the
15 City.

16 Thank you.

17 COUNCIL PRESIDENT VERNA: Thank
18 you.

19 Any questions from members of
20 the Committee of this panel?

21 (No response.)

22 COUNCIL PRESIDENT VERNA:
23 Gentlemen, thank you.

24 Our next witnesses, our next
25 panel will be?

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2 MR. MCPHERSON: Helen Gym,
3 Asian Americans United; Deborah Wei, FACT
4 Charter School; Ellen Somekawa, Executive
5 Director --

6 (Witnesses approached witness
7 table.)

8 (Applause.)

9 (Standing ovation.)

10 COUNCIL PRESIDENT VERNA:

11 Please. That's enough. That is enough.

12 Please sit.

13 MS. GYM: Thank you, members of
14 Council --

15 COUNCIL PRESIDENT VERNA: You
16 will have no more outbursts like that or
17 we will conclude this. I'm serious.
18 We're trying our best to proceed with
19 this in a mannerly way on both sides and
20 I wish you would all appreciate that.

21 Please identify yourself for
22 the record and proceed with your
23 testimony.

24 MS. GYM: Helen Gym, Asian
25 Americans United and a representative of

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2 Chinatown and the broader community in
3 Philadelphia that opposes this casino.

4 I would first like to
5 acknowledge the people in this room
6 today, and I would like the over 200
7 people in this room today to stand up so
8 that City Council and the members of this
9 City can see who is here and who took
10 time out of their Saturday to come here
11 to say no to this proposal.

12 (Audience members standing.)

13 MS. GYM: I want you to know
14 that there are over 200 people in the
15 Caucus Room across the hallway and that
16 there are more than 600 people who
17 marched in our streets this morning at
18 your request, and these representatives
19 are the voices that if we can do one
20 small measure to say a peace for them, we
21 will have tried to do our part for you.

22 So thank you.

23 More than 600 people did march
24 in the streets this morning at the
25 request of City Hall, with less than a

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2 handful -- less than a couple weeks'
3 notice, to talk about what we're doing
4 here today, to say that we do believe in
5 a new day for City Hall, to say that we
6 believe in a city that values the voices
7 of neighbors and its residents and
8 citizens at least as much as it values
9 the voices of political insiders,
10 private, wealthy investors and a gambling
11 industry that has been kicked out of
12 every single neighborhood that it's tried
13 to set its feet into.

14 We believe in a city that
15 considers public interest over the
16 self-interest of the two panels that
17 preceded ours. So I want to know that if
18 this is an open process, what does it
19 mean when 600 people stand in the streets
20 to say stop it? What does it mean when
21 400 people are in a Chinatown meeting
22 that say stop right now what you are
23 doing? Are you going to move forward?
24 Is that the open process that you're
25 promising us?

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2 I know City Council doesn't
3 want to talk about gambling. You make it
4 easy. You say, Let's talk about zoning.
5 But we do need to talk about gambling
6 here today, and there will be other
7 panels that talk about it. There are two
8 reasons why. One, City Council is
9 proposing to place a casino next to one
10 of the biggest transit hubs that exposes
11 it to the maximum number of
12 Philadelphians in our city. That is
13 every single one of your constituents in
14 your district that we're talking about.
15 It is not Councilman DiCicco's
16 councilmanic prerogative to say that
17 zoning matters for him. This is
18 everybody in our city that we're talking
19 about.

20 The second issue is that we are
21 in hard economic times and it is easy to
22 look at those host fees and say, oh, 70
23 million in host fees over five years,
24 that will erase some problems. But you
25 saw the front page story in the Inquirer.

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2 You saw the cost of gambling. You didn't
3 even see the kind of costs that the Mayor
4 of Ledyard is going around -- Ledyard,
5 Connecticut where Foxwoods normally was,
6 she's going around Maine talking about
7 how phone calls in her city have tripled
8 to police.

9 (Bell rung.)

10 MS. GYM: Criminal incidents
11 have doubled.

12 From our Mayor, from the panel
13 that preceded us, we say that they have a
14 lack of vision around marketing. Look at
15 our neighborhoods. We have turned --
16 Chinatown has turned its neighborhood
17 around, Washington West has turned its
18 neighborhood around, Society Hill. We
19 have not lost the vision for our city.

20 Mayor Nutter says, I don't have
21 anything on the back of a napkin to tell
22 you what this thing will look like, and
23 for that, we ask you to stand with us,
24 for the citizens of Philadelphia, and say
25 stop this process now. We have a better

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2 vision. We need a better plan. There is
3 no license for this site. You need to
4 hear what people have to say.

5 MS. SOMEKAWA: My name is Ellen
6 Somekawa. I am from Asian Americans
7 United.

8 Michael Thomas, the head of
9 Foxwoods, recently boasted that gambling
10 addicts are his client base. Like any
11 successful business, Foxwoods seeks to
12 expand its client base. It is in
13 Foxwoods' interest to grow the pool of
14 gambling addicts, bringing in an
15 estimated 27 to 55 percent of casino
16 revenues. Problem or pathological
17 gamblers are not an incidental casualty
18 of casinos. They're a core component of
19 their business plan.

20 So casinos apply free alcohol
21 to impair judgment, give out comps to
22 encourage frequent visits, design slot
23 machines to make gamblers oblivious to
24 the extent of their losses, stay open
25 24/7 to keep gamblers at the machines.

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2 Casinos know how to build their client
3 base.

4 But we're not here to talk
5 about the many techniques that casinos
6 use to foster addiction. Location,
7 location, location: That's what we're
8 here to talk about.

9 It seems like just good, sound
10 business practice for Foxwoods to try to
11 plop itself down right in the center of a
12 major metropolitan area, at the hub of
13 all of the City's transit line and next
14 door to a neighborhood full of people who
15 are already their best customers.

16 Why not just situate yourself
17 in the center of this huge potential
18 customer base where people don't even
19 have to think twice before entering to
20 blow their paychecks or watch their
21 Social Security checks disappear? And
22 why not try to normalize this behavior so
23 that gambling becomes as much a part of
24 Philadelphians' daily life as happy hour
25 or browsing at the mall. And better

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2 still, why not groom the next generation
3 of gamblers by setting up shop in one of
4 the main teenage hangout spots in the
5 City? This is all sound business
6 practice for an industry that profits
7 from and preys on addiction.

8 What I don't understand and
9 what I can't accept is why the leaders of
10 this City, our elected and appointed
11 officials, see more interested in
12 supplying Foxwoods with their customer
13 base than in serving the public interest
14 that it is their sworn duty to uphold.

15 I was stunned when I turned on
16 the radio and heard the Mayor's Senior
17 Advisor say that one of the benefits of
18 the Gallery site is that it won't create
19 traffic problems that were projected at
20 the waterfront. No, traffic wouldn't be
21 a problem, because at Market East, the
22 casino would be right within walking
23 distance of many customers and accessible
24 by all of the mass transit lines. Since
25 when is it our public officials' job to

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2 help serve up Philadelphians to a
3 predatory industry that thrives on the
4 impoverishment and the addiction of its
5 customers? This is a shameful targeting
6 of the thousands of residents of
7 Chinatown, of SEPTA commuters, of
8 downtown workers, of Gallery shoppers, of
9 the poor and working people of
10 Philadelphia of all races.

11 (Bell rung.)

12 MS. SOMEKAWA: Foxwoods in
13 Connecticut estimates that 30 percent of
14 its revenues come from Asian gamblers,
15 this in the state where less than four
16 percent of the population is Asian. In
17 times when many casinos are struggling
18 with declining revenues, the Asian market
19 is a growth area.

20 It is clear that we are a
21 target of casinos and of Foxwoods in
22 particular. Members of City Council, I
23 ask you, when you see us, when you see
24 the Philadelphians who ride SEPTA every
25 day, those of us who go to work or who

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2 live in Center City or those of us who

3 can't afford to shop in Rittenhouse

4 Square but who instead find what we need

5 at the Gallery, when you see the people

6 of Chinatown, when you see us, do you see

7 us as your constituents or do you see us

8 as your targets?

9 The legislation that you're

10 considering to create a CED zone at

11 Market East is asking you to permit a new

12 noxious and corrosive use right in the

13 heart of our city and bordering on one of

14 our cherished neighborhoods.

15 People from every part of the

16 City use the transit hub. People from

17 every part of the City work in Center

18 City. People from every part of the City

19 view the treasures of our historic

20 district as their own. It may be in

21 Foxwoods' interest to create this CED in

22 the heart of our city, but it is not in

23 the best interest of this City or its

24 people. If you see us as your

25 constituents and not as Foxwoods'

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2 targets, please vote no on this CED
3 legislation.

4 COUNCIL PRESIDENT VERNA: Thank
5 you very much.

6 Our next witness?
7 (Applause.)

8 MS. WEI: Good morning.

9 COUNCIL PRESIDENT VERNA: Good
10 morning.

11 MS. WEI: My name is Deborah
12 Wei. I am the Principal of the Folk Arts
13 and Cultural Treasures Charter School in
14 Chinatown.

15 In the past several decades,
16 I've been involved time after time with
17 struggles to protect the integrity of a
18 community which has existed for nearly
19 150 years but which never seems to be
20 recognized as a community by this City
21 government. Decisions have been made
22 time and time again to introduce into
23 this small struggling community
24 government-supported projects, which have
25 increasingly contributed to the

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2 deterioration of the quality of life in
3 Chinatown.

4 This zoning legislation
5 represents the latest but most odious and
6 pernicious of proposals to impact
7 Chinatown. And my latest role as a
8 Principal in a school with children and
9 families with whom we work and to whom we
10 are accountable has made me feel the
11 weight of this project more than any of
12 that before it.

13 My students learn about
14 American democracy. They walk to the
15 symbols. Not just local; in fact, not
16 just national, but international symbols
17 to the world of the birth of the promise
18 of the best of what democracy can be.
19 They walk to the Liberty Bell,
20 Independence Hall, the Constitution
21 Center, Ben Franklin's home. They see
22 what the rest of the world sees, a
23 history and a promise.

24 They gaze out of their
25 classroom windows at this place, City

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2 Hall, a place in which they are told sit
3 representatives whose responsibility it
4 is to serve the citizens of this City,
5 all the citizens, including them,
6 including these children in a school in
7 Chinatown.

8 And now they sit here in this
9 room trying as best they can to
10 understand how these symbols of democracy
11 situated on opposite ends of a stretch of
12 land in the heart of the City can be
13 hijacked by not the best but the worst of
14 what democracy can bring, a patent
15 non-process, a lack of vision, a
16 disregard of their lives, their hopes,
17 their dreams. The best of what the City
18 can lay down to knit together these
19 symbols of democracy are a bunch of slot
20 parlors.

21 They try and understand, and we
22 try to help them understand, but how can
23 we explain the inexplicable? How can I
24 tell them that our city has decided to
25 slap something down here in this critical

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2 stretch of land, not because it has been
3 carefully studied, thought about,
4 envisioned, not because all issues have
5 been weighed, all environmental impacts
6 measured, not because there is a vision
7 grand enough to fill in the bookends of
8 these symbols of democracy, but because,
9 quote, We're going to have to have two
10 casinos and we need to put them
11 somewhere.

12 (Bell rung.)

13 MS. WEI: Because, quote,
14 Someone has to take them. Because,
15 quote, We got to put something here.

16 My students are young, but they
17 are wise beyond their years. They've
18 heard the arguments about City revenue,
19 about livening up the streets, about
20 reinvigorating the City, but they have
21 also seen things children should not have
22 to see, families torn apart by gambling
23 addiction, low-income people throwing
24 their money away because of a
25 pathological addiction fueled by an

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2 industry that doesn't give a damn about
3 who gets hurt, a community that has a
4 government-funded highway passing through
5 it but no green space to play, a
6 community that has a Convention Center
7 with hundreds of millions of government
8 money invested in to bring tourists
9 downtown, but no community center for the
10 residents who live there. They've seen
11 their fair share of adults who failed
12 them time and time again.

13 The irresponsible passage of
14 this zoning legislation, almost
15 unprecedented in being of such scope and
16 so quickly introduced into Council, sends
17 a clear but sorry message to these young
18 students, the worst of a political
19 process where the money boys can play
20 games with the lives of hard-working
21 residents, where politicians in
22 Harrisburg push their personal agendas
23 without regard to those who they
24 elected -- who they are elected to
25 represent, where acts of political

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2 expediency take precedence over acts of
3 political courage. These cannot go
4 unchallenged. Not by those of us who
5 love and care and believe in the promise
6 of these young lives.

7 How much investment will pay
8 for the continued destruction of a
9 community whose historical existence
10 should be celebrated, not constantly
11 assaulted? How much money can buy back
12 the cynicism about the politics of this
13 City that leave such bitter tastes in the
14 mouths of ones so young? How much
15 revenue will buy back the lost childhood
16 of a child of a gambling addict? And to
17 all the adults in this room, I ask, who
18 will speak for the children?

19 (Applause.)

20 COUNCIL PRESIDENT VERNA: Thank
21 you.

22 The Chair recognizes Councilman
23 DiCicco.

24 COUNCILMAN DiCICCO: Thank you,
25 Madam Chair, and good morning, ladies.

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2 Do either of you have any suggestions as
3 to where the casino or a casino should be
4 located in the City of Philadelphia,
5 understanding that the Act does not
6 permit us to be within ten miles of any
7 racino, which is the Harrah's casino in
8 Chester County and Philadelphia Park in
9 Bucks County?

10 (Audience members yelling.)

11 MS. SOMEKAWA: We think that
12 it's not our job to --

13 COUNCIL PRESIDENT VERNA:

14 Excuse me. I think the question is being
15 asked of the panel.

16 MS. SOMEKAWA: We think that
17 it's not our job to suggest a site for
18 the casino.

19 COUNCILMAN DiCICCO: I'm sorry.
20 Say that again.

21 MS. SOMEKAWA: I think that
22 it's not our job to find a site for the
23 casino. And I understand the bind that
24 the City finds itself in. However, I
25 think the principles that Mayor Nutter

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2 signed when he was a candidate running
3 for Mayor that a casino should not be
4 located within 1,500 feet of a
5 residential neighborhood, of homes,
6 schools and churches is a good principle
7 to follow. The principle that there
8 needs to be an open, transparent and
9 public process with public input is a
10 good principle to follow. I think using
11 those principles, we would welcome the
12 City trying its best to move forward to
13 find an appropriate location.

14 COUNCILMAN DiCICCO: And I
15 understand and I respect that, but I
16 noticed the absence of you and your
17 organization during the three and a half
18 years of debate for the Foxwoods site at
19 the Columbus and Reed and the SugarHouse
20 site in Northern Liberties, and I was
21 wondering if those sites would be more
22 acceptable since you did not take a
23 position to oppose them for the past
24 three and a half years.

25 And as far as you're concerned,

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2 your question or comment about the 1,500
3 foot, we tried to get a referendum. The
4 Supreme Court shot that down. So in
5 theory or principle, we may agree with
6 that, but there's no law that would allow
7 for us to take that and use that as a
8 measuring gauge unless we do find
9 something that's not within 1,500 feet of
10 a residential community. And to date,
11 other than one site, which is not even in
12 my district, I don't know of any others
13 that would be permissible under the Act.

14 But, again, I asked you that
15 because I understand the Gallery and its
16 close proximity to the Chinatown
17 community. I'm very well aware of that.
18 But the SugarHouse site was about 12 to
19 15 blocks away, and no disrespect, you
20 all were silent when that discussion was
21 going on for the better part of three and
22 a half years.

23 MS. GYM: Well, we think that
24 City Council --

25 COUNCIL PRESIDENT VERNA:

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2 Excuse me. You're going to have to
3 identify yourself, please, for the
4 stenographer.

5 MS. GYM: No problem. Helen
6 Gym, Asian Americans United. Thank you,
7 Council President.

8 What we would like to see City
9 Council see its investment spent time in
10 is if City political leaders can't come
11 up with direct ideas about where these
12 things could go, that if there could be a
13 resite committee that takes a look, that
14 brings in different people from around
15 the City, foundations, different
16 neighborhoods, residents, other things,
17 that we take the resiting of these
18 casinos seriously, that we can look at
19 the restrictions that we have, that we --
20 sometimes it helps to bring it out of the
21 political process where people tend to
22 get like in a tunnel vision around what
23 you can and can't do and ask for a broad
24 group of people, who I think are very
25 interested in it, to take a look and see

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2 whether we can resite these casinos

3 responsibly.

4 COUNCILMAN DiCICCO: But we

5 don't have that luxury, and I've been

6 dealing with this issue since December of

7 2005 and I have yet to have any of my

8 colleagues, no disrespect to the District

9 Councilpeople in particular, not one has

10 come to me and said, I have a place in my

11 district that the neighbors would be

12 willing to accept a casino.

13 So we've all been dealt pretty

14 much the same hand. Again I ask the

15 question, why are you so adverse to the

16 Gallery site, where you were very

17 silent -- I didn't see you at any of the

18 meetings, I hadn't seen any material come

19 from your organization opposing the

20 SugarHouse site, which is somewhere

21 between 12 and 15 blocks away from the

22 Gallery? Are you suggesting that people

23 would not be --

24 MS. SOMEKAWA: Councilman

25 DiCicco --

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2 (Audience member yelling.)

3 COUNCILMAN DiCICCO: Jethro,
4 you'll have your turn.

5 MS. SOMEKAWA: I'm Ellen
6 Somekawa from AAU.

7 Councilman DiCicco, I think you
8 raise a valid criticism, and in fact,
9 Asian Americans United's silence on the
10 previous sitings of the casinos is not
11 something that we were particularly proud
12 of. It's something that we, in
13 hindsight, wish that we had been very
14 involved with. In the period from 2004
15 to 2007, AAU apologized to our various
16 allies and constituents and told them
17 that we needed to focus on the
18 construction of our charter school. We
19 laid down most of the programs at our
20 organization. We went down to a staff
21 size of one person during that period,
22 and I'll tell you, there were many, many
23 issues that we were not involved in that
24 we wish we had been better allies to our
25 friends at the waterfront site.

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2 COUNCILMAN DiCICCO: And I
3 appreciate your honesty. As it relates
4 to the charter school, you know there
5 were a number of people who were opposed
6 to your charter school being built in
7 Chinatown, the Chinatown community in
8 particular, a number of people opposed
9 that. I supported that. I've supported
10 that concept, and I also supported it in
11 terms of financial issues.

12 And just one more point I want
13 to make. I keep hearing over and over
14 again that Chinatown somehow does not get
15 the service that they need, that we don't
16 do things in Chinatown. I think I've
17 invested almost \$6 million to date in
18 Chinatown. Two, three months ago there
19 was another million-dollar grant that has
20 been awarded to PCDC, all going towards a
21 development of a Chinatown community
22 center.

23 So I kind of want the record to
24 understand that there are a number of
25 things that have been done in Chinatown

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2 over the years, at least during my
3 tenure, and there are plans to do more
4 things going forward. So to suggest that
5 somehow Chinatown gets overlooked I think
6 is doing a disservice, not only to me but
7 to the rest of this body, who has to
8 prove some of the things that I've come
9 to them with.

10 MS. WEI: I think my reference
11 in my testimony was about scale and about
12 cumulative effect. And while we
13 appreciate the support that comes to the
14 community, I mean, we are looking at
15 projects that received hundreds of
16 millions of dollars and we are now
17 looking at a project that you can't
18 mitigate yourself out of in terms of the
19 damage that it will do to our community.

20 COUNCILMAN DiCICCO: But that's
21 what we're attempting to do by way of a
22 process. Many people keep saying there
23 is no process. We are here today. This
24 is democracy. Legislation gets
25 introduced. People have an opportunity

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2 to be heard, agree or disagree.

3 Ultimately elected officials, their

4 responsibility is to make a decision.

5 This is democracy. To suggest that it is

6 not, we're not doing the appropriate

7 thing by having public hearings, I think

8 it contradicts your statement about this

9 is not part of a democratic process.

10 Now, I'm not going to debate

11 the constitution of what you're allowed

12 to do or not, but you don't get this in

13 many places. We didn't have this in

14 Harrisburg when they were debating the

15 issue on the Gaming Act. None of us did,

16 including us as elected officials.

17 So we have to deal with this

18 issue as best we can. We're going to go

19 through a process. It's going to take

20 several months before we get to the end

21 of whether the project of development

22 plan is approved or disapproved by the

23 Planning Commission. Ultimately it will

24 come over to this body, and the 17 of us

25 will have to make a decision whether to

1 11/1/08 - RULES - BILLS 080741 & 080742

2 support that plan of development or not
3 support it. That is democracy.

4 Thank you.

5 MS. SOMEKAWA: Councilman

6 DiCicco, can I respond? Because I want
7 to say that we appreciate your support on
8 the charter school and we're happy that
9 we don't have a relationship where we are
10 adversarial in every single issue, but
11 you have to understand that on this
12 issue, we have never felt more strongly
13 about anything in the 20 years of our
14 history.

15 The second thing is that when
16 you speak of democracy, I think public
17 hearings are democratic, but rushing to
18 introduce zoning legislation that targets
19 one City block, a block away from
20 Chinatown and in the center of the City,
21 is a rushed process. It's doing zoning
22 before planning. It's doing zoning
23 before studies, and, frankly, that
24 doesn't seem very democratic. It seems
25 rushed. It seems like PREIT wants it

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2 because they have high vacancy. It seems
3 like Foxwoods wants it because they have
4 then only to do a redecoration job of the
5 Gallery instead of doing a greens field
6 development. It seems like there's lots
7 of interests that are interested in this
8 going forward quickly, and what I am not
9 understanding is what's the rush. Why do
10 you need to rush into this?

11 It's been said by Mr. Altman
12 and others that really the CED zoning
13 doesn't mean that much. It just opens up
14 a process. It just opens up -- it just
15 makes it possible for the exploration and
16 studies to happen. But my question to
17 you is, if that's the case, if it's just
18 to enable exploration and study, why
19 don't you make the entire City of
20 Philadelphia into a CED zone? If it's
21 really just nothing.

22 (Applause.)

23 MS. SOMEKAWA: If it's really
24 nothing.

25 COUNCILMAN DiCICCO: Not a bad

1 11/1/08 - RULES - BILLS 080741 & 080742

2 thought.

3 MS. SOMEKAWA: Thank you.

4 COUNCILMAN DiCICCO: So the
5 people in Port Richmond, the people in
6 Southwest Philly, you never know, next
7 week we may have legislation that will
8 make their neighborhoods CED as well.
9 And I'm not saying that sarcastically.
10 That's up to individual members of City
11 Council or an individual member of City
12 Council to make that decision. If that's
13 what they want to do, so be it.

14 But understand, for a long time
15 while I was attending those waterfront
16 meetings about the SugarHouse and the
17 Foxwoods site, I kept telling people that
18 I should be in the room having these
19 discussions with the potential operators,
20 because if I don't do it, someone else
21 will do it for us, and lo and behold, the
22 Supreme Court of Pennsylvania has issued
23 CED legislation for those two sites. We
24 had nothing to do with it up here. We
25 are out of that conversation. And I'm

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2 not going to put myself or the people I
3 represent in that same position again.

4 I made a mistake. Some people
5 said, You didn't make a mistake, frankly,
6 because you were listening to your
7 constituents, but I've learned through
8 that process that it is better to be
9 engaged in a discussion than let somebody
10 from Harrisburg make the decisions for
11 us.

12 MS. SOMEKAWA: Well, it's
13 funny, Councilman DiCicco, because you
14 call it a big mistake and actually it's
15 something that I wished I had
16 congratulated you on, because I thought
17 that your opposition to the casino
18 sitings at the waterfront was one of your
19 finer moments. If you think it's such a
20 mistake, then ask yourself why is it two
21 years after they've been granted licenses
22 at the waterfront and we still don't have
23 casinos in Philadelphia? That's not a
24 mistake. That's a good thing. That's a
25 positive thing.

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2 COUNCILMAN DiCICCO: Well, I'm
3 not going to --

4 (Applause.)

5 COUNCILMAN DiCICCO: That is
6 not entirely true. There are only a
7 couple of things that are left to do down
8 there. For instance, in my opinion, if
9 Foxwoods were to abandon the notion of
10 even looking at the Gallery, my guess has
11 been in a very short time they'll be
12 under construction at Columbus and Reed,
13 because they've gotten everything that
14 they need from the Supreme Court. A
15 Master was appointed by the Supreme Court
16 about two or three weeks ago to oversee
17 the licensing and permit issuance on
18 behalf of the City, and if we in any way,
19 the City of Philadelphia, in any way,
20 shape or form looks as though they are
21 delaying this or using it as a tactic to
22 delay the construction or the issuance of
23 permits and licenses on Delaware Avenue,
24 the Supreme Court, the Master will make
25 the decision for us. Simple as that.

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2 (Audience member yelling.)

3 MS. SOMEKAWA: I mean, just to
4 be clear, when I made the comment about
5 making the entire City into a CED, I was
6 really not trying to imply that we would
7 be happy to foist this casino on any
8 neighborhood, that if we succeed in
9 getting this Foxwoods to not move into
10 the Gallery, we would then move over and
11 stand in support with our friends at the
12 waterfront sites and oppose the casinos
13 at those sites.

14 COUNCILMAN DiCICCO: Thank you.

15 COUNCIL PRESIDENT VERNA: Thank
16 you very much.

17 Are there any --

18 (Applause.)

19 MR. McPHERSON: Our next
20 witnesses consist of representatives from
21 Casino-Free Philadelphia, and they are --

22 COUNCIL PRESIDENT VERNA:
23 Mr. McPherson, I don't think we heard
24 you, and I would like the record to
25 reflect that Councilwoman Brown has

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2 joined us.

3 Who are the next panel?

4 MR. MCPHERSON: The next panel

5 consists of representatives from

6 Casino-Free Philadelphia, and they are

7 Jethro Heiko, Lily Cavanaugh, Paul Boni,

8 Debbie King, JJ Tiziou and Kathy

9 Dilanardo.

10 (Witnesses approached witness

11 table.)

12 COUNCIL PRESIDENT VERNA: I

13 don't want to cut anybody off, but I am

14 asking that everyone abide by the

15 three-minute rule. And I would also like

16 to make a statement.

17 If someone has prepared

18 testimony, cannot stay for the entire

19 hearing, we will certainly be happy to

20 accept your testimony and give it to the

21 stenographer, and it will be transcribed

22 in full in the record.

23 Thank you.

24 So our first witness is?

25 MR. HEIKO: My name is Jethro

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2 Heiko.

3 Before I begin, I'd like to
4 just say that we're happy to answer any
5 questions that you have upon completion
6 of our testimony.

7 Again, my name is Jethro Heiko
8 and I'm one of the founders of
9 Casino-Free Philadelphia.

10 COUNCIL PRESIDENT VERNA:
11 Excuse me. This looks like very long
12 testimony.

13 MR. HEIKO: It's all three.

14 COUNCIL PRESIDENT VERNA: Oh,
15 it's all three?

16 MR. HEIKO: It's less than nine
17 minutes. I'll try to keep it to that.

18 My name is Jethro Heiko and I
19 am one of the founders of Casino-Free
20 Philadelphia, a grassroots organization
21 whose mission is to prevent casinos from
22 coming to Philadelphia and to shut down
23 any that open.

24 For purposes of our testimony
25 today, we will assume that slots gambling

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2 is coming to Philly, though in reality,
3 we don't think they will. That's right,
4 we believe it's inevitable that slots
5 casinos will not open in Philadelphia.

6 (Applause.)

7 MR. HEIKO: An increasing
8 number of people recognize that this is a
9 predatory and harmful industry not worth
10 the claimed benefits. Who are these
11 people? They are the people of
12 Philadelphia, and it is we who have the
13 power to shape the future of our city.

14 The CED should not be located
15 on Market Street. It should be located
16 as far as way from neighborhoods as
17 possible. Our testimony today will focus
18 on the fact that the CED is being rushed
19 without the City gathering any evidence
20 on what a slots parlor is and how it
21 should be zoned and controlled. The CED
22 bills should be halted and the City
23 should hold hearings on what a suitable
24 CED should contain.

25 We ask, what's the true nature

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2 of slots and what should a CED look like?

3 Well, this is not
4 entertainment. This is predatory
5 gambling. That is the nature of a slots
6 parlor, predatory gambling.

7 What's the difference between
8 social gambling and predatory gambling?
9 Social gambling is a Friday night poker
10 game at your buddy's house. Social
11 gambling is an office pool where you bet
12 on which team is going to win the Super
13 Bowl. That is social gambling, because
14 every \$5 you lose, your buddy wins. It
15 can only happen so often and it can only
16 happen so fast. There is no predatory
17 aspect to it. We are not against social
18 gambling.

19 Predatory gambling is the
20 practice of using gambling to prey on
21 human weakness for profit, and,
22 unfortunately, Pennsylvania has decided
23 that it should be the preferred method of
24 raising revenue. The gambling industry
25 and our government, including you, are

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2 now becoming active partners in turning
3 hundreds of thousands of people in the
4 Philadelphia region away from being small
5 savers and into becoming habitual
6 bettors, trapping way too many in a cycle
7 of debt and poverty.

8 Predatory gambling also
9 fundamentally threatens the most
10 important founding principles of our
11 American democracy, sharply undermining
12 the principles of equal citizenship,
13 self-government and accountability.

14 (Bell rung.)

15 MR. HEIKO: What makes it
16 predatory? The design and function of
17 the machine, the amount of the bets and
18 the speed of the play, and the marketing.

19 We will mention each of these
20 and then explain how the CED is
21 inadequate to protect the people of
22 Philadelphia.

23 I will now turn to the next
24 witness from Casino-Free Philadelphia, my
25 colleague, Lily Cavanaugh.

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2 MR. CAVANAUGH: First, we
3 mention the design and function of the
4 slot machine, which as a prominent MIT
5 Professor stated is the high-tech
6 equivalent of loaded dice. And using
7 loaded dice is cheating.

8 Do you know how the machines
9 are designed and do you know whether the
10 machines will be fair to Philadelphia
11 gamblers? You probably take it on faith
12 that the machines are fair because
13 Harrisburg says so. However, you have
14 never trusted Harrisburg on anything
15 about slots. Why would you trust them
16 that the machines are fair?

17 Will the machines cheat the
18 people of Philadelphia?

19 Can anyone in our City
20 government explain what virtual reel
21 mapping is? The process of virtual reel
22 mapping means that the distribution of
23 symbols and blanks on the actual reels do
24 not reflect the true probability of the
25 symbols appearing on the pay line. For

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2 example, let's say a particular reel has
3 22 stops, which includes 11 symbols and
4 11 blanks. You would think the odds of
5 the reel stopping on any particular stop
6 is one in 22. Clearly, that's what the
7 gambler is led to believe. But with
8 virtual reel mapping, the odds are much
9 different than what the player perceives
10 from the reel. Is that fair?

11 As another example, do you have
12 any idea what the odds of getting a
13 cherry or any particular winning
14 combination? Do you have any idea what
15 the odds are? Do you even know how to
16 find out what the odds are? Tonight when
17 you get home, search the Internet and try
18 to figure out if you can find out what
19 the odds of winning on a slot machine
20 are.

21 Why aren't the odds posted at
22 the slots parlor? Even for the PA
23 Lottery, which is also predatory
24 gambling, you can go to their website and
25 look up the odds. Why not with a slots

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2 machine? Why shouldn't the gambler know
3 the odds?

4 Before voting on the CED bills,
5 City Council should hold hearings on the
6 machines and allow public testimony. If
7 we want a transparent process, then let's
8 have a transparent process about the
9 product so that we can ensure our
10 citizens are being fairly treated. If
11 you think you are merely giving people
12 the freedom to gamble, then why not give
13 them the freedom to understand the odds?

14 The CED should require that the
15 odds are posted at the end of each aisle.
16 The City Code requires that retail stores
17 clearly mark the price of items for sale
18 and that stores clearly exhibit a sign
19 with a return policy. Disclosure is in
20 the public interest, so let's investigate
21 and disclose to the consumer. Let's see
22 if Foxwoods really wants transparency.

23 I now turn my testimony over to
24 Casino-Free's attorney, Paul Boni.

25 MR. BONI: Another predatory

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2 aspect of the slots trade is getting the
3 gambler to, quote/unquote, play to
4 extinction. That's their term. What
5 does it mean? It means getting the
6 gambler to stay in front of the machine
7 for as long as it takes to lose all their
8 money. There are a number of ways the
9 trade tries to do this: The design of
10 the machine, the design of the Chair, the
11 hypnotic music, the hum.

12 One way to get the gambler to,
13 quote/unquote, play to extinction is to
14 have the casino be open 24 hours a day,
15 because if it closed, then you would have
16 to stop playing at least for the night.
17 And they don't want to do anything that
18 might cause you to stop playing. Is it
19 too much to ask to have the slots parlor
20 close down at least at some point? Do we
21 need to allow and indeed encourage our
22 senior citizens to sit in front of a slot
23 machine at 3:00 or 4:00 a.m.?

24 The CED should be amended to
25 require the slots parlor to close at a

1 11/1/08 - RULES - BILLS 080741 & 080742
2 reasonable hour. The Gaming Act seems to
3 allow the City to do this. Let's hold
4 hearings and build a record. And if
5 Foxwoods wants to sue, then let's force
6 them to expose the true nature of their
7 trade.

8 This is not entertainment. In
9 Connecticut, Foxwoods makes loans to its
10 gamblers, and when they lose the money
11 and can't pay it back, Foxwoods puts a
12 lien on your home. That's right,
13 Foxwoods puts a lien on your home. Show
14 me a movie theatre that does that.

15 This trade is predatory, and
16 our City government needs to study it and
17 make sure we protect the people of
18 Philadelphia. It's irresponsible to
19 facilitate -- it is irresponsible to
20 facilitate this trade, even if you think
21 you are legally required, without also
22 trying to understand it, expose any
23 unfair and predatory practices and do
24 your best to eliminate them.

25 To vote the CED out of

1 11/1/08 - RULES - BILLS 080741 & 080742
2 Committee is worse than facilitation. It
3 is expediting. None of the reasons for
4 pushing the CED now as explained by the
5 City folks have any basis in law or fact.
6 They all have a basis in a political
7 deal, a political deal that is not open
8 and not transparent.

9 Foxwoods want you to give them
10 by-right zoning for a location that sits
11 atop 100,000 commuters each day --

12 (Bell rung.)

13 MR. BONI: -- for a location
14 that would allow hundreds of thousands of
15 residents to walk to, for a location that
16 would allow tens of thousands of workers,
17 including City workers, people who work
18 for you, to visit on their coffee break
19 and their lunch hour.

20 Councilmanic privilege should
21 not apply here, not if you have a
22 regional rail running through your
23 district, not if you have a SEPTA bus in
24 your district that goes to Market East.
25 Your constituents are being targeted by

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2 Foxwoods at this location.

3 And, yes, things are different
4 now. You can't blame this location on
5 the Governor, the State Legislature or
6 even the courts. This one is your
7 location. This slots parlor, if you
8 allow it, will have your name on it.
9 Please do not vote these bills out of
10 Committee.

11 COUNCIL PRESIDENT VERNA: Thank
12 you, Mr. Boni.

13 (Applause.)

14 COUNCIL PRESIDENT VERNA: Are
15 there any questions or comments?

16 The Chair recognizes Councilman
17 DiCicco.

18 MR. BONI: And we're available
19 for questions about the predatory nature
20 of this industry.

21 COUNCIL PRESIDENT VERNA: I'm
22 sorry. What was your comment? I didn't
23 hear you.

24 MR. BONI: We're available for
25 questions.

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2 COUNCIL PRESIDENT VERNA: The
3 Chair recognizes Councilman DiCicco.

4 COUNCILMAN DiCICCO: Thank you.

5 Mr. Boni, in your testimony on
6 Page 4, "Foxwoods wants you to give them
7 by-right zoning for this location," would
8 you explain that?

9 MR. BONI: Sure. The Supreme
10 Court did order zoning for the two
11 waterfront locations, and they can only
12 do so because this City Council had
13 enacted the CED ordinance for the
14 waterfront.

15 COUNCILMAN DiCICCO: But --

16 MR. BONI: I'm explaining it,
17 sir, please.

18 So this CED legislation gives
19 Foxwoods everything it needs to know to
20 design its facility to be compliant with
21 the Zoning Code.

22 I understand that we think we
23 still need to go through a plan of
24 development process, that we believe and
25 you believe that if we don't clear that

1 11/1/08 - RULES - BILLS 080741 & 080742
2 hurdle, then this casino won't be built,
3 but there were a lot of things that we
4 thought needed to be happen at SugarHouse
5 that we felt confident that the City
6 could stop or delay, and the Supreme
7 Court disagreed with us. And so I would
8 suggest that to change the Zoning Map to
9 enact this CED may play right into the
10 casino's hands and give the Supreme Court
11 everything it needs to give zoning.

12 Now, we know the Supreme Court
13 makes incorrect decisions. We don't want
14 there to be a fifteenth incorrect
15 decision.

16 COUNCILMAN DiCICCO: I don't
17 want them to make a fifteenth decision
18 regardless if it's correct or incorrect.

19 You said that we did CED
20 legislation for the two waterfront sites?
21 We did CED legislation long before those
22 sites were selected. We set into place
23 legislation that whoever the licensees
24 would be would have to adhere to. It
25 wasn't specific to those two sites. You

1 11/1/08 - RULES - BILLS 080741 & 080742

2 know that.

3 MR. BONI: I agree with you.

4 You didn't put it on the map --

5 COUNCILMAN DiCICCO: But you
6 just said in response to my question that
7 the City, we did two CED pieces of
8 legislation, CED legislation, for the two
9 waterfront sites. We didn't do that.

10 MR. BONI: You did everything
11 but put it on the map, which the Supreme
12 Court did for you.

13 COUNCILMAN DiCICCO: Thank you.
14 And what's to suggest that the Supreme
15 Court won't do it at the Gallery if we
16 put up the obstacles similar to what we
17 did on Delaware Avenue?

18 MR. BONI: Well, if you give
19 them everything but putting it on the map
20 or even starting by putting it on the
21 books, then they're going to take it and
22 stick it to us.

23 COUNCILMAN DiCICCO: Paul, you
24 were in those fights. You understand
25 what we did, and in the end, the Supreme

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2 Court made the decision for us. I am not
3 going to let that happen in this case, if
4 they decide to build at the Gallery.

5 MR. BONI: Councilman, I've
6 heard a lot of reasons about why there
7 are still many things to happen and I've
8 heard lots of reasons about why we
9 shouldn't fear that this is a critical
10 step, but I haven't heard any reason that
11 would affirmatively justify why we should
12 do this today. The only thing that's
13 implied is that we need to show good
14 faith to Foxwoods to coax them to put
15 together designs and plans and studies.

16 COUNCILMAN DiCICCO: So
17 theoretically as the sponsor of the bill,
18 if I pulled this bill today, some people
19 would be happy. Foxwoods says there's
20 not a good-faith effort to even explore
21 the potential or the possibility of us
22 putting our casino at 11th and Market,
23 we're going to go to Delaware and Reed.
24 And you and I and all those people who
25 are going to lay down in front of

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2 bulldozers aren't going to be able to
3 stop that from happening, and you know
4 that.

5 MR. BONI: Well, it's good that
6 you'll be there with us, but --

7 COUNCILMAN DiCICCO: I didn't
8 say I would be there. No. I didn't say
9 I would be there. I said you and all the
10 other people who have said over the years
11 that you'll lay down in front of
12 bulldozers won't make a difference,
13 because maybe you'll get maybe a day in
14 delay. After that --

15 MR. HEIKO: We'll keep going
16 back.

17 COUNCILMAN DiCICCO: Yeah,
18 you'll keep going back.

19 MR. BONI: Well, we look
20 forward to showing City Council and the
21 City Administration --

22 COUNCILMAN DiCICCO: Well,
23 maybe I ought to pull the bill and let
24 happen whatever is going to happen on the
25 waterfront and end of story, so Chinatown

1 11/1/08 - RULES - BILLS 080741 & 080742
2 will be happy and everybody else will be
3 upset.

4 MR. BONI: We look forward to
5 showing City Council and the City
6 Administration just how much power the
7 people have.

8 COUNCILMAN DiCICCO: The people
9 have as much power as -- you know, you
10 talk about councilmanic prerogative, with
11 all due respect, to all the battles we
12 fought. But not for councilmanic
13 prerogative, we wouldn't be having this
14 conversation today. Those casinos would
15 have been under construction at least a
16 year ago.

17 Thank you.

18 COUNCIL PRESIDENT VERNA: Thank
19 you.

20 Any other questions or
21 comments?

22 The Chair recognizes Councilman
23 Goode.

24 COUNCILMAN GOODE: Thank you,
25 Madam President.

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2 Mr. Boni, you say in your
3 testimony, "None of the reasons for
4 pushing the CED now, as expressed by
5 Mr. Altman and Mr. Greenberger, have any
6 basis in law or fact." What reasons were
7 you referring to?

8 MR. BONI: Well --

9 COUNCILMAN GOODE: And as
10 expressed when?

11 MR. BONI: Excuse me?

12 COUNCILMAN GOODE: And as
13 expressed when?

14 MR. BONI: Well, as expressed
15 at the City Council -- at the City
16 Planning Commission hearing and as has
17 been expressed by Councilman DiCicco and
18 others in the City Administration, is
19 that somehow this special Master, somehow
20 this threat of this Supreme Court could
21 intervene and order Foxwoods at the
22 Gallery if we don't get in here and have
23 a part of the process, and I find that to
24 be demagoguery. I find that to be
25 lacking in any basis in the law or the

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2 fact.

3 Foxwoods does not have a gaming
4 license for Market Street. The Supreme
5 Court, no court can order zoning at
6 Market Street without a gaming license.
7 The gaming license is going to take
8 months for them to get to transport.

9 I feel that this is really even
10 worse than setting up the -- well, than
11 expediting this local process. What
12 we're doing here is, we're giving the
13 Gaming Control Board perfect
14 justification to transport the license to
15 this location. They're going to say, The
16 City of Philadelphia loves this site. Of
17 course that's good cause. Let's move it
18 here.

19 But I would say that there is,
20 of course, another way, as has been
21 testified by people before me, and, that
22 is, you can have all the process you
23 want, just don't pass this law.

24 There's no community group in
25 any district -- in any of your districts,

1 11/1/08 - RULES - BILLS 080741 & 080742
2 in any part of this city, even if it was
3 just a condo tower, that would not hit
4 the roof if you said, Let's change the
5 Zoning Map today and then look at the
6 project tomorrow. It doesn't happen. It
7 just doesn't happen.

8 COUNCILMAN GOODE: Mr. Boni,
9 second question is, who chose this site?

10 MR. BONI: That is the problem,
11 Councilman Goode. I appreciate the
12 question, and I appreciate Mr. Altman's
13 candor when he says that Foxwoods chose
14 this site. And I would ask Mr. Altman,
15 is he or is he not a city planner? Isn't
16 the city planner's job to decide what
17 goes where?

18 COUNCILMAN GOODE: So it's your
19 belief that Foxwoods chose this site?

20 MR. BONI: It's undisputed.

21 COUNCILMAN GOODE: I'm not
22 disagreeing with you.

23 MR. BONI: Yeah. That's true.

24 COUNCILMAN GOODE: And is it
25 true that only Foxwoods could choose the

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2 site?

3 MR. BONI: Well --

4 COUNCILMAN GOODE: Because

5 they've already been given authorization

6 for another site. Is it true that only

7 Foxwoods could choose an alternative site

8 or a resiting because they were already

9 given authorization at another site?

10 MR. BONI: They can choose --

11 well, I don't know who else was in on the

12 decision, but certainly Foxwoods decided

13 to --

14 COUNCILMAN GOODE: But my

15 question is, only Foxwoods could choose

16 to resite because they've already been

17 given the authority at a site that was

18 already chosen?

19 MR. BONI: Well, I don't

20 believe that. No, I don't believe that.

21 I believe that the City can have an open

22 resiting process that looks at the entire

23 city and tries to find out what's the

24 best location for a casino or the least

25 worst, as we like to say, and it can

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2 grant CED zoning at that location. And
3 it can stiff-arm Foxwoods at the
4 waterfront, as we've been doing and,
5 frankly, for which they probably have no
6 financing, and they could do everything
7 to encourage them to move to the new site
8 that the --

9 COUNCILMAN GOODE: Do you stand
10 by your original answer to the question
11 about who chose the site?

12 MR. BONI: Yes. Foxwoods chose
13 this site.

14 COUNCILMAN GOODE: Thank you.

15 COUNCIL PRESIDENT VERNA: Thank
16 you.

17 Any questions or comments from
18 members of the Committee?

19 (No response.)

20 COUNCIL PRESIDENT VERNA:

21 Seeing none, thank you, gentlemen.

22 Our next panel will be?

23 MR. McPHERSON: There's still
24 some representatives of this panel.
25 Debbie King, JJ Tiziou and a Kathy

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2 Dilanardo.

3 MR. BONI: I think Debbie may
4 have assumed that she's at the end of the
5 list. She may come back later.

6 MR. TIZIOU: I'll try to be
7 brief. I thank you for your time. My
8 name is JJ Tiziou. I am here as a member
9 of Casino-Free Philadelphia, but also a
10 representative of many performing and
11 visual artists in the City. I'm a
12 photographer and was recently a finalist
13 for a public art commission in this town
14 of \$125,000 or so, which we didn't get,
15 but I learned something really
16 interesting in the process. There was an
17 engineer there who spoke about the need
18 to hold community meetings to let the
19 community be able to say that they've had
20 a voice in the input. It was a subtle
21 distinction, but the way that he phrased
22 it was really striking to me. He said --
23 and I think the reason that people here
24 are frustrated a little bit is, there's
25 an impression that may or may not be

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2 true, this impression that things are
3 being held just so that people can say
4 that they've had a voice and you can say
5 that you've given us an opportunity to
6 have a voice, but there seems to be
7 something that we're not actually going
8 to listen to it because there's already
9 this idea because the Supreme Court is
10 going to come and say we are going to
11 have these two casinos in the City.

12 So that's just a question for
13 yourself. When you see all these people
14 up here, are we here to actually listen
15 to them or just to hear them make their
16 clamor? And I hope that you'll actually
17 listen to all of them.

18 There's been a lot of talk
19 about the immediate costs of the casinos,
20 but one I think was a longer scale thing
21 of the opportunity costs for the City and
22 also the ability of the City after the
23 casinos -- I'm sure they'll bring us some
24 jobs, but something that hasn't been done
25 in a cost-benefit analysis is where does

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2 this go afterwards. And in terms of as
3 an artist in this town, we see that this
4 City has what New York had maybe 20, 30
5 years ago. It's got a thriving community
6 with amazing entertainment to offer that
7 could be cultivated, arts and culture in
8 this city, far more to offer than the
9 cheap thrills of a casino. And instead
10 what's going on here, I think that having
11 this process go the way it is and having
12 these casinos come into the City will
13 deter then when you want to bring other
14 companies in.

15 I have so many artist friends
16 who are moving here from Brooklyn now,
17 because Philly is the next best thing,
18 it's the next great thing, people who a
19 decade ago I tried to convince to move to
20 Philly, they didn't care about Philly.
21 Philly, that's cool.

22 I'm running out of town.

23 And now all the sudden Philly
24 is on their radar, it's a great thing.
25 But they want to move to Philadelphia,

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2 not to Atlantic City, not to Vegas.

3 That's all I have to say, and

4 thank you very much for your time.

5 COUNCIL PRESIDENT VERNA: Thank

6 you very much.

7 Any questions or comments of

8 this witness?

9 (No response.)

10 COUNCIL PRESIDENT VERNA: Thank

11 you.

12 MR. MCPHERSON: Our next

13 panel --

14 MR. CAVANAUGH: There's one

15 more witness that was going to speak with

16 Casino-Free Philadelphia. Instead, we'd

17 like to invite the charter school to come

18 up and have their words from our witness.

19 MR. MCPHERSON: Our next

20 witnesses are Liting Zou, Michelle

21 Truong, Johnson Kan.

22 (Witnesses approached witness

23 table.)

24 (Applause.)

25 COUNCIL PRESIDENT VERNA:

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2 Welcome. Please identify yourself for
3 the record. Who is going to testify
4 first? Identify yourself and proceed
5 with your testimony.

6 MISS ZOU: Hi. My name is
7 Liting Zou and I'm 13 years old. I'm
8 here to tell you about our opinion about
9 the casino. I want to tell you my
10 opinion because I know many, many people
11 affected by gambling. Their families
12 have been through a lot. There's
13 depression and other things, and the
14 innocent children are the people who got
15 hurt the most.

16 Some families I know have even
17 been hungry because of gambling. They
18 don't have enough food for the children.
19 I've seen this myself.

20 Adults who gamble also
21 influence their kids. Young people who
22 makes fake IDs also can go into gambling.
23 They see what adults are doing and they
24 get hooked, too. Some casinos even have
25 game rooms for kids that are like

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2 gambling games just to try and to get
3 more people addicted.

4 The casino will be able to
5 serve alcohol 24/7. Alcohol is good for
6 a casino because it makes people not be
7 able to make good decisions. It makes
8 them gamble even more. But it also makes
9 people do things that they wouldn't
10 normally do. People who are drunk and
11 who lose money can commit crimes. This
12 can make Chinatown more dangerous.

13 I don't live in Chinatown, but
14 I go to Chinatown almost every day. My
15 school is in Chinatown. To go back and
16 forth to Chinatown, I need to take SEPTA,
17 and I always go through the Gallery.

18 Would any of you want your 13-year-old
19 daughter to have to go through a casino
20 to be able to get to and from school?

21 Would any of you want your 13-year-old
22 daughter to have to walk past people who
23 have been drinking and losing money every
24 day just to be able to go home?

25 So I want to ask you, if this

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2 isn't good for your daughter, why is it
3 okay for me?

4 (Applause.)

5 MISS TRUONG: My name is
6 Michelle Truong and I am 13 years old.
7 I'm here to talk about why building a
8 casino is a bad idea.

9 I know that having a casino can
10 affect not only one person, but can
11 affect a family and other relatives, too.
12 I know this because this has happened to
13 my family, and I'm here to tell you my
14 story.

15 When my dad was five, his
16 parents divorced and he followed his mom.
17 His mom was a gambler and opened illegal
18 places to gamble, so he would always
19 follow her. My dad's biggest role model
20 was his mom. That's why he started to
21 learn to gamble.

22 My mom married my dad and then
23 she had to pay back all the money he owed
24 other people from borrowing. She went to
25 work at 4:00 a.m. at a garden, then she

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2 went to work at another job in a

3 restaurant until 1:00 in the morning.

4 She paid back everything he owed. She

5 even worked when she was pregnant about

6 to have me.

7 I remember when I was young,

8 about five or six, me and my little

9 brother would follow my dad to watch him

10 gamble. I remember seeing people drunk,

11 and it terrified me. My parents would

12 always fight. My dad stopped working and

13 kept gambling. Each time he said he

14 would stop, but he never did.

15 There were other bad things to

16 happen, but it's private and I don't want

17 to say it here.

18 Now my parents are divorced. I

19 live with my mom, and she's my role

20 model. I can tell what's right from

21 wrong, but my brothers are still young.

22 To them, they still remember my dad and

23 watching him gamble. Do you think it's a

24 good idea if they look up to my father?

25 He was a man who looked up to his mother.

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2 What will my brothers do?

3 Some people say that building a
4 casino is okay because people just want
5 to have fun. But you know it's not a
6 good idea, because you get addicted, you
7 lose money and your family is destroyed.
8 You can say it's their own fault, that
9 they can control themselves, but children
10 see it all the time if they are born into
11 that situation, and no one, including the
12 government, try to stop it, then whose
13 fault is it?

14 (Applause.)

15 MR. KAN: Good afternoon,
16 ladies and gentlemen. My name is Ho
17 Chuen Kan, but my friends call me
18 Johnson. I'm 13 years old, and I'm here
19 to talk about building a casino on top of
20 the Gallery. If I could make this
21 decision, I would say no for sure.

22 I don't say that just because
23 I'm trying to mess around. I say it
24 because of my experience. I have seen
25 many people addicted to gambling and they

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2 can't pull themselves away from it.

3 Their families lose all their money and

4 owe a lot of money. It makes them unable

5 to even afford food, and the kids have to

6 go hungry for days.

7 I also have an aunt in New

8 York. She got addicted to gambling, so

9 she took two to three hours every day

10 just to go to Atlantic City to the

11 casino. And usually she stayed there for

12 many days gambling non-stop, without even

13 sleeping, just gambling non-stop. Her

14 husband separated with her and became

15 mentally ill. She has two sons, which is

16 my cousins, but when her sons see that

17 their mom is like that, they stay out of

18 the house and be in the streets, because

19 they don't want to go home and see their

20 mom.

21 Now her husband has died, so

22 she decided to stop gambling. But she

23 has already lost at least 300,000. She

24 used to have a really good job with a

25 really good income, but now she just

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2 depends on her sons.

3 The people saying that we
4 should build a casino on top of the
5 Gallery always say it will help the City,
6 that they will give taxes to the City and
7 things like that. But can't you just
8 look at Atlantic City? It started with
9 one casino and now there's a bunch of
10 casinos. And I don't find a single
11 business there, except for the big
12 companies. There aren't any small
13 businesses left.

14 My mom always tells me that the
15 houses there still cost money, but
16 there's no market to sell it. No one
17 wants to live there. You know why?
18 Because the casino tore down small
19 business and people can't get job except
20 in casinos. People move away so that
21 their kids won't go gambling.

22 This can happen to us, too.
23 Now you say there's going to be only one
24 casino here, but what about the future?
25 And why is Philadelphia giving up on the

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2 citizens? Isn't one Atlantic City
3 enough? Is that what we want
4 Philadelphia to look like?

5 Thank you, and I hope you guys
6 reconsider this idea, because it is bad
7 for our families, for the kids and for
8 the City.

9 (Applause.)

10 MR. DAVIDSON: My name is Bill
11 Davidson. I sit in front of you as a
12 resident and teacher in the Chinatown
13 community and also a former gambling
14 addict. I teach at FACT Charter School,
15 which is located five blocks from the
16 proposed casino site.

17 In just over two months, it
18 will have been 13 years since I last
19 placed a bet. I know the adrenaline rush
20 that follows gambling wins and the
21 crashing woes that come with its loss. I
22 also know that if casinos are built above
23 the Gallery, they won't receive a single
24 cent from me.

25 Gambling is

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2 personality-altering. It consumes the
3 mind, making it singly focused and
4 irrational, and I have no desire to
5 return to that hateful state.

6 But I am not here today to make
7 a moral argument against the gambling
8 business. Everyone knows the casinos are
9 a predatory industry, which make most of
10 their revenue by starting and
11 perpetuating gambling addiction, but
12 going to them is ultimately a choice.

13 Requesting that Foxwoods build
14 their casinos elsewhere because gambling
15 addiction rife from the Chinatown
16 community is futile. If they were moral,
17 ethical people, they wouldn't be part of
18 such a pernicious industry to begin with.
19 How any --

20 (Applause.)

21 MR. DAVIDSON: How anyone can
22 look these three children in the face,
23 listen to their testimony and then still
24 build at the proposed site, I'll never
25 understand.

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2 Morality aside, casinos above
3 the Gallery still aren't in our city's
4 best interest. I often see my students
5 walking through Chinatown on their way to
6 the Gallery. The community is safe and
7 vibrant, and its decimation would be a
8 tragic loss for Philadelphia.

9 Broke, angry, drunken people
10 and the cast of underworld characters
11 that accompany gambling culture would
12 destabilize the area, especially after
13 dark, and make it less appealing to
14 visitors. This would destroy Chinatown's
15 restaurant industry and, in turn, the
16 neighborhood.

17 At the same time, the wonderful
18 students I teach and thousands of other
19 impressionable teenagers who consider the
20 Gallery their favorite meeting place will
21 constantly be crossing paths with
22 alcoholics, gambling addicts, prostitutes
23 and drug dealers.

24 By passing zoning that allows
25 casinos to be built above the Gallery,

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2 the highest concentration of teenagers in
3 the City, our city either didn't think
4 about the negative influences of casinos
5 on city kids or they don't care about our
6 lower, middle-class minority youth. The
7 first seems like an awfully big oversight
8 for leaders who are supposed to represent
9 its people's best interest. The second
10 is unthinkable.

11 I've been a teacher for eight
12 years all over the world, and I feel
13 privileged to have taught the three
14 students that testified here today.
15 They're as caring, brilliant and driven
16 as any students I've ever worked with.
17 If I were still a betting man, I would
18 bet they're probably the three smartest
19 people in the room.

20 (Applause.)

21 MR. DAVIDSON: They also
22 represent a population of students whose
23 families came to this city and country
24 pursuing the American dream. The older
25 generation is eager to make a great

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2 working contribution to the City so that

3 the younger generation can represent

4 Philadelphia's academic institutions on a

5 local, national and even world stage.

6 Our City's government should be

7 doing everything it possibly can to

8 nurture and empower the Johnson Kan's,

9 Liting Zou's and Michelle Truong's of

10 this City, but we're here today because

11 you have approved the opposite.

12 (Bell rung.)

13 MR. DAVIDSON: Systematically

14 destroying their family's business center

15 and community, which in turn strains

16 their family unit, is nothing short of

17 irresponsible government.

18 COUNCIL PRESIDENT VERNA: Thank

19 you.

20 (Applause.)

21 COUNCIL PRESIDENT VERNA: Thank

22 you very much.

23 Are there any questions or

24 comments of this panel?

25 (No response.)

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2 COUNCIL PRESIDENT VERNA:

3 Seeing none, I would ask Mr. McPherson --

4 MR. DAVIDSON: Could I respond
5 to something that Mr. DiCicco asked AAU?

6 COUNCIL PRESIDENT VERNA: I
7 didn't know we were having a --

8 MR. DAVIDSON: It's okay? I
9 want to speak -- can I?

10 COUNCIL PRESIDENT VERNA:

11 Again, I'm going to ask you please be
12 brief. We're trying to hear every
13 witness.

14 MR. DAVIDSON: I will be very
15 brief.

16 I don't want to speak on behalf
17 of AAU or No Casinos Philadelphia.
18 Personally he asked do you approve of it
19 in a different site. And I don't approve
20 it in a different site. However, I can't
21 imagine one any worse than the Gallery,
22 because of the high concentration of
23 Philadelphia youth and the central
24 location of it.

25 COUNCIL PRESIDENT VERNA: Thank

1 11/1/08 - RULES - BILLS 080741 & 080742

2 you.

3 (Applause.)

4 COUNCIL PRESIDENT VERNA: Our
5 next witness?

6 MR. MCPHERSON: Our next panel
7 consists of Judy Applebaum, Jesse Cohen
8 and Gregory Heller.

9 (Witnesses approached witness
10 table.)

11 COUNCIL PRESIDENT VERNA: Good
12 afternoon. Welcome.

13 Judy, please identify yourself
14 for the record and proceed with your
15 testimony.

16 MS. APPLEBAUM: Good afternoon.
17 I'm Judith Caplo-Applebaum (ph) and I'm
18 President of the Washington Square West
19 Civic Association. With me is Jesse
20 Cohen and Gregory Heller. Gregory is an
21 urban planner. They sit on our Zoning
22 and Governmental Affairs Committee.

23 I would like to thank the
24 members of the City Council for the
25 opportunity to testify this afternoon on

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2 behalf of the Washington Square West
3 Civic Association. The Civic
4 Association, founded in 1935, represents
5 approximately 600 households and 87
6 businesses within the area bounded by 7th
7 Street on the east, Broad on the west,
8 Chestnut on the north and South Street on
9 the south.

10 We are here to testify on Bill
11 080741, 42 amending the City Code to
12 provide for a Commercial Entertainment
13 District that would enable a gaming
14 facility as an allowable use in the
15 Gallery.

16 The proposed site for this
17 Foxwoods casino would be about 550 feet
18 from our geographic boundaries. We have
19 not seen architectural planning,
20 circulation designs, nor have we seen any
21 impact studies on this location. My main
22 message today, on behalf of the Civic
23 Association, is to urge City Council to
24 take every feasible measure to ensure
25 that the discussion of siting for gaming

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2 facilities be as thorough, inclusive,
3 transparent and cautious as possible.

4 We were glad to have a strong
5 delegation of City officials and a
6 representative of Foxwoods present at our
7 annual meeting on October 14th to discuss
8 the potential of a casino in the Gallery.
9 As those officials heard, the members of
10 our community who testified did not
11 represent consensus. However, the tone
12 of most of the testimony reflected an
13 urgent need for much more information and
14 much more discussion.

15 Washington Square West is a
16 community that currently has an
17 unacceptable amount of drug dealing,
18 prostitution and crime. It is also a
19 community that has a large number of
20 small businesses, from Antique Row to
21 Midtown Village. We as a community are
22 especially concerned about the potential
23 impact that a casino may have on our
24 already unmanageable crime rate and the
25 potential impacts on our local economic

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2 development.

3 There are few models in this
4 country to study the impact of an urban
5 casino. We hope City Council will ensure
6 that the City move slowly and thoroughly,
7 providing as much information as possible
8 so that the people of Philadelphia can
9 objectively assess some of the potential
10 impacts on this project.

11 In particular, we hope that the
12 City will carry out studies addressing
13 transportation and mobility, impact on
14 nearby retail corridors and potential
15 impact on crime in the surrounding
16 neighborhoods.

17 On a separate but related note,
18 we understand that PREIT, the owner of
19 the Gallery, has much larger plans for
20 renovating the Gallery --

21 (Bell rung.)

22 MS. APPLEBAUM: I'm almost
23 finished.

24 -- (continued) and transforming
25 Market East into a thriving shopping and

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2 entertainment corridor. Whether or not a
3 casino is present in the Gallery, we hope
4 that the City Council will act in the
5 best interest of the City and restoring
6 Market East as a vibrant and successful
7 area.

8 The process surrounding the
9 proposed waterfront casinos and the
10 process thus far with the Gallery site
11 has not engendered confidence that the
12 City and Foxwoods are committed to the
13 kind of process that we need to inform
14 our members and to make an informed and
15 objective judgment on the impact of this
16 proposed gaming facility. We hope that
17 if the City adopts the Commercial
18 Entertainment District, that it will do
19 so in order to promote a slow,
20 transparent, inclusive and thoughtful
21 process. With a development as sensitive
22 and with so many unknown factors as a
23 gaming facility, no other approach will
24 be tolerated.

25 Thank you for your time and

1 11/1/08 - RULES - BILLS 080741 & 080742

2 your consideration.

3 COUNCIL PRESIDENT VERNA: Thank

4 you.

5 Mr. Cohen.

6 (Applause.)

7 COUNCIL PRESIDENT VERNA:

8 Mr. Cohen. All right. Mr. Cohen, would

9 you please proceed with your testimony.

10 MS. APPLEBAUM: I'm sorry?

11 COUNCIL PRESIDENT VERNA: I'm

12 asking Mr. Cohen to proceed with his

13 testimony.

14 MR. COHEN: Thank you,

15 Councilwoman. We actually had just our

16 prepared statement, and me and Mr. Heller

17 don't really have anything to add unless

18 there's any questions for either of us

19 from Council.

20 COUNCIL PRESIDENT VERNA: Very

21 well. Thank you.

22 Any questions from members of

23 the Committee?

24 (No response.)

25 COUNCIL PRESIDENT VERNA: Thank

1 11/1/08 - RULES - BILLS 080741 & 080742

2 you all very much.

3 Our next panel?

4 MR. McPHERSON: Consists of

5 Joel Palmer, Matt Ruben, Richard

6 DeWyngaert.

7 (Witnesses approached witness
8 table.)

9 COUNCIL PRESIDENT VERNA:

10 Proceed with your testimony.

11 MR. DeWYNGAERT: Good morning.

12 COUNCIL PRESIDENT VERNA: Good
13 morning.

14 MR. DeWYNGAERT: My name is
15 Richard DeWyngaert and I am the President
16 of Society Hill Civic Association. Thank
17 you for giving me this opportunity to
18 address City Council regarding the
19 legislation which aims to rezone the
20 Market East section of Center City to
21 accommodate casinos and slots.

22 I want to acknowledge the
23 extraordinary effort our Councilman,
24 Frank DiCicco, has extended thus far in
25 trying to safeguard the interest of

1 11/1/08 - RULES - BILLS 080741 & 080742
2 Society Hill and the other communities he
3 was elected to represent. You have
4 fought tirelessly for us and apprised us
5 honestly of your view of the
6 ever-evolving circumstances related to
7 the casinos that today lead me to testify
8 before you.

9 So, Councilman DiCicco, thank
10 you for your leadership and your
11 demonstrated commitment to the well-being
12 of the community of Society Hill.

13 (Applause.)

14 MR. DeWYNGAERT: I speak to you
15 on behalf of the Board of the Society
16 Hill Civic Association today, because
17 what happens here can have significant
18 impact on our community. Our Board
19 understands the difficult position in
20 which our elected City representatives
21 find themselves. We know that you did
22 not write the legislation that paved the
23 way for legalized slots in Philadelphia.
24 We also know that the State Supreme Court
25 has repeatedly rendered decisions that

1 11/1/08 - RULES - BILLS 080741 & 080742
2 more heavily weigh the interest of
3 Harrisburg and the casino industry over
4 Philadelphia.

5 We know that Philadelphia, like
6 many American cities, is in a somewhat
7 perilous financial situation. We know
8 that the Mayor may be forced to eliminate
9 many existing programs in order to
10 balance the budget. We know that new
11 revenue streams are sought, and we know
12 that Market East has never been developed
13 in a manner consistent with a vision for
14 the "next great city."

15 We also acknowledge that the
16 projected revenue streams to Philadelphia
17 from Foxwoods and SugarHouse looks pretty
18 good at first glance, but this revenue
19 could come at even greater costs.
20 Society Hill is concerned that --
21 concerned about zoning that makes casinos
22 permissible in an essentially contiguous
23 area. To conclude hastily that Market
24 East in the middle of Center City is
25 appropriate for slots simply because the

1 11/1/08 - RULES - BILLS 080741 & 080742
2 waterfront is not is flawed thinking and
3 inconsistent with the inspired and
4 creative vision we had hoped would
5 position Philadelphia to thrive in the
6 21st century. Society Hill, our
7 neighboring communities and our city need
8 a plan that cultivates and seeds
9 sustainable economic growth and
10 development.

11 The Civic Association asks the
12 City to take its time to accurately
13 assess the potential negative impacts
14 experienced by communities proximate to
15 casinos. We must avoid short-term
16 solutions that in the long term may
17 create profound and irreversible problems
18 that compromise the health and vitality
19 of the very communities and historic
20 assets that make Philadelphia unique, a
21 great and enduring national treasure.

22 Society Hill Civic Association
23 implores Council, the City Planning
24 Commission, our Deputy Mayor and the
25 Mayor to slow down and take the time to

1 11/1/08 - RULES - BILLS 080741 & 080742
2 study and completely understand the
3 long-term and broadly considered economic
4 ramifications of the actions the City is
5 considering.

6 (Bell rung.)

7 MR. DeWYNGAERT: Our Civic
8 Association encourages a siting process
9 that begins with good planning principles
10 and which, in the end, leads to an
11 appropriate location for a casino. The
12 current process appears to begin with a
13 specific location. Respectfully, we
14 believe that a rezoning is premature
15 because no plans, studies or impact
16 reports have been conducted and because
17 without the benefit of that information,
18 a sufficient public debate has not
19 occurred. We, therefore, request that
20 you not vote either of these bills out of
21 Committee.

22 Thank you.

23 COUNCIL PRESIDENT VERNA: Thank
24 you.

25 (Applause.)

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2 COUNCIL PRESIDENT VERNA: Our
3 next witness? Good afternoon.

4 MR. PALMER: Thank you very
5 much. My name is Joel Palmer. I am
6 President of Bella Vista Town Watch, one
7 of the 26 communities who are member
8 delegates to the Philadelphia
9 Neighborhood Alliance.

10 The Philadelphia Neighborhood
11 Alliance is not anti-casino. We have,
12 however, worked long and hard with the
13 Councilman, with the City Council, with
14 our state legislators to effect resiting
15 away from the Delaware River.

16 We are obviously pleased by the
17 vision that Penn Praxis, University of
18 Pennsylvania and the City under Mayor
19 Michael Nutter have envisioned for the
20 river and applied the open and
21 transparent process upon which we embark
22 today.

23 Because no casino in no
24 location will ever have zero impacts, we
25 ask that an open, thorough and fair study

1 11/1/08 - RULES - BILLS 080741 & 080742
2 be undertaken to determine what
3 mitigation measures must be afforded and
4 that all concerns of the communities be
5 taken into account, not the least of
6 which is Bella Vista. We are about 900
7 feet south of the Market East location.

8 I'd like to personally thank
9 each of you, and especially Councilman
10 Frank DiCicco, thank our legislators for
11 the opportunity over the past 18 months
12 to reopen and to review the process under
13 which the casinos that are coming to
14 Philadelphia will be located.

15 Thank you all very much.

16 COUNCIL PRESIDENT VERNA: Thank
17 you.

18 MR. RUBEN: Good afternoon.

19 COUNCIL PRESIDENT VERNA: Good
20 afternoon.

21 MR. RUBEN: My name is Matt
22 Ruben. I am President of the Northern
23 Liberties Neighbors Association. I want
24 to thank you, President Verna and
25 Councilman DiCicco and the rest of the

1 11/1/08 - RULES - BILLS 080741 & 080742
2 members of the Committee, for having a
3 Saturday hearing, which allows more
4 people to come. Very much appreciate
5 that. And I want to echo Mr. DeWyngaert
6 and Mr. Palmer's thanks to Councilman
7 DiCicco for many long months and years of
8 standing up on this issue. Through a
9 quirk of geography and fate, I, too, have
10 been involved in this since December of
11 2005, as Councilman DiCicco knows, when
12 the first problems of process began.

13 I am here for two reasons
14 primarily today. One is that just as the
15 City of Philadelphia has embarked on a
16 new day of comprehensive planning and a
17 more coordinated, proactive,
18 forward-looking government and the days
19 of a lack of planning are hopefully
20 behind us, so too is it true that the
21 days when civic associations and
22 communities don't talk to each other, the
23 days when we do not come and support and
24 stand up for each other. Those days are
25 long gone as well. And everyone in our

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2 government and throughout our city should
3 understand that we all stand together.
4 We all communicate. Whatever discussions
5 and arguments we may have --

6 (Applause.)

7 MR. RUBEN: -- we too are
8 coordinated and we too are working for
9 planning, and that is why we're here.

10 The other reason we're here is,
11 the NLNA, if nothing else, from the very
12 beginning has stood up on process. And
13 as I'm sure you all know -- and I do
14 apologize. A lot of what you're getting
15 here and what you always get when we have
16 these hearings is the fact that you are
17 having to bear the brunt of a lot of the
18 quite justified anger and hostility that
19 should be directed at the -- laid at the
20 feet of the Governor and venal
21 incompetence and dismissive attitude of
22 the Pennsylvania Gaming Control Board.
23 So I apologize to you for that as well.

24 (Applause.)

25 MR. RUBEN: Finally, more

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2 specifically, I think that an issue of
3 process is very important. I understand
4 that the introduction of CED legislation
5 can certainly be the beginning of a
6 process, and we have heard the commitment
7 from the Planning Commission and Council
8 to have an open process. I do think,
9 however, that we all need to remember
10 that once a plan of development is
11 submitted by a casino, if that is done,
12 there is a 45-day clock that starts
13 ticking, and if no action is taken, it is
14 deemed approved.

15 I think the CED process itself,
16 what has been started here, should be
17 considered as an appropriate process to
18 actually do the planning and consider the
19 impacts. Whatever Foxwoods' proposal
20 winds up being, if they submit one, we
21 know it will be 5,000 slot machines and
22 we know that it will be on the 1000 block
23 of Market Street and the Gallery. That
24 is enough to start assessing impacts, to
25 do the economic studies, to do planning.

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2 So I would urge this Council to
3 at least seriously consider not stopping
4 this process and immediately passing CED,
5 but let the CED phase be the point where
6 we actually do the planning that we're
7 supposed to do.

8 (Bell rung.)

9 MR. RUBEN: Relatedly, and I'll
10 finish up very briefly, if Council passes
11 CED, what guarantees do we have that
12 Foxwoods going to the Gaming Board to ask
13 for a change of venue, that the public
14 will know what they're proposing? If the
15 Planning Commission works with Foxwoods,
16 what assurances do we have that the
17 public will be able to see any plan of
18 development before that 45-day clock
19 starts?

20 There are many unknowns here.
21 The process has not been detailed or laid
22 out in a way that guarantees full,
23 substantive public input.

24 And, finally, I would urge that
25 this Council also pass a resolution

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2 urging the Pennsylvania Gaming Control
3 Board to have any hearings and any
4 documents submitted to it for a request
5 of change of location by Foxwoods
6 immediately and fully and always open to
7 the public.

8 We're happy to take any
9 questions you may have.

10 Thank you.

11 (Applause.)

12 COUNCIL PRESIDENT VERNA: Thank
13 you.

14 The Chair recognizes Councilman
15 DiCicco.

16 COUNCILMAN DiCICCO: Madam
17 Chair, I would ask that Mr. Greenberger,
18 if he could come up and comment on
19 Mr. Ruben's comments about the process.
20 And just if you can, I think that would
21 be helpful.

22 MR. GREENBERGER: Alan
23 Greenberger.

24 I'll just repeat what I said
25 before. What we want to do is have an

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2 interim public presentation to the
3 Planning Commission and, therefore, to
4 the public on the developing scheme long
5 before it's done, followed by a further
6 presentation closer to the conclusion of
7 when the thing is done. We also want to
8 have a public information session outside
9 of the Planning Commission that we
10 have -- we're starting to figure out how
11 to organize and also how to appropriately
12 time it relative to the POD process so
13 that information is brought out sooner
14 rather than later.

15 MR. RUBEN: First, if I could
16 just briefly say to Mr. Greenberger,
17 congratulations on becoming the Executive
18 Director of the Planning Commission. I
19 think that will be very good for the
20 Planning Commission.

21 Secondly, hearings have people
22 testifying on the record and sometimes
23 under oath, and, again, I think we should
24 at least consider that this CED
25 legislation, the process of considering

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2 this, could certainly be a longer process
3 that would allow a lot of what you're
4 talking about to happen on the record in
5 front of Council in a place where
6 everyone in Philadelphia is hearing the
7 same thing at the same time from PREIT
8 and from Foxwoods.

9 For example, today, I think it
10 was Mr. Dougherty, or whatever testified
11 from Foxwoods, stated that they were
12 asked to consider the Gallery by the
13 Governor and I believe he said the Mayor
14 and other elected officials, but that's
15 not what we've heard otherwise. So that
16 needs to be cleared up, and this kind of
17 hearing is exactly the place to clear up
18 those kind of ambiguities. And, again,
19 it may be that the Gaming Board meets
20 with the Planning Commission -- I mean
21 that Foxwoods meets with the Planning
22 Commission staff extensively, but where
23 is the public in that? And I think it
24 would behoove the Planning Commission to
25 publicly state in a lot of detail exactly

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2 what will be required, including anything
3 above and beyond CED, to consider a plan
4 of development submission complete.

5 I think it would behoove
6 Foxwoods to publicly commit to not
7 submitting a plan of development for a
8 certain period of time if the CED
9 legislation is passed. And, as I said, I
10 think it would behoove the Commission and
11 the Administration and Council to sit
12 down and think about whether or not this
13 hearing process, which doesn't have to
14 end today, could be extended to do some
15 of that fact-finding and to develop what
16 I believe the gentleman from the Marriott
17 Hotel testified to, saying that he would
18 not like to see a casino put in or
19 legislated without a more comprehensive
20 plan for development of that area. And I
21 think why not take advantage of hearings
22 and Council and people being on the
23 record to do that and full public
24 openness and accountability.

25 MR. GREENBERGER: Thank you.

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2 Those are all good suggestions, and all
3 those things are in the works. We will
4 publish information about goals,
5 expectations, public hearings, and put
6 information out there as best we can to
7 make it available to the public and to
8 let public comment on it.

9 COUNCIL PRESIDENT VERNA: The
10 Chair recognizes Councilman DiCicco.

11 COUNCILMAN DiCICCO: Just two
12 things for the record. One is, if this
13 bill is reported out favorably today, we
14 still have two weeks before Council takes
15 final action on it, and then you have,
16 was it, 12 days, I believe, for the Mayor
17 to either sign or veto the bill. So we
18 got at least about 30-something days
19 before the final action on these bills
20 would take effect. So in that interim,
21 there's a lot of time for the Planning
22 Commission, working along with my office,
23 the Administration and others, to talk
24 about and deal with some of the issues
25 that you just raised, Mr. Ruben.

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2 And also I think, for the
3 record, it was mentioned on at least one
4 occasion, if not more, this morning about
5 the Mayor's opposition to casinos being
6 within 1,500 feet of a residential
7 community. My recollection of that was
8 that the Mayor supported the 1,500 foot
9 buffer zone as it specifically was
10 related to the two waterfront sites,
11 because he didn't believe and most of us
12 didn't believe that those were the
13 appropriate sites for casinos. It was
14 not a statement of fact that it would
15 never be within 1,500 foot of any
16 residential community. It was specific
17 to those two sites. And to the best of
18 my recollection, again, the Mayor is more
19 supportive of the Gallery site obviously
20 than he was on the waterfront.

21 But I wanted that to be
22 perfectly clear. It was not a blanket
23 1,500 foot across the City. It was
24 specific to the waterfront sites, and I
25 just want to note that for the record.

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2 Thank you.

3 COUNCIL PRESIDENT Verna: Thank
4 you.

5 Thank you, gentlemen.

6 MR. RUBEN: Thank you.

7 COUNCIL PRESIDENT Verna: Our
8 next panel?

9 MR. McPHERSON: Our next panel
10 consists of Father Tom Betz, Cecilia Yep,
11 George Moy and Ms. So King Kong.

12 (Witnesses approached witness
13 table.)

14 COUNCIL PRESIDENT Verna: Is
15 Father Betz here?

16 (No response.)

17 COUNCIL PRESIDENT Verna:
18 Cecilia, is Father Betz here?

19 Is Father Betz here?

20 MS. YEP: No. Father Betz had
21 to leave, and Angela Chan has been asked
22 to read his testimony.

23 COUNCIL PRESIDENT Verna: Thank
24 you.

25 Can we start, please. Kindly

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2 identify yourself for the record and
3 proceed with your testimony.

4 MS. CHAN: My name is Angela
5 Chan, and I would like to read a
6 statement of Father Thomas Betz, Pastor
7 of Holy Redeemer Church and School.

8 Holy Redeemer is a thriving
9 church community, with an elementary
10 school for 290 children. In addition, we
11 offer numerous other community services
12 for healthcare, after-school care,
13 recreation and adult education.

14 On many occasions over my 17
15 years at Holy Redeemer, I have
16 encountered families shattered by
17 gambling addictions. I have seen broken
18 lives, broken marriages and unhappy
19 children, all because of gambling. No
20 good can come from a casino in Chinatown.

21 Not only am I alarmed about the
22 terrible toll that this casino will take
23 on the lives of vulnerable people, people
24 who should be protected by the City
25 government, not sold for tax revenue, I

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2 am also concerned about the impact of a
3 casino on the neighborhood. There is no
4 plan for traffic and parking and no
5 serious efforts to protect other
6 businesses which make Chinatown a unique
7 commercial neighborhood.

8 The City is in a rush to open
9 this casino, desperately greedy for the
10 tax revenue that is anticipated. I am
11 very disappointed that the City is so
12 impatient to sell families, children and
13 Chinatown for the sake of this illusion.

14 I ask that this casino be
15 relocated away from Chinatown. At the
16 least, I ask that the process slow down
17 so that meaningful dialogue can occur.

18 I am sorry that I cannot attend
19 this hearing due to a prior commitment in
20 Baltimore, but I ask that my concerns be
21 considered.

22 Thank you.

23 COUNCIL PRESIDENT Verna: Thank
24 you very much.

25 (Applause.)

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2 MS. YEP: Good morning,
3 President Verna and Councilpeople. My
4 name is Cecilia Moy Yep. I have been
5 here many times testifying as an advocate
6 for the Chinatown community, as I have
7 been a resident of the community for over
8 60 years. Fifty of those years I have
9 worked as a volunteer to preserve,
10 protect and promote Chinatown. I
11 remember Chinatown when there were bars
12 with prostitutes hanging out on every
13 corner, with flophouses in between and
14 alcoholics laying in our doorways. We
15 were known as the "red light district"
16 adjacent to skid row.

17 The community has worked long
18 and hard to improve our neighborhood and
19 make it a decent place to live and work,
20 a place where we and our children can
21 live in a decent environment. I am
22 worried that all this work will be for
23 naught.

24 The community fears the adverse
25 impacts that a slots parlor will have on

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2 our neighborhood. It's planned just too
3 close, 50 feet away, not 1,500 feet away
4 as required by zoning.

5 Today, Chinatown is a
6 neighborhood with close to 5,000
7 residents and over 160 businesses. In
8 the past, Chinatown served as a
9 construction site for the building of the
10 Galleries and the Market Street East
11 projects, trucks loaded with dirt going
12 down 10th Street and up 11th Street all
13 day long. We were also a construction
14 site for the Vine Street Expressway,
15 which caused the community to lose 25
16 percent of our homes and businesses. I
17 even lived on the construction site of
18 the Center City commuter rail tunnel.
19 Right next to my house the dirt was piled
20 higher than my house, and the cement
21 factory for the tunnel was literally in
22 my backyard. Is it no wonder we fight
23 off projects that cause such hardships
24 such as the 9th and 11th Street ramps,
25 the Federal Detention Center, the

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2 Greyhound Bus Terminal and the most
3 recent stadium?

4 The community has endured the
5 impact of construction for all these
6 major projects in Center City, all for
7 the good of the City. We looked on the
8 construction as a temporary situation,
9 even though it lasted for many, many
10 years.

11 The hearing today is for
12 legislation to implant a slots parlor in
13 our front yard. It is a permanent
14 situation that we will have to live with
15 on a daily basis. Can you possibly
16 understand why we feel that this is not
17 good for Chinatown and not good for the
18 City?

19 (Bell rung.)

20 MS. YEP: Oh, yes, we are aware
21 that this will bring revenue to the City.
22 Perhaps more harm than good will result.
23 What if the expectations are not met?
24 What if it doesn't succeed and the tax
25 benefits are outweighed by the increased

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2 social costs?

3 The Inquirer reports that there
4 are 1,250 calls a month to the
5 Pennsylvania Council on Comprehensive
6 Gambling. This number will no doubt
7 increase with yet another slots casino in
8 the Gallery.

9 Why haven't studies been done
10 to support the proposed casino? The
11 community feels offended that no studies
12 have been done for the environmental and
13 socioeconomic impact this casino will
14 have on our community. It tells the
15 Chinatown community that we really don't
16 matter. Is it a case that's just too bad
17 for the people living there? Will this
18 be an environmental situation that our
19 families will have to live with?

20 We know the City and State
21 needs money, but why must Chinatown
22 always be the sacrificial lamb?
23 Chinatown has already sacrificed many
24 times for the good of the City, but a
25 slots parlor within 50 feet just down the

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2 corner of our neighborhood is hard for
3 one community, our community, to accept.

4 We know casinos cater to the
5 Asians because they are prone to
6 gambling, as 30 percent of Foxwoods'
7 clients in Connecticut are Asians. This
8 is enforced by the fact that every casino
9 in Atlantic City has an Asian marketing
10 department. It will bring revenue to the
11 City and State, but how many lives will
12 be destroyed by this casino?

13 Families, senior citizens and
14 many of our youth will become addicted to
15 gambling, not only in our neighborhood
16 but throughout the entire City.
17 Chinatown has witnessed many cases of
18 families subjected to marital abuse,
19 bankruptcy, suicide and poverty because
20 of gambling.

21 Philadelphia is known as the
22 City of Neighborhoods, and I don't
23 believe there's any neighborhood that
24 wants a slot parlor. I would even dare
25 to say that all of the City Council

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2 sitting here today are saying, Thank God
3 it's not in my neighborhood.

4 Why can't the City find an area
5 that is away from all neighborhoods?

6 I also question how City
7 Council could pass this legislation when
8 there's no formal plan for review. What
9 about the traffic? Answer: Everyone is
10 supposed to take public transportation.
11 Well, we all know that will be the day.

12 What about the parking?
13 There's plenty around, but what happens
14 to all the cars that are on those lots
15 now? The City and State are expanding
16 the Convention Center that has no parking
17 and there's no parking in the expansion
18 either.

19 This expected revenue will be
20 from most of the poor people's pockets,
21 who will be the victims addicted to
22 gambling. A slots parlor within 50 feet
23 of our community is hard to envision. I
24 also find it hard to believe that using a
25 casino as an economic development engine

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2 to revitalize Market Street East will
3 ever be successful when we can't even get
4 any upscale store there now. How does it
5 work out economy-wise. When a man
6 gambles away his \$200, he certainly is
7 not going to buy that \$200 suit from the
8 local retailer.

9 In less than one short month,
10 the proposal has passed zoning, the
11 Planning Commission and it's now in City
12 Council here today for passage of
13 legislation. Are we to believe that
14 there's no turning back, it's a done
15 deal, that we are stuck with it even
16 though Chinatown opposes it?

17 I appeal to City Council
18 members to give this proposal more
19 consideration. So many factors are not
20 known. We are told that this is a
21 beginning of a process. I don't believe
22 I know of any other legislation that was
23 induced as part of a beginning of a
24 process. It's usually the end of a
25 process.

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2 City Council should hold up
3 this process and work for the community
4 and, best of all, to find a place in
5 Philadelphia suitable for a slots parlor,
6 if has to be, where there's no
7 neighborhood close by. Where there is a
8 will, there is a way. We're counting on
9 you, City Council, as elected officials
10 by the people of Philadelphia to be for
11 the people and not the owners of slot
12 parlors.

13 COUNCIL PRESIDENT VERNA: Thank
14 you.

15 (Applause.)

16 COUNCIL PRESIDENT VERNA: Would
17 our next witness please identify him or
18 herself and proceed. Anyone else going
19 to testify? Mr. Moy?

20 MS. KING (through interpreter):
21 My name is Kong So King living at the
22 (unintelligible).

23 If the casino operate at the
24 Gallery, we will have a tremendous
25 unexpected bad consequence. First, it

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2 will hurt our next generation. It's a
3 disaster.

4 Second, the crime go up and we
5 will not have our daily peaceful life in
6 the Chinatown. Because of gambling, if
7 one of the family member addicted to the
8 gambling, it will cause a lot of big
9 problem. The family have a broken
10 family, divorce and the children living
11 in the house. It is a really, really bad
12 consequence. It is a disaster.

13 (Bell rung.)

14 MS. KING (through interpreter):
15 Fourth, it will hurt the business in
16 Chinatown because the casino is so close
17 to Chinatown, and then after work, the
18 employee or employer can walk to the
19 casino to gamble, and next day they
20 cannot concentrate to work and then the
21 employee will get fired or employer
22 business will go down. And do you think
23 that that is a good idea to have a casino
24 in the Gallery? And this is a really,
25 really -- it's a big disaster in the

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2 Chinatown. And I hope everybody unite
3 together to object that the casino at the
4 Gallery.

5 Thank you.

6 (Applause.)

7 MR. MOY: My name is George
8 Moy.

9 I'm going to have to apologize
10 for being somewhat disorganized. I have
11 copies of what I intended to testify on.
12 However, it's not my last revision. One
13 o'clock last night my computer crashed.
14 So this is a version that I had
15 originally come up with.

16 Councilman DiCicco, I certainly
17 don't envy the predicament you're now
18 facing. I know you are between a rock
19 and a hard place. I also would like to
20 apologize for the recent behavior of a
21 particular youth. Many of us were
22 shocked and appalled by his rudeness. It
23 was contrary to the respect for authority
24 that is part of our culture. He most
25 certainly did us a disservice. There are

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2 questions about his ties to Chinatown.
3 However, please do not hold it against
4 us.

5 When I first began drafting
6 this statement, I became aware many
7 people knew very little about the
8 intricate and troublesome history of
9 Chinatown. Given the 110 years of our
10 existence, that a history could not be
11 put in adequate words.

12 Try as I could to be concise, I
13 felt it was necessary that the background
14 facts be provided to those only having a
15 smattering of knowledge of our plight.
16 What is important to me is to respond to
17 those who have expressed negatively of
18 our right to oppose the casino.
19 Statements like, our people should leave
20 the area, or Chinatown is only a
21 commercial district. I felt it was
22 demeaning of our people, I think even
23 touching on maybe racism.

24 What has taken place is
25 unprecedented. Is this hearing being

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2 fast-tracked simply to fulfill a legal
3 requirement? Are our voices going to
4 fall on deaf ears?

5 Objections to the potential
6 placement of more than one -- I have
7 objections to the potential placement of
8 more than one slot casino in downtown
9 Philadelphia. I don't know the details
10 of the bill. Does it give an opportunity
11 to a second, third, fourth casino to be
12 located there in the future if
13 competition fails that it wants to be in
14 Philadelphia?

15 However, my objections are
16 centered on the following issues.

17 (Bell rung.)

18 MR. MOY: The process: I
19 contend that the process has been
20 compromised.

21 Two, urban development:
22 Chinatown has felt the negative impact of
23 many, many projects in the Center City
24 area. Chinatown has deep historical
25 roots to this area. We are over 100

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2 years old.

3 Through the process of eminent

4 domain, one-third of Chinatown was

5 chopped off to make way for the projects.

6 Chinatown growth was stifled and the

7 quality of life seriously diminished.

8 What plans are there to ensure

9 Chinatown's survival? Approval of this

10 bill will surely open the Pandora's box.

11 Three, personal, social and

12 economical impact of casinos: I worry

13 about the potential negative personal,

14 social and economic impacts of casinos,

15 especially on Chinatown. How does one

16 put a price on a diminished quality of

17 life?

18 I ask that City Council dig

19 deep and decide if slot casinos are right

20 for Philadelphia and Chinatown.

21 My advice to Foxwoods, if

22 they're still here, is, give very careful

23 consideration of your decisions you are

24 about to make. The emotions that were

25 exhibited at the October meeting in

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2 Chinatown were very real. I was
3 surprised as to how deep they were. Any
4 living thing that is cornered and
5 threatened and no recourse is made
6 available, it will strike out in
7 desperation.

8 Picketing and boycotting are
9 our future options. I hope you can
10 advise us as to whether they would be
11 peaceful. We shall pursue all legal
12 means. And since the Gallery was
13 federally funded, we believe an
14 environmental impact study is a
15 requirement.

16 I just add some notes, just a
17 few short notes. Since Chinatown is only
18 a fraction in size than other
19 communities, will we have equal footing
20 in your consideration?

21 You also mentioned about, well,
22 three years ago why didn't community
23 groups oppose the casino. Well, in my
24 case, three years ago my daughter caught
25 cancer, and obviously my first concern

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2 was her and her health. At that time, I
3 had to compromise with my wife that I
4 would go to only one meeting a month,
5 otherwise our 55-year marriage would be
6 questioned.

7 Councilman, you have much more
8 legal knowledge than I do. Are there
9 other options open to us? For instance,
10 a referendum. Can we start to initiate a
11 referendum? I mean, this proposal of a
12 casino not being wanted in anybody's
13 backyard has raised the ire of the whole
14 City, I would say. So is that an option?

15 (Applause.)

16 MR. MOY: Just one last
17 comment. In closing, I would like to add
18 that we are thankful to Martin Luther
19 King and Mahatma Gandhi for showing us
20 how peaceful protests can help us right a
21 wrong.

22 COUNCIL PRESIDENT VERNA: Thank
23 you, Mr. Moy.

24 (Applause.)

25 COUNCIL PRESIDENT VERNA: The

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2 Chair recognizes Councilman DiCicco.

3 COUNCILMAN DiCICCO: Thank you,
4 Madam Chair. Just a couple of comments.

5 To the young lady who is
6 speaking on behalf of Father Betz, I
7 understand after that meeting, your
8 building, the school building, was
9 vandalized with some graffiti. If you
10 need some help in correcting that
11 problem, just call my office and I'll
12 send some people down.

13 Mr. Moy, thank you for your
14 opening remarks. I know that it's not
15 how Chinatown operates. I accept your
16 apology, but there really was no apology
17 necessary. I understand the emotional
18 concerns for this, and sometimes people
19 act out because either they maybe not
20 have enough information or basically just
21 because they oppose something, and I'm
22 fine with that.

23 In your remarks you mentioned
24 something about statements people are
25 making about leave the area or Chinatown

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2 is only a commercial district, et cetera.
3 I don't know who is making those
4 statements. It's certainly not coming
5 from me, because I believe for the most
6 part I've been part of that progress that
7 has been going on in Chinatown, at least
8 during the 14 years that I've been in
9 office, and I fully support and will
10 continue regardless of the outcome of
11 this legislation. Whether or not there's
12 a casino built there in the end or not,
13 my commitment for as long as I'm in this
14 seat, which is another three, three and a
15 half years, my commitment to Chinatown
16 will remain as was previous to this
17 issue.

18 As to a referendum, we did try
19 that a couple of years ago. We
20 introduced legislation. We were hoping
21 to get on the ballot a referendum that if
22 passed would have said no casino would be
23 able to be built within 1,500 feet of a
24 residential community, a church,
25 synagogue, what-have-you. That

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2 referendum, we were denied even the right
3 to have the referendum on the ballot by
4 the Supreme Court.

5 So we tried that. We tried to
6 fight that fight. We lost that, and the
7 answer simple is, no, we cannot do a
8 referendum, because the Supreme Court
9 took that right away from us a couple of
10 years ago. But thank you for your
11 testimony.

12 MR. MOY: You raised a question
13 to a previous panel about where in the
14 City might they recommend for a casino.
15 I remember some 40-some years ago that a
16 project was proposed at the 30th Street
17 Rail Station. In fact, one time they
18 said Chinatown ought to move there.
19 Maybe we should have, but it's a little
20 late now.

21 I didn't want to -- now, I
22 don't want to hurt any other community,
23 because I can sympathize with nobody
24 wants it in their back or front yard, but
25 I don't know enough about the area.

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2 COUNCILMAN DiCICCO: Thank you.

3 Thank you. No further questions.

4 Thank you.

5 COUNCIL PRESIDENT VERNA: Thank

6 you. Thank you all very much.

7 (Applause.)

8 COUNCIL PRESIDENT VERNA: Our

9 next panel?

10 MR. McPHERSON: Our next panel

11 consists of John Chin, Mrs. Helen Luu,

12 Mrs. Ray Ling Hou and Glenn Hing.

13 (Witnesses approached witness

14 table.)

15 COUNCIL PRESIDENT VERNA: Good

16 afternoon. Nice seeing you.

17 MR. TOY: Hi. Nice to see you.

18 COUNCIL PRESIDENT VERNA: Who

19 is going to testify first? Please

20 identify yourself for the record and

21 proceed with your testimony.

22 MR. TOY: I'm Andy Toy. I

23 guess I'm first.

24 Good afternoon, Honorable

25 Councilwomen and Councilmen. My name is

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2 Andrew Toy and I'm here to testify in
3 regards to Bills No. 080741 and 080742.

4 As a longstanding Board member
5 of the Philadelphia Chinatown Development
6 Corporation and the most recent
7 Chairperson, I have many years of
8 experience and knowledge about the
9 Philadelphia Chinatown community and the
10 impacts of various City-sponsored
11 projects upon the community. And I
12 consider myself a city planner as well.

13 I think that we all agree that
14 the Market Street East area has been in
15 need of improvement for some time now,
16 and we may also agree that the Gallery at
17 Market Street East could use some
18 improvement. What is still unclear is
19 whether that improvement should include a
20 major slots parlor, which is why City
21 Council is contemplating changing the
22 zoning to be designated as a Commercial
23 Entertainment District.

24 Obviously the casino is the
25 reason for designating the area as a CED.

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2 I would argue that for a change of this
3 magnitude, City Council and the citizens
4 of Philadelphia should know more about
5 what impact -- what the impact of a
6 potential casino would be at the Gallery
7 location. Until now, we have had almost
8 no information relating to the economic,
9 social, environmental, traffic and design
10 impacts of this siting and how the
11 various negative impacts that we know
12 will happen would be proposed to be
13 mitigated.

14 As you know, there are special
15 issues in Chinatown, as well as a place
16 that is a concentrated residential and
17 commercial area that has its unique
18 history relating to government projects,
19 as we've heard, and undesirable uses such
20 as bars and prostitution and social
21 issues such as gambling addiction. If
22 this is the, quote/unquote, right site
23 for the casino, then Foxwoods, the State
24 and the City should be able to produce
25 some evidence as such before we move any

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2 process forward. And, yes, that will
3 take some time and dollars, but that is
4 part of the up-front risk, just as it was
5 when Foxwoods and other casino operators
6 proposed original sites. We should not
7 guarantee anything before the case is
8 made. That would be putting the cart
9 before the horse.

10 We've had years to examine and
11 discuss the casino proposals along the
12 river. There was much time and a
13 deliberative, if somewhat flawed, I would
14 say, Gaming Control Board process that
15 was spent on the originally chosen sites,
16 weighing the potential costs and benefits
17 and finally choosing them. I would
18 respectfully submit that we need at least
19 to go through a similar process at the
20 Gallery, which is actually closer to a
21 neighborhood than the Foxwoods site. And
22 I would request that the passages of
23 these ordinances be held until a clearer
24 and transparent process is followed.

25 Thank you.

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2 COUNCIL PRESIDENT VERNA: Thank
3 you.

4 MS. LUU: Good afternoon,
5 President, Council and the ladies and
6 gentlemen. My name is Helen Luu. I am
7 the social worker, have a Master's degree
8 license, Pennsylvania license, social
9 worker, and I work for the Asian
10 Community Health Center for 24 years.
11 And since this morning, the testimony
12 this morning, then no one talking about
13 the mental health.

14 But I work in this field, and
15 then let me tell you what is causing the
16 social problem in the Asian community
17 related to the mental health. And in the
18 morning, you heard all the testimony and
19 then the story from the students and not
20 only causing the family problems,
21 divorce, bankruptcy, committed suicide
22 and the missing persons, crime in the
23 community and also the prostitution in
24 the area, but one thing -- let me tell
25 you that one of my -- I have several

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2 patients that have gambling addiction,
3 and then because the casino going to
4 operate in Gallery, my psychiatrist ask
5 him, What do you think if the casino open
6 at the Gallery?

7 You imagine what is his answer.

8 He said -- this is a gambler, addiction
9 gambler. He said, quote, If I am the
10 Governor, I will close down the casino
11 all in the United States, not only in
12 Chinatown. And he said that close all
13 the casino in the United States.

14 You can imagine that what is
15 the social problems -- causing the social
16 problem in not only the Asian community,
17 in all other community.

18 And talking about the problem
19 he has, because he lost all the money,
20 because he's on the SSI, he lost the
21 money. And he not only lost his own
22 money, he also draw his mother's SSI
23 money. And even mother have \$4 in the
24 bank, he still force her to take the \$4
25 out to gamble. And then he had no money

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2 to eat for two days.

3 And because the problem and
4 then the mental health problem, he need
5 the medication every day, and then now
6 because the health costs going up and
7 then every client have to pay their
8 co-payment, he has no money to pay the
9 co-payment. You can imagine, if he had
10 no money to pay the co-payment, he cannot
11 get the medication. And then no
12 medication within a month, he end up back
13 to the hospital, the psychiatric unit
14 hospital.

15 So can you imagine that one day
16 how much it costs for one day at the
17 psych unit? More than a thousand dollar
18 a day. You can imagine.

19 If we continue to have a
20 casino, I know everybody said, oh, no,
21 you have casino in Atlantic City. Oh,
22 no, that will prevent that -- still have
23 the gambler, but that will prevent it,
24 more people. And gambling more, because
25 they can walk down to the casino.

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2 (Bell rung.)

3 MS. LUU: So I would ask the
4 City Council to reconsider the bill,
5 because the social problem, the cause of
6 the social problem will be greater than
7 the game, more in the benefit from the
8 casino.

9 Thank you.

10 COUNCIL PRESIDENT VERNA: Thank
11 you.

12 (Applause.)

13 MR. CHIN: Good afternoon,
14 Madam President and members of City
15 Council. My name is John Chin. I'm the
16 Executive Director of the Philadelphia
17 Chinatown Development Corporation. We
18 are opposed to the placement of the
19 Foxwoods casino at the Gallery site.

20 PCDC as an organization has
21 been advocating for and implementing
22 neighborhood development for Chinatown
23 for over 40 years. We've been improving
24 the quality of life with significant
25 housing and economic and community

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2 development projects over the years. I
3 would add that many of these improvements
4 were carried out in partnership with
5 Councilman DiCicco and City agencies.

6 Many of the things I have here
7 in my testimony have been said already
8 today, so I'm just going to get right to
9 the point and ask that the Committee on
10 Rules hold the legislative Bills 080742
11 and 080741, because we believe that
12 Foxwoods casino is the one that should
13 start the process, not City Council. By
14 City Council amending the existing
15 Commercial Entertainment District and
16 proposing the change of zoning for one
17 block on Market Street, you're sending
18 the wrong message to Foxwoods.

19 I am asking you to slow down
20 the process, and it is Foxwoods that
21 should take the first step. They need to
22 perform all the necessary studies on the
23 feasibility of the Gallery relocation.
24 They should perform all the necessary
25 studies on the impact to Chinatown.

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2 Foxwoods should be required to show the
3 business operation and marketing plan.

4 It's been testified previous to
5 this that 30 percent of the gamblers that
6 go to Foxwoods in Connecticut are Asian
7 American.

8 We don't know a lot of things
9 about Foxwoods. We don't even know if
10 Foxwoods is willing to pay a fair wage to
11 its labor force. I understand that
12 there's problems between labor and
13 management in the Connecticut casino.

14 We need to hear from many
15 experts that can speak to the impact of
16 gambling on the vulnerable populations.
17 You've heard one such testimony today.
18 We need to hear experts that can speak to
19 the experience and impact of Foxwoods in
20 Connecticut. These experts should
21 testify before City Council before we
22 take another step along our process.

23 And it was spoken before, this
24 process must include assurances and
25 controls, because at the end of the day,

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2 if this process goes down the road, it
3 may be too late for this city and this
4 neighborhood to implement certain
5 controls on this process.

6 I thank you for your time.
7 (Applause.)

8 MR. HING: Good afternoon,
9 Council President Verna and members of
10 the Council. My name is Glenn Hing. I
11 am born and raised in Chinatown. My
12 family has been in Chinatown for more
13 than 100 years at this point. I
14 personally lived through the Vine Street
15 Expressway project, the Independence Mall
16 renewal project, the Gallery project, the
17 Convention Center project, the baseball
18 stadium proposal, and now we have the
19 casino problem.

20 The legislation that you have
21 before you is nothing more than an
22 attempt to accommodate the relocation of
23 the casino from the currently licensed
24 site without proper consideration or
25 planning. It is an attempt more so than

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2 not to be a rezoning of a small area in
3 the City rather than having a rezoning as
4 part of a master plan.

5 Although Councilman DiCicco
6 would like this to be an open and
7 transparent process, which we would
8 welcome, no plan has been disclosed to
9 this community or any other community to
10 date that I'm aware of. City Planning
11 does not have a plan for the development.
12 Foxwoods has no plan, and it admitted as
13 much today. The owner of the site, the
14 Pennsylvania Real Estate Investment
15 Trust, has no plan, or at least they're
16 not disclosing that they have a plan,
17 because the answer to the question as to
18 how much of the Gallery is going to be
19 used, the answer was they're not at
20 liberty to disclose.

21 So I don't know where this is
22 going. The legislation refers to
23 proposed projects. Yet, no project has
24 been proposed. Before this project --
25 excuse me. Before the legislation should

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2 go forward, there should be a plan in
3 place or at least discussed.

4 It has been said that the CED
5 zoning is needed for the casino
6 development. The process is stated to be
7 open and transparent, but what is very
8 apparent is that nothing is being
9 disclosed or even known at this point.

10 If we have the -- if the answer to the
11 questions are we don't know what the plan
12 for development for the casino is, my
13 question to City Council respectfully is,
14 how can they pass, let alone consider
15 passing, legislation which would
16 facilitate the development of a casino
17 when there is no plan or even discussion
18 about the specifics of a plan in place?

19 The last thing I just wanted to
20 mention is just to respond to Councilman
21 DiCicco's comments regarding the 1,500
22 foot prohibition. He indicated that the
23 prohibition -- the Mayor supports the
24 prohibition with respect to the South
25 Philadelphia and Pennsport sites and

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2 didn't quite apply or he wasn't aware
3 whether it applied to the Chinatown site.
4 If that's so, I just want to know why a
5 distinction is being made with respect to
6 that and why Chinatown is being treated
7 differently from other communities in
8 this City.

9 Thank you very much.

10 (Applause.)

11 COUNCIL PRESIDENT VERNA: Thank
12 you very much.

13 Our next panel?

14 MR. McPHERSON: Our next panel
15 consists of Joe Shiavo, Jeff Rush, Rene
16 Goodwin.

17 (Witnesses approached witness
18 table.)

19 COUNCIL PRESIDENT VERNA: Good
20 afternoon. Please identify yourself for
21 the record and proceed with your
22 testimony.

23 MR. SHIAVO: Thank you. My
24 name is Joe Shiavo. I'm a resident of
25 Old City, and I'm Old City Civic

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2 Association's delegate to the
3 Philadelphia Neighborhood Alliance.

4 Since January of 2007, the
5 Philadelphia Neighborhood Alliance, PNA,
6 is a coalition of 28 community
7 organizations serving 300,000 citizens
8 along the Delaware waterfront and
9 throughout Philadelphia, has worked to
10 reopen the site selection process, with
11 the goal of reducing casino-related
12 impacts on neighborhoods.

13 The PNA is not anti-casino, but
14 has advocated for a 1,500 foot buffer
15 between any casino and residences,
16 schools, playgrounds and places of
17 worship.

18 On September 10th of this year,
19 more than a year and a half of intense,
20 dedicated effort by the PNA and others
21 produced the announcement of the first
22 alternate casino site. A tremendous
23 achievement, previously thought
24 impossible. The announcement of the
25 alternative site was not, however, made

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2 with any input from or advanced notice to
3 the adjacent neighborhoods. The PNA
4 believes the decisions that led to the
5 announcement of the Market East for
6 consideration should not have been made
7 without prior community input, especially
8 from those closest to the proposed
9 locations.

10 PNA recognizes the need for the
11 resiting process to move forward and that
12 a new process has begun with the
13 introduction of CED legislation in City
14 Council. PNA urges that the process be
15 open, honest, thorough and allowing for
16 real citizen input and reflecting the
17 principle that the outcome should not be
18 pre-determined.

19 The PNA supports additions to
20 the language of the existing legislation
21 ensuring that the communities impacted by
22 the two waterfront sites and the proposed
23 Market East site are integrally involved
24 in the evaluation process, including
25 public hearings and meetings held outside

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2 normal work hours. PNA requests the
3 legislation be modified to provide a
4 30-day public response period for every
5 study, design submission, plan of
6 development and modified or amended plan
7 of development. PNA further requests the
8 creation of an appeal process, allowing
9 communities to request an extension of
10 the 30-day response period for good
11 cause.

12 While PNA recognizes the
13 existing legislation requires evaluation
14 of the impacts of a casino development,
15 we want to emphasize the need for
16 independent review and accurate
17 evaluation of the following: A complete
18 traffic study and public transit study
19 that fulfills the scope of work put forth
20 by the City of Philadelphia in
21 consultation with civic groups adjacent
22 to Market East site.

23 (Bell rung.)

24 MR. SHIAVO: A parking plan
25 that corresponds with and takes account

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2 of the public -- the traffic study; a
3 full environmental study addressing all
4 air, water, light and noise pollution
5 impacts from the facility and all
6 transportation to and from the facility;
7 a study on the likely demographics and
8 origin -- city, region, resident,
9 visitor -- of casino patrons given the
10 specific location and character of the
11 Market East site; a study of likely local
12 crime impacts; a study of the additional
13 costs, short term and long term, of
14 policing the casino area surrounding the
15 neighborhoods and mass transit stations;
16 an assessment of the likely impact of the
17 casino on emergency services
18 infrastructure and response time; a study
19 of the likely economic impacts on the
20 area businesses, including, but not
21 limited to, the area restaurant and
22 entertainment establishments; a tally of
23 all public investment in roads,
24 infrastructure and other hard
25 improvements, including any new

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2 conditions assumed by any and all of the
3 aforementioned studies and assessments.

4 The PNA further requests that
5 the Philadelphia --

6 COUNCIL PRESIDENT VERNA: I'm
7 sorry. We're trying to keep to the three
8 minutes. Would you try to conclude your
9 statement, please.

10 MR. SHIAVO: I do. I have just
11 two short paragraphs. Thank you.

12 COUNCIL PRESIDENT VERNA: Can
13 you make it one paragraph?

14 MR. SHIAVO: The PNA further
15 requests that the Philadelphia City
16 Planning Commission and City Council
17 publicly outline a detailed timeline and
18 procedure to secure a process that is
19 transparent, complete, open and inclusive
20 of citizen input into the evaluation, and
21 that accounts for the possibility that
22 the Foxwoods might elect to consider
23 another alternative location.

24 Finally, PNA requests that the
25 Rules Committee hold Bill 080742 for 30

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2 days to allow the public to submit
3 language for additional amendments and
4 that the Rules Committee hold an
5 additional public hearing to consider any
6 amendments presented during the whole
7 period.

8 Thank you.

9 COUNCIL PRESIDENT VERNA: Thank
10 you.

11 The Chair recognizes Councilman
12 Kenney.

13 COUNCILMAN KENNEY: Thank you,
14 Madam Chair.

15 Listening to all the testimony
16 and the suggestion that we hold these
17 bills and we get more time and that we do
18 more studies, none of that is going to
19 happen unless the bills get passed,
20 because there's no motivation on their
21 part to pay money, to spend dollars to do
22 studies. The legislation passage would
23 give them some, I guess, inducement or
24 some belief that we're serious about the
25 considering other sites. Then they would

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2 potentially invest that money into doing
3 all the things that everyone is
4 suggesting that we study. But they don't
5 have to do it, because they can start --
6 they have enough approvals now to start
7 construction Monday morning at Delaware
8 and Reed.

9 So while I recognize the
10 legislation looks as if it's the first
11 step towards 10th and Market, there's no
12 steps other than Reed Street if the
13 legislation doesn't get passed, because
14 they're not going to sit forever and not
15 build something. And that's what's
16 frustrating, is that all these studies,
17 environmental impacts, traffic studies,
18 crime studies, addiction, all those
19 things cost money. The City is not
20 paying for it, and they're not going to
21 pay for it if there's no chance that
22 they're going to go to this other site,
23 so they just put the shovel in the ground
24 at Delaware and Reed and open up.

25 That's why this whole

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2 conversation is a bit frustrating and
3 confusing, because they're never going to
4 do that unless this legislation passes.

5 MR. SHIAVO: Then I just want
6 to make sure I understand your statement.
7 It seems that within your statement
8 you're suggesting that the expense of
9 those studies would be Foxwoods' burden
10 to bear.

11 COUNCILMAN KENNEY: It would
12 have to be, because they're the ones who
13 have to present the development proposal
14 to the Planning Commission and to City
15 Council, and if we're not happy with it,
16 they don't pass it and we don't pass it.
17 But they're not going to bring us a
18 product, Planning Commission or here,
19 unless the legislation passes, which
20 gives them some indication that this move
21 is possible. It doesn't mean if we pass
22 the legislation, the move is inevitable.
23 It means it's possible, and they're going
24 to start their due diligence to prove to
25 us how they could make it work. They're

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2 not going to do it unless the legislation
3 passes.

4 MR. SHIAVO: I understand and I
5 appreciate that clarification, but I
6 wonder about the assumption within your
7 statement, though. Would you trust
8 studies that are done by the casino
9 operator? Would you actually use those
10 studies as the foundation of your
11 decision-making process?

12 COUNCILMAN KENNEY: We have the
13 opportunity to review those studies and
14 determine whether or not we think they're
15 bogus or they're accurate, and at that
16 particular point in time, we may make a
17 decision to say that it doesn't work, you
18 haven't done your due diligence and we're
19 not passing -- Planning Commission is not
20 passing it and Council is not passing it.
21 Now where do they go? They start digging
22 at Delaware and Reed.

23 I mean, they have everything
24 they need right now to build a casino at
25 Delaware and Reed.

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2 MR. SHIAVO: But wouldn't --

3 COUNCILMAN KENNEY: And us
4 holding this legislation doesn't stop
5 that from happening.

6 MR. SHIAVO: But wouldn't you
7 agree that the studies done by the casino
8 operators, both of them, for the two
9 riverfront locations -- the quality of
10 their studies have been challenged, so
11 why would we begin this process using
12 once again studies done by the casino
13 operators?

14 COUNCILMAN KENNEY: Because
15 perhaps during this new process, which
16 only starts with the passage of this
17 legislation, that we could come to some
18 agreement on the selection of the people
19 doing the studies. It doesn't
20 necessarily mean -- all this is a blank
21 page yet, but you never get to fill in
22 the blank page unless the legislation
23 passes, because they still have the
24 leverage of Delaware and Reed, which is
25 where they'll go. I mean, that's it.

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2 COUNCIL PRESIDENT VERNA: Thank
3 you.

4 Our next witness?

5 MS. GOODWIN: Good afternoon,
6 Madam President, Councilman DiCicco,
7 members of the Rules Committee, fellow
8 Philadelphians. I speak today not as a
9 member of PNA, although I am privileged
10 to be associated with that organization,
11 but as a Board member for the Pennsport
12 Civic Association. My community runs
13 from Washington Avenue to Snyder Avenue,
14 the east side of 4th to the river. It is
15 the community in which the other Foxwoods
16 site is potentially located. I have
17 always referred to my community as the
18 target community because we are 480 feet
19 from residences.

20 On February 28, 2006,
21 representatives of Whitman, Pennsport,
22 Queen Village and Society Hill were
23 called together for the first time to
24 learn of the proposed Foxwoods
25 development. We were all invited,

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2 because a development of this magnitude
3 would have wide-ranging impacts beyond
4 its immediate location.

5 That night we began to see that
6 there were many issues to be identified
7 and studied, and so RCU, Riverfront
8 Communities United, came about. As
9 described earlier somewhat by Joe Shiavo,
10 after the license decisions were
11 announced, waterfront communities from
12 both north and south came together to
13 form DRNA, Delaware River Neighborhood
14 Alliance, and as other groups joined
15 because they were concerned about this
16 issue, we became Philadelphia
17 Neighborhood Alliance.

18 In October of '06, Pennsport
19 Civic Association hosted a two-day
20 symposium with representatives from
21 almost every city, state and some federal
22 agencies who would have jurisdiction over
23 this proposed development. That
24 experience taught us that there were not
25 only questions not answered, but to a

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2 large extent, the questions had not even
3 been thought of. It was clear that our
4 work was cut out for us.

5 In the days and nights that
6 followed, we all soon felt we were
7 becoming manic depressives, for one day
8 there would be development that would
9 make us euphoric and the next day there
10 would be something that devastated us.

11 So here we are two years and
12 eight months later. What have we
13 learned? We have learned that one cannot
14 wish away a huge problem such as traffic.
15 Traffic studies done at the behest of
16 Councilman DiCicco and strongly
17 encouraged by communities confirmed that
18 the traffic problems at the waterfront
19 site brought about by a large development
20 were not mitigatable. It became clear
21 that the estimated additional 26,000 cars
22 and buses would not only result in
23 immovable traffic, but also air
24 pollution. And there is that issue of
25 parking of buses and employees.

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2 We learned that the sewer and
3 drainage system, woefully antiquated and
4 inadequate, could possibly be challenged
5 by the development. We learned it would
6 cost \$17.6 million in start-up costs for
7 a police unit to cover both waterfront
8 casinos.

9 So you see, we learned many
10 things. One of the most important things
11 we learned was that at the same time we
12 were fighting for our communities to get
13 answers regarding this development,
14 something wonderful happened. It was
15 known as Penn Praxis' "Civic Vision," and
16 it was supported by the former Mayor
17 Administration and by Councilman DiCicco.
18 It's a vision for development for a
19 seven-mile stretch of land known as the
20 Central Delaware. It is the kind of
21 vision longed for, not only by waterfront
22 communities, but by all who realize the
23 importance of the river to our city's
24 history, future -- past and present
25 history.

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2 (Bell rung.)

3 MS. GOODWIN: I would not be
4 honest if I said to you I want to lose
5 this wonderful opportunity by building
6 Foxwoods on the waterfront, for this
7 would have a significant negative impact
8 on implementing the "Civic Vision." But
9 I also will not say to you that I want
10 any other communities negatively
11 affected, particularly by lack of good
12 planning and serious consideration of all
13 issues, the kind of issues that two years
14 and eight months of our lives have
15 brought about, for we have paved the way.

16 So where does that leave me and
17 my fellow communities in the south?
18 Well, it still leaves us feeling like
19 manic depressives. But it also leaves us
20 neither opposing nor supporting the
21 proposed Market East site. It does leave
22 us in strong support of our fellow
23 communities' rights to get serious
24 consideration and truthful answers.

25 COUNCILMAN KENNEY: Thank you

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2 for your testimony.

3 (Applause.)

4 COUNCILMAN KENNEY: Jeff?

5 MR. RUSH: Thank you, Madam

6 President, Councilman DiCicco, Councilman

7 Kenney, members of City Council. My name

8 is -- as you can hear, we've been

9 screaming for the Phillies all week and

10 my voice box is shot. Thank God for the

11 microphone.

12 My name is Jeff Rush and I'm

13 President of Queen Village Neighbors

14 Association. QVNA, together with

15 Pennsport Civic and Whitman Council,

16 represent at least 30,000 households from

17 Lombard Street south to Oregon Avenue.

18 Since 1992, successive

19 Administrations ignored the Planning

20 Commission, and the result was that no

21 planning for the central waterfront

22 occurred. In fact, the only plans for

23 development were exclusively for Penns

24 Landing, and over the last 30 years,

25 those plans were all developer driven.

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2 For various reasons, all these plans
3 failed in some spectacular fashion. We
4 don't even want to go there.

5 Realizing the error in
6 isolating to Penns Landing in what was
7 otherwise a planning vacuum, Councilman
8 DiCicco in the summer of 2006 persuaded
9 former Mayor Street to authorize a
10 planning process for the seven and a half
11 mile stretch of the central waterfront.
12 This led to the formation of the Penn
13 Praxis Development Advisory Group, which
14 convened in November of the same year.
15 The following month, casinos were
16 announced for two waterfront sites.

17 In the year and a half that
18 ensued, Penn Praxis, with heavy citizen
19 involvement, formulated a vision for the
20 future of the central waterfront. As a
21 member of the Advisory Council, I
22 attended all meetings. The casino
23 sitings ordered by the State were the
24 800-pound gorilla in the room, but their
25 looming potential presence was largely

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2 ignored despite the repeated
3 protestations of the waterfront civics
4 and others around the table. Finally, a
5 compromise was reached that pushed Penn
6 Praxis to study all planning on two
7 tracts, one with casinos, one without.

8 Opinions regarding the efficacy
9 of big box vehicle-dependent casinos on
10 the waterfront began to shift in no small
11 measure because Mayor Nutter soon
12 recognized how badly a fit this casino
13 paradigm was with the needs of the 21st
14 century waterfront. The Mayor then
15 requested Penn Praxis to assemble a team
16 to undertake a comprehensive and final
17 look at how casinos would fit, and Penn
18 Praxis determined that this type of
19 development on the river was a
20 non-starter.

21 Currently, the citizens
22 advisory group, known as CDAG, is working
23 on an educational outreach, starting with
24 the riverfront communities, whose purpose
25 is to raise awareness of the Penn Praxis

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2 vision and the continued need for citizen
3 involvement.

4 (Bell rung.)

5 MR. RUSH: We are also working
6 on a zoning overlay on the central
7 waterfront that will begin to flesh out
8 plans outlined in the Penn Praxis vision
9 for a revitalized waterfront, one that
10 meets the needs of all stakeholders.

11 All of us here today are trying
12 to protect our neighborhoods, and in the
13 case I've outlined in this testimony,
14 leave a legacy of a waterfront we can all
15 be proud of for future generations of
16 Philadelphians. The process set by the
17 Nutter Administration and this City
18 Council to evaluate the Market East
19 proposal needs to be even more intense,
20 inclusive and definitive than the one
21 that soundly rejected casinos on the
22 river.

23 Thank you.

24 (Applause.)

25 COUNCILMAN KENNEY: Thank you.

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2 Thank you very much for your testimony.

3 Any questions?

4 (No response.)

5 COUNCILMAN KENNEY: Next panel,
6 please.

7 MR. MCPHERSON: The next panel
8 consists of Sylvia Wright, Gabriel Li,
9 Luella Tripp.

10 I would also like to announce
11 that a Mr. Robert Mims left testimony and
12 it will be made part of the record.

13 MS. TRIPP: I'd like to thank
14 you for this opportunity. I'm new to the
15 neighborhood and I'm new to the process,
16 so please bear with me.

17 On August 15th, my husband and
18 I moved into Chinatown from Mount Airy.
19 We left our four-bedroom home in a
20 beautiful and quiet tree-lined street --

21 COUNCIL PRESIDENT Verna:
22 Excuse me. I'm sorry. I don't believe
23 you identified yourself.

24 MS. TRIPP: Oh, I'm sorry. I'm
25 Luella Tripp.

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2 We left our four-bedroom home
3 on a beautiful and quiet tree-lined
4 street because we wanted to be closer to
5 our jobs and to the airport, since my
6 husband travels every weekend. We knew
7 we wanted a loft and looked around the
8 Center City area and eventually decided
9 to move to Chinatown because it is so
10 centrally located and we have everything
11 we could possibly need within a radius of
12 three blocks.

13 We have enjoyed our new life
14 here, the convenience of being centrally
15 located and all that is available in our
16 area. However, if there was a casino
17 here, my husband and I would not have
18 considered moving here for one second.
19 Having a casino in this neighborhood will
20 keep responsible citizens like us from
21 wanting to be part of this community.
22 Instead, it will draw those with a wide
23 range of vices, from gambling,
24 prostitution, drugs and crime. Some of
25 this already exists here. We don't need

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2 a magnet to attract more.

3 I heard it said by somebody
4 recently that the casinos would also
5 provide a family-friendly entertainment
6 center and an educational complex. I
7 must admit I find this to be twistedly
8 paradoxical. Casinos are not a healthy
9 environment for children. The last thing
10 he or she needs is the attraction of
11 lights and slot machines to entice him or
12 her to play the machines. I would
13 suggest that you take that argument off
14 the table right now.

15 I want it noted that I oppose
16 the rezoning of the area around Market
17 East. This smacks of spot zoning, which
18 would conveniently mean the support of
19 the surrounding community, would no
20 longer be necessary for your plans to
21 proceed. You seem to have a sense of
22 urgency, which should not be the case
23 when the impact of your decision is huge
24 to our community. This railroading and
25 infringing your agenda on a community

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2 that opposes -- this is railroading and
3 infringing your agenda on a community
4 that opposes your plans for a
5 neighborhood. I do appreciate, however,
6 though, the opportunity to be heard
7 today.

8 Thank you.

9 What has astounded me the most
10 in all of this is -- I'm not done yet --
11 is that this has been endorsed by
12 Governor Rendell and Mayor Nutter,
13 especially Rendell.

14 Now, if you remember, I'm new
15 to this.

16 As the former Mayor of our
17 city, he was instrumental in the
18 rejuvenation of Philadelphia, in
19 transforming our city to attract
20 tourists, making it a destination place
21 and now one of the most visited cities in
22 the United States of America. We enjoy
23 this vibrant city because of his
24 unrelenting efforts to improve our city.
25 Now he, along with our Mayor, basically

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2 want to put this casino in the midst of
3 our city strategically situated between
4 Old City and the Historical District and
5 Center City/midtown. It is like you are
6 undoing all you have done for this great
7 city. I don't get it.

8 (Bell rung.)

9 MS. TRIPP: We have this
10 beautiful expanse between the rivers and
11 you want to taint it with a casino in the
12 middle of it. It will be a blight upon
13 our city, as you might -- so you might as
14 well just put up a red light.

15 I'm also astonished that you
16 would even consider this in such close
17 proximity to the historical sites,
18 Independence Mall, the Constitution
19 Center, the Liberty Bell, here the birth
20 place of our nation and you want to put a
21 casino at its door. Some of our founding
22 fathers would roll over in their graves.

23 To Governor Rendell, Mayor
24 Nutter and members of the City Council
25 and maybe even some of those from

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2 Foxwoods, if someone was planning a
3 casino on your block down the street on
4 the corner and plans for rezoning were in
5 the works, I guarantee you would be
6 outraged. By the way, there are
7 residents living in Chinatown and many of
8 us -- and there are many of us, and it is
9 not just a commercial district. And as a
10 resident, I do not want a casino at my
11 front door.

12 I appeal to Governor Rendell
13 and Mayor Nutter to reconsider your
14 endorsement of a casino at Market East or
15 any place in Philadelphia.

16 To City Council, I urge you to
17 weigh the seriousness of this decision
18 and not approve the casinos at Market
19 East. With all due respect, I believe
20 that this will be an albatross around
21 your neck, a legacy you do not want to
22 leave to the City of Philadelphia.

23 COUNCIL PRESIDENT Verna: Thank
24 you.

25 (Applause.)

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2 COUNCIL PRESIDENT VERNA:

3 Kindly identify yourself for the record.

4 MR. LI: Hi. My name is
5 Gabriel Li. I'm currently a resident of
6 Chinatown and a student at Temple
7 University. I am here today to petition
8 a bill that has been introduced against
9 our community's will. Both the community
10 and I called our elected officials to
11 slow the process down. We wanted to see
12 the community concerns addressed before
13 action was taken. Rather than waiting,
14 CED legislation was introduced. This was
15 a slap to the community's face. It made
16 it clear that Foxwoods was the priority
17 and not the community.

18 But since the legislation has
19 been introduced, I wanted to point out
20 the weaknesses of the legislation and how
21 it leaves my community in the hands of
22 Foxwoods.

23 The first weakness is the lack
24 of content that will protect the
25 surrounding residential communities. The

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2 legislation should include requirements
3 on the amount of security provided,
4 design requirements, how many slots our
5 city will tolerate, limits on the hours
6 of gambling. And even with this
7 legislation, we could have made it much
8 harder for Foxwoods to implement their
9 plans. Instead, the current legislation
10 uses vague language that allows Foxwoods
11 to do whatever they want.

12 Also currently in this
13 legislation there is nothing protecting
14 our community against gambling
15 addictions. One of the biggest concerns
16 in our community, Chinatown, was not
17 signs, but it was gambling addictions.
18 The City needs to make it clear on what
19 they will do to prevent gambling
20 addictions before they take any further
21 action. We all know that gambling
22 addictions means profit for a casino, so
23 I don't expect Foxwoods to protect us.

24 But I do expect and believe
25 that our elected officials will protect

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2 our community members from gambling
3 addiction that causes domestic abuse,
4 broken families and bankruptcy. We
5 elected you to protect us, not
6 corporations.

7 I also wanted to stress today
8 that the proposed site at the Gallery is
9 not a First District problem. This is a
10 Philadelphia problem. The proposed site
11 is in the heart of our city, and all the
12 people from Philadelphia will suffer the
13 consequences of gambling. The effects of
14 a downtown casino will not only hurt the
15 Chinatown community, but it will break
16 down communities all over the City.

17 In addition, if this
18 legislation is not stopped, it will show
19 how broken our government is. It will
20 marginalize the community's voice and
21 encourage the already rampant apathy in
22 our electorate.

23 I wanted to stress the point
24 that any benefits a casino at the Gallery
25 may provide will never outweigh the

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2 community destruction, addictions and
3 broken families it causes.

4 I know some in our government
5 who have given up and thrown their hands
6 up in surrender saying that we can't do
7 anything. Our own Councilman said that,
8 My fighting days are pretty much over.
9 But understand that a downtown casino is
10 a Philadelphia problem. So I hope the
11 rest of you in City Council have some
12 fight left. Vote against this
13 legislation because you know Center City
14 is the wrong place for a slots parlor.

15 And in addition to that, I have
16 one question for Councilman DiCicco.
17 Throughout this whole process, you have
18 mentioned that you regret listening to
19 people. If you don't listen to the
20 people, who do you listen to?

21 COUNCIL PRESIDENT VERNA: I
22 don't think you have to answer that.

23 Are you finished with your
24 testimony, sir?

25 MR. LI: Yes. I have one thing

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2 to add. If you don't have an answer, I
3 can only assume you're listening to only
4 Foxwoods.

5 Thank you.

6 COUNCIL PRESIDENT VERNA:

7 That's very unfair.

8 (Applause.)

9 COUNCIL PRESIDENT VERNA: That
10 last statement was extremely unfair.
11 However, we'll go on with our hearing.

12 The next panel?

13 MR. MCPHERSON: William Kosman,
14 Hilary Regan, Mary Tracy, Rosanne Loesch.

15 (Witnesses approached witness
16 table.)

17 COUNCIL PRESIDENT VERNA:

18 Please identify yourself for the record
19 and proceed with your testimony.

20 MR. KOSMAN: My name is
21 William -- can you hear me?

22 COUNCIL PRESIDENT VERNA:

23 You'll have to pull the microphone
24 closer.

25 MR. KOSMAN: What?

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2 COUNCIL PRESIDENT VERNA: Pull
3 it closer to you.

4 MR. KOSMAN: Can you hear me
5 now?

6 COUNCIL PRESIDENT VERNA: Yes.

7 MR. KOSMAN: My name is William
8 Kosman. I am a resident of Queen
9 Village. I'm an artist. And I am here
10 to do three things. I want to explain
11 why I believe Market East is absolutely
12 the wrong site for a casino, and I want
13 to make two suggestions. And in talking
14 to you, I will skim over some of my
15 points, because some of them have already
16 been mentioned several times.

17 I will not talk about traffic,
18 of cars and buses, even though we know
19 that this would be monumental. And also
20 I want to mention, too, that there's been
21 a tremendous amount of research done
22 concerning casinos in cities, and one of
23 the things that is stressed is that
24 casinos do not stimulate business in
25 surrounding businesses. They actually

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2 suck away business. And this has been
3 documented in at least five books which
4 I've read. If somebody wants a list of
5 these books, I will give it to them.

6 Also, I cannot think of
7 anything more ill-advised than having a
8 casino where alcoholic beverages are
9 consumed in a mall environment where
10 families, young people, teenagers go. I
11 just think this is presenting the
12 absolute ridiculous problems that should
13 be avoided.

14 And also I want to mention that
15 I look upon the City of Philadelphia as
16 the guardian of our nation's historic
17 treasures. I'm talking about
18 Independence Hall, the Liberty Bell, et
19 cetera. I believe that if a casino is
20 placed mid point between Independence
21 Hall and the City Hall, it would be a
22 blotch on our city that would never be
23 erased.

24 Once a casino is established in
25 the City, they have a tendency of

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2 growing, and while Foxwoods says we want
3 to limit a casino here now, if the casino
4 is established, there are always projects
5 for expanding them.

6 I would like to make two
7 suggestions, because I believe in this
8 whole casino debate, we have lacked
9 creativity. One suggestion I would make
10 is that we should look at other possible
11 locations. I know that the Gambling Act
12 of 2004 places certain limitations on us,
13 but I know that the Gambling Act could be
14 amended. One possibility I think we
15 should look at is unused land near the
16 airport. I believe that we could
17 establish an entertainment district in
18 this unused land near convenient
19 off-ramps near -- we could establish bus
20 transportation, rail transportation, and
21 we could have two casinos there with
22 sports venues --

23 (Bell rung.)

24 MR. KOSMAN: Already? My gosh.

25 -- (continued) sports venues,

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2 other entertainment, hotels, restaurants.

3 The other suggestion I want to
4 make is that if Market East needs
5 positive suggestions for developing, one
6 suggestion would be of establishing a
7 design, art and craft center. If
8 Philadelphia has one positive image, it
9 is the city of the arts, and we have more
10 than several thousand artists, practicing
11 artists, in the City. If there were a
12 design, arts and craft center at Market
13 East, it would link in with the huge
14 artistic developments north of Market
15 Street. And this city is really
16 flourishing, is known nationwide,
17 partially because of the Mural Arts
18 Program, which is proud to say that
19 Philadelphia has the largest number of
20 murals in any city in the United States.

21 I want to thank all of you for
22 listening to me and thank you for your
23 time.

24 COUNCIL PRESIDENT VERNA: Thank
25 you, Mr. Kosman.

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2 Please identify yourself the
3 record.

4 MS. TRAN: Good morning,
5 members of the Rules Committee. My name
6 is Stephanie Tran and I am representing
7 the youth.

8 The following is a statement
9 that the youth has written that I will
10 read to you.

11 We, the students against the
12 casino, are united to taking a stand and
13 to voice our concerns. We oppose of the
14 building in the heart of Philadelphia,
15 because it exposes youth to addiction and
16 crime. It has a negative impact on
17 individuals and families. It would
18 disrupt the well-being of local
19 businesses, and it would destroy the
20 cultural significance of Chinatown and
21 its surrounding communities.

22 Instead, we believe that the
23 City of Philadelphia should do the
24 following: Have programs to help youth
25 envision a more successful future,

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2 redevelop Center City to provide a safer
3 and healthier environment and also to
4 enact proposals that will maintain the
5 culture of values and heritage of
6 Chinatown and its surrounding
7 neighborhoods.

8 Thank you for your time.

9 (Applause.)

10 COUNCIL PRESIDENT VERNA: Thank
11 you.

12 Please identify yourself for
13 the record.

14 MS. LOESCH: My name is Rosanne
15 Loesch and I am a Board member of Society
16 Hill Civic Association. I'm Chair of
17 their Casino Committee, and I've been
18 working on this issue since January 2007.
19 Many of you on the panel already know me.

20 My civic association testified
21 earlier. Their President testified and
22 asked the Committee not to vote these two
23 bills out of Committee today, and that is
24 the official position of my Board. I am
25 right now testifying as a private

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2 citizen.

3 I have two concerns. One is
4 having to do with the process and the
5 other has to do with the content of --
6 or, actually, the actual substance of
7 putting this casino on Market Street.

8 The process concerns me a lot.
9 The top aide to Mayor Nutter today said
10 Foxwoods is in control. I think this is
11 a very frightening proposition, the
12 thought that Foxwoods is in control of
13 this process.

14 These are the dangers: Once
15 you vote this out of Committee today, I
16 have heard that as soon as November 14th,
17 City Council will be voting on this, and
18 let's assume City Council votes on this.
19 After that, Foxwoods submits plans of
20 development for this site. Under the CED
21 legislation, this proposed legislation --
22 and also in 2006 the same was true -- if
23 City Council -- if the Planning
24 Commission does not act within a certain
25 amount of time once the plans are

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2 submitted, then it's deemed approved, and
3 that is also true of City Council. The
4 plan of development goes to City Council.
5 After 45 days, if City Council does not
6 act, it is deemed approved. Now, what
7 are the flaws with this?

8 When it goes to the Planning
9 Commission, I had the Acting Executive
10 Director answer a question for me when I
11 asked him, Are you going to consider
12 social and economic impacts when the plan
13 of development is presented? And he said
14 to me, No. He said, That is not our job.

15 I said, Whose job is it?

16 Well, it's the Department of
17 Health and Services.

18 Well, I know that through the
19 Foxwoods and SugarHouse waterfront sites
20 that no one looked at those social and
21 economic impacts.

22 City Council -- once it goes to
23 the Planning Commission, there is a big
24 problem in terms of the public getting
25 the information. The Planning Commission

1 11/1/08 - RULES - BILLS 080741 & 080742
2 works on this stuff for a long time
3 without the public actually seeing it
4 until their so-called -- and it was
5 referred to today -- interim
6 presentation. A 45-day window to do all
7 that, to get it out to the public so that
8 the public can actually see it, is
9 problematic.

10 (Bell rung.)

11 MS. LOESCH: The second part of
12 the process of going to City Council,
13 again, 45 days for this to be decided
14 upon and then have it be deemed approved
15 if you don't act is a frightening
16 proposition.

17 Just quickly to the
18 substance -- or the content of putting it
19 right there, there's been a lot of talk
20 about how this is going to drive economic
21 development. In the waterfront -- and
22 that Market East is a tumbled down place
23 that we don't like. I will remind
24 Council that with the waterfront, what I
25 heard for the last two years, until

1 11/1/08 - RULES - BILLS 080741 & 080742
2 recently, until Penn Praxis and
3 everything came out, was that the
4 waterfront, who cares about the
5 waterfront. It's a bunch of vacant land.
6 There's nothing there. There's big box
7 casinos. There's the empty SugarHouse
8 refinery, just put them there. Well, of
9 course we found out over a two-year
10 period through citizens acting, through
11 Council listening, through the Penn
12 Praxis program and our Mayor endorsing
13 that, that we can have a much better
14 vision for our waterfront. Why does the
15 center and heart of our city, the
16 historic heart of our city, deserve any
17 less a planning process?

18 So I call for a planning
19 process to take place before any
20 zoning/rezoning, which comes all the way
21 up to 6th and Chestnut, which is
22 Independence Hall, where it would be
23 permissible -- and this is the word that
24 the Planning Commission used at last
25 Tuesday's Planning Committee meeting --

1 11/1/08 - RULES - BILLS 080741 & 080742
2 permissible to put a casino on that site
3 if someone, an operator, casino operator,
4 introduces a plan of development. A plan
5 of development, we know, if this zoning
6 is passed by City Council --

7 COUNCIL PRESIDENT Verna: I'm
8 sorry. I don't mean to interrupt.

9 MS. Loesch: -- there's a
10 45-day --

11 COUNCIL PRESIDENT Verna:
12 Excuse me.

13 MS. Loesch: I'll just finish.

14 COUNCIL PRESIDENT Verna:
15 Excuse me. I don't mean to interrupt
16 you, but you're going far beyond the
17 three minutes.

18 MS. Loesch: And I appreciate
19 your listening to my comments.

20 COUNCIL PRESIDENT Verna: So
21 please try to conclude your statement.

22 MS. Loesch: I will conclude my
23 statement.

24 Please do not vote these two
25 bills out of Committee. This is putting

1 11/1/08 - RULES - BILLS 080741 & 080742
2 in a process that will be unchangeable
3 and permanent.

4 COUNCIL PRESIDENT VERNA: Thank
5 you.

6 MS. LOESCH: Thank you.

7 COUNCIL PRESIDENT VERNA: Thank
8 you.

9 (Applause.)

10 COUNCIL PRESIDENT VERNA: Good
11 afternoon. Please identify yourself for
12 the record.

13 MS. REGAN: Hi. My name is
14 Hilary Regan. I'm a resident of Northern
15 Liberties. I just wanted to make a
16 couple of quick statements. I've
17 testified here before.

18 I've been told we don't want to
19 discuss the economics in City Council
20 because gambling is coming to
21 Philadelphia and that's just the way it
22 is, but I don't think you can exclude
23 economics, because it is directly related
24 to location, and that you have an
25 obligation to the citizenry of

1 11/1/08 - RULES - BILLS 080741 & 080742

2 Philadelphia to understand the social
3 impacts of each site.

4 We brought experts here from
5 around the country, leading publications
6 such as the Wall Street Journal, News and
7 World Report, and even people like
8 Senator Obama have said that they
9 question whether or not gambling is a
10 development tool. And I certainly in
11 this market would also question whether
12 or not any of the development that
13 Foxwoods is planning is going to show up
14 in a certain time period.

15 But it doesn't seem to make a
16 difference what I say or even what some
17 of these experts say. So I thought maybe
18 I would use somebody else's words.

19 You probably don't know, but
20 the reason why Nebraska doesn't have
21 gambling is because of Warren Buffett.
22 He is the leading reason. He has said --
23 he was asked a question: The amazing
24 thing across the country is, gambling has
25 been promoted strictly on its benefits.

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2 There is no mention of the addiction or
3 bankruptcies.

4 His response, There's a lot of
5 benefit to the owner. Net, it's a big
6 loser for the citizenry.

7 He also said that he taught his
8 kids at a young age -- he bought them a
9 slot machine and he gave them their
10 allowance, and he said, I collected their
11 allowance, I got all of it back for two
12 months. They learned at a young age that
13 in those days pulling the lever of a slot
14 machine might be good exercise, but it
15 was bad economics.

16 The other thing that he said
17 that I think is very relevant to the
18 decision that you are considering having
19 it, being a casino, inaccessible is a
20 real plus when you are dealing with
21 something that is addictive, that can be
22 addictive. It should not be easily
23 accessible.

24 This is a social experiment.
25 We're the first in the country to do it.

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2 And I really think that we need to give a
3 lot of consideration to the social
4 impact.

5 I consider this to be Enron
6 economics, and I think part of the
7 problem with the country today, the
8 reason why we're in this financial
9 crisis, is because the cost of our
10 decisions are not an equal part of the
11 conversation, and I would urge you not to
12 vote this bill out of Committee.

13 COUNCIL PRESIDENT VERNA: Thank
14 you.

15 (Applause.)

16 COUNCIL PRESIDENT VERNA: Are
17 you part of this panel?

18 MS. TRACY: I am.

19 COUNCIL PRESIDENT VERNA: Thank
20 you. Please identify yourself for the
21 record.

22 MS. TRACY: Yes. Good
23 afternoon, Council President, Councilman
24 DiCicco, Councilwoman Miller. My name is
25 Mary Tracy and I am the Executive

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2 Director of SCRUB, the public voice for
3 public space, and I appreciate the
4 opportunity to speak before you today on
5 this issue, which I've really just become
6 apprised yesterday because I've been
7 away.

8 But, as you know, SCRUB is the
9 public voice for public space, and we
10 work to see that all public spaces in
11 Philadelphia will be healthy, vibrant and
12 beautiful. We're best known for our work
13 surrounding illegal and poorly placed
14 billboards, which we've used to address
15 the larger issue surrounding the built
16 environment and public space. And the
17 signage provisions in this Commercial
18 Entertainment District bill are far too
19 generous for its location here in the
20 gateway to our historic district and in
21 really the heart of Center City. And
22 while I think it may really have been an
23 oversight, because the original
24 provisions were meant for down off I-95
25 and the distances, the heights, the sizes

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2 of the signage may or may not have been
3 appropriate there, they certainly are
4 inappropriate for where we're planning to
5 place it here.

6 And, for example, currently
7 under the current Zoning Code there, you
8 have two square feet for every linear
9 foot of a frontage to a maximum of 100
10 square feet. No sign can be larger than
11 100 square feet in that district.

12 Under this commercial
13 entertainment zone, you have five times,
14 five square feet for every linear foot,
15 plus you can add the sides at two feet.
16 I mean, it's sort of a convoluted
17 summary, adding this side, adding that
18 side. If you're four sides, you only get
19 two square feet on the side ones. But
20 the sum total is whatever the sum total
21 is. It's not -- there's no maximum here.
22 If this is how much room that your
23 building is, times that by five square
24 feet and that's how much signage you'll
25 be allowed.

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2 You also have, which has been
3 prohibited in every commercial district
4 in the City, rooftop signs, and there's
5 no -- at least there was a height
6 restriction of the one down in -- the
7 ones down by the river. There is no
8 height restriction on the height of the
9 rooftop sign. And we're actually talking
10 about two rooftop structures, each 300
11 square feet with four sign faces.

12 (Bell rung.)

13 MS. TRACY: So I want everybody
14 to start thinking about where the signage
15 is in our Center City Philadelphia and
16 how carefully we have been through the
17 years that less is more, and I think that
18 this particular legislation really is way
19 over the top.

20 Another place where I would
21 point out here is this introduction of
22 electronic signage for the first time
23 into Center City. And so I don't know
24 how many in the Council have been to
25 Atlantic City or Las Vegas, but we know

1 11/1/08 - RULES - BILLS 080741 & 080742
2 that's a very important part of their
3 marketing, are huge electronic signage.
4 But we don't know how bright it's going
5 to be, how big it's going to be, where
6 it's going to be placed, how it's going
7 to be placed. There's no restrictions on
8 that whatsoever, no regulations. It's
9 sort of a carte blanche to the industry.
10 And I think when we start to do that, I
11 think we're sort of being disrespectful
12 to the other businesses that have
13 complied with the sign regulations all
14 these years. And now a new business is
15 coming in and we're bending over
16 backwards to give them everything but the
17 kitchen sink.

18 I think moving this slotting
19 industry into Center City is one
20 discussion. Changing our sign codes and
21 the aesthetic values that we have held so
22 close to our hearts all these years is
23 another discussion altogether, and
24 perhaps should not even be part of this
25 discussion, because the implications are

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2 just so far reaching, and once they're
3 there, there's no turning back.

4 And I also think there's no
5 definition of what we consider accessory.
6 In the current zoning for there, they
7 pretty much talk about the logo sign, the
8 building ID sign. Accessory, if you get
9 the right lawyers, could mean anything
10 that's sold on the premises. So as we
11 have these electronic signs and we have
12 all this signage that's allowed on these
13 buildings, is it going to be also
14 advertising the socks that are in the
15 stores that are in there or the
16 cigarette -- or the alcohol --

17 COUNCIL PRESIDENT VERNA: Mary,
18 you have far exceeded your three minutes.
19 May I ask that you please conclude your
20 testimony.

21 MS. TRACY: I will, yes,
22 Council President.

23 And then there's just one other
24 thing I think we have to look at, our
25 desire to be a green city. These digital

1 11/1/08 - RULES - BILLS 080741 & 080742
2 signs actually take up -- each one is a
3 carbon footprint of 49 traditional
4 billboards, or 13 homes. One digital
5 billboard emits 108.41 tons of carbon
6 dioxide each year, taking the planting of
7 approximately 4,517 trees. So let's take
8 a look at that in this ordinance. And
9 then, of course, not to mention the
10 driver or distraction and pedestrian
11 safety.

12 So I will sum up by saying we
13 stand at a crossroads here. What is the
14 possible benefit to the City to allow
15 digital signage and increased signage in
16 an historic and architectural gem of
17 Philadelphia? So if possible, let's make
18 those corrections in this bill.

19 COUNCILMAN KENNEY: Thank you
20 very much for your testimony.

21 Any questions?

22 (No response.)

23 COUNCILMAN KENNEY: Panel 14,
24 Litig Zou, Michelle Truong -- I'm sorry.

25 Fifteen, Dr. Ying, Lai Har

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2 Cheung and Rorng Sorn.

3 (Witnesses approached witness
4 table.)

5 COUNCILMAN KENNEY: Please
6 identify yourself for the record and
7 proceed, whoever would like to go.

8 DR. LIN: Good afternoon.

9 COUNCILMAN KENNEY: Good
10 afternoon.

11 DR. LIN: My name is Ying Zhang
12 Lin. I'm the member of the Chinatown
13 Committee Against the Casino. This new
14 organization has over 100 local community
15 leaders and business owners. We strongly
16 and deeply oppose the casino proposal.
17 We stand together with the church,
18 school, senior house, Chinese Learning
19 Center and the medical centers.

20 The current casino proposal is
21 in process right now, but it is already
22 bringing huge fear to 90 percent of
23 Chinatown residents, 80 percent business
24 owner and the majority of Chinese
25 community who live outside our own

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2 business outside of Chinatown. According
3 to our survey from the 109 business in
4 Chinatown, we find out their fears come
5 from three points.

6 Number one is gambling and
7 gambling addiction. Here is what our
8 business owners said: I beg you not to
9 open a casino close to Chinatown. Two
10 years ago I quit gambling. I quit going
11 to Atlantic City. If you open a casino
12 close to me, I'm afraid I will go again.

13 Second fear is business impact
14 on Arch Street between 9th and 11th
15 Street. There are eight Asian
16 restaurants and a coffee shop. Seven of
17 them oppose casino proposal, and six of
18 them are equity committee member. Here
19 is what they have said: Economy is not
20 good right now. If you set up a casino
21 in our neighborhood, it will make our
22 business worse. Now people come to
23 Chinatown and spend their money here, but
24 you bring a casino here, they will spend
25 their money in casino. I'm a business

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2 woman, so I'm concerned about the
3 business part.

4 The other says, I personally
5 oppose it because a casino have
6 everything inside, including food and
7 free alcohol. You cannot compete.

8 Third concerns: Crime, traffic
9 and family. People are saying they are
10 worried about their husband, their
11 children and their parents. Here is a
12 father who said, I have two kids. One is
13 seven, one is five. Every day kids are
14 here. If we sometimes ignore them, they
15 will run there. So much undetermined.
16 Even if my business improves, it is not
17 worth it to me.

18 People really are saying they
19 are worried. Eighty percent of business
20 owner oppose casino and 90 percent of
21 restaurant oppose it. I feel confused
22 why we are here discussing something we
23 don't need. What we need is a high
24 school, a medical center, a senior
25 center, a Chinese American museum and a

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2 marquee and a garden.

3 My question to our Councilman,
4 Frank DiCicco, are you really listening
5 to the people who live and have business
6 in Chinatown?

7 The new committee is -- the
8 Chinese people -- I'm sorry. The Chinese
9 people who live in Chinatown fighting for
10 the casino proposal, our wishing is to
11 have our health, safety and a vibrant
12 Chinatown, which is our (unintelligible)
13 home. Our mission is to stop the
14 presence of a casino on Chinatown's
15 borders.

16 Thank you.

17 (Applause.)

18 COUNCILMAN KENNEY: Thank you
19 for your testimony.

20 Please identify yourself for
21 the record.

22 MS. SORN: My name is Rorng
23 Sorn and I'm the Interim Executive
24 Director of the Cambodian Association of
25 Greater Philadelphia. Thank you for the

1 11/1/08 - RULES - BILLS 080741 & 080742
2 opportunity today to testify and to raise
3 my concern on casino and gambling
4 addiction in our community.

5 I would like to echo Ellen Luu
6 how gambling addiction can have social,
7 economic and health. Again, not just
8 social and economic, but also health
9 impacts that can last generations to
10 come, that can cause City and State
11 government a lot of money.

12 Talking about the social
13 impact, I just want to give a couple
14 examples of domestic violence within our
15 community due to the gambling addiction.

16 A few years back there's a
17 family who's had to deal with the
18 gambling addiction. The spouse was
19 killed. The husband is now in jail. The
20 kids are being displaced. Imagine how
21 these kids have to go through each day,
22 losing their parents and now being
23 misplaced and how this can strain,
24 affecting their mental health and also
25 the education and social while being in

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2 the long run. So that's one example.

3 Also, every day I've been
4 working in the community for so long, for
5 over 20 years, and I haven't seen any
6 single person who get rich out of
7 gambling. It put these family into a
8 deeper, deeper in poverty. I see people,
9 their car being repossessed, their home
10 being foreclosed. These are families
11 whose -- the father who supposed to help
12 raise the children uses the house, to
13 take the money out of the house to
14 gamble, and then the family is being
15 displaced.

16 So these are the story and the
17 families that are being affected every
18 day. So these children are being
19 affected every day to go through this
20 family violence, the displacement and all
21 these issue affecting them, to ask that
22 that family need the most car and homes,
23 that each family need to live it, but
24 because of gambling addiction, family
25 have to lose those two basic needs that

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2 they really need.

3 (Bell rung.)

4 MS. SORN: Depression is
5 another issue. That is a health issue
6 that's affecting our community, and it
7 put our family community -- and it's not
8 only affecting our community, it's
9 affecting the whole society as a whole.
10 When a family or an individual is
11 depressed, it will affect not just the
12 home, in the school and the community we
13 all have to endure. (Unintelligible)
14 help these kid is all of us, so that is
15 the long-term effects that we all have to
16 endure.

17 So I just met with the
18 Dr. Evans, the Director of Behavioral
19 Health, the Department of Behavioral
20 Health, and a group of other Asian
21 leaders last Friday. According to him,
22 he said that there's one percent of the
23 City population compulsive gambler, but
24 according to him also, there's only four
25 counselors as certified to deal with

1 11/1/08 - RULES - BILLS 080741 & 080742
2 these addicted gamblers, and in this
3 regard, it doesn't reflect the diverse
4 community even in our city. So not just
5 limited resources. Yet, there's a lack
6 of response to the need of all our
7 community, diverse community, within our
8 community -- in our city.

9 COUNCILMAN KENNEY: You're well
10 over three minutes.

11 MS. SORN: So my conclusion is,
12 please take into consideration the
13 long-term effects on our social, economic
14 and health of our society as a whole.

15 COUNCILMAN KENNEY: Thank you.

16 MS. SORN: Thank you so much.

17 COUNCILMAN KENNEY: Thank you
18 for your testimony.

19 (Applause.)

20 COUNCILMAN KENNEY: Please
21 identify yourself for the record and
22 proceed.

23 MS. CHEUNG: Yes. My name is
24 Lai Har Cheung and I'm speaking as a
25 concerned Philadelphian. But first off,

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2 I have to say, go Phillies. And why it's
3 so important, why the Phillies winning is
4 such a big deal to me is because why are
5 we sitting here having to discuss this?
6 It seems kind of crazy. It's almost like
7 asking like we are the Phillies and
8 Foxwoods is Tampa Bay. So why would you
9 let them even consider coming into our
10 city at all? It's like it's a no
11 discussion kind of thing.

12 COUNCILMAN KENNEY: We didn't.
13 We didn't.

14 MS. CHEUNG: I know, but
15 Foxwoods --

16 COUNCILMAN KENNEY: I want to
17 remind you, we didn't.

18 MS. CHEUNG: Why do we even
19 have to sit here? That to me is the
20 thing that gets me so angry, because it's
21 like we know it's going to hurt our
22 citizens. We know it's going to do that
23 and we're still kind of like being okay
24 with them pushing through this thing. I
25 mean, exactly, we don't want them. We

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2 don't want them to get any further in
3 this legislation. We want them to go.

4 But why I love this city is
5 because etched on our constitutional
6 center walls is a statement from one of
7 our founding fathers that says it is the
8 duty of a citizen to fight back even
9 though the thing that we're fighting back
10 against is our own government, is our
11 right to fight oppression. This is our
12 founding father -- this is Philadelphia.
13 Like you just cannot -- this is like no
14 other city, and this tide of casinos are
15 gaining more and more in every part of
16 the country, but this is the time where
17 we can stand up, where all our leaders
18 and our citizens can stand up and say,
19 You know what, Foxwoods does not have a
20 place here in our community. That's why
21 I love this city.

22 (Applause.)

23 MS. CHEUNG: And when I hear
24 about process, usually when we talk about
25 process, it's always you don't know the

1 11/1/08 - RULES - BILLS 080741 & 080742
2 outcome of the process, but for some
3 reason, we've been told that the outcome
4 has already been decided and that no
5 matter what we say, we're going to have
6 one anyway. So that to me is not
7 democracy. That to me goes against
8 everything that our city stands for. And
9 when our city was the nation's capital,
10 when George Washington was President,
11 this is what he had to say. He said,
12 Avoid gaming. This is a vice which is
13 productive of every possible evil,
14 equally injurious to the morals and
15 health of its votaries.

16 (Applause.)

17 MS. CHEUNG: It is the child of
18 avarice, the brother of inequity and the
19 father of mischief. It has been the ruin
20 of many worthy families, the loss of many
21 a man's honor, and the cause of suicide.
22 To all those who enter the lists, it is
23 equally fascinating, because a successful
24 gamester pushes his good fortune until
25 it's overtaken by a reverse. The losing

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2 gamester, in hopes of retrieving past
3 misfortunes, goes on from bad to worse,
4 until growing desperate, he pushes at
5 everything and loses his all.

6 Let me translate that for a
7 second. What he's saying is like when
8 you win, you lose. And when you lose,
9 you lose. And let's not get it twisted.
10 Casinos are not a savior. They're not
11 here to come and give us money and give
12 us jobs. Come on. Casinos are a
13 business. They need profit and they need
14 repeat customers; i.e., compulsive
15 gamblers.

16 And why this is so important to
17 us is because we're fighting for our
18 lives here in Chinatown. This is our
19 very lives that we're talking about, and
20 we're going to keep fighting.

21 But to finish his quote, he
22 goes and says, George Washington, our
23 nation's first leader, who knows what
24 he's talking about -- and this has been
25 advice since the 1700s -- In a word, few

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2 gain by this abominable practice, the
3 profit, if any, being diffused, while
4 thousands are injured.

5 And I also speak to you today
6 as a person who has been injured. As an
7 adult child of compulsive gamblers, I've
8 seen what this can do, and I wish this
9 not on my worst enemy. I do not want any
10 family to go through what my family has
11 had to go through. And I have so much
12 respect for Councilman DiCicco because of
13 what you had to go through, and I know
14 that fighting it is the hardest thing
15 that you're probably going to have to do.
16 Because it takes a lot of courage for me
17 to come and speak, because I don't want
18 to talk about this stuff. I don't want
19 to talk about the hurt. But if it takes
20 that to stop this from going there, I
21 will. Because when I grew up, I thought
22 my parents loved money more than me.
23 Every time they went to the casinos, I
24 thought, You know what, they like money
25 more than me, I'm not worthy. But I

1 11/1/08 - RULES - BILLS 080741 & 080742
2 didn't take into account that they were
3 addicted. And addicted people don't
4 think straight. They just do what they
5 got to do at the risk of their wives, at
6 the risk of the lives of their children,
7 at the risk of their community, at the
8 risk of their jobs. People who are
9 addicted can't think straight and so they
10 make wrong decisions.

11 But you guys, I am asking the
12 clear-minded leaders of our city to
13 prevent the Foxwoods from getting any
14 closer to our family.

15 (Bell rung.)

16 MS. CHEUNG: And I feel like
17 you guys, like for you to understand that
18 the scars that I have gotten from what
19 this has done to my family, I will live
20 with it for the rest of my life. And the
21 scars of what has happened will etch
22 itself on our city. And we are a city of
23 champions and we are a city not used to
24 losing and not liking to lose, and to
25 have this Foxwoods that will make more of

1 11/1/08 - RULES - BILLS 080741 & 080742
2 our city's losers instead of winners is
3 unacceptable. It's unacceptable, and
4 today --

5 (Applause.)

6 MS. CHEUNG: And today I ask
7 that you place more value on people and
8 their quality of life than on money,
9 because no matter how much money it
10 brings in, is it worth your child? Is it
11 worth your mom? Is it worth your dad?
12 Is it worth your brother or your sister,
13 your grandparents? And I hope your
14 answer is no. Because our family is
15 priceless, and I hope that you say no to
16 the casino.

17 COUNCILMAN KENNEY: Thank you
18 very much for your testimony.

19 MS. CHEUNG: Thank you.

20 (Applause.)

21 COUNCILMAN KENNEY: We need to
22 take a stenographer break for five
23 minutes.

24 (Short recess.)

25 MR. MCPHERSON: The next panel

1 11/1/08 - RULES - BILLS 080741 & 080742
2 consists of the Reverend Chengzong Liu --

3 COUNCIL PRESIDENT VERNA:

4 Please pay attention.

5 MR. McPHERSON: The next panel
6 consists of Reverend Chengzong Liu, Harry
7 Leong, Robert Schlatter, Ying Zhang Lin.

8 COUNCIL PRESIDENT VERNA:

9 Please approach the witness table.

10 (Witnesses approached witness
11 table.)

12 COUNCIL PRESIDENT VERNA:

13 Please identify yourself for the record
14 and proceed with your testimony.

15 REVEREND LIU: Good afternoon.

16 My name is Chengzong Liu. I'm the Pastor
17 of Chinese Christian Church and Center.

18 I'm here to represent my church and the
19 Chinese churches in Greater Philadelphia.

20 We, the undersigned, voice our
21 opposition to plans to allow legalized
22 gambling in the Gallery in Philadelphia.
23 We believe that legalized gambling will
24 ravage the lives of many individuals and
25 families and contribute substantially to

1 11/1/08 - RULES - BILLS 080741 & 080742
2 the decay in the fabric of our community.

3 We believe the societal effects
4 of gambling at this location so close to
5 residential Chinatown invites disaster to
6 our community. We know that legalized
7 gambling can devastate families and can
8 uncover gambling addiction and its
9 ruinous effect on the individual and
10 their family. We are concerned that
11 there will be a resultant increase in
12 divorce, suicide, bankruptcy and child
13 abuse and domestic violence in the
14 community related to the legalized
15 gambling that the casino will bring.

16 Gambling brings about an
17 increase in crime. We're concerned that
18 the casino will result in the
19 skyrocketing of crime and be detrimental
20 to the family life in our community. We
21 believe a casino will foster an
22 environment leading to increased crime to
23 support gambling habits, and our
24 community, given its location, will be a
25 target.

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2 We're concerned that gambling
3 will hurt, not help, our existing
4 businesses by siphoning away
5 discretionary dollars that might
6 otherwise have been spent at local
7 restaurants and shops. Other social
8 costs associated with gambling, such as
9 losses due to crime, additional law
10 enforcement costs, gambling addiction
11 treatment costs, and lost work
12 productivity, can also be harmful to our
13 community.

14 We, as members of Christian
15 Church, are called to care for the
16 vulnerable in our midst. We are
17 concerned that gambling is an activity
18 which exploits the vulnerable, the young,
19 the old and those susceptible to
20 addictive behaviors. Gambling often
21 entices the financially disadvantaged
22 with unrealized hope of instant riches,
23 ultimately worsening the plight of our
24 poorest citizens. Research shows that
25 these poorest, who are financially ill

1 11/1/08 - RULES - BILLS 080741 & 080742
2 able to be, are disproportionately drawn
3 to the illusory promise of gambling.

4 (Bell rung.)

5 REVEREND LIU: We as a church
6 already see this in the attraction of the
7 Asian poor to other forms of gambling in
8 many places, including Chinatown,
9 Atlantic City and Asian countries from
10 which these poor come.

11 For moral, social and pragmatic
12 reasons, we respectfully voice our
13 opposition to the devastating effects a
14 casino will bring to our community. It
15 is a community that we live and serve in.
16 And it is out of concern for the
17 well-being of our community in Chinatown
18 that we sincerely oppose the casino plan
19 in the Gallery.

20 This is drafted by our church
21 and endorsed by the following China
22 churches, including our daughter church
23 in University City, Evangelical Formosan
24 Church of Philadelphia, Faith Hope Love
25 Chinese Church, Lamb of God Chinese

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2 Church, Love Truth Chinese Mennonite

3 Church, New Castle Chinese Evangelical

4 Church, Trinity Christian Church of

5 Greater Philadelphia, West Chester

6 Chinese Evangelical Church and Wilmington

7 Community Evangelical Church.

8 Thank you very much.

9 COUNCIL PRESIDENT VERNA: Thank
10 you.

11 (Applause.)

12 COUNCIL PRESIDENT VERNA: Our
13 next witness?

14 MR. LEONG: My name is Harry
15 Leong. Good afternoon, Madam President,
16 Councilman.

17 COUNCIL PRESIDENT VERNA: Good
18 afternoon.

19 MR. LEONG: I am a lifelong
20 resident of Philadelphia and serve as the
21 President of the Philadelphia Suns. We
22 are a grassroots youth group in
23 Chinatown.

24 Since 1972, our mission is to
25 provide educational, social, recreational

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2 and cultural opportunities to Asian youth
3 and young adults. The Suns are able to
4 support and mentor young people at
5 various stages in their lives by
6 providing various resources and programs
7 to meet their needs while serving our
8 community.

9 As some of the Councilmen may
10 know and are aware, that Chinatown is not
11 only the businesses, it's not only the
12 residents, but it also includes -- it's a
13 hub for the surrounding Philadelphia
14 area. So as the Pastor has mentioned,
15 support in opposition to the casinos has
16 gone across the tristate area, and that's
17 what we see within our community. We're
18 not limited by what -- by a small number
19 of people. We have many people who will
20 be negatively affected by the potential
21 casino in the community.

22 In regard to this casino issue,
23 it's not only about Chinatown. Our
24 Center City should be known for it being
25 the birth place of this nation. It

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2 should also be the -- it is the center of
3 our city, and for it to have casinos or
4 other such endeavors is not such a great
5 thing.

6 I propose that we do something
7 a little bit more innovative in
8 developing this area, like win more
9 championships, which promotes our
10 economy, as an example, as mentioned
11 before about the Phillies.

12 This expedited process of
13 proposing the CED legislation, without
14 any concrete developmental plans nor
15 feasibility studies, creates a loud
16 warning that we should slow down, that
17 we -- with any major development, there
18 should be due professional care in its
19 progress at every stage. Failing to
20 prepare is preparing to fail. The City
21 needs to have proper studies and plans
22 and not just a proposal, for even to move
23 to rezone the area for a casino. The
24 onus should be on Foxwoods to present
25 detailed plans.

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2 The City government cannot
3 determine or even address the effects on
4 the family as well. If we look at the
5 many, many studies that are out there in
6 regard to casinos, not only in this
7 country but around the world, we already
8 see the negative effects.

9 (Bell rung.)

10 MR. LEONG: So I'm not even
11 going to go there.

12 But as a community, as an
13 organization, the Philadelphia Suns, we
14 stand with many other individuals in
15 Philadelphia who care for the best
16 interest of the City as a whole. We
17 desire to build positive character and
18 integrity in the lives of our youth,
19 teaching them to become active and
20 productive members of society. Casinos
21 go against our vision to build and
22 support a better community.

23 The Suns ask that the City
24 Council not pass the legislation to
25 change the area from Broad to 6th and

1 11/1/08 - RULES - BILLS 080741 & 080742
2 from Filbert to Chestnut Streets to a
3 Commercial Entertainment District.

4 COUNCIL PRESIDENT VERNA: Thank
5 you.

6 Our next witness?
7 (Applause.)

8 MS. SETIAWAN: Good afternoon.
9 My name is Aileen Setiawan and I am the
10 Youth Director at the Chinese Gospel
11 Church.

12 I am in disbelief at the
13 message our government is sending to the
14 young people of this generation. Today
15 is a public hearing to rezone this area
16 to be a Commercial Entertainment
17 District. You define gambling as a form
18 of entertainment. And it's not
19 entertainment. It is a horrible vice
20 which affects -- are ultimately
21 destructive. How can you introduce this
22 activity that you know is harmful to our
23 community? How can you condone an
24 industry based on money and greed?

25 Gambling is predicated on the

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2 losses, the pain and suffering of other
3 people. If you think it will help
4 revitalize this area, you should rethink
5 that. The casino will take business
6 away. It depresses businesses, diverts
7 money that would be spent on things to
8 stimulate the economy.

9 You think you will gain from
10 this, but how much more will you have to
11 spend on services that result from the
12 negative impact this casino will have on
13 the community?

14 Many of the concerns include
15 traffic, parking and crime, but even more
16 important is the moral impact on the
17 quality of life in our community. You
18 will undoubtedly have an increase in
19 compulsive gamblers. And how will they
20 finance their addiction? Through
21 violence and crime? This is a crime
22 against society, against families,
23 against the very person who engages in
24 this addiction and against God.

25 It does not make sense that the

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2 government will seduce its citizens and
3 subvert the moral fabric of society.
4 You're supposed to provide order in
5 society, protect the welfare of your
6 citizens and promote public virtue. And
7 why put it in Chinatown where you know
8 that it will enable the Asian community's
9 pension for gambling, leading to a
10 full-blown addiction? You are destroying
11 us.

12 Yesterday was one of the
13 proudest moments in our city's history.
14 I don't think that this casino -- it just
15 would be -- it will cause the citizens of
16 this great city to be ashamed to be a
17 Philadelphian.

18 Thank you.

19 (Applause.)

20 COUNCIL PRESIDENT VERNA: Thank
21 you. Thank you all very much. Thank
22 you.

23 Our next panel?

24 MS. SETIAWAN: Also, Robert
25 Schlatter is a Deacon Board of our

1 11/1/08 - RULES - BILLS 080741 & 080742
2 church, and this is a written statement
3 that's signed by the members, but --

4 COUNCIL PRESIDENT VERNA: If
5 you'll give it to our aide, we will make
6 certain that it's part of the testimony.

7 MS. SETIAWAN: Thank you.

8 COUNCIL PRESIDENT VERNA: Our
9 next panel?

10 MR. MCPHERSON: Our next panel
11 consists of Thoai Nguyen, Ignatius Wang,
12 Catherine Fung and Gary Lee.

13 (Applause.)

14 (Witnesses approached witness
15 table.)

16 COUNCIL PRESIDENT VERNA: Good
17 afternoon. Please identify yourself for
18 the record and proceed with your
19 testimony.

20 MS. FUNG: Hi. My name is
21 Catherine Fung and I'm an urban studies
22 major at Bryn Mawr College and I've been
23 studying economic development and urban
24 planning for the past four years, and I
25 think that the justification for a casino

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2 in the Gallery is inherently
3 contradictory.

4 Firstly, throughout this
5 session and in the opening remarks,
6 you've been saying that this land use
7 review process will be transparent and
8 democratic, but by default, several
9 decisions have already been made. There
10 has already been the decision that a
11 casino will inevitably be in
12 Philadelphia, no matter where it is; and
13 then, secondly, that Foxwoods will have
14 complete control over this process and
15 that it will decide ultimately where the
16 casino will go, and this automatically
17 excludes public input from this land use
18 review process.

19 And then, secondly, this -- you
20 cite unsafe conditions and the lack of
21 eyes on the street as reasons for why the
22 Gallery needs to be redeveloped. And
23 what eyes on the street really is is Jane
24 Jacobs' principle that people need to
25 feel public ownership of space in order

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2 for them to support and protect their
3 communities, and this is known in urban
4 theory as one of the core principles of
5 good urban planning. And it is a
6 necessary condition for people to -- for
7 communities to be able to prevent crime
8 and have their cities be vibrant. And by
9 putting a casino in Market East, by
10 preserving the concrete structure that
11 the mall is currently in and by
12 encroaching on Chinatown, which is
13 already a vibrant community, I think that
14 you would be perpetuating the unsafe
15 conditions and lack of eyes on the street
16 that Market East already exhibits.

17 And then, thirdly, you're
18 right, Market East is in a prime location
19 and it is a transportation hub and
20 perhaps it could benefit from economic
21 revitalization, but a casino is the wrong
22 type of economic redevelopment to take
23 place in this area. It is not going to
24 sufficiently address the economic
25 problems that Philadelphia faces, and

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2 this area and the people of Philadelphia
3 deserve a better strategy. And what a
4 better strategy would mean is not a
5 casino, not a place that provides a
6 limited number of jobs, with little
7 opportunity to learn other job skills and
8 to advance in jobs. And what sustainable
9 development would be is effective
10 economic development, something that
11 would maybe look like -- something that
12 would help me and my friends stay in
13 Philadelphia after we graduate and not go
14 off to cities like New York, and for
15 people who haven't had the opportunities
16 to graduate from college or even high
17 school or middle school, they should have
18 the opportunities to learn job skills and
19 to have jobs that will allow their
20 advancement, not only professionally but
21 in life.

22 And, furthermore, I don't think
23 a casino would provide the professional
24 growth -- it wouldn't support the
25 professional growth of Philadelphia's

1 11/1/08 - RULES - BILLS 080741 & 080742
2 workforce.

3 (Bell rung.)

4 MS. FUNG: And then, fourthly,
5 I think that a casino would negate a lot
6 of the positive identities of
7 Philadelphia. I mean, the casino would
8 be a few blocks away from the
9 Constitution Center, which is a major
10 tourist site in Philadelphia that
11 attracts millions of tourists per year.
12 And Philadelphia has this reputation as
13 the founding --

14 COUNCIL PRESIDENT VERNA:
15 Please conclude your testimony.

16 MS. FUNG: And then it also
17 has -- it's also the next great American
18 city, according to National Geographic in
19 2006. And what respectable business
20 would want to --

21 COUNCIL PRESIDENT VERNA:
22 Please conclude your testimony.

23 MS. FUNG: -- put their
24 business next to a casino.

25 And so I ask you to reconsider

1 11/1/08 - RULES - BILLS 080741 & 080742
2 the economic implications of this
3 project.

4 Thank you.

5 COUNCIL PRESIDENT Verna: Thank
6 you.

7 (Applause.)

8 COUNCIL PRESIDENT Verna: The
9 next witness, please identify yourself
10 for the record.

11 MR. LEE: Good afternoon,
12 Madam --

13 COUNCIL PRESIDENT Verna: And
14 please try to stick to the three-minute
15 limit. We would like to hear everybody
16 today.

17 Thank you.

18 MR. LEE: Good afternoon. I'm
19 Gary Lee. My family has resided in
20 Chinatown for more than 40 years. My law
21 office is located directly across from
22 the Gallery at 11th and Market.

23 We oppose the location of a
24 casino at the Gallery, and there are
25 several reasons that support this

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2 position.

3 Number one, the addiction among
4 Chinese and among Asians is greater than
5 the addiction, the gambling addiction,
6 among any other groups. So it will have
7 a severely negative impact that's
8 disproportionate to any other place in
9 Philadelphia where a casino may be
10 placed.

11 Number two, the Philadelphia
12 Gaming Advisory Task Force has produced a
13 report that's over 400 pages, and to
14 locate a casino at the Gallery would be
15 totally inconsistent with the findings in
16 that report. On Page 39 it says, when
17 asked whether they would be more likely
18 to visit a Philadelphia slots-only casino
19 at either a Center City or a waterfront
20 location, respondents favored the
21 waterfront by a ratio of three to one.
22 In other words, there will be less
23 revenues if the casino is located at the
24 Gallery than if it will be located at the
25 waterfront.

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2 It also says, Finding: Gaming
3 Act requirements dictating the size and
4 slots-only nature of Philadelphia casinos
5 will make the placement of the gaming
6 facility in downtown Philadelphia a
7 significant challenge. That challenge is
8 not present at any other site.

9 It also says, Page 75, The City
10 should not support a casino license
11 application on any tract of land that
12 encompasses less than 3.4 acres of
13 contiguous land. The Gallery site
14 consists of only 3 acres between 10th and
15 11th and Market. What they're really
16 trying to do here is shoehorn a big
17 casino with its related facilities for
18 entertainment, for retail use into a very
19 small space.

20 Furthermore, the traffic
21 problems that are going to be developed
22 here, that are going to be caused here,
23 are not only those that exist when the
24 casino is in operations, but those that
25 would exist when there are other major

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2 events, such as the Flower Show, such as
3 the Auto Show. It's already congested
4 with those two events. It's going to be
5 worse if the casino is built at the
6 Gallery.

7 Also, a casino at the Gallery
8 will result in fewer union construction
9 jobs, because the scale of the project is
10 going to be less. It's going to result
11 in fewer -- in less revenue to the City,
12 because if fewer patrons go to the
13 Gallery site, it's going to mean less of
14 the profits that are supposed to be given
15 to the City to be added to the City's
16 budget.

17 Finally, any kind of -- the way
18 Ordinance 080742 is constructed, it would
19 permit -- it would make it more easy for
20 there to be a casino located on Arch
21 Street because that is considered within
22 the bounds of that ordinance.

23 (Bell rung.)

24 MR. LI: The ordinance changes
25 the zoning requirements for a casino that

1 11/1/08 - RULES - BILLS 080741 & 080742
2 will be located anywhere from 6th to
3 Broad, Chestnut to Arch. At the very
4 least, if you do want to report these out
5 of Committee, that area should be
6 confined only from 10th to 11th, Market
7 to Filbert, which is the exact site where
8 this casino is supposed to be located, to
9 prevent any possibility that it will be
10 expanded into other areas of Center City
11 or to Chinatown.

12 Thank you.

13 COUNCIL PRESIDENT VERNA: Thank
14 you.

15 (Applause.)

16 COUNCIL PRESIDENT VERNA: Good
17 afternoon. Please identify yourself for
18 the record.

19 MR. WANG: Good afternoon. I'm
20 Ignatius Wang.

21 It's not by design I'm the last
22 one.

23 I have already submitted a
24 letter to Councilmembers hand-delivered
25 last Thursday to your office. I'd like

1 11/1/08 - RULES - BILLS 080741 & 080742
2 to enter that letter into the record of
3 this hearing.

4 What I'd like to discuss at
5 this point is really explore the
6 possibility of giving the community and
7 the City more time. This 40-day default
8 approval period is scary, very scary, and
9 that is why so many people are very
10 emotional in this hearing.

11 I'd like to ask the Committee
12 and the Council to give the community and
13 the City more time. We have a lot to
14 celebrate in the coming days. Yesterday
15 we had the biggest parade in the history
16 of the City, and we are supposed to be
17 celebrating more today and maybe next
18 week. And we have Election Day coming
19 next Tuesday. That is very, very
20 important to the City and also to our
21 nation and the world. And we have
22 Thanksgiving coming. That is tradition
23 of the country. And we have holidays
24 coming for our religion and we also have
25 a new year. And, of course, the best

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2 celebration of all is next January the
3 20th when we have a new occupant in the
4 White House. And we need to spend all
5 that time to celebrate, and at the same
6 time, the community and the City needs to
7 have time to prepare, to examine, to
8 explore, to look at this legislation that
9 is before you today.

10 So I would urge the Committee
11 not to vote this legislation, these two,
12 out of the Committee, and give the
13 community, give the City, give everybody
14 more time, and at the same time, we can
15 enjoy our lives and celebrate the victory
16 that we had for the championship.

17 (Applause.)

18 COUNCIL PRESIDENT VERNA: Thank
19 you. Thank you very much. Thank you.

20 Our next panel?

21 MR. MCPHERSON: Our next
22 witness is Joe Eastman. And I'd like to
23 announce that a Michael Wakely had to
24 leave. He left his testimony, and that
25 will be made part of the record.

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2 COUNCIL PRESIDENT VERNA: Mr.
3 Eastman, I see that your testimony is
4 rather lengthy.

5 MR. EASTMAN: Three minutes.

6 COUNCIL PRESIDENT VERNA: If
7 you can abbreviate this.

8 MR. EASTMAN: I promise.

9 COUNCIL PRESIDENT VERNA: I beg
10 your pardon?

11 MR. EASTMAN: I promise it will
12 be short. I can abbreviate it.

13 COUNCIL PRESIDENT VERNA: We
14 will give a copy of your testimony to the
15 stenographer. It will transcribed in
16 full. So if you can abbreviate your
17 testimony, I'd appreciate it. Thank you.

18 MR. EASTMAN: Good afternoon.
19 My name is Joe Eastman and I'm here today
20 speaking only for myself, and the views
21 expressed here are mine and mine alone
22 and are not a reflection of or associated
23 with any Chinatown community organization
24 to which I belong.

25 In the interest of full

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2 disclosure, I'll say right from the
3 beginning that I, as many speaking here
4 today, am not a resident of Chinatown,
5 but I believe my service to the Chinatown
6 community over the last several years,
7 including being a founding member and
8 elective officer of Chinatown Watch, a
9 volunteer after-school program reading
10 coach and tutor to many of our wonderful
11 Chinatown children, an ESL and
12 Citizenship teacher and tutor to many
13 Chinatown community members with the
14 Center for Literacy, and a volunteer
15 assisting our Chinese seniors at the
16 Asian Resource Center at Coffee Cup,
17 allows me to speak to this issue with
18 some sensitivity, understanding and
19 compassion. I also continue to serve as
20 a mentor for many Chinese high school and
21 college students. I won't go into that.

22 What I will say is, you don't
23 have to be a member of the Chinatown
24 community or even Asian to have a love of
25 and affection for or a commitment to this

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2 great community.

3 I support this legislation, not
4 because a positive endorsement indicates
5 support for the potential resiting of a
6 casino to the Gallery, but because I
7 truly believe supporting this legislation
8 will begin the process, the process that
9 I have heard so much about over the past
10 several weeks, a process that I believe
11 is the glue that ties this whole
12 discussion together, a process that I
13 believe must begin so that the Chinatown
14 community can get the much-needed
15 information many, many, many of
16 Chinatown's community members seek.

17 I think what is right, in my
18 opinion, is to begin a process. Let me
19 say that again, to begin a process that
20 assumes reasonable people are best served
21 when they were presented with
22 information, however favorable or
23 unfavorable, that allows them to make an
24 informed decision that is in the best
25 interest of themselves and their

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2 families. To my understanding, none of
3 that information has been presented for a
4 variety of reasons, either from Foxwoods,
5 and we have nothing to rebut or support
6 what we have read in the paper or rebut
7 or support even those who are opposed.

8 Again, the process that
9 Councilman DiCicco is fighting for and
10 most concerned about is the glue that
11 ties all this together, in my mind, and
12 allows this process of
13 information-gathering and community
14 education to begin.

15 I also support this legislation
16 for other reasons as well. If you're
17 going to talk about the problems of this
18 legislation, you darn well better be
19 talking about any potential benefits as
20 well.

21 I can summarize here.

22 I know of no economic
23 development strategy or job development
24 strategy or any investment dollars coming
25 into Chinatown. If anyone knows about

1 11/1/08 - RULES - BILLS 080741 & 080742
2 that, it's a select few. What I do know
3 is this: Chinatown is in dire need of
4 vast infrastructure and greening
5 improvements. The underground fire that
6 occurred on 10th Street this past summer
7 proved that. It appears there is still
8 1960s infrastructure trying to support
9 21st century technology.

10 (Bell rung.)

11 MR. EASTMAN: If the end result
12 of this legislation, whatever that is,
13 provides for an open process that can
14 assure proper safeguards -- let me say
15 that again -- that can assure proper
16 safeguards to address the myriads of very
17 real concerns of the Chinatown community
18 and can provide the eventual capital flow
19 and investment dollars to Chinatown that
20 can prove or that can and will support
21 social programs, security and
22 infrastructure upgrades and be proved to
23 possibly improve the quality of life to
24 Chinatown community members, which I
25 believe it can with these proper

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2 safeguards in place, that an open and
3 transparent process will provide, then I
4 support it.

5 I know that stretches the
6 limits and merits of this legislation,
7 but one should not be penalized for
8 dreaming. And that's all I'll say.

9 Thank you.

10 COUNCIL PRESIDENT VERNA: Thank
11 you. Thank you very much.

12 MR. MCPHERSON: The last
13 witness that I have is Paul Weeks.

14 (Witness approached witness
15 table.)

16 COUNCIL PRESIDENT VERNA: Good
17 afternoon. Welcome. Please identify
18 yourself for the record.

19 MR. YIP: My name is George
20 Yip. I'm the owner of East Asian Noodle
21 Company on 11th Street. I'm the noodle
22 man, fortune cookie man and everything.
23 Okay?

24 Now, before I oppose the
25 casino, I'd like to give you a few points

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2 on my delivery, what type of problem I'm
3 having now.

4 I'm not opposing the Convention
5 Center. That's wonderful. But ever
6 since the Convention Center been built, I
7 can't even get my delivery of tractor and
8 trailer. When I got 18 people working,
9 I'm paying taxes to the City and
10 everything, it should be able that I
11 could do business.

12 Every time I park a tractor and
13 trailer, 55 footer there, try to unload
14 the flour, whenever they got a
15 convention, they won't let me unload.
16 The cops say, Keep moving. So to solve
17 the problem, you know what I had to do to
18 get along with everybody? I pay extra
19 for the tractor and the trailer to come
20 at 6:00 in the morning to give me the
21 delivery. That extra money, I got to pay
22 overtime for the drivers and everything
23 like that.

24 Now, I'll tell you another
25 thing that's wonderful, too. When you

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2 talk about a convention going on, you got
3 the best protection you ever have in
4 Chinatown. The Convention Center does a
5 very wonderful job of protection all
6 around here, all the way to Vine Street.
7 And they got those people going to the
8 convention, when they eat, they go into a
9 restaurant, you got security on 10th
10 Street and everything. That's wonderful.

11 But when you don't have a
12 convention, you can't even find the
13 walking people in Chinatown, and that's
14 true.

15 So that's what I'm trying to
16 tell you now. I'm having a problem with
17 getting deliveries. There's wholesalers
18 that want to make delivery in Chinatown.
19 They can't do it in the daytime. They
20 got to do it after 6 o'clock, give the
21 supplies to their restaurant.

22 Now, that's all I'm going to
23 say. I'm not going to tie up your time.
24 When you talk about the casino, I really
25 oppose it, and I think all of Chinatown,

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2 everybody opposes it. And whoever want
3 to approve the casino, like the last
4 speaker up here, he could have it.

5 So I thank you very much, and I
6 appreciate you and City Council for
7 trying to help us out in Chinatown.

8 Thank you.

9 COUNCIL PRESIDENT VERNA: Thank
10 you very much.

11 (Applause.)

12 MR. SCHNELLER: If Council
13 permits spontaneous addressing?

14 COUNCIL PRESIDENT VERNA: No.

15 MR. SCHNELLER: My name is Jim
16 Schneller. I'm with the Southeastern
17 Pennsylvania Citizens Against Gambling.
18 If I could just have 30 seconds of the
19 Council's time. I have new facts. I can
20 eliminate all repetition facts.

21 COUNCIL PRESIDENT VERNA: I
22 don't think the Committee is in favor.
23 If you have written testimony, we will
24 certainly accept it, make it part of the
25 record. Do you have written testimony?

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2 MR. SCHNELLER: No, I do not,
3 but I have need to prepare some in the
4 next 48 hours?

5 COUNCIL PRESIDENT VERNA: You
6 could submit it to my office and we'll
7 make certain that all Councilmembers
8 receive a copy of it.

9 Thank you.

10 MR. SCHNELLER: Thank you.

11 COUNCIL PRESIDENT VERNA: Okay.
12 This concludes -- I believe that's the
13 end of our list.

14 Do you have written testimony?

15 UNIDENTIFIED SPEAKER: I don't
16 have written testimony, no. I just found
17 out about this meeting two days ago, so I
18 didn't get a chance. I was in the
19 hospital.

20 COUNCIL PRESIDENT VERNA: All
21 right. As I suggested to the other
22 gentleman, if you would submit your
23 comments to my office, I will make
24 certain that all of the members receive a
25 copy of it.

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2 UNIDENTIFIED SPEAKER: I

3 thought when you had these meetings,
4 people are supposed to be heard if they
5 couldn't make an appointment for this.

6 COUNCIL PRESIDENT VERNA: Well,
7 that's why we had an existing list of
8 witnesses.

9 UNIDENTIFIED SPEAKER: No.
10 Nobody told me the disabled community
11 this was going on. And you talk about
12 transportation to come down to Center
13 City, a lot of us depend on that. A lot
14 of us also depend on the Gallery as a
15 place for socializing. A lot of us have
16 (unintelligible) around the Gallery
17 because it makes -- it is more
18 accessible.

19 So what am I supposed to do?
20 We come here for no reason?

21 COUNCILMAN DiCICCO: Madam
22 President, I want to thank everyone for
23 coming today and appreciate your
24 testimony, but just a couple of brief
25 remarks.

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2 Much of today's testimony spoke
3 to the issue of the ills of gaming. I
4 know I've said this repeatedly for the
5 last three years, probably said it a few
6 times again this morning, and it's
7 probably worth repeating. Let's assume
8 for a minute that I agree with all of
9 your comments and concerns about the ills
10 of gaming and what it does to families
11 and the impact that it may have on
12 surrounding communities and businesses.
13 We are not the body that you need to make
14 that argument to. That argument should
15 have been made -- and if you want, you
16 can continue to make it -- to the state
17 legislators, who gave us gaming in the
18 first place. We have no authority over
19 the legalization of gaming in the
20 Commonwealth of Pennsylvania, nor do we
21 have any legal authority on the
22 legalization of gaming in the City of
23 Philadelphia. That's not a cop-out.
24 That is a reality.

25 I also know that many people

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2 have been hearing from others who claim
3 that what I am saying now, what we have
4 been saying in the past is not accurate,
5 that we in City Council can prevent
6 gaming from coming to our city. I
7 respectfully, again, disagree with them.
8 Interestingly, none of those folks have
9 ever presented a plan for how we would
10 prevent gaming from happening in
11 Philadelphia. But for the fact that we
12 do fight to keep it out of certain
13 neighborhoods, to date we have been
14 successful in some of those instances,
15 but at the end of the day, if the Gallery
16 site, once we get through this long
17 process, which will take several months
18 at the very least, should either the
19 Planning Commission or City Council or
20 the Foxwoods folks decide that the
21 Gallery is not the site where a slot
22 parlor or slot casino will work, then
23 it's back to the two sites on the
24 Delaware River, and that's where they
25 will be built, unless you folks and

1 11/1/08 - RULES - BILLS 080741 & 080742

2 others can get up to Harrisburg and
3 convince the State Legislature to amend
4 Act 71 and remove Philadelphia from that
5 Act. I doubt that that will happen, but
6 you're certainly welcome to do that. You
7 have every right to do that.

8 So I just wanted to make that
9 perfectly clear for the record. Although
10 much, if not probably 90 percent, of the
11 testimony today had to do with the ills
12 of gaming, that this is not the
13 legislative body to make that argument.

14 (Audience members yelling.)

15 COUNCIL PRESIDENT VERNA: This
16 concludes our witness list and public
17 hearing. We will now go into our public
18 meeting, and the Chair recognizes
19 Councilman DiCicco --

20 COUNCILMAN DiCICCO: Thank you,
21 Madam Chair.

22 COUNCIL PRESIDENT VERNA: --
23 regarding a motion on Bill No. 080741.

24 COUNCILMAN DiCICCO: Thank you,
25 Madam Chair. I move that Bill No. 080741

1 11/1/08 - RULES - BILLS 080741 & 080742
2 be reported out of this committee with a
3 favorable recommendation.

4 (Duly seconded.)

5 COUNCIL PRESIDENT VERNA: It
6 has been moved and seconded that Bill
7 No --

8 COUNCILMAN DiCICCO: With a
9 favorable recommendation and that the
10 rules of Council be -- I apologize. I
11 move that Bill No. 080741 be reported out
12 this committee with a favorable
13 recommendation and that the rules of
14 Council be suspended so as to permit
15 first reading at our next session of City
16 Council.

17 (Duly seconded.)

18 COUNCIL PRESIDENT VERNA: It
19 has been moved and seconded that Bill No.
20 080741 be reported out of Committee with
21 a favorable recommendation; further, that
22 the rules of Council be suspended so as
23 to permit first reading at our next
24 session of Council.

25 All in favor will indicate by

1 11/1/08 - RULES - BILLS 080741 & 080742

2 saying aye.

3 (Aye.)

4 COUNCIL PRESIDENT VERNA: Those
5 opposed?

6 (No response.)

7 COUNCIL PRESIDENT VERNA: The
8 ayes have it and the motion carries.

9 (Audience members yelling.)

10 COUNCIL PRESIDENT VERNA: The
11 Chair now recognizes Councilman DiCicco.

12 COUNCILMAN DiCICCO: Thank you,
13 Madam President. I move that Bill No.
14 080742 be reported out of this committee
15 with a favorable recommendation and that
16 the rules of Council be suspended so as
17 to permit first reading at our next
18 session of City Council.

19 (Duly seconded.)

20 COUNCIL PRESIDENT VERNA: It
21 has been moved and seconded that Bill No.
22 080742 be reported out of Committee with
23 a favorable recommendation; further, that
24 the rules of Council be suspended so as
25 to permit first reading at our next

1 11/1/08 - RULES - BILLS 080741 & 080742

2 session of Council.

3 All in favor will say aye.

4 (Aye.)

5 COUNCIL PRESIDENT Verna: Those
6 opposed?

7 (No response.)

8 COUNCIL PRESIDENT Verna: The
9 ayes have it. The motion carries. And
10 this concludes our hearing and meeting.

11 (Committee on Rules adjourned
12 at 3:00 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 on November 1, 2008, and that
this is a true and correct transcript of same.

MICHELE L. MURPHY
RPR-Notary Public

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