

City of Philadelphia



Council of the City of Philadelphia
Office of the Chief Clerk
Room 402, City Hall
Philadelphia

(Resolution No. 070029)

RESOLUTION

Authorizing Philadelphia City Council's Committee on Legislative Oversight to hold public hearings investigating the Pennsylvania Gaming Control Board's award of Category 2 Slot Machine Licenses, whether or not the awards comply with the requirements of Act 71, and whether there are more appropriate sites available for the Slot Machine facilities, and further authorizing the Committee to issue subpoenas to compel the attendance of witnesses and the production of documents and other evidence.

WHEREAS, The Pennsylvania Gaming Control Board (PGCB) awarded two Category 2 Slot Machine Licenses in Philadelphia on December 20, 2006. The two awardees were Foxwoods and SugarHouse Casinos, book ending the Central Delaware Waterfront; and,

WHEREAS, Under Act 71, also known as the Racing Development and Gaming Act of 2004, the PGCB must consider the applicant's financial backing, business experience, operational viability and diversity in ownership. It is unknown what specific criteria the PGCB used in determining whether the two applicants that received awards were the most qualified under these requirements; and,

WHEREAS, In addition to these requirements, the PGCB may also consider the applicant's location, including road and transit access, parking and centrality to the market service area; the potential for new job creation and economic development; good faith plans to diversify employment, to enhance minority ownership and to provide for equal opportunities; the history and success of tourism facilities ancillary to gaming; the degree to which the applicant presents a plan for quality jobs for Philadelphians; the record of the applicant and the developer in meeting commitments to local agencies, community based organizations and unions in other locations; and the degree to which the potential adverse effects associated with gaming (public health care, child care, public transportation, affordable housing and social services) are mitigated. It is unknown what specific criteria the PGCB used in determining whether the two applicants that received awards were the most qualified under these requirements; and,

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WHEREAS, Since the initial announcement of the five applicants within Philadelphia for Category 2 Slot Machine Licenses, there has been public debate over the PGCB's selection process, whether the process was transparent, whether the public input period should have been extended, whether public testimony would truly be taken into account and whether or not the PGCB's decision would be based on political considerations rather than based on merit; and,

WHEREAS, Two board members recused themselves immediately prior to the vote on one of two specific applications. However, the two members still participated in all other applications despite the fact that each vote on each applicant impacted each other applicant; and,

WHEREAS, The PGCB has not yet issued a report detailing the selection process and it is vital to the public interest to fully discuss, disclose and question the PGCB's findings as contained within the report;

WHEREAS, The Act allows the PGCB to alter the site location of the gaming facility with due cause. The Council finds that the neighborhood impact of these facilities provides due cause and is committed to finding potential locations for the facilities; now, therefore be it resolved

THAT THE COUNCIL OF THE CITY OF PHILADELPHIA authorizes Philadelphia City Council's Committee on Legislative Oversight to hold public hearings investigating the Pennsylvania Gaming Control Board's award of Category 2 Slot Machine Licenses, whether or not the awards comply with the requirements of Act 71, and whether there are more appropriate sites available for the Slot Machine facilities, and further authorizing the Chair of the Committee to issue subpoenas to compel the attendance of witnesses and the production of documents and other evidence, to the full extent authorized under Section 2-401 of the Home Rule Charter, in connection with such hearings.

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CERTIFICATION: This is a true and correct copy of the original Resolution, Adopted by the Council of the City of Philadelphia on the twenty-third of January, 2007.

Anna C. Verna
PRESIDENT OF THE COUNCIL

Patricia Rafferty
CHIEF CLERK OF THE COUNCIL

Introduced by: Councilmember DiCicco

Sponsored by: Councilmember DiCicco