

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON FINANCE

- - -

Room 400, City Hall
Philadelphia, Pennsylvania
Tuesday, October 14, 2008
1:10 p.m.

- - -

PRESENT:

COUNCILWOMAN MARIAN B. TASCO, CHAIR
COUNCILWOMAN JANNIE BLACKWELL
COUNCILMAN FRANK DiCICCO
COUNCILMAN W. WILSON GOODE, JR.
COUNCILMAN BILL GREEN
COUNCILMAN WILLIAM GREENLEE
COUNCILMAN CURTIS JONES, JR.
COUNCILMAN JAMES F. KENNEY
COUNCILMAN BRIAN J. O'NEILL
COUNCILWOMAN BLONDELL REYNOLDS BROWN

BILL 080626 - An ordinance amending Title 13
of The Philadelphia Code, entitled "Water and
Sewer," by establishing special water and
sewer rates for public housing...

BILL 080627 - An ordinance amending Section
19-203 of The Philadelphia Code, entitled
"Payroll Deductions," to add the Correctional
Peace Officers Foundation...

BILL 080634 - An ordinance further amending
Bill No. 070368, entitled "An ordinance
approving the Fiscal Year 2008 Capital
Budget"...

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V A R A L L O Incorporated
Litigation Support Services
Eleven Penn Center
1835 Market Street, Suite 600
Philadelphia, Pennsylvania 19103
215.561.2220 215.567.2670

V A R A L L O Incorporated
(215) 561-2220

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2 COUNCILWOMAN TASC0: Good
3 afternoon. I'd like to call the
4 Committee on Finance public hearing to
5 order.

6 I'd like to note that there is
7 a quorum present in the presence of
8 Councilman Greenlee, Councilman Green,
9 Councilman Kenney, Councilman Goode and
10 Councilman DiCicco.

11 Would the Clerk please read the
12 first bill.

13 THE CLERK: Bill No. 080626, an
14 ordinance amending Title 13 of The
15 Philadelphia Code, entitled "Water and
16 Sewer," by establishing special water and
17 sewer rates for public housing owned or
18 operated by the Philadelphia Housing
19 Authority by providing for a reduction
20 off regular Water Department service and
21 quantity charges, all under certain terms
22 and conditions.

23 COUNCILWOMAN TASC0: This bill
24 is being recessed to Thursday, November
25 the 20th at 1 o'clock p.m.

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2 Would the Clerk please read the
3 next bill.

4 THE CLERK: Bill No. 080627, an
5 ordinance amending Section 19-203 of The
6 Philadelphia Code, entitled "Payroll
7 Deductions," to add the Correctional
8 Peace Officers Foundation to the list of
9 designated payees to whom an employee may
10 direct payroll deductions; all under
11 certain terms and conditions.

12 COUNCILWOMAN TASC0: Thank you
13 very much.

14 Could we have the panel who
15 will testify, Catherine Paster, come
16 forward, please.

17 (Witnesses approached witness
18 table.)

19 MS. PASTER: Good afternoon.

20 COUNCILWOMAN TASC0: Good
21 afternoon. Would you identify yourself
22 for the record, please, and proceed with
23 your testimony.

24 MS. PASTER: Yes. My name is
25 Catherine Paster. I am First Deputy

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2 Director of Finance for the City of
3 Philadelphia. I am here to testify in
4 support of Bill No. 080627, which would
5 amend Section 19-203 of The Philadelphia
6 Code pertaining to payroll deductions.
7 This bill will permit City employees to
8 authorize payroll deductions to be paid
9 to the Correctional Peace Officers
10 Foundation.

11 Section 19-203 of The
12 Philadelphia Code, as approved by City
13 Council, authorizes the Director of
14 Finance to deduct from salaries such sums
15 as employees may request. The Code lists
16 specifically those entities for which
17 payroll deductions may be made. Any
18 authorization for payroll deductions is
19 made voluntarily by the employee and may
20 be revoked by the employee at any time.

21 This concludes my testimony. I
22 would be happy to answer any questions.

23 COUNCILWOMAN TASC0: Are there
24 any questions from members of the
25 Committee?

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2 (No response.)

3 COUNCILWOMAN TASC0: Thank you
4 very much.

5 Our next witness is?

6 MR. NORTH: My name is Lorenzo
7 North. I'm President of Local 159,
8 District Council 33.

9 I'm here to answer any
10 questions you may have, but if you don't
11 have any, I'd just like to thank the
12 Committee for taking the time to hear
13 this bill.

14 Thank you.

15 COUNCILWOMAN TASC0: Thank you.
16 Ms. Regina Nash, are you going
17 to testify?

18 MR. NORTH: She's not here
19 right now.

20 COUNCILWOMAN TASC0: Is this
21 young lady going to testify?

22 MS. BAKER-NUMBERS: Good
23 afternoon.

24 COUNCILWOMAN TASC0: Would you
25 identify yourself, please, for the

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2 record.

3 MS. BAKER-NUMBERS: Yes. My
4 name is Cindy Baker-Numbers. I am a
5 Field Representative for the Correctional
6 Peace Officers Foundation, and on behalf
7 of CPOF, I'd like to thank everyone for
8 letting us come here and assist the
9 correctional officers of the City of
10 Philadelphia.

11 I am also a family survivor.
12 My brother was murdered by an inmate in
13 New Jersey prison. So as a family
14 survivor, I can attest to the good that
15 CPOF does.

16 COUNCILWOMAN TASC0: Thank you
17 very much.

18 Would you like to come forward
19 and just give us a brief background of
20 the program just for the record? Say
21 your name again, Lorenzo.

22 MR. NORTH: Lorenzo North,
23 President of Local 159, District Council
24 33.

25 The organization was started in

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2 1984, and since then in the City of
3 Philadelphia, we had the organization
4 assist one of our members that lost a
5 family member by murder. I think this
6 was 2005. And since then, they've been
7 assisting and still assisting her now.

8 I got Ms. Nash here to testify
9 and Ms. Holt. They can tell you more
10 about the situation. But she lost her
11 family members by murder, and this
12 organization has stood by her and
13 continue to stand by her to this day,
14 mentally and financially.

15 COUNCILWOMAN TASC0: Do you
16 have an Executive Director of the
17 Foundation?

18 MS. BAKER-NUMBERS: We have a
19 Board of Directors. Our main
20 headquarters or the main office is in
21 Sacramento, California. They have
22 representatives through the United
23 States. I am the eastern representative.

24 COUNCILWOMAN TASC0: So it's a
25 national foundation?

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2 MS. BAKER-NUMBERS: Yes, it is.
3 It's a national charity. We are
4 registered with the IRS. It's national.
5 Actually, it's the only charity for
6 corrections in the United States.

7 COUNCILWOMAN TASC0: Any other
8 questions?

9 (No response.)

10 COUNCILWOMAN TASC0: Thank you
11 very much. Thank you for taking time to
12 come down, and we're sorry about your
13 loss.

14 MS. BAKER-NUMBERS: Thank you
15 very much.

16 COUNCILWOMAN BLACKWELL: Madam
17 Chair, we just want to personally say we
18 met on this issue and it is certainly a
19 timely issue, and we're happy to have the
20 opportunity to support it.

21 Thank you, Mr. North.

22 Thank you.

23 MS. BAKER-NUMBERS: Thank you
24 so much for everything.

25 MR. NORTH: Thank you.

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2 COUNCILWOMAN TASC0: The Clerk
3 will read the next bill, please.

4 THE CLERK: Bill No. 080634, an
5 ordinance further amending Bill No.
6 070368, entitled "An ordinance approving
7 the Fiscal Year 2008 Capital Budget
8 providing for expenditures for the
9 capital purposes of the Philadelphia Gas
10 Works, including the supplying of funds
11 in connection therewith, subject to
12 certain constraints and conditions, and
13 acknowledging receipt of the Forecast of
14 Capital Budgets for Fiscal Years 2009
15 through 2013," as previously amended by
16 Bill No. 080076, by approving a further
17 revised Capital Budget for Fiscal Year
18 2008.

19 (Witnesses approached witness
20 table.)

21 COUNCILWOMAN TASC0: Good
22 afternoon.

23 MS. PARRISH: Good afternoon.

24 MR. GALLAGHER: Good afternoon.

25 COUNCILWOMAN TASC0: Who is

1 10/14/08 - FINANCE - BILLS 080626, 627 & 634
2 going to testify first?

3 MS. PARRISH: I'll begin.

4 COUNCILWOMAN TASC0: Identify
5 yourself first.

6 MS. PARRISH: Yes. Chairwoman
7 Tasco, good afternoon to you and the
8 members of the Finance Committee. I'm
9 Janet Parrish, the Executive Director of
10 the Philadelphia Gas Commission, and
11 seated to my left on behalf of
12 Philadelphia Gas Works is William
13 Gallagher, the Director of Budget
14 Reporting, and we each have submitted
15 written testimony.

16 I'd like to -- I will refrain
17 from reading the testimony on behalf of
18 the Gas Commission, but simply note that
19 the ordinance or the proposed ordinance
20 does reflect the recommendations approved
21 by the Gas Commission at its meeting on
22 July 2nd of this year, and a copy of the
23 Commission's order and resolution adopted
24 at that meeting is attached to our
25 testimony by way of detailed explanation.

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2 In short, we are recommending
3 that Council amend PGW's Fiscal Year 2008
4 Capital Budget by increasing it by \$2.3
5 million, of which 1.4 million would be on
6 a conditional funding basis subject to
7 further approvals by the Gas Commission.
8 Before that, money was actually released.
9 And this is in support of PGW's business
10 transformation initiative for which the
11 Gas Commission has approved certain
12 operating expenses. And we have, of
13 course, refrained and directed PGW to
14 refrain from making any capital
15 expenditures in connection with the
16 program until such time as Council and
17 the City would approve these proposed
18 amendments.

19 We are asking that the bill be
20 approved by Committee and reported out
21 with a suspension of the rules so it may
22 have first reading at the next session of
23 Council. And we're here to answer any
24 other questions that you may have.

25 COUNCILWOMAN TASC0:

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2 Mr. Gallagher, do you want to say
3 anything?

4 MR. GALLAGHER: I'm fine. I'm
5 here to answer any questions. We filed
6 testimony.

7 COUNCILWOMAN TASC0: Are there
8 any questions?

9 COUNCILMAN GREEN: Yes.

10 COUNCILWOMAN TASC0: Councilman
11 Green.

12 COUNCILMAN GREEN: Thank you
13 for coming today. I have a few hopefully
14 quick questions.

15 The first is, with respect to
16 each of these expenditures on a capital
17 basis, do you expect increased or
18 decreased operating costs as a result of
19 these capital expenditures?

20 MR. GALLAGHER: We'll be
21 looking for decreases in operating
22 expenses.

23 COUNCILMAN GREEN: Do you have
24 a business case for each one that
25 demonstrates that there will be decreased

1 10/14/08 - FINANCE - BILLS 080626, 627 & 634
2 operating costs for each?

3 MR. GALLAGHER: Yes, sir. We
4 can supply that, if necessary.

5 COUNCILMAN GREEN: Sure, if you
6 could.

7 MS. PARRISH: And I might add
8 to that, if I may, that the majority of
9 the expenditures which will result in
10 reduced operating expenses or actually
11 increased revenues are not before Council
12 today. Most of the thrust -- let me just
13 briefly state, there's really a two-prong
14 thrust to this program on behalf of PGW.
15 One is in the customer affairs area of
16 the company, and that is primarily
17 directed at trying to increase, improve
18 collection results. The risk-based
19 collection project that's one of these
20 Capital Budget line items for \$300,000 is
21 a portion of the entire project. The
22 vast bulk of everything else -- and there
23 are five initiatives of which that is
24 one -- are all in the Operating Budget
25 side. They are projected to result in

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2 something like in the order of \$60
3 million net new revenues over the next
4 five or six years. There's definitely
5 supporting business case.

6 On the field operations side,
7 the intent of PGW is to improve
8 productivity in its field operations, and
9 that is something that -- these are the
10 software pieces that that would be linked
11 to; that is, global positioning software
12 in the vehicles that actually operate in
13 the field around the City and also
14 proposed enhancements to the workforce
15 software system. That's the so-called
16 AIMS, A-I-M-S, software that is in place
17 at PGW right now. That's the piece, the
18 1.4 million, that the Commission has
19 recommended be approved on a conditional
20 basis, because we are looking for
21 additional detail about exactly what
22 those enhancements would be composed of
23 before we would release that funding.

24 COUNCILMAN GREEN: So with
25 respect to the GPS, just taking them one

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2 at a time, with respect to the GPS added
3 to the vehicles, is the \$600,000 for the
4 hardware?

5 MR. GALLAGHER: It's basically
6 software.

7 MS. PARRISH: Software. I
8 believe it's licenses and the actual
9 software.

10 COUNCILMAN GREEN: So the GPS
11 is already in the vehicles?

12 MR. GALLAGHER: We have them
13 installed right now on modems in the
14 computers in the trucks. So the software
15 will help us to integrate -- to
16 interrogate the data that we're getting
17 as far as that's concerned. It's not
18 being used right now, but that will allow
19 us to use it.

20 COUNCILMAN GREEN: But it's in
21 every vehicle?

22 MR. GALLAGHER: Three hundred
23 sixty vehicles.

24 COUNCILMAN GREEN: And it's
25 GPS, not triangulation by cell tower?

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2 MR. GALLAGHER: GPS. I don't
3 know the distinction you're making as far
4 as technology.

5 MS. PARRISH: There are two
6 components to it. There is an auto
7 vehicle locator as well as the global
8 positioning system. There are two pieces
9 that apparently go hand in hand. I don't
10 think either of us are the technological
11 folks, but if you need additional
12 information on the technology, I'm sure
13 that the Chief Information Officer could
14 provide that additional information.

15 COUNCILMAN GREEN: If you can
16 just provide me with who the providers
17 are in terms of the hardware and software
18 for this system and also let me know the
19 monthly and annual cost per vehicle -- or
20 just monthly cost -- I can do the math --
21 per vehicle of connecting to this GPS
22 software.

23 MS. PARRISH: Okay. Just to
24 clarify, however, I mean, the hardware is
25 in place, but the software, there are

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2 ranges of bids or information that's out
3 there, that I know PGW kind of surveyed
4 the market to get an approximate budget
5 cost. But just to clarify, the software
6 has not been purchased or put in place
7 because they do not have the capital
8 spending authority yet from this Council.

9 COUNCILMAN GREEN: But you've
10 done an RFP and you have a lowest
11 responsible bidder?

12 MR. GALLAGHER: No.

13 MS. PARRISH: It's not an RFP.
14 It was a market survey. I know they got
15 information through the consultant who is
16 working with them on this particular
17 project, and we did ask those questions
18 when we had our hearings, and that's how
19 they got to that \$600,000 cost total.

20 COUNCILMAN GREEN: Okay.

21 COUNCILWOMAN TASC0: But they
22 haven't put anything out for bid?

23 MR. GALLAGHER: No, we have
24 not.

25 MS. PARRISH: Not to my

1 10/14/08 - FINANCE - BILLS 080626, 627 & 634
2 understanding, no.

3 COUNCILMAN GREEN: Okay. If
4 you could provide us with that
5 information.

6 That's all I have. Thank you.

7 MS. PARRISH: Absolutely.

8 COUNCILWOMAN TASC0: Councilman
9 O'Neill.

10 COUNCILMAN O'NEILL: One
11 question, or just an observation. It
12 wasn't that long ago where half the
13 capital expenditures we were approving
14 had already been spent. I'm glad to see
15 things have turned around in many ways at
16 PGW, and all for the positive.

17 I just have a question. It's
18 not really related to your capital, but
19 you were talking about how much of the
20 capital is being driven towards
21 collections and revenue enhancement. And
22 this is each of our local utilities.
23 It's not a PGW issue alone.

24 We have a disincentive for
25 people to pay on their credit card

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2 because we charge for it. Water and PECO
3 do the same thing, my understanding is,
4 but it's also my understanding that
5 nationally most business entities, which
6 you are, even though you're attached to
7 us as well, have costed it out and it's
8 more cost effective to take the one and
9 pay the Visa or MasterCard fee rather
10 than be sending paper, because there's a
11 cost involved with each envelope and all
12 that kind of thing.

13 If you could give me the cost
14 on that or a review of it. I don't
15 think -- I think we're getting to be
16 dinosaurs in this area and we probably
17 could be saving a little money in getting
18 some more revenue.

19 Thank you.

20 MS. PARRISH: Councilman, I'm
21 sure Mr. Gallagher can certainly have the
22 Customer Affairs Vice-President or an
23 appropriate person get back to you, but I
24 would tell you my understanding, from
25 having discussed this and reviewed it, is

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2 that most of the utilities, if not all,
3 in Pennsylvania and perhaps in other
4 states do charge these credit card fees,
5 not because they're charging a fee but
6 it's a pass-through from the vendor. I
7 mean, PGW is not charging it. But,
8 again, the economics of it -- and there
9 are other ways that customers can make
10 payment automatically without being
11 assessed.

12 COUNCILMAN O'NEILL: I know.

13 MS. PARRISH: But they can get
14 you all the details.

15 COUNCILMAN O'NEILL: Thank you.

16 MS. PARRISH: Thank you.

17 COUNCILWOMAN TASC0: The Chair
18 recognizes Councilman Jones.

19 COUNCILMAN JONES: Thank you,
20 Madam Chairman.

21 Just for background and by way
22 of clarification for this Committee,
23 these efficiencies that we're talking
24 about and something that Councilman
25 O'Neill pointed out, this is a total

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 2 efficiency package that has a price tag
 3 of what?

4 MS. PARRISH: I'm sorry. I
 5 didn't hear the end of it.

6 COUNCILMAN JONES: How much
 7 totally is the management contract we
 8 have for the efficiency improvements?

9 MS. PARRISH: The total -- the
 10 main consultant on the project, who is
 11 Accenture, has a \$5.9 million budget.
 12 However, all those operating costs have
 13 not yet been approved by the Gas
 14 Commission, as you and the Chairwoman
 15 know, and we have been doing that in
 16 pieces.

17 COUNCILMAN JONES: And that's
 18 my point. I wanted you to let this body
 19 know that you are looking at each and
 20 every piece of this efficiency contract
 21 to make sure that it is justified, to
 22 make sure that it is warranted and so
 23 that we get what we actually pay for.
 24 And I just wanted you to point that out.

25 MS. PARRISH: Yes, that is

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2 correct. The Gas Commission, as
3 indicated in our written testimony,
4 approved 1.65 million, as you'll recall,
5 on July 2nd of a \$2.25 million request
6 from PGW on the operating side, and we
7 explicitly deferred or actually excluded
8 one of the payments that they had been
9 asking for because it did relate to
10 Capital Budget expenditures, and the
11 Commission was not going to approve
12 expenditure of funds that pre-supposed
13 the Council approval that was not in
14 place yet. At our meeting on September
15 23rd, the Gas Commission incrementally
16 approved an additional several months
17 worth of payments to the vendor to keep
18 us going while the Commission is
19 reviewing final action on the Operating
20 Budget. And, yes, I think it's safe to
21 say that we have tried to really break
22 down and justify each and every component
23 of the project to ensure that the
24 ratepayers are getting a reasonable
25 return on the investment.

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2 COUNCILMAN JONES: So,
3 Councilman O'Neill, your observation is
4 due to Madam Chairwoman's efficient
5 manner of operating over at the Gas
6 Works.

7 Thank you.

8 COUNCILWOMAN TASC0: Thank you.
9 Any other questions or
10 comments?

11 Councilwoman Blackwell.

12 COUNCILWOMAN BLACKWELL: Thank
13 you.

14 Just a total aside question.
15 Do you know when the moratorium is and
16 what those dates are?

17 MS. PARRISH: The winter
18 moratorium or restricted shutoff period
19 typically begins December 1 and goes
20 through March 31.

21 COUNCILWOMAN BLACKWELL: I've
22 forgotten it's so late these years.
23 Thank you.

24 COUNCILWOMAN TASC0: Thank you
25 very much.

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2 Any other questions or
3 comments?

4 (No response.)

5 COUNCILWOMAN TASC0: I will
6 remind you that the Gas Commission budget
7 process is ongoing.

8 MS. PARRISH: Yes. Madam
9 Chair, we completed our hearings on the
10 '09, Fiscal Year '09, Operating Budget on
11 September 29th, and as we speak, I'm
12 writing the staff recommendation. The
13 parties' briefs are due this week, and
14 that will be before the Gas Commission at
15 a meeting in November, November 18th,
16 where you will hear any argument that
17 there may be about disagreements, and
18 hopefully we'll be putting that to bed
19 when you meet on December 2nd.

20 COUNCILWOMAN TASC0: I remind
21 the Finance Committee that the hearings
22 are open to the public. The Executive
23 Director will let you know when we begin
24 the budget process again on the Capital
25 Budget, because that budget has to be

1 10/14/08 - FINANCE - BILLS 080626, 627 & 634
2 approved by City Council. It's a very
3 complicated process and it would be
4 helpful if you had time to attend some of
5 the meetings, the hearings, to see the
6 dialogue between the Gas Works and the
7 Gas Commission and other advocates, the
8 public advocate and other entities who
9 might testify, so you get a flavor of
10 what goes into establishing the Capital
11 Budget. I mean, the Operating Budget is
12 open to you also, but because you do vote
13 on the Capital Budget, it would be
14 helpful for you if you could attend some
15 of those meetings so you get the flavor
16 and the sense of the discussion and the
17 requests that are made and how they're
18 made and all the details that may seem
19 here a little bit out of context, because
20 it's a bigger and broader process that
21 goes on.

22 MS. PARRISH: Thank you.

23 COUNCILWOMAN TASC0: So what
24 we're doing here is just amending
25 something that we passed before, and with

1 10/14/08 - FINANCE - BILLS 080626, 627 & 634
2 the Gas -- and I thank Councilman
3 O'Neill, because it was at his insistence
4 some time ago, a few years back, that any
5 expenditures above and beyond what we
6 have approved by this Committee have to
7 come back for approval, because they were
8 coming back to us after the money had
9 been spent. So prior to any
10 expenditures, they have to bring the
11 request to the Gas Commission, and then
12 the Gas Commission prepares the order and
13 asks -- the amendment and brings it to
14 Council. So it's a bigger -- we're
15 looking at just a small portion of what
16 is a much, much larger picture.

17 MS. PARRISH: Yes.

18 COUNCILWOMAN TASC0: So some of
19 the questions and information you might
20 want may not be the way you think it
21 might. But you can still ask that
22 question.

23 Any other questions or
24 comments?

25 (No response.)

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2 COUNCILWOMAN TASC0: Thank you.

3 Is there anyone else here to
4 testify on this bill?

5 MS. PARRISH: Thank you.

6 COUNCILWOMAN TASC0: There
7 being no further questions, this hearing
8 is adjourned and we'll go into our public
9 meeting.

10 Bill 080626 will be held and
11 heard on Thursday, November the 20th at
12 1:00 p.m.

13 The Chair calls on Councilwoman
14 Blackwell to report Bill No. 080627 out.

15 COUNCILWOMAN BLACKWELL: Thank
16 you, Madam Chairwoman. This is to move
17 that Bill No. 080627 be reported out of
18 Committee with a favorable recommendation
19 and also a recommendation for suspension
20 of the rules so that it may be heard at
21 our next session of Council.

22 (Duly seconded.)

23 COUNCILWOMAN TASC0: Thank you.
24 It has been moved and seconded that Bill
25 080627 be reported out of this Committee

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 2 with a favorable recommendation and a
 3 request for the suspension of rules so
 4 that this bill can be heard at the next
 5 session of Council.

6 All in favor will say aye.

7 (Aye.)

8 COUNCILWOMAN TASC0: Is there
 9 any opposition?

10 (No response.)

11 COUNCILWOMAN TASC0: There
 12 being none, the motion is carried.

13 The Chair recognizes
 14 Councilwoman Blackwell to report out Bill
 15 080634.

16 COUNCILWOMAN BLACKWELL: Thank
 17 you, Madam Chairman. We move that Bill
 18 No. 080634 be reported out of Committee
 19 with a favorable recommendation and also
 20 a request for a suspension of the rules
 21 so that this may be heard at our next
 22 session of Council.

23 (Duly seconded.)

24 COUNCILWOMAN TASC0: It has
 25 been moved and seconded that Bill 080634

1 10/14/08 - FINANCE - BILLS 080626, 627 & 634
 2 be reported out of Committee with a
 3 favorable recommendation and that the
 4 rules of Council be suspended so that
 5 this bill can be heard at Council's next
 6 session.

7 All in favor will say aye.
 8 (Aye.)

9 COUNCILWOMAN TASC0: Is there
 10 any opposition?

11 (No response.)

12 COUNCILWOMAN TASC0: There
 13 being none, the motion is carried.

14 This now adjourns this
 15 Committee.

16 Thank you all, Committee
 17 members. We never have a problem with a
 18 quorum. Thank you.

19 (Committee on Finance adjourned
 20 at 1:35 p.m.)

21 - - -

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 October 14, 2008, and that this is a true and correct transcript of same.

MICHELE L. MURPHY
RPR-Notary Public

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