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COUNCIL OF THE CITY OF PHILADELPHIA

3

PUBLIC HEARING

4

COMMITTEE OF THE WHOLE

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Room 401, City Hall
Philadelphia, Pennsylvania
Thursday, December 7, 2000
11:35 p.m.

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9 BILL NOS. 000705, 000706, 000721, 000722, 000723,
000724, 000725, 000726, 000728, 000729, 000730,
10 000731, 000732, 000733

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12 PRESENT:

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COUNCIL PRESIDENT ANNA C. VERNA

14

COUNCILWOMAN JANNIE BLACKWELL
COUNCILWOMAN BLONDELL REYNOLDS BROWN
COUNCILMAN DARRELL L. CLARKE
15 COUNCILMAN DAVID COHEN
COUNCILMAN FRANK J. DI CICCO
16 COUNCILMAN WILSON W. GOODE, JR.
COUNCILMAN JAMES F. KENNEY
17 COUNCILWOMAN JOAN L. KRAJEWSKI
COUNCILMAN W. THACHER LONGSTRETH
18 COUNCILMAN RICHARD T. MARIANO
COUNCILWOMAN DONNA REED MILLER
19 COUNCILMAN MICHAEL A. NUTTER
COUNCILMAN ANGEL L. ORTIZ
20 COUNCILMAN FRANK RIZZO

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COUNCIL PRESIDENT Verna: Good evening, everyone. I really want to thank all of my colleagues for their patience tonight. I know it's been a long day. Hopefully, we'll get this all squared away.

This is the continued public hearing regarding Bill Nos. 000705, 000706, 000726, 000727, 000728, 000721, 000722, 000723, 000724, 000725, 000729, 000730, 000731, 000732, 000733.

The record will note that when we had the public hearing previously, 000727 was withdrawn. I have a City Solicitor here who has indicated that we can go beyond 12 o'clock and we would then have to come in on the 16th, Saturday the 16th to vote on the bills.

Do you want to make that known for the record?

MR. TRUJILLO: Ken Trujillo, I'm the City Solicitor. Madam President asked me about the issue of advertising for the hearing and if the hearing goes into tomorrow. This is actually relatively uncharted territory. The position that the continuation of Thursday hearing and advertisement will not necessarily be required and

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2 so the hearing could be run next Friday. However,
3 there's also a stronger argument that would be made
4 if we go into Friday, which is tomorrow, full five
5 days that would be next Monday through Friday which
6 include the 15th so the public hearing would be
7 advertised five days that would be for next Saturday
8 the 16th.

9 COUNCIL PRESIDENT Verna: Thank you very
10 much.

11 COUNCILMAN COHEN: What's the relevancy
12 of this information?

13 COUNCIL PRESIDENT Verna: Excuse me. I
14 had thought there were many times that we literally
15 stopped the clock, you remember that, Councilman
16 Cohen, and I inquired that issue with the City
17 Solicitor because I wasn't absolutely certain and he
18 has just testified as to what we can do. I believe
19 Mr. Hankowsky is here. Mr. Hankowsky, are you
20 prepared to testify?

21 COUNCILMAN KENNEY: Will we be getting
22 copies of the term sheets?

23 MR. HANKOWSKY: Madam President, Members
24 of Council. I join the Council President in
25 thanking you in your patience and endurance. What

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2 is being distributed to you is a packet of
3 amendments to the bills that were read, the subject
4 of this Committee of the Whole. I would like to ask
5 that they be put in the record. What I would like
6 to do is walk the Committee of the Whole and Council
7 through them.

8 These amendments are consistent with the
9 proposed amendments we made yesterday. What I'd
10 like to do is summarize what is different from
11 yesterday to today. We have amendments dealing with
12 a series of the bills. Let me note for the record
13 that the committee meeting that dealt with the
14 zoning bills we withdrew two bills and amended
15 000728 so you also have amendments in hand to Bill
16 No. 000728. If I could walk through them.

17 COUNCILMAN KENNEY: We don't have them
18 yet.

19 MR. HANKOWSKY: I'll wait. I'll be
20 patient. Do all members have a copy?

21 COUNCIL PRESIDENT VERNA: Can we all pay
22 attention, please. The acoustics in here are
23 terrible.

24 MR. HANKOWSKY: The first is proposed
25 amendments to Bill 000721, and what this amendment

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2 does, first, it clarifies the issue in section 8A
3 that the final team leases must be consistent with
4 and conform with the term sheets that was presented
5 to you previously and must become part -- must not
6 be inconsistent with those term sheets. It
7 establishes a process by which the final team leases
8 would come to City Council for approval by
9 resolution after a 10-day calendar period. And
10 should Council not approve them, they would be
11 deemed approved.

12 Section D deals with the fact that until
13 Council has acted on the team leases by the
14 resolution mechanism, the City and PAID can spend no
15 greater than \$16 million of the approved funding.
16 And that that only be spent for land relocation
17 demolition or site prep. A, which will allow and
18 then for the process by which the before City
19 Council.

20 We then have another amendment to 000721
21 which is the next page which deals with the
22 mechanical issue which clarifies the fact that at
23 the point teams enter into the new stadiums complete
24 and all games or football games that the Veteran's
25 Stadium lease terminates so that one ends and one

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2 begins. In no way are we modifying the terms or
3 conditions of the Vet Stadium lease.

4 The next page which is the proposed
5 amendments to 000722 do exactly the same thing that
6 we did to 000721 except in this instance instead of
7 in relationship to the Eagles lease, it's in
8 relationship to the Phillies lease. Again,
9 requiring that the final team leases be in
10 substantial conformance with all material respects
11 requiring a 10-day period and again constraining us
12 that we can spend no greater than a hundred million
13 prior to City Council resolution with the team
14 leases.

15 The next page which is proposed
16 amendment to Bill 000722 --

17 COUNCILMAN COHEN: (Off the microphone.)
18 Do you want to go through this first?

19 MR. HANKOWSKY: My preference would be
20 to get through them.

21 COUNCIL PRESIDENT Verna: I think we
22 ought to have Mr. Hankowsky go through all of the
23 amendments and then we could ask whatever questions
24 we have. Thank you.

25 MR. HANKOWSKY: Thank you, Madam

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2 President. So the proposed amendment to Bill 000722
3 to Section 1723 is, again, a paralegal provision
4 dealing with the fact that the Phillies lease,
5 Veterans Stadium would be terminated at the point in
6 which they take occupancy of the new stadium but in
7 no other way amends the current lease at Veterans
8 Stadium.

9 The next amendment to bill 000723 lowers
10 the amount that we are amending Capital Budget from
11 304 million to 100 million. This reflects the fact
12 that the only thing we're putting in the Capital
13 Budget are the funds the City needs to acquire the
14 five properties for the transaction. And of course,
15 this is not being done with General Fund or regular
16 Capital Budget. These would be proceeds from the
17 paid bond issue which will be provided to the City
18 and then put into the Capital Budget.

19 The proposed amendment to Bill 000724
20 likewise amends the Capital Budget necessary area to
21 lower from 304 million to 100 million.

22 The amendment to Bill 000725
23 fundamentally makes only one change which you can
24 see on Page 2, which is to change the fact that we
25 would have the right to apply 170 million not to

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2 exceed 170 million to now read not less than 170
3 million.

4 Next are the Eagles lease terms, the
5 term sheets. And these have been amended in a
6 variety of ways which we discussed in some parts
7 yesterday. We have also amended the MBE WBE plans
8 which are an attachment thereto. Those plans were
9 amended slightly at the request of the City and the
10 Minority Business Enterprise Council.

11 We will also be having an attachment to
12 this term sheet which is known as the stadium use
13 and scheduling attachment which was just the subject
14 of -- what's been the subject of multiple day
15 negotiations with the affected communities, the
16 subject of all day negotiations with those
17 communities today and is literally being copied
18 right now since we just completed that and it
19 incorporates the scheduling, the penalty.

20 COUNCILMAN KENNEY: That's exhibit D?

21 MR. HANKOWSKY: That's exhibit D
22 Councilman, yes. Could I just -- one second please.

23 It is now being distributed, just been
24 copied. Let me spend a minute on this, if I could.

25 This amendment really incorporates a

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2 whole series of issues, concerns, I call them

3 protections that had been requested by the four

4 community groups that surround the Sport Stadium

5 District. It establishes a special service

6 district. It enumerates how it is funded. It

7 enumerates how the board will be established for

8 that special service district. It lays out

9 scheduling rules, some with respect to how the

10 Phillies and Eagles may use their buildings in

11 conjunction with other, other rules with regard to

12 how those buildings interact with the two existing

13 arenas. It establishes for the first time a penalty

14 should those rules be broken, financial penalty that

15 must be paid by the teams, a \$50,000 in the first

16 violation, \$100,000 in the second violation within a

17 calendar year. Those penalties are escalated by the

18 Consumer Price Index. It establishes a stadium

19 schedule coordinating committee to specifically

20 monitor the scheduling, provide attendance data to

21 the community and to the Special Service District.

22 It then enumerates under what are stadium plaza

23 activities very specific protocols with regard to

24 outside the building. Plaza areas would be sort of

25 where sidewalks are where you'd be entering the

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2 building, what can happen in those areas, where they
3 can be, where they cannot be, what activities can
4 occur on them. If the teams wish to have what are
5 called hospitality tents, you see those sometimes
6 before an event, how many and how many square feet
7 they can be. It says where and where not alcohol
8 may be served. It also deals where concessions may
9 or may not happen and for how many hours before
10 events and after events. It regulates what may
11 happen in the parking lot areas. Establishes
12 various zones making clear that there aren't
13 concerts in various zones, that there's not alcohol
14 in the parking areas, making clear where tailgating
15 can and cannot be. It also establishes limits for
16 the number of concerts that may be in each building
17 annually. It also establishes where employees would
18 park. And it reaffirms what we've already talked
19 about earlier during these hearings that there will
20 be no development north of Pattison Avenue without
21 coming back to City Council.

22 This Exhibit D, the MBE plan and the
23 term sheets now form the basis by which team leases
24 will be finalized.

25 We do the same for the Phillies lease so

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2 there is attached to their lease term sheet their
3 minority and women enterprise plan and then same
4 scheduling and event protocols are attached to
5 theirs so that they are bound in the same way that
6 the Eagles are bound.

7 We also have black line versions of the
8 lease-back which I think simply pick up the fact
9 that we're bringing the leases to you by resolution.

10 COUNCILWOMAN BLACKWELL: Where are we?

11 MR. HANKOWSKY: I am in this document,
12 Councilwoman, lease-back lease agreement by and
13 between the City and the Philadelphia Authority for
14 Industrial Development.

15 What it basically does is incorporates
16 the provision that after Council has reviewed and
17 presumed and if you approve by resolution the team
18 leases, any subsequent changes come back to this
19 legislative body. That's what we had to do in this
20 document, pick up that commitment.

21 We do the same thing in the Phillies
22 leases and lease-back and the Eagles leases and
23 lease-backs.

24 We also -- have we distributed 000706?
25 Please do that right now.

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2 There's also an amendment to Bill
3 000706. This is the bill, as you recall we had a
4 separate hearing on this, which dealt with Vet
5 Stadium repairs. This amendment would lower the
6 amount that the City would -- that you would be
7 authorized, let me rephrase that, you City Council
8 would be authorizing in terms of repairs to the Vet
9 from the \$80 million list to the \$19.7 million list.
10 So consistent with the concept that if we are
11 proceeding, if you so favorably are inclined with
12 new stadiums, that we would spend 19.7 million over
13 the next three years in repairs to Veterans Stadium.

14 That is basically the package of
15 amendments that you have before you. Of course, we
16 would request your favorable consideration that they
17 amend the appropriate ordinances that were
18 introduced. And of course, we request your
19 favorable consideration.

20 COUNCILMAN KENNEY: Mr. Hankowsky, in
21 any of the lease terms that are marked with black
22 line, you gave us two copies, one the original and
23 one the black line copy.

24 MR. HANKOWSKY: The black line is
25 reflective of the term sheets we gave you when we

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2 introduced so that you could see anything that has
3 happened.

4 COUNCILMAN KENNEY: Are any of the items
5 discussed in last night's meeting with you that you
6 were taking copious notes about reflected any
7 changes in that black line lease term? Is there
8 anything we need to look at that we didn't see last
9 night?

10 MR. HANKOWSKY: I don't believe so,
11 Councilman.

12 COUNCILMAN KENNEY: So those notes you
13 were taking about our concerns about the black line
14 lease terms, nothing was changed, added, or deleted?

15 MR. HANKOWSKY: I don't think in the
16 term sheets. We did have a whole dialog, as you
17 recall.

18 COUNCILMAN KENNEY: Mr. Martin went
19 through the term sheet last night, we were making
20 comments and you were taking notes. Any of those
21 notes result in changes in the black line lease
22 terms?

23 MR. HANKOWSKY: I don't think that they
24 cover any issues in the term sheet. I do think,
25 Councilman, as you recall, there was some period of

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2 discussion about community concerns, alcohol and
3 certain things.

4 COUNCILMAN KENNEY: Are they reflected
5 in Exhibit D?

6 MR. HANKOWSKY: Well, as I said, with
7 the community we've incorporated some number of
8 controls and constraints regarding activity down
9 there, concerts and things like that and gotten the
10 limits way down.

11 COUNCILMAN KENNEY: Those changes are
12 reflected in Exhibit D?

13 MR. HANKOWSKY: That is correct,
14 Councilman.

15 COUNCILMAN KENNEY: As it relates to
16 Exhibit D, Page 2, Section B, the indication that
17 there's a 84,000 person limit on multiple events.
18 Is there a mechanism to determine the violation?
19 Who counts the 84,000 people? What is the complaint
20 mechanism if a special service district or an
21 individual resident would like to claim there were
22 85,000 people, how does that happen?

23 MR. HANKOWSKY: There's an obligation in
24 Section 3 of what's called the Stadium Schedule
25 Coordinating Committee which is composed of the

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2 teams, Comcast, the City, and a representative of
3 the Special Service District, which committee shall
4 meet monthly and provide actual attendance data from
5 the venues as well as the number of employees, so
6 actually who was in the building, attendees and
7 workers for events and that that be provided monthly
8 to the Special Service District to determine in fact
9 if there has been a violation and to the public on
10 request. So if you're just a citizen in South
11 Philadelphia and you say "I think something happened
12 the other night. What happened there?" You may not
13 get it the next day but at the next monthly report
14 you can say, "I want to see that monthly report."

15 COUNCILMAN KENNEY: So the people who
16 provide the attendance figures are actually the
17 teams and building operators ?

18 MR. HANKOWSKY: That's correct. I think
19 as you are also aware, Councilman, we do have
20 through a second channel, I'll use that terminology,
21 a capacity to monitor this since we're the collector
22 of the amusement tax, we have a capacity to actually
23 go in there and audit tickets.

24 COUNCILMAN KENNEY: Just one other
25 question, on Page 5, Section 5, roman numeral 5,

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2 letter C, no concerts shall be held or amplified
3 music of any kind permitted in any of the parking
4 areas. Does that include any of the parking areas
5 of the existing First Union Centers.

6 MR. HANKOWSKY: It does not. Because,
7 obviously, these documents bind the Phillies and the
8 Eagles.

9 COUNCILMAN KENNEY: Are the operators of
10 the First Union Spectrum and First Union Center, are
11 they bound by virtue of their existence in the
12 Supports District since they're including in the
13 multiple event categories but they're not including
14 in the outdoor concert on the parking lot category?

15 MR. HANKOWSKY: That's right. We have
16 had discussions with Comcast SpectriCorp about
17 participating in the scheduling, the Special Service
18 District, the scheduling committee, et cetera. I
19 wish I could tell you tonight I actually have a
20 legal document that puts that all in place. I
21 don't. But we -- I think we have 30 days is the
22 requirement in this schedule, Councilman, that we
23 work with the community to get this document which
24 really is, you know, a schedule into some kind of
25 legal document within 30 days because some of this

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2 actually, for example, the Special Service District
3 is actually to begin operation in 2001. So the idea
4 is that this would help not only once these
5 buildings are built and open, but actually during
6 the construction period.

7 COUNCILMAN KENNEY: Thank you.

8 MR. HANKOWSKY: Thank you.

9 COUNCILMAN ORTIZ: There was an awful
10 lot of discussion yesterday about including a
11 inflationary aspect of the terms of the cultural
12 fund. That's including in the papers? The
13 children's fund.

14 MR. HANKOWSKY: That's right,
15 Councilman. We were not able to obtain that. Let
16 me just put it that simply.

17 COUNCILMAN ORTIZ: Is that business
18 matter?

19 MR. HANKOWSKY: Yes, I think
20 fundamentally is a business matter. I think we have
21 been -- you know, obviously, people can have various
22 views on this, but we have been heavily focussed on
23 a variety of concessions that we felt the teams
24 needed to make to the community and I think there's
25 just a practical limit as to how many things they're

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2 prepared to do. I think that's the simplest way I
3 can put it.

4 COUNCILMAN ORTIZ: The Children's Fund
5 is one of the more important aspects, at least from
6 my perspective.

7 MR. HANKOWSKY: I don't disagree.

8 COUNCILMAN ORTIZ: And I know a lot of
9 our other colleagues here because \$1 million now
10 does not mean a million dollars in 30 years, 40
11 years from now. And what we're trying to do is
12 maximize the amount of money that goes into that
13 fund.

14 MR. HANKOWSKY: Clearly, we share that
15 sentiment. That's why the Administration negotiated
16 to get the teams to contribute to the fund, to
17 establish the fund. But we've also asked them to do
18 many other things, many things. And I think their
19 position is what they're committed to is what
20 they're prepared to do.

21 COUNCILMAN CLARKE: Mr. Hankowsky?

22 MR. HANKOWSKY: Yes, Councilman Clarke.

23 COUNCILMAN CLARKE: Page 3 on the MBE
24 plan.

25 MR. HANKOWSKY: Yes, sir.

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2 COUNCILMAN CLARKE: Number 4 under
3 concessions contracts indicates there's been --

4 MR. HANKOWSKY: I'm sorry, Councilman,
5 could you just tell me which plan you're in?

6 COUNCILMAN CLARKE: The Eagles.

7 COUNCIL PRESIDENT VERNA: Excuse me,
8 Councilman. I think we deserve a little more
9 respect than that. People having conversations, do
10 so in the corridor. The acoustics in here are
11 absolutely horrible and we want to hear what's being
12 said. Thank you.

13 Councilman proceed.

14 COUNCILMAN CLARKE: Thank you.

15 MR. HANKOWSKY: Councilman, now that I
16 have it, could you please give me the reference?

17 COUNCILMAN CLARKE: Page 3, No. 4 under
18 concessions operations. See that?

19 MR. HANKOWSKY: Yes.

20 COUNCILMAN CLARKE: It talks about the
21 mass concession there.

22 MR. HANKOWSKY: Yes.

23 COUNCILMAN CLARKE: Based on the
24 selection of the mass to concession era, how does
25 the team intend on being consistent with the goals

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2 associated with the contracts as indicated in the
3 earlier language?

4 Is there going to be subcontracts
5 associated with the concession?

6 MR. HANKOWSKY: I think -- I hate to be
7 this way, but this is one of the elements I didn't
8 directly negotiate. I'm just looking for the person
9 that I think might have that very specific answer.

10 I believe that what this provision deals
11 with is the fact they have a contract in place.
12 They're going to be talking to have concession here,
13 but I don't believe -- if I'm right, Councilman. I
14 want to confirm this. I don't believe, as you
15 mentioned, the earlier percentages are necessarily
16 applicable here.

17 COUNCILMAN CLARKE: Are you still
18 waiting for somebody?

19 MR. HANKOWSKY: Yes, let me confirm
20 that, but I believe that is the case. I will
21 confirm that.

22 COUNCIL PRESIDENT VERNA: While we're
23 waiting, Mr. Hankowsky, we had said on the
24 Children's Fund under C we thought the verbiage
25 could be more clarified. I notice you didn't change

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2 that.

3 MR. HANKOWSKY: Are you talking about
4 Page 2C of the Children's Fund? I just don't know
5 what the nature of the --

6 Why don't I clarify it for the record.
7 I think what it means -- and this deals, Council
8 President, with what I think we've all come to know
9 as the private payment problem which is to say that
10 we can't take these dollars -- and let's just say
11 that the Philadelphia School District runs today a
12 child care program at a school. We can't take these
13 funds and replace those funds. However, if there is
14 another school where there is no child care program,
15 we could take these funds and create one. And then
16 the mandated by government simply means if -- I'm
17 not an expert on school programs, but if the Federal
18 Government says you must have school lunch programs
19 and we fund them, then we can't use this to fund
20 them. However, for example, there's no art program
21 after school, we can fund that. So it's to make a
22 distinction between either it's currently there or
23 some governmental agency says you should have it.
24 Those are exclusions. But anything either additive
25 to those or different are fine.

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2 COUNCIL PRESIDENT VERNA: Thank you.

3 The Chair recognizes Councilman Cohen.

4 COUNCILMAN COHEN: In your discussion at
5 some point you stated that the old lease for Vet
6 Stadium was going to be terminated and replaced by a
7 new lease but that the terms would remain the same?
8 Did I understand that correctly?

9 MR. HANKOWSKY: If I said it that way,
10 Councilman, I said it incorrectly. That's not what
11 I mean. Let me be clear. The current lease at Vet
12 Stadium, as we all know it, remains in full force
13 and effect. You're not touching it at all right
14 here. It remains full force and effect from now
15 until, let's just say the Eagles football stadium is
16 done. It's done, they can move into it and play a
17 game. At that point then this new lease goes into
18 effect and the Vet lease ends.

19 COUNCILMAN COHEN: Does that mean that
20 the income from the super boxes that's due to begin
21 to come to the City's --

22 COUNCIL PRESIDENT VERNA: Excuse me,
23 please.

24 COUNCILMAN COHEN: The City coffers
25 beginning in February of next year, those payments

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2 will still be due to the City?

3 MR. HANKOWSKY: In terms of this
4 legislation, they absolutely do, Councilman, unless
5 this body has brought some different piece of paper
6 at some other point in time and decided to do
7 something about it. They're due.

8 COUNCIL PRESIDENT Verna: Excuse me,
9 Councilman Cohen.

10 COUNCILMAN COHEN: There's nothing in
11 these provisions, the basic provisions or the
12 amendments that excuses the teams from those
13 payments; is that correct?

14 MR. HANKOWSKY: This legislation doesn't
15 affect those payments, Councilman.

16 COUNCILMAN COHEN: Next question.

17 COUNCIL PRESIDENT Verna: Excuse me.
18 While we're on that, do you mind I interrupt you for
19 a moment?

20 COUNCILMAN COHEN: Yes.

21 COUNCIL PRESIDENT Verna: Mr. Hankowsky,
22 is this amendment consistent with the title of the
23 bill?

24 MR. HANKOWSKY: Council President, can I
25 defer to an attorney?

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2 COUNCIL PRESIDENT: Please.

3 MR. HANKOWSKY: Just because that's not
4 my --

5 (Pause.)

6 MR. TRUJILLO: Madam President, this is
7 Ken Trujillo, City Solicitor. Yes, it is consistent
8 with the title of the bill.

9 COUNCIL PRESIDENT Verna: Thank you.
10 Councilman Cohen.

11 COUNCILMAN COHEN: I gathered as you
12 went through you stated that when the matter comes
13 before City Council with the 10-day notice for the
14 City Council to act that there would be a vote up or
15 down on the resolution. Did I get that accurately?
16 Meaning that there could be no amendments that
17 Council's option would be solely to vote approval or
18 vote disapproval or express approval by not voting
19 at all?

20 MR. HANKOWSKY: I think that is
21 accurate, Councilman. I do want to make one
22 other -- that's accurate, but as I pointed out,
23 there is an amendment that after you've done that
24 and that's an up or down, if after that we change
25 these leases, they come back here by the regular

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2 Council ordinance process. So any subsequent
3 changes would --

4 COUNCILMAN COHEN: Does that mean that
5 during the 30 years the duration of the lease that
6 amendments to the leases can only be done through
7 Council ordinance?

8 MR. HANKOWSKY: Yes, it does,
9 Councilman.

10 COUNCILMAN COHEN: Is that a change from
11 what existed before?

12 MR. HANKOWSKY: Yes, sir.

13 COUNCILMAN COHEN: Somewhere in your
14 statement you indicated a change, and correct me if
15 I'm wrong, that you said that now the language would
16 be at least \$170 million replacing language of up to
17 \$170 million?

18 MR. HANKOWSKY: That is correct.

19 COUNCILMAN COHEN: Can you explain what
20 that's about?

21 MR. HANKOWSKY: I think it's fairly
22 simple, Councilman. We felt that the original
23 language actually limited us. That if there was any
24 opportunity at any point down the road to obtain
25 additional State funding for the project, we'd have

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2 a capacity to do that. It gives us an opportunity.
3 We know at this point the State is only committed
4 170 million, so we know we have to at least get that
5 money, but if there was an opportunity to get more,
6 we'd have an capacity to do that.

7 COUNCILMAN KENNEY: I'm sorry, may I
8 just ask?

9 COUNCILMAN COHEN: Yes.

10 COUNCILMAN KENNEY: Is there some claim
11 or indication that there is going to be an effort to
12 get more?

13 MR. HANKOWSKY: Councilman, I think --

14 COUNCILMAN KENNEY: From the State. I
15 know there may be other areas, other entities,
16 governmental entities and private entities you're
17 looking for money, but are there any specific effort
18 that's going to be made to go to the State for
19 additional dollars?

20 MR. HANKOWSKY: I know this is not the
21 total response you'd like, we were talking.

22 COUNCILMAN KENNEY: It's okay, I'm used
23 to it.

24 MR. HANKOWSKY: Thank you.

25 COUNCILMAN KENNEY: I understand your

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2 restrictions.

3 MR. HANKOWSKY: We were talking to a
4 variety of sources. This would enable the state to
5 be a potential source.

6 COUNCILMAN KENNEY: Can you confirm or
7 deny, Mr. Hankowsky, whether or not there's going to
8 be an application of any kind to the Commonwealth of
9 Pennsylvania for additional funds over the \$170
10 million.

11 MR. HANKOWSKY: I can't confirm or deny.

12 COUNCIL PRESIDENT VERNA: Councilman
13 Cohen.

14 COUNCILMAN COHEN: Yes. There are two
15 legal questions that I would like to follow-up with.
16 One, considering the decision in the famous Weiner
17 case which invalidated a City ordinance which should
18 not contain the precise amount of a change in the
19 tax structure, what is the legal opinion with
20 respect to the validity of this ordinance since
21 there has -- with respect to the question of notice
22 to the public and an opportunity to be heard on the
23 issue, because I believe they were the substance of
24 the Weiner decision, what is the opinion of legal
25 counsel with respect to whether or not the absence

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2 of a completed lease, how that relates to the
3 question of adequate notice under the law? May I
4 have an opinion from --

5 COUNCIL PRESIDENT VERNA: The City
6 Solicitor is here. I'm sure he'd be happy to
7 answer.

8 MR. TRUJILLO: Councilman, I'd be happy
9 to answer the question. I'm not prepared to offer
10 an opinion at this time. I am happy to get back to
11 you on that issue.

12 COUNCILMAN COHEN: Let me ask you with
13 respect to the second question which I've raised at
14 various times. To the extent that your action
15 contemplated by the original bills plus the
16 amendments permits changes to be made at the
17 discretion of the City Solicitor and the Finance
18 Director in any of these provisions, does that
19 constitute an unlawful delegation of power by the
20 legislature to the executive body.

21 MR. TRUJILLO: I do not believe that the
22 language as constituted in the delegation to the
23 Finance Director and City Solicitor constitute an
24 unlawful delegation of powers to either of those
25 two.

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2 COUNCILMAN COHEN: Thank you.

3 Thank you, Madam President.

4 COUNCIL PRESIDENT Verna: Are there any
5 other questions from members of the committee?

6 The Chair recognizes Councilman Clarke.

7 COUNCILMAN CLARKE: I'm waiting for a
8 response to the earlier question.

9 COUNCIL PRESIDENT Verna: I'm sorry, we
10 didn't hear your question.

11 COUNCILMAN CLARKE: I was waiting for
12 the person who was going to give a response on the
13 earlier question about the concession contract on
14 the Eagles facility.

15 MR. HANKOWSKY: Councilman, is this on
16 the concession, the one you asked me about?

17 COUNCILMAN CLARKE: Yes.

18 MR. HANKOWSKY: I'm sorry. Thank you.
19 I checked, and I just want to make -- the Mayor
20 asked me to make this pretty clear. We need to
21 tweak this a little bit, but he's very confident
22 that we'll have a successful program in the
23 concession area. We just need a little more time.

24 COUNCILMAN CLARKE: How long will you
25 have to tweak it or how much? Big tweak, little

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2 tweak?

3 MR. HANKOWSKY: Moderate tweak probably.

4 I don't know. I don't know, Councilman. It's just

5 something that we need a couple of days to figure

6 out.

7 COUNCILMAN CLARKE: A couple of days?

8 MR. HANKOWSKY: I don't know.

9 COUNCILMAN CLARKE: If you need some
10 assistance in tweaking, could you let me know sooner
11 than later?

12 MR. HANKOWSKY: Yes, sir. We will
13 absolutely keep that in mind.

14 COUNCILMAN CLARKE: Thank you.

15 MR. HANKOWSKY: Thank you for the offer.

16 COUNCIL PRESIDENT VERNA: Are there any
17 other questions from members of the committee?

18 The Chair recognizes Councilman Kenney.

19 COUNCILMAN KENNEY: Madam Chair, could
20 you let us know a time when other amendments not
21 coming from the Administration will be entertained
22 in the course of this hearing?

23 COUNCIL PRESIDENT VERNA: Are there any
24 other amendments that are being proposed?

25 COUNCILMAN KENNEY: I believe there are

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2 two amendments being circulated.

3 COUNCIL PRESIDENT Verna: I had to step
4 out of the room. Whose amendments are they?

5 COUNCILMAN KENNEY: One is mine and
6 there's one, I think, from Councilman DiCicco, one
7 from myself and one from, I think, Councilman Ortiz.
8 They're actually two amendments each but they affect
9 both 000721 and 000722.

10 COUNCIL PRESIDENT Verna: Councilman,
11 did you offer your amendment?

12 COUNCILMAN KENNEY: I haven't offered it
13 formally yet, but it's been circulated along with a
14 memo to the members of Council.

15 This amendment 000721 and 000722 would
16 read as follows: "Section 11, notwithstanding
17 anything to the contrary in this ordinance, no
18 obligation set forth in the Eagles lease and
19 development agreement shall be binding against the
20 City unless such lease and development agreement
21 contains a binding covenant approved by City Council
22 providing, A, that the City shall be entitled to one
23 suite which shall be licensed to a vendor who shall
24 provide for the use and operation of the suite and
25 that the vendor's net proceeds shall be divided

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2 proportionately for the use of the Philadelphia
3 Cultural Fund and the Sunny Hill Basketball League,
4 Incorporated, and/or such other not-for-profit
5 organizations which shall be designated by ordinance
6 of City Council."

7 That amendment is both applying to Bill
8 No. 000721 and Bill No. 000722 and it's the same
9 Section 11 in Bill 000722 that those amendments
10 along with a memo explaining the reasoning for those
11 amendments have been circulated to members of
12 Council. Thank you.

13 COUNCIL PRESIDENT Verna: Thank you.

14 Councilman Ortiz, you have a couple
15 amendments?

16 COUNCILMAN ORTIZ: The amendment is for
17 Bill 000722 and 000721. They're both the same.
18 It's in essence to create a new Section 11 on Page
19 6, at the bottom of page 6. And the Section 11 on
20 Page 6 will now become Section 12 and then Section
21 13 will become Section 14. The amendment has been
22 distributed and it reads the following -- it's in
23 essence by way of explanation is to create a living
24 wage within the restaurant workers that are going to
25 be supplying the services in the two stadiums to be

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2 able to create a wage benefit that is more or less a
3 living wage.

4 Currently, for example, the janitorial
5 staff at Vet Stadium earn \$5.50 an hour. This bill
6 will in essence create a wage that will be
7 comparable to those wages that are paid now in the
8 industry across the City.

9 It reads in the following manner:

10 "Notwithstanding anything to the contrary in this
11 ordinance, any of the exhibits, the Phillies leases
12 or the development agreement, no obligation set
13 forth in the Philly leases or the development
14 agreement shall be binding against the City unless
15 each of said leases in the development agreement
16 contain binding components approved by ordinance.
17 A, providing that the Phillies will contractually
18 and voluntarily agree with the City to comply with
19 to comply with and be and held to the provisions of
20 Section 17-107 of the Philadelphia Code with respect
21 to wages and working conditions, that it will
22 provide both direct and contract employees in all
23 service job classifications, including but not
24 limited to janitorial, ticket sellers, ushers
25 guards, and concessions employees, employees in the

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2 operation of the new stadium and with respect to all
3 implementation enforce provisions of said section of
4 the Philadelphia Code relating to wages and working
5 condition. Providing that the Phillies will not
6 engage during the lifetime of the Phillies lease,
7 either directly or through independent contractors,
8 consultants or attorneys in any activity directly
9 related to influencing employees respecting
10 unionization."

11 The amendments read the same for Bill
12 000721 as it does.

13 COUNCIL PRESIDENT VERNA: Are the
14 employees that you're referring to part-time
15 employees?

16 COUNCILMAN ORTIZ: These are the
17 employees that will be working during the seasons of
18 both the Eagles and the Phillies.

19 COUNCIL PRESIDENT VERNA: Are they
20 considered part-time employees?

21 COUNCILMAN ORTIZ: They will probably be
22 considered, yes, but the janitorial staff will have
23 to be there maintaining it and so on. Some of them
24 will be seasonal and some of them will not.

25 COUNCIL PRESIDENT VERNA: And how much

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2 did you say they're getting?

3 COUNCILMAN ORTIZ: Well, right now the
4 janitorial staff, for example, at the Vet Stadium,
5 they have two contractors. One is Team Clean and
6 they pay \$5.50. And the other one is Central
7 Property, and they \$5.50. That is not a living
8 wage. The general janitorial salary across the City
9 right now is \$12.41 an hour. That is the amendment,
10 Madam Chair, for both 000721 and 00022.

11 COUNCIL PRESIDENT Verna: The Chair
12 recognized Councilman Clarke.

13 COUNCILMAN CLARKE: Councilman Ortiz,
14 I'm just trying to get some clarity. Is the
15 requirement on the private entity that has the
16 contractual relationship with its employees or is
17 it with the teams?

18 COUNCILMAN ORTIZ: It's with the teams.
19 The teams will not contract with anyone that does
20 not pay a living wage. The teams will not give a
21 contract to somebody that pays \$5.50 an hour.

22 COUNCILMAN CLARKE: Unless they \$12 an
23 hour, the teams will not contract --

24 COUNCILMAN ORTIZ: Well, it's a
25 prevailing wage type of situation for janitorial

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2 workers and ticket sellers and ushers that the
3 prevailing wage that is paid for that type of
4 endeavor across the City is the type of wage that
5 the City will contracting -- that the Eagles and the
6 Phillies contracting with in terms of the contract.

7 COUNCILMAN CLARKE: Is it comparable
8 with First Union?

9 COUNCILMAN ORTIZ: Comparable with the
10 wages that are being paid across the City in those
11 different areas.

12 COUNCILMAN CLARKE: You're saying it's
13 comparable in the similar venue?

14 COUNCILMAN ORTIZ: Probably, yes.

15 COUNCILMAN CLARKE: You're talking about
16 ticket-takers, that's why when you're saying
17 comparable --

18 COUNCILMAN ORTIZ: I don't know how much
19 they get paid at First Union. I'm just saying that
20 they should pay the prevailing wage. They get quite
21 a benefit. They should pay a -- I think a
22 prevailing wage is not too much to ask.

23 COUNCIL PRESIDENT VERNA: Thank you.
24 Are there any other -- go ahead, Councilman. I'm
25 sorry. I'm being distracted.

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2 COUNCILMAN CLARKE: I'm sorry, I don't
3 mean to belabor the point. I'm just trying to get a
4 sense when you talk about prevailing wage, it's a
5 prevailing wage compared to what? When you're
6 talking about a stadium --

7 COUNCILMAN ORTIZ: Well, there's an
8 industry --

9 COUNCILMAN CLARKE: You're talking about
10 a job taking tickets in a stadium. You compare it
11 with other comparable types of venues, Sports Union.
12 I'm trying to get sense of what the salaries are.

13 COUNCILMAN ORTIZ: They have the right
14 to organize. We know the salaries if the janitorial
15 workers, at least that.

16 COUNCILMAN CLARKE: At a stadium
17 comparables?

18 COUNCILMAN ORTIZ: At a stadium
19 comparables. They get paid \$5.50 an hour. Across
20 the City they get paid \$12. And I think that's the
21 level they should be paid at. You get concession
22 workers and restaurants and so on, they get a
23 certain amount of wages in terms of hotels and so
24 on. I think the hourly wage and those should be
25 transferred per diem in terms of the teams and the

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2 stadiums.

3 COUNCIL PRESIDENT Verna: Councilman
4 Cohen.

5 COUNCILMAN COHEN: The amendment
6 suggests that the same technique be applied as is
7 applied in the Davis Bacon law generally for
8 construction work using the same general kind of
9 standards that would be used with respect to
10 prevailing wage.

11 COUNCILMAN CLARKE: That's why I'm
12 asking the question. In the construction industry,
13 it's talking about a prevailing wage and that's
14 based on a formula of either the state or
15 municipality. My question is, if you're talking
16 about ticket-takers, you would compare that to
17 ticket-takers in other venues throughout the City or
18 the State.

19 COUNCILMAN ORTIZ: But that's not the
20 only employees at a stadium. You have the
21 concessions, which more or less the prevailing wages
22 would be set up by the Restaurant Association and
23 the restaurant unions and in terms of those
24 individuals who do the pouring and the concessions
25 and so on. So you got to take it for what it is.

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2 COUNCILMAN CLARKE: I ask that question,
3 Councilman, because I agree that \$5.50 is not an
4 appropriate wage, but when we're talking about a
5 prevailing wage, it would be helpful if I had a
6 sense of what the prevailing wage was for the
7 various industries, in particular in a comparable
8 industry. I'm just not privy to that information at
9 this point.

10 COUNCILMAN ORTIZ: Well, the one example
11 that we have. The other ones can be set by instance
12 in terms of the Restaurant Workers Union and so on,
13 they can begin to look at what the prevailing is
14 concessions pourers and so on down the line.

15 COUNCILMAN CLARKE: Could that be
16 determined at a later point? I mean, are we
17 asking -- in the discussion you're talking about \$12
18 an hour. I don't know if that's for the
19 prevailing --

20 COUNCILMAN ORTIZ: That's only from one
21 of the industries. That's janitorial staff.

22 COUNCILMAN CLARKE: So what would the
23 terms and conditions be for this particular --

24 COUNCILMAN ORTIZ: When the workers sit
25 down, when the different labor unions come into play

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2 and they have the right to organize, they have to be
3 able to look at what a restaurant worker, a server
4 in restaurant gets for that type of job.

5 COUNCILMAN CLARKE: So by prohibiting
6 the teams from contracting with a company that
7 doesn't pay a prevailing wage, which we don't know
8 what that prevail wage is yet.

9 COUNCILMAN ORTIZ: A company that pays
10 only the minimum wage with no benefits and so on.
11 What we're trying to do here is to make sure that
12 the teams are able to pay everyone that works within
13 the stadium because they do get the benefits of the
14 City that they living wage to everyone that they
15 hire. And that living wage can be determined by
16 different levels of the job categories that are
17 there, but above \$5.50.

18 COUNCILMAN CLARKE: That I agree with.

19 COUNCIL PRESIDENT Verna: The Chair
20 recognizes Councilman DiCicco.

21 COUNCILMAN DI CICC0: Madam President, I
22 offer an amendment to bill 000721. Do I need to
23 read that into record?

24 COUNCIL PRESIDENT Verna: Yes, please.

25 COUNCILMAN DI CICC0: Amendment one,

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2 Exhibit C to bill 000721 is hereby amended by
3 inserting after Section 7.1 the following new
4 section: Section 7.2, Naming Rights. To the extent
5 permitted by law, the City hereby covenants and
6 agrees with the authority that the City shall not
7 grant any naming rights or similar designations
8 ("other than those presently existing to the sports
9 complex which presently contains Veterans Stadium,
10 the Spectrum and the First Union Center and will
11 contain the new Eagles football stadium and the new
12 Phillies ballpark such complex, including all
13 associated parking, being here and after referred to
14 as the sports complex,") or any portion thereof
15 other than naming rights and similar designations
16 for the individual arenas and stadia located in the
17 supports complex without the written consent of the
18 authority, which consent may be granted in the
19 authority's sole discretion.

20 Amendment 2, Exhibit C to Bill 000721 is
21 hereby amended by deleting the existing Section 17.6
22 and inserting in lieu thereof the following:
23 Section 7.6, no third-party rights except as
24 provided in Section 12.2 and Section 14.7 thereof
25 and except as may otherwise be provided in the

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2 Eagles lease with respect to subject covered in
3 Section .7 nothing in this lease shall be construed
4 to constitute, create or confer rights, remedies or
5 claims in or upon any person not a party hereto as a
6 third-party beneficiary or otherwise, or to create
7 obligations or responsibilities of the parties
8 hereto such persons, or to permit any person other
9 than the parties hereto and the respective
10 successors and assigns to rely upon the covenants,
11 conditions and agreements contained herein.

12 COUNCIL PRESIDENT VERNA: Thank you.

13 Mr. --

14 COUNCILMAN KENNEY: Madam President?

15 COUNCIL PRESIDENT VERNA: Yes.

16 COUNCILMAN KENNEY: You're probably
17 going to do it. I was going to ask you.

18 COUNCIL PRESIDENT VERNA: Mr. Hankowsky.

19 COUNCILMAN KENNEY: Will Mr. Hankowsky,
20 Madam President, be commenting on the
21 Administration's position on all three amendments?

22 COUNCIL PRESIDENT VERNA: Yes.

23 COUNCILMAN KENNEY: Thank you.

24 COUNCIL PRESIDENT VERNA: I don't know
25 if he's heard all three.

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2 MR. HANKOWSKY: Madam President, I was
3 just going to ask for a slight indulgence because I
4 heard them, but I'm not sure I know whose is which
5 so...

6 COUNCIL PRESIDENT Verna: Just take your
7 time.

8 MR. HANKOWSKY: I'll try this, if I can.
9 I think the Administration's positions on all the
10 amendments except the last one, which we'll address
11 in a second, would be to request that Council not
12 entertain those amendments.

13 On the last amendment which --

14 COUNCILMAN KENNEY: I heard what Mr.
15 Hankowsky had to say. I would appreciate some
16 elaboration as to why the Administration is taking
17 that position. I think it's something that should
18 be for the record.

19 MR. HANKOWSKY: Could I have the
20 indulgence of Council to do that in just a moment so
21 I can make sure I'm correctly representing the
22 Administration? One second, please.

23 Thank you. Let me do the third one,
24 though, if I could. I think the president asked if,
25 one, I could explain it and also delineate the

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2 Administration's position, so let me do the
3 explanation first.

4 There is an issue about whether the City
5 might have a capacity to name something in the
6 sports complex down the road. We have agreed,
7 obviously, in the term sheets that each team
8 respectively has a right to name their buildings,
9 Eagles, Phillies. Obviously, so did Comcast
10 SpectiCorps, hence the name First Union.

11 An issue has risen as to whether there
12 should be any limitations on future naming rights or
13 whether there would be any or not be any. That
14 issue has not been resolved.

15 If you want to resolve it inside the
16 team leases subsequently, the next several weeks,
17 you would need a mechanism whereby the City could be
18 obligated to agree and contractually agree and be
19 obligated to some future decision. The only way to
20 do that now is to entertain this amendment which
21 would allow for PAID to have a right to approve, if
22 the City would do any naming, that would allow us
23 the capability later to include in the team lease
24 how that paid approval right might be exercised.
25 Doesn't mean it would be or wouldn't or that

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2 anything would be agreed to or not. But if you
3 don't do the amendment, it may be difficult to do it
4 later. That's what it does.

5 In terms of the Administration's
6 position, obviously, we did not bring it up here and
7 it wasn't part of the package I introduced. Our
8 package is our package. But if Council would so
9 elect to include it in the package, we would not
10 oppose that.

11 COUNCILMAN ORTIZ: Is there a financial
12 cost? Are you projecting a financial cost if this
13 is passed, to the City.

14 MR. HANKOWSKY: I think, Councilman, and
15 I'm being candid from what I know at the moment. I
16 think it's very difficult to know that, what
17 considerable value there is here. I think there is
18 an opposite side to the coin, so to speak, which is
19 a concern that the teams might have that their
20 naming rights might get diminished, the value of
21 them. This has become a business -- we kind of know
22 all this stuff is named now where people do lots
23 of -- we know now, you know, high schools or
24 colleges are selling naming rights. People are
25 selling all kinds of rights and where people's

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2 economic value could be impacted. So it's an issue
3 that has not been negotiated, has not been resolved.
4 But should there been a perspective need to do it,
5 this would enable it to be done.

6 COUNCILMAN ORTIZ: We need to know what
7 the projected economic impact, if any, so we can
8 make a decision tonight. And this is what the
9 problem is about doing --

10 MR. HANKOWSKY: Councilman, we didn't
11 introduce it.

12 COUNCILMAN ORTIZ: I understand that,
13 but it is on the floor.

14 MR. HANKOWSKY: I cannot give you an
15 economic evaluation.

16 COUNCILMAN ORTIZ: And what is the
17 economic impact on the Eagles if their naming rights
18 are diminished by this?

19 MR. HANKOWSKY: Oh, it could be from
20 moderate to massively significant. It could be
21 worth millions of dollars a year.

22 COUNCILMAN ORTIZ: Could we hear from
23 the Eagles?

24 MR. HANKOWSKY: I guess that's your
25 pleasure. Obviously, you could, it's a public

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2 hearing.

3 COUNCIL PRESIDENT VERNA: Councilman
4 DiCicco.

5 COUNCILMAN DI CICC0: I just wanted to
6 follow-up on that last statement by Councilman
7 Ortiz. If it would have any significant effect on
8 what the Eagles ability to borrow money to pay down
9 the debt, that also could have an effect on the
10 Eagles fulfillment to some of the things that we
11 have requested in the deal, their contribute to the
12 Children's Fund possibly. I mean, these are
13 hypotheticals, I'm assuming. The Children's Fund,
14 Special Services District because as their ability
15 to pay down the debt may be diminished because they
16 can't get as much with the naming rights if they had
17 the full opportunity to do that, if the City were to
18 do something separate and apart from them and
19 assuming they would say it's the Comcast Sports
20 Complex, meaning that when the Eagles go out to get
21 naming rights for their facility, it would
22 obviously, as you said, could possibly minimize
23 their ability to get what they originally thought
24 they thought they would get in the deal for the full
25 naming rights and could affect everything,

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2 basically.

3 MR. HANKOWSKY: I just want to be --

4 COUNCILMAN DI CICC0: At this late hour
5 I'm not sure if I'm making sense, but I'm trying to
6 say that everything has an effect.

7 MR. HANKOWSKY: I haven't been sure I'm
8 making sense for about the last five hours but,
9 Councilman, I just want to make clear for the
10 record, though, that we believe that in terms of
11 Children's Fund and Special Service District, those
12 are obligations the deal. But I think your comment
13 about could it have an impact. It could. We didn't
14 introduce it. We don't have an economic evaluation
15 of what it means one way or the other, but I
16 acknowledge that there's clearly a possibility that
17 something could have an impact.

18 COUNCILMAN KENNEY: Madam President?

19 COUNCIL PRESIDENT Verna: The Chair
20 recognizes Councilman Kenney.

21 COUNCILMAN KENNEY: Thank you. One of
22 the issues as it relates to this amendment is that
23 even though in the beginning when we had discussions
24 initially about financing these facilities, many of
25 us questioned the issue of naming rights as to the

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2 whether or not it should go to the City or whether
3 or not it should go to the teams.

4 I think very early on in this process we
5 recognized, although it took us a little while to
6 understand the fairness of it, that the naming
7 rights were clearly property of the teams in order
8 to make this financing deal work. Anything that
9 would be pen to interpretation that the complex
10 itself could, in fact, be named I think would
11 certainly diminish the value of the naming rights of
12 the buildings. I think, therefore, the amendment is
13 needed for clarification so that the complex in fact
14 won't be named and that the value of those buildings
15 naming rights regardless of what that value is
16 because only the market would be able to tell us.
17 I'm sure the teams have some estimation of what it
18 may be, should not be affected by having this
19 open-ended piece in the deal.

20 MR. HANKOWSKY: Just for clarity,
21 Councilman, I'm not disputing what you just put on
22 the record, but the what amendment does mechanically
23 is it doesn't actually solve the problem; it creates
24 the mechanism to solve the problem.

25 COUNCILMAN KENNEY: It was a leap of

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2 faith for us to begin with to recognize that within
3 the industry naming rights are the property of the
4 team and we wouldn't share all of them or any of it,
5 that in fact we should maintain the value from their
6 perspective.

7 MR. HANKOWSKY: Right. Councilman, I
8 believe, and Madam Chair, with your indulgence, I
9 believe Councilman Kenney asked for a little bit of
10 explanation of our opposition to the other bills,
11 and I think I'd ask --

12 COUNCIL PRESIDENT VERNA: Just a moment,
13 please. Are there any other questions on Councilman
14 DiCicco's bill?

15 I see that Mr. Banner is here. I'm sure
16 that he wouldn't have any objection to addressing
17 this issue.

18 Does everybody have a copy of it? Does
19 any anybody have any other questions?

20 Does anyone else have any questions on
21 this particular amendment?

22 COUNCILMAN KENNEY: Madam President, I
23 believe they're making copies of it.

24 COUNCIL PRESIDENT VERNA: While we are
25 waiting then, Mr. Hankowsky, if you have information

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2 on the other two amendments, I would appreciate your
3 addressing them now.

4 MR. BURRELL: Madam President, for
5 record, I'm George Burrell, Secretary of External
6 Affairs for the Street Administration. And we have
7 had no time to review the amendments that are
8 proposed here.

9 COUNCILMAN KENNEY: With all due
10 respect, George, we haven't had time to review
11 anything.

12 MR. BURRELL: And therefore, we would
13 respectfully ask the Council to not look favorably
14 upon them with respect to the box that is
15 traditionally, I think, identified as the Mayor's
16 Box in the stadiums. We would favor the Mayor,
17 whoever the Mayor is, to continue to have the
18 opportunity for that box.

19 And with respect to the issues that
20 relate to wages, we have spent a considerable amount
21 of time in our MBE and WBE programs negotiating both
22 the percentage participations on the contract side
23 and on the employment side. We think those issues
24 could be addressed there.

25 COUNCILMAN KENNEY: Madam President, I

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2 have a few questions.

3 COUNCIL PRESIDENT Verna: The Chair
4 recognizes Councilman Kenney.

5 COUNCILMAN KENNEY: While I recognize
6 the exact nature of Mr. Burrell's comments about not
7 being able to review, I guess all of us would
8 somewhat be concerned about our own ability to
9 review a stack of documents that is inches thick and
10 be asked, as we will tonight, to vote on this and
11 approve it. I find Mr. Burrell's explanation as to
12 his opposition to my particular amendment a little
13 weak and I would like to maybe flesh it out a little
14 bit as why what is identified in the Eagles lease
15 and Phillie's lease term is a City suite for City
16 use should be used in the manner it's been used. I
17 think part of the tradition 30 years ago was the
18 City in fact owned the stadium. And I don't know
19 the legislative history of how that was established,
20 but would you not agree or would the Administration
21 disagree that the use of this box in a market rate
22 way to raise money for various charities that
23 Council may designate would be an inappropriate use
24 of a City-owned facility?

25 MR. BURRELL: I would not believe that

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1
2 that is an inappropriate use. I simply believe that
3 just as there is a suite available to whomever, this
4 is not an argument that applies only to Mayor Street
5 but or whoever the Mayor of this City is, I think
6 those suites have traditionally been used to both
7 entertain people who are voters and residents of the
8 City of Philadelphia. They've been used very often,
9 they've been used in this administration and all the
10 way back to the Bill Green administration of which I
11 was a part making the tickets available to charities
12 to auction off and to participate in. And I think
13 that those boxes have been used in a very
14 significant way to benefit the citizens and the
15 people of the City of Philadelphia. Are there other
16 ways that can be achieved? Certainly, it could. I
17 believe and the Administration believes that making
18 that box available to the Mayor of the City of
19 Philadelphia is an appropriate use.

20 COUNCILMAN KENNEY: Well, Madam
21 President, I would argue in that regard that I
22 believe that there are instances wherein that
23 City-owned facility, that luxury suite could be used
24 to entertain executives and foreign dignitaries and
25 other types of people that the City or the Mayor at

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2 the time whoever he or she is would like to
3 entertain. I think that could be accomplished
4 within the confines of this amendment by simply
5 having the Commerce Department or the Mayor's Office
6 set aside a certain percentage of money in their
7 budget to rent the box as any other corporation
8 would rent the box to do that kind of entertaining
9 for the public. I do believe that this is an
10 opportunity we're going to waste in order to raise
11 perhaps 150 to 200 or maybe more thousand dollars a
12 year to help what we would all agree are worthwhile
13 institutions that are being recommended in this
14 particular amendment, and as the time goes on over
15 the next 30 years, to give Council the opportunity
16 to designate other worthy charities that could also
17 take advantage of this money.

18 I do not believe that this -- as a
19 matter fact, what gave me the idea the Eagles lease
20 terms and Phillies lease terms specifically refer to
21 this as the City Suite, not the Mayor's Box. And I
22 think that what gave me the idea to do it in the
23 first place, and if the Administration wants to
24 oppose it, I certainly understand the opposition, I
25 don't happen to agree with it.

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2 MR. BURRELL: And I appreciate that,
3 Councilman. And as I said, believe that there are a
4 number of opportunities through the Cultural Fund,
5 through the Philadelphia Activities Fund and through
6 others to ho help in other ways in this government
7 to help charitable activities. Yours is an
8 appropriate use. I simply believe it's appropriate
9 to have the Mayor of the City of Philadelphia have
10 the opportunity to in fact entertain the types of
11 people that you've talked about and which are in
12 fact entertained there.

13 COUNCILMAN KENNEY: Would the
14 Administration agree, perhaps in a letter form in
15 addition to whether or not this amendment rises or
16 falls to agree that perhaps this box should not be
17 used in any way for political fund-raising.

18 In this Administration and the last --
19 not this Administration yet, but in the last
20 administration has been significantly for a
21 political fund-raising tool as opposed to City
22 purposes.

23 MR. BURRELL: Well, when this box, as
24 any facility owned by the City is used for political
25 purposes. The person using it for that purpose must

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2 both pay for the box and for the tickets. So it is
3 not within the authority of the Mayor, neither for
4 himself or for anyone else to simply give that box
5 over for political purposes. I have not had the
6 opportunity to discuss your suggestion with the
7 Mayor. I would be able happy to do so but am not
8 able to speak for him at this moment.

9 COUNCILMAN KENNEY: Well, I do believe
10 that if this amendment fails, it will be a lost
11 opportunity to help two worthy charities in our
12 City, and I would urge the members vote in favor of
13 it. Thank you.

14 COUNCILMAN ORTIZ: I do not believe that
15 paying a living wage to workers needs a lot of
16 study, given the current situation of these two
17 bills that all of these bills that we have in front
18 of us, I think the economic benefits that is going
19 to be accruing to the teams is more than enough to
20 be able to pass on to the workers that work in the
21 two stadia a salary that would be both beneficial to
22 the teams and to the workers.

23 MR. BURRELL: And I believe, Councilman,
24 that there is no disagreement with the sentiment of
25 are your amendment. However, there are a variety of

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2 differing types of job that go on in the stadium
3 that I don't know what the host of them. What we've
4 tried to do in response to the lobbying and the
5 suggestion and encouragement of a number of
6 Councilmembers is to respond in this legislation to
7 the WBE to the MBE requirements both on the side of
8 contracting and on the side of employment and we
9 would expect to be able to respond to that
10 initiative there.

11 COUNCILMAN CLARKE: Mr. Burrell, along
12 the lines of those questions, there was a question
13 raised earlier about what the prevailing wage is in
14 the State of Pennsylvania. Does anybody on your
15 team have a sense of what that prevailing wage is?
16 There's a question about that. There should be a
17 requirement currently at the existing stadium
18 facility to pay prevailing wage.

19 MR. BURRELL: Councilman, I can't
20 respond. I do not know the answer to that question.

21 COUNCIL PRESIDENT VERA: There has to
22 be somebody.

23 COUNCILMAN CLARKE: I'm being told by
24 someone that it is currently a requirement that paid
25 prevailing wages for -- that was the earlier

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2 question. Now I want to know what it is. And I'm
3 being told that it should be a requirement to pay
4 prevailing wage currently in the existing stadium.

5 MR. BURRELL: Councilman, I cannot
6 answer that question. I'll get the answer for you.
7 My concern in responding to the amendment is there
8 are part-time jobs, there are all kind of job
9 opportunities in the stadium that may or may not
10 within the confines of the labor laws of the
11 Commonwealth of Pennsylvania where prevailing wages
12 would be the applicable standard.

13 COUNCILMAN CLARKE: Would there be a
14 possibility, not to say that this particular
15 amendment will not get supported, but would there be
16 a possibility if somehow this amendment did not pass
17 or either withdrawn, would there be a possibility to
18 deal with that issue in the concession contract
19 arrangement with the mass concession or the
20 individual who has a contract for the janitorial
21 services? I just don't have enough information at
22 this time.

23 MR. BURRELL: I'm sorry, Councilman,
24 could I just -- Bill Hankowsky. This is the deal
25 expert. I don't want to say something that binds

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2 him and others.

3 What the Councilman has asked is if this
4 particular amendment were held for today, would
5 there be an opportunity in subsequent discussions
6 that it could be the question of prevailing wages be
7 dealt with, is there an opportunity for that to be
8 addressed?

9 MR. HANKOWSKY: Councilman, the
10 distinction would be that if you do not pass this
11 amendment, and obviously it doesn't become an
12 obligation of the transaction, however, it's very
13 clear in the amendments I went through we have to
14 finalize team leases. And we can clearly have a
15 dialog with the teams about how and in what manner
16 you might be able to apply the living wage
17 principal. And we won't be prohibited from doing
18 that and it wouldn't be in conflict with the term
19 sheet, so it's not -- you know, it wouldn't be
20 materially inconsistent if we brought it back so we
21 could look into it, yeah. It wouldn't stop us from
22 trying to look into it. I can't tell you where we'd
23 end up, but we could surely explore it.

24 COUNCILMAN CLARKE: Your voice is kind
25 of tailing off.

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2 MR. HANKOWSKY: I'm sorry.

3 COUNCILMAN CLARKE: I know it's late,
4 but...

5 MR. HANKOWSKY: We clearly can have a
6 dialog.

7 COUNCILMAN CLARKE: There are things
8 that are going to be negotiated --

9 COUNCIL PRESIDENT VERNA: Please, the
10 noise level is much too high. We can't hear
11 ourselves speaking. Anybody that wants to have a
12 private conversation, please do so in the corridor.

13 Councilman, please proceed.

14 COUNCILMAN CLARKE: There are things
15 associated with the aftermath of this particular
16 action that we take tonight as it relates to the
17 contractual relationship between the teams, the
18 construction entities, the concessionaires, the
19 janitorial services. And I'm assuming that that
20 discussion has only been preliminary.

21 MR. HANKOWSKY: Oh, absolutely.

22 COUNCILMAN CLARKE: So the question is,
23 in that discussion, is there something that can be
24 put in the term, in the lease that would require
25 prevailing wage? And frankly speaking, I'm just not

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2 sure what that is and that's why I'm a little
3 concerned about voting for an amendment not knowing
4 exactly what that prevailing wage is.

5 MR. HANKOWSKY: And I'm concerned, too,
6 Councilman. And I don't want to dismiss a concept
7 out of hand. I also don't want to promise something
8 that we won't get. As you know, buildings like this
9 have numerous part-time jobs that relates to its
10 operation. It might have ushers, there might be
11 concession employees.

12 COUNCILMAN CLARKE: Was the prevailing
13 wage requirement based on a 40-hour work week?

14 MR. HANKOWSKY: Yeah, and I just don't
15 know and I think we got to be careful that we don't
16 put this buildings where the economics don't work in
17 terms of what's normal practice. On the other hand,
18 there are paid salaried employees who manage the
19 building and as you said maintenance. I'd like to
20 just -- we will clearly take an opportunity to look
21 at it.

22 COUNCILMAN CLARKE: Mr. Mariano can
23 probably correct me on this. If a construction
24 worker works 10 hours a week, he still gets
25 prevailing wage; am I correct? I guess I'm trying

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2 to get a sense if it's a part-time employee, why
3 shouldn't that part-time employee get prevailing
4 wage?

5 MR. HANKOWSKY: I don't know,
6 Councilman. I just don't know enough about it and
7 we would have to look into it.

8 COUNCIL PRESIDENT Verna: The Chair
9 recognizes Councilman Goode.

10 COUNCILMAN GOODE: I'd like to take this
11 opportunity to do short walk through Councilman
12 Ortiz's amendment as a discussion, not to try to jam
13 the amendment or anything, but on the campaign trail
14 last year, because of my background in community
15 economic development and my purpose for coming to
16 Council is create economic opportunity, people were
17 surprised at why I didn't necessarily support living
18 wage legislation in the past. It's because I
19 thought it was an undue advantage, actually, to
20 larger businesses, that the legislation as presented
21 in Council previously hurts small businesses and
22 other community-based enterprises.

23 My concern about how this amendment
24 comes to us at last minute is that it doesn't
25 necessary flow with the deal. Some people may think

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2 that the amendment process here is political and who
3 can amend these bills who can't. But when the
4 Administration amends bills, of course, for their
5 better knowledge of this deal, sometimes it flows.
6 Sometimes when Council amends bills, sometimes it
7 flows.

8 In this case, I'm particularly concerned
9 about language in this amendment dealing with issues
10 like concession employees when if one of our goals
11 is to take the concession contracts and make sure
12 there's participation by economically disadvantaged
13 businesses, I mean, my question to Councilman Ortiz
14 is does he really want to exclude an opportunity for
15 a Latino business or an African-American or a women
16 business by forcing that business to compete at a
17 level it can't if it can't pay that living wage? I
18 mean, what is going to be your priority here, to
19 ensure concession contracts for disadvantaged
20 businesses and find ways to help them compete in
21 this process in the economic content of this deal or
22 is it going to be to interject a living wage
23 argument?

24 COUNCILMAN ORTIZ: My priority is that
25 every worker that works in the stadium should get

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2 paid above the minimum wage and benefits. The
3 contractors be who they are. And definitely, the
4 minority -- but they have to pay a wage that will
5 give the workers that is toiling for them enough to
6 be able to pay the rent, clothe their kids.

7 COUNCILMAN GOODE: What we want to do in
8 reality here is create real economic opportunities
9 for real economically disadvantaged businesses. If
10 there are real businesses ready to provide these
11 concession services that simply cannot. I'm not
12 saying they should not.

13 COUNCILMAN ORTIZ: The workers that
14 provide the work in those concessions merit, merit
15 because they walk up and down those stairs under the
16 sun, they pour the beer.

17 COUNCILMAN GOODE: This a philosophical
18 amendment.

19 COUNCILMAN ORTIZ: No, it's not a
20 philosophical amendment.

21 COUNCILMAN GOODE: It clearly is not
22 working. It's working.

23 COUNCILMAN ORTIZ: A living wage is a
24 living wage; it's not philosophy.

25 COUNCIL PRESIDENT VERNA: Gentleman,

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2 please do not have conversation among yourselves.

3 COUNCILMAN GOODE: I'm questioning him
4 about his amendment.

5 COUNCILMAN ORTIZ: It's not a
6 philosophical amendment. It is an amendment that
7 today the individuals that are lower level of the
8 skill level get paid nothing from the janitorial
9 staff on up. And then profits are made on their
10 backs, and I do not believe that whether you're
11 black, Puerto Rican, Asian or whatever that you
12 should make an excessive profit on the back of other
13 people.

14 COUNCIL PRESIDENT VERNA: Councilman
15 Goode.

16 COUNCILMAN GOODE: I just wanted him to
17 clarify his position on it. I mean, my position on
18 it is that any business that can afford to pay a
19 living wage in terms of it's profit margin should pay
20 living wage. I don't think we can on the front end
21 determine that every disadvantaged business that we
22 hope will benefit from this deal will be able to pay
23 a living wage. He's clearly said that his priority
24 in this is to philosophically say that all workers
25 have to be paid a set amount regardless of how it

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2 works economically and generally and how it works
3 out economically for specifically disadvantaged
4 businesses which we're trying to give opportunities
5 here.

6 COUNCILMAN ORTIZ: I believe that any
7 business that gets a contract at any of these
8 stadiums is going to be able to pay a wage that
9 is --

10 COUNCILMAN GOODE: You don't know that.

11 COUNCILMAN ORTIZ: You don't know it
12 either that they're not.

13 COUNCILMAN GOODE: You don't know unless
14 you look at their books.

15 COUNCILMAN ORTIZ: They're going to be
16 able to pay a commensurate wage.

17 COUNCILMAN GOODE: You --

18 COUNCILMAN ORTIZ: And if they don't,
19 they have not negotiated a contract that is good
20 enough for them to be able to do it. If they cannot
21 do that, then they should not be in the business.

22 COUNCILMAN GOODE: Thank you for
23 clarifying your position.

24 COUNCILMAN ORTIZ: Yes, indeed.

25 COUNCIL PRESIDENT VERNA: Thank you. At

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2 this time I would like invite Chuck Hardy to the
3 podium. He's attorney for my constituents who live
4 in the stadium complex. As they're walking up,
5 they've been here since 9 o'clock.

6 (Applause.)

7 COUNCIL PRESIDENT Verna: I want to
8 thank the Mayor and the community in addressing the
9 problems that people have had to endure for almost
10 30 years. I also want to take the opportunity to
11 thank the community for the countless hours that
12 they have worked on this issue, and we're certainly
13 very grateful to the teams for their cooperation in
14 working out the Special Service District in a true
15 spirit of cooperation. So with that, Mr. Hardy, I
16 say thank you. And at this time I would like to
17 recognize you.

18 MR. HARDY: Thank you, Council President
19 Verna and members of Council. My name is I'm Chuck
20 Hardy. I'm from the law firm of Sprague & Sprague.

21 COUNCIL PRESIDENT Verna: Excuse me, Mr.
22 Hardy. Please, we are trying to conduct business.
23 Let's give our speakers respect. Thank you.

24 Mr. Hardy.

25 MR. HARDY: Thank you, Council

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2 President.

3 Members of Council, standing behind me
4 are representatives of the five community groups
5 that represent the neighborhoods that will be most
6 affected by the development of new stadiums in South
7 Philadelphia, as they have been the most affected
8 neighborhoods over the past 30 years by the Veterans
9 Stadium and other stadium facilities located in
10 South Philadelphia. They are long-suffering people.

11 The civic associations I represent are
12 the Packer Park Civic Association, Veterans Stadium
13 Neighbors, Stadium Community Council, Inc., the
14 South Philadelphia Communities Civic Association,
15 and Broad Street West. The representatives of these
16 groups have been working day and night for the last
17 10 days with Council President Verna, with the
18 Mayor, with the teams and with representatives of
19 various interested parties to see if it would be
20 possible in the development of new stadiums in South
21 Philadelphia to protect and enhance, if at all
22 possible, the quality of life in the neighborhoods
23 surrounding the stadium complex.

24 I am please to report this morning that
25 after discussions regarding many issues relating to

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2 scheduling, relating to impacts on the community,
3 relating to uses of parking areas, relating to noise
4 from aircraft overhead and dozens and dozens of
5 other issues that the communities have come together
6 and speak with one voice and are united in saying
7 that they feel comfortable that if the package of 13
8 bills, as amended, is reported out by the Committee
9 of the Whole and are enacted that the interest of
10 the community will in all likelihood be well
11 represented and protected in the course of the next
12 three or four years of intensive construction and
13 demolition and, hopefully, for many, many years
14 thereafter of active use of all these facilities,
15 hopefully, by very, very successful sports teams.
16 Thank you.

17 COUNCIL PRESIDENT VERNA: Thank you.

18 MR. HARDY: And I'd like you to, if I
19 could again recognize the representatives of the
20 civic associations who are here with me.

21 (Applause.)

22 COUNCIL PRESIDENT VERNA: Thank you very
23 much.

24 COUNCIL PRESIDENT VERNA: Are there any
25 other questions from members of the committee on any

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2 one of the bills and/or amendments?

3 The Chair recognizes Councilwoman
4 Miller.

5 COUNCILWOMAN MILLER: I just have a
6 couple questions about some of the terminology
7 that's in the MBE WBE statements here. On Page 3 of
8 the Eagles construction part of the contract of the
9 statement, around the seventh sentence talk about
10 the fact that the percentage of participation will
11 be based on the total construction costs including
12 change orders add-ons and the scope adjustments but
13 shall not include construction work performed by
14 sole source contractors or contractors that perform
15 unique specialty services. Could you expand and
16 explain what that means exactly and what percentage
17 of a normal job would fall under sole source and/or
18 specialty services?

19 MR. HANKOWSKY: Councilwoman, I'll try
20 to be responsive. I would actually say probably in
21 a normal job, you build an office building or a
22 warehouse, there would be very little of this.
23 Actually, what raises this is the fact you're
24 building a stadium. I think a very good example is
25 the colored huge TV score board that you'll have in

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2 a stadium that does the replays. Ours in
3 Philadelphia happens to be kind of old. I know
4 we've talked over the last couple weeks, you don't
5 attend a lot of sports events, but if you went to
6 the --

7 COUNCILWOMAN MILLER: I might start
8 attending.

9 MR. HANKOWSKY: You should start. Maybe
10 that will be the result of this process.

11 If you go to the new facility in
12 Baltimore, they have a score board that's almost a
13 whole one side of the building and it's like you're
14 watching a TV; it's that huge. Well, that is made,
15 I think, by a single company. There's a company
16 makes it. One company makes it. And I use that
17 example. If the Eagles want to have something
18 that's that exciting in their building, this gives
19 them the capability, well, they have to buy it.
20 There are no MBEs WBEs to do it and so they just
21 didn't want to be penalized that that might happen.
22 There might be some other kind of unique -- I don't
23 know anything about them, who makes goal posts or
24 maybe there's something else that's unique that
25 would fall under that category. That's what it's

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2 meant to cover.

3 COUNCILWOMAN MILLER: So that that's
4 unique and specialize and it won't really be a whole
5 bunch of that on this project?

6 MR. HANKOWSKY: Well, a score board
7 might be expensive, but it's those of kind of items.
8 There are not a lot of items, but they might be
9 expensive items.

10 COUNCILWOMAN MILLER: Okay. And also,
11 where it says that the -- I think it's 1 o'clock in
12 the morning and I'm just a little bit tired. Hold
13 on. I'm still going to be in the same paragraph. I
14 have to find my sentence. Oh, okay.

15 The second paragraph from the bottom
16 that's where it ends. It says, "But will not be
17 required to contract with entities that are not the
18 lowest responsible and responsive bidders or are not
19 otherwise competitive with respect to service, time
20 and price."

21 Can you tell me what that means a little
22 bit? How will you then select a contractor?

23 MR. HANKOWSKY: I think the example
24 might be, Councilwoman, as you know, as I guess we
25 all know, what it drives us here this evening at

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2 1:15 is this very tight schedule. So let's just say
3 that the Eagles bid out a piece of work that
4 absolutely has to get done within 60 days. Might
5 even be like the demolition of T-Warehouse. And a
6 firm responds and they're lowest but they say, "It
7 will take us four months to do it, not two months."
8 That's not a responsive bid, that's not what we
9 want, we need it done now. So there are issues that
10 come up like that that they have a capability to say
11 we have to pick who meets the requirements of what
12 we need to get done in terms of service, time and
13 obviously, as you recall, we also put on them the
14 obligation for any cost overruns so they have a
15 budget. And I'm looking at Councilman Mariano who's
16 familiar with the construction industry. If you
17 think a sewer is supposed to cost a hundred thousand
18 dollars and comes in twice that price, you're
19 probably going to re-bid it and try to get it in at
20 price.

21 COUNCILWOMAN MILLER: Okay. One of the
22 things that -- I just want to make sure that
23 whatever we do there's a mechanism in place, because
24 a lot of times this looks good on paper, but in
25 practice there are problems. And if problems,

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2 whether they're big problems or not small problems
3 occur, there needs to be some kind of mechanism that
4 we think about in the beginning. And I learned that
5 from the Kvaerner project. Down here in the back it
6 says that you're going to have an oversight
7 committee. "The Eagles agree to participate
8 regularly on an oversight committee to monitor
9 overall compliance."

10 So who will be members of the oversight
11 committee. Will that be a combination of the city,
12 the teams, Greater Urban Coalition? That's a Page 4
13 at the top.

14 MR. HANKOWSKY: Right. I don't believe
15 the committees have been established, but I think
16 you're absolutely right, Councilwoman. It would
17 include City representation, the teams, and probably
18 organizations that participate in these kinds of
19 activities.

20 I think I just want to, Councilwoman,
21 because we dealt collectively with some of the
22 problems that came up in the Kvaerner project which
23 I think we talked about this on the floor of Council
24 several days ago. That was a situation where
25 perhaps -- and I'm not excusing it, okay? Perhaps

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2 it was an foreign company came here and they didn't
3 understand that when they signed up for it, it meant
4 do it.

5 I think it is absolutely clear that the
6 Eagles and the Phillies understand they're signing
7 up for something and they need to do it.

8 COUNCILWOMAN MILLER: Because if we
9 start using words like best effort, diligent, you
10 know, all those kind of terms, they sound good but
11 then in practice my ability to be -- my level of
12 diligency could be different from yours, and we just
13 need to make sure that we have a mechanism in place
14 that's truly going to monitor and I would ask that
15 the Administration can -- that we from City Council
16 can have a representative on the oversight committee
17 as a part of the Administration's representation.

18 MR. HANKOWSKY: I'll be happy to share
19 that with the Mayor and I'm sure he'll be receptive,
20 Councilwoman.

21 COUNCILWOMAN MILLER: Thank you.

22 MR. HANKOWSKY: Thank you.

23 COUNCIL PRESIDENT VERNA: Councilwoman,
24 are you finished?

25 COUNCILWOMAN MILLER: Yes. Thank you.

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2 COUNCIL PRESIDENT Verna: Are there any
3 other questions from members of the committee?

4 Are there any other questions from
5 members of the committee?

6 Since there are none, we will conclude
7 our public hearing and go into our public meeting.

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COUNCIL OF THE CITY OF PHILADELPHIA
PUBLIC MEETING
COMMITTEE OF THE WHOLE

- - -

Thursday, December 7, 2000

- - -

Public Meeting conducted by the
Committee of the Whole, held in Room 401, City Hall,
Philadelphia, Pennsylvania, on the above date, to
consider action on the following:

BILL NOS. 000705, 000706, 000721, 000722, 000723,
000724, 000725, 000726, 000728, 000729, 000730,
000731, 000732, 000733

- - -

PRESENT:

COUNCIL PRESIDENT ANNA C. VERNA

COUNCILWOMAN JANNIE BLACKWELL
COUNCILWOMAN BLONDELL REYNOLDS BROWN
COUNCILMAN DARRELL L. CLARKE
COUNCILMAN DAVID COHEN
COUNCILMAN FRANK J. DI CICCIO
COUNCILMAN WILSON W. GOODE, JR.
COUNCILMAN JAMES F. KENNEY
COUNCILWOMAN JOAN L. KRAJEWSKI
COUNCILMAN W. THACHER LONGSTRETH
COUNCILMAN RICHARD T. MARIANO
COUNCILWOMAN DONNA REED MILLER
COUNCILMAN MICHAEL A. NUTTER
COUNCILMAN ANGEL L. ORTIZ
COUNCILMAN FRANK RIZZO

- - -

1 PUBLIC MEETING

2 COUNCIL PRESIDENT Verna: The Chair
3 recognizes Councilwoman Blackwell regarding Bill No.
4 000705.

5 COUNCILWOMAN BLACKWELL: Madam
6 President, I move that Bill 000705 be adopted as
7 amended.

8 COUNCIL PRESIDENT Verna: The amendment
9 is reflected in your pink bill. We had a previous
10 hearing. Does anyone want to look at it before you
11 vote on it?

12 Do I hear a second.

13 (Duly seconded.)

14 COUNCIL PRESIDENT Verna: It has been
15 moved and properly seconded that the Bill No.
16 000705, as amended, be reported out of committee
17 with a favorable recommendation, also a
18 recommendation that the rules of Council be
19 suspended so as to permit first reading at our next
20 Session of Council.

21 The Chair recognizes Councilwoman
22 Blackwell regarding Bill No. 000706.

23 COUNCILMAN KENNEY: Are we voting on the
24 Administration's bills together at once?

25 COUNCIL PRESIDENT Verna: Well, we have

1 PUBLIC MEETING

2 to amend them first.

3 COUNCILMAN KENNEY: What was offered now
4 is an amendment to Bill 000705?

5 COUNCIL PRESIDENT VERNA: We had a
6 hearing on 000705 previously, if you recall, and we
7 just kept rolling the hearing dates. 000705, we
8 have the pink bill and it reflects the bill.

9 COUNCILMAN KENNEY: So what's motion?

10 COUNCIL PRESIDENT VERNA: To adopt the
11 amendment and suspend the rules. That's what we
12 just did. Okay? It's already reflected in the
13 bill.

14 COUNCIL PRESIDENT VERNA: Bill 000706
15 amendments were introduced this evening. Everybody
16 received a copy of it in regards to scheduling. It
17 schedules the repair of the Vet. Does everybody
18 have a copy of it and know what it is? It's
19 regarding the Vet repairs.

20 You want to make a motion?

21 COUNCILWOMAN BLACKWELL: Madam
22 President, I move that Bill 000706 -- Madam
23 President, I move that the amendments to Bill 000706
24 be adopted.

25 (Duly seconded.)

1 PUBLIC MEETING

2 COUNCIL PRESIDENT Verna: It has been
3 moved and properly seconded that amendments
4 regarding Bill No. 000706 be approved.

5 All in favor will signify by saying aye.

6 (Aye.)

7 Those opposed?

8 COUNCILMAN COHEN: No.

9 COUNCIL PRESIDENT Verna: The record
10 will reflect that Councilman Cohen voted no.

11 The Chair recognizes Councilwoman
12 Blackwell.

13 COUNCILWOMAN BLACKWELL: Madam
14 President, I move that Bill 000706, as amended, be
15 adopted and reported out of committee with a
16 favorable and that the rules be suspended so as to
17 permit first consideration at this Session of
18 Council -- I don't know if we'll figure it out
19 tonight, but we'll try to get it done.

20 COUNCIL PRESIDENT Verna: It has been
21 moved and properly seconded that Bill No. 000706, as
22 amended be reported out of committee with a
23 favorable recommendation, also a recommendation that
24 the rules of Council be suspended so as to permit
25 first reading at our next Session of Council.

1 PUBLIC MEETING

2 All in favor will signify by saying aye.

3 (Aye.)

4 Those opposed?

5 COUNCILMAN COHEN: No.

6 COUNCIL PRESIDENT VERNA: The record
7 will reflect Councilman Cohen voted no.

8 COUNCILMAN COHEN: Madam President,
9 because I believe public monies are so vast and
10 unjustified for this project and because I also
11 believe it creates all kinds of legal questions and
12 because it's impossible to separate these bills and
13 the amendments from the bills, I will be voting no
14 on every bill and on every amendment offered by the
15 Administration in support of this transaction. That
16 does not refer to the amendments offered
17 individually by Councilmembers tonight.

18 COUNCILMAN KENNEY: Plus, Madam
19 Chairman, in 30 years from now he doesn't want to
20 have to justify his vote.

21 (Laughter.)

22 COUNCILMAN COHEN: That's true.

23 COUNCIL PRESIDENT VERNA: We're now
24 going to be considering bill 000721, 000722, 000723,
25 000724, and 000725. The Administration did submit

1 PUBLIC MEETING

2 amendments which will now be considered. We'll do
3 them individually so there's no legal problem
4 Councilman, okay?

5 The Chair recognizes Councilwoman
6 Blackwell.

7 COUNCILWOMAN BLACKWELL: Thank you,
8 Madam President. I move that the amendments to Bill
9 000721 be adopted.

10 COUNCIL PRESIDENT Verna: It has been
11 moved and properly seconded that the amendments to
12 Bill No. 000721 be adopted.

13 All in favor will signify by saying aye.
14 (Aye.)

15 COUNCIL PRESIDENT Verna: Those opposed?

16 COUNCILMAN COHEN: No.

17 COUNCIL PRESIDENT Verna: The ayes have
18 it and the amendment has been adopted.

19 The Chair recognizes Councilwoman
20 Blackwell.

21 COUNCILWOMAN BLACKWELL: Madam
22 President, I move that Bill 000721, as amended be --

23 COUNCILMAN KENNEY: I'm sorry. Point of
24 order.

25 COUNCIL PRESIDENT Verna: Yes.

1 PUBLIC MEETING

2 COUNCILMAN KENNEY: Maybe we can get
3 clarification from the Chair. Should we not be
4 dealing with the amendments offered by myself,
5 Councilman Ortiz, and Councilman DiCicco before we
6 vote that 000721 or 000722 out of committee?

7 COUNCIL PRESIDENT VERNA: I forgot about
8 your amendment. How could I do that?

9 Bill No. 000721, we have an amendment
10 from Councilman DiCicco regarding the naming rights.
11 Councilman.

12 COUNCILMAN DI CICC0: Thank you, Madam
13 Chair. I move for the adoption of the amendment to
14 Bill 000721.

15 (Duly seconded.)

16 COUNCIL PRESIDENT VERNA: It has been
17 moved and properly seconded that Councilman
18 DiCicco's amendment on Bill 000721 be adopted.

19 All in favor will signify by saying aye.

20 (Aye.)

21 Those opposed?

22 The ayes have it. The amendment has
23 been adopted.

24 I believe there is another amendment
25 offered by Councilman Kenney.

1 PUBLIC MEETING

2 COUNCILMAN KENNEY: Madam Chair, I move
3 the amendment on the City suite on Bill No. 000721.

4 (Duly seconded.)

5 COUNCILMAN KENNEY: I'd like a roll
6 call, please.

7 COUNCIL PRESIDENT VERNA: Roll call. Is
8 Ms. Rafferty here?

9 Just a roll call, Pat.

10 MS. RAFFERTY: Councilwoman Blackwell.

11 COUNCILWOMAN BLACKWELL: No.

12 MS. RAFFERTY: Councilman Clarke.

13 COUNCILMAN CLARKE: No.

14 MS. RAFFERTY: Councilman Cohen.

15 COUNCILMAN COHEN: Aye.

16 MS. RAFFERTY: Councilman DiCicco.

17 COUNCILMAN DI CICC0: Aye.

18 MS. RAFFERTY: Councilman Goode.

19 COUNCILMAN GOODE: Nay.

20 MS. RAFFERTY: Councilman Kenney.

21 COUNCILMAN KENNEY: Aye.

22 MS. RAFFERTY: Councilwoman Krajewski.

23 COUNCILWOMAN KRAJEWSKI: No.

24 MS. RAFFERTY: Councilman Longstreth.

25 COUNCILMAN LONGSTRETH: No.

1 PUBLIC MEETING

2 MS. RAFFERTY: Councilman Mariano.

3 COUNCILMAN MARIANO: No.

4 MS. RAFFERTY: Councilwoman Miller.

5 COUNCILWOMAN MILLER: No.

6 MS. RAFFERTY: Councilman Nutter.

7 COUNCILMAN NUTTER: Aye.

8 MS. RAFFERTY: Councilman Ortiz.

9 COUNCILMAN ORTIZ: Aye.

10 MS. RAFFERTY: Councilwoman

11 Reynolds-Brown.

12 COUNCILWOMAN REYNOLDS-BROWN: Aye.

13 MS. RAFFERTY: Councilman Rizzo.

14 COUNCILMAN RIZZO: No.

15 MS. RAFFERTY: Council President Verna.

16 COUNCIL PRESIDENT VERNA: No.

17 Very close vote. Six yeses, nine nos.

18 The amendment fails. The Chair recognizes

19 Councilwoman Blackwell --

20 The Chair recognizes Councilman Ortiz.

21 COUNCILMAN ORTIZ: Madam Chair, I move

22 that the amendment on Bill 000721 be approved.

23 (Duly seconded.)

24 COUNCIL PRESIDENT VERNA: It has been

25 moved and properly second that amendment to Bill No.

1 PUBLIC MEETING

2 000721 be approved.

3 All in favor will signify by saying aye.

4 (Aye.)

5 COUNCIL PRESIDENT Verna: Those opposed?

6 (No.)

7 COUNCIL PRESIDENT Verna: Roll call.

8 MS. RAFFERTY: Councilwoman Blackwell.

9 COUNCILWOMAN BLACKWELL: No.

10 MS. RAFFERTY: Councilman Clarke.

11 COUNCILMAN CLARKE: No.

12 MS. RAFFERTY: Councilman Cohen.

13 COUNCILMAN COHEN: Aye.

14 MS. RAFFERTY: Councilman DiCicco.

15 COUNCILMAN DI CICCIO: Aye.

16 MS. RAFFERTY: Councilman Goode.

17 COUNCILMAN GOODE: No.

18 MS. RAFFERTY: Councilman Kenney.

19 COUNCILMAN KENNEY: Aye.

20 MS. RAFFERTY: Councilwoman Krajewski.

21 COUNCILWOMAN KRAJEWSKI: No.

22 MS. RAFFERTY: Councilman Longstreth.

23 COUNCILMAN LONGSTRETH: No.

24 MS. RAFFERTY: Councilman Mariano.

25 COUNCILMAN MARIANO: Aye.

1 PUBLIC MEETING

2 MS. RAFFERTY: Councilwoman Miller.

3 COUNCILWOMAN MILLER: No.

4 MS. RAFFERTY: Councilman Nutter.

5 COUNCILMAN NUTTER: Aye.

6 MS. RAFFERTY: Councilman Ortiz.

7 COUNCILMAN ORTIZ: Aye.

8 MS. RAFFERTY: Councilwoman

9 Reynolds-Brown.

10 COUNCILWOMAN REYNOLDS-BROWN: No.

11 MS. RAFFERTY: Councilman Rizzo.

12 COUNCILMAN RIZZO: No.

13 MS. RAFFERTY: Council President Verna.

14 COUNCIL PRESIDENT VERNA: No.

15 The vote is 6 yes, 9 no. The amendment
16 fails.

17 The Chair recognizes Councilwoman
18 Blackwell regarding Bill No. 000722.

19 COUNCILWOMAN BLACKWELL: Madam
20 President, I think I need to move that Bill 000721,
21 as amended, be reported out of committee with a
22 favorable recommendation and a recommendation that
23 the rules of Council be suspended so as to permit
24 consideration at our next session.

25 (Duly seconded.)

1 PUBLIC MEETING

2 COUNCIL PRESIDENT VERNA: It has been
3 moved and properly seconded that Bill No. 000721 be
4 reported out of committee with a favorable
5 recommendation, as amended, also a recommendation
6 that the Rules of Council be suspended so as to
7 permit first reading at our next Session of Council.

8 All in favor will signify by saying aye.
9 (Aye.)

10 COUNCIL PRESIDENT VERNA: Those opposed?

11 COUNCILMAN COHEN: No.

12 COUNCILMAN ORTIZ: No.

13 COUNCIL PRESIDENT VERNA: The record
14 will reflect that both Councilmembers Ortiz and
15 Cohen voted no.

16 The bill has been passed. The
17 amendments have been adopted and the bill will be
18 considered at our next Session of Council.

19 The next bill to be considered is Bill
20 No. 000722. We'll consider the Administration's
21 amendments first. You all have a copy of the
22 amendment? 000722.

23 Councilwoman Blackwell.

24 COUNCILWOMAN BLACKWELL: Thank you,
25 Madam President. I move that the amendment to Bill

1 PUBLIC MEETING

2 000722 be adopted.

3 (Duly seconded.)

4 COUNCIL PRESIDENT VERNA: It has been
5 moved and seconded that amendments to Bill No.

6 000722 be adopted.

7 All in favor --

8 COUNCILMAN KENNEY: I'm sorry. Go
9 ahead. I'm sorry. I apologize. To right ahead.

10 COUNCIL PRESIDENT VERNA: Wait a minute.
11 We have another amendment.

12 COUNCILMAN KENNEY: I think there's no
13 amendment -- non-Administration amendments now?

14 COUNCIL PRESIDENT VERNA: Yes.

15 COUNCILMAN KENNEY: Well, I don't think
16 there's one -- there was not one similar to
17 Councilman DiCicco's for 000722. The only one on
18 000722 are mine and Ortiz.

19 COUNCIL PRESIDENT VERNA: 000722 on
20 Councilman Ortiz. 000722 on yourself John?

21 COUNCILMAN KENNEY: Yes. It's the same
22 amendment for both 000721 and 000722. And I would
23 be willing to submit to a voice vote, but I would
24 like to stipulate that the vote is still 9 to 6.

25 Move the adoption.

1 PUBLIC MEETING

2 COUNCIL PRESIDENT Verna: On your
3 amendment?

4 COUNCILMAN KENNEY: On my amendment I
5 move the adoption.

6 COUNCIL PRESIDENT Verna: All those in
7 favor of Councilman Kenney's amendment will please
8 signify by saying aye.

9 (Aye.)

10 COUNCIL PRESIDENT Verna: Those opposed.

11 (No.)

12 COUNCILMAN KENNEY: I'll stipulate the 9
13 to 6.

14 COUNCIL PRESIDENT Verna: Thank you.

15 We will now consider Councilman Ortiz's
16 amendments. Do we have a motion.

17 COUNCILMAN ORTIZ: I move the adoption
18 of the amendment.

19 (Duly seconded.)

20 COUNCIL PRESIDENT Verna: All those in
21 favor will signify by saying aye.

22 (Aye.)

23 COUNCIL PRESIDENT Verna: Those
24 opposed, nay.

25 (Nay.)

1 PUBLIC MEETING

2 COUNCILMAN ORTIZ: I stipulate to that.

3 COUNCILMAN KENNEY: Nine to six.

4 COUNCIL PRESIDENT VERNA: The amendment
5 fails.

6 COUNCILWOMAN BLACKWELL: Madam
7 President, I move that Bill 000722, as amended, be
8 reported out of committee with a favorable
9 recommendation and also representation that the
10 Rules of Council be suspended so as to permit
11 consideration at our next Session of Council.

12 COUNCIL PRESIDENT VERNA: Do I hear a
13 second?

14 (Duly seconded.)

15 COUNCIL PRESIDENT VERNA: It's been
16 moved and properly seconded that Bill No. 000722, as
17 amended, be reported out of committee with a
18 favorable recommendation, also a recommendation that
19 the rules of Council be suspended so as to permit
20 first reading at our next Session of Council.

21 All in favor will signify by saying aye.
22 (Aye.)

23 COUNCIL PRESIDENT VERNA: Those opposed?

24 COUNCILMAN COHEN: No.

25 COUNCILMAN ORTIZ: No.

1 PUBLIC MEETING

2 COUNCIL PRESIDENT Verna: Thank you.

3 Next bill to be considered is Bill No.

4 000723.

5 The Chair recognizes Councilwoman

6 Blackwell.

7 COUNCILWOMAN BLACKWELL: Thank you,

8 Madam President. I move that the amendments to Bill

9 000723 be adopted.

10 (Duly seconded.)

11 COUNCIL PRESIDENT Verna: It has been

12 moved and properly seconded that the amendments to

13 Bill No. 000723 be adopted.

14 All in favor will signify by saying aye.

15 (Aye.)

16 COUNCIL PRESIDENT Verna: Those opposed?

17 COUNCILMAN COHEN: No.

18 COUNCILMAN ORTIZ: No.

19 COUNCIL PRESIDENT Verna: The ayes have

20 it and the amendments has been adopted.

21 The Chair recognizes Councilwoman

22 Blackwell.

23 COUNCILWOMAN BLACKWELL: Thank you,

24 Madam President. I move that Bill 000723, as

25 amended be reported out of committee with a

1 PUBLIC MEETING

2 favorable recommendation and also a recommendation
3 that the rules of Council be suspended so as to
4 permit consideration at our next Session of Council.

5 (Duly seconded.)

6 COUNCIL PRESIDENT VERNA: It has been
7 moved and properly seconded that Bill No. 000723 be
8 reported out of committee with a favorable
9 recommendation, as amended, also a recommendation
10 that the rules of Council be suspended so as to
11 permit consideration at our next Session of Council.

12 All in favor will signify by saying aye.

13 (Aye.)

14 COUNCIL PRESIDENT VERNA: Those opposed?

15 COUNCILMAN COHEN: No.

16 COUNCILMAN ORTIZ: No.

17 COUNCIL PRESIDENT VERNA: The ayes have
18 it and the motion has been adopted.

19 The Chair recognizes Councilwoman
20 Blackwell.

21 COUNCILWOMAN BLACKWELL: Thank you,
22 Madam President. I move that the amendments to Bill
23 000724 be adopted.

24 (Duly seconded.)

25 COUNCIL PRESIDENT VERNA: It has been

1 PUBLIC MEETING

2 moved and properly seconded that the amendments to
3 Bill No. 000724 be adopted.

4 All in favor will signify by saying aye.
5 (Aye.)

6 COUNCIL PRESIDENT Verna: Those opposed?

7 COUNCILMAN COHEN: No.

8 COUNCILMAN ORTIZ: No.

9 COUNCIL PRESIDENT Verna: The ayes have
10 it and the amendments has been adopted.

11 COUNCILWOMAN BLACKWELL: Madam
12 President, I move that Bill 000724, as amended be
13 reported out of committee with a favorable
14 recommendation and also that the rules of Council be
15 suspended so as to permit first consideration at our
16 next Session of Council.

17 (Duly seconded.)

18 COUNCIL PRESIDENT Verna: It has been
19 moved and properly seconded that Bill No. 000724 be
20 reported out of committee with a favorable
21 recommendation, as amended, also a further
22 recommendation that the rules of Council be
23 suspended so as to permit first reading at our next
24 Session of Council.

25 All in favor will signify by saying aye.

1 PUBLIC MEETING

2 (Aye.)

3 COUNCIL PRESIDENT VERNA: Those opposed?

4 COUNCILMAN COHEN: No.

5 COUNCILMAN ORTIZ: No.

6 COUNCIL PRESIDENT VERNA: The ayes have
7 it and the motion carries.

8 The Chair recognizes Councilwoman
9 Blackwell regarding Bill NO. 000725.

10 COUNCILWOMAN BLACKWELL: Thank you,
11 Madam President. I move that the amendments to Bill
12 000725 be adopted.

13 (Duly seconded.)

14 COUNCIL PRESIDENT VERNA: It has been
15 moved and properly seconded that the amendments to
16 Bill No. 000725 be approved.

17 All in favor will say aye.

18 (Aye.)

19 COUNCIL PRESIDENT VERNA: Do I hear a
20 lonely voice out there to say no?

21 COUNCILMAN COHEN: No.

22 COUNCILMAN ORTIZ: No.

23 COUNCIL PRESIDENT VERNA: Were there two
24 lonely voices. Were there two nos? The record will
25 so reflect.

1 PUBLIC MEETING

2 COUNCILWOMAN BLACKWELL: Madam

3 President, I move that Bill 000725, as amended, be
4 reported out of committee with a favorable
5 recommendation and also that the rules of Council be
6 suspended so as to permit consideration at our next
7 Session of Council.

8 (Duly seconded.)

9 COUNCIL PRESIDENT VERNA: It has been
10 moved and properly seconded that Bill No. 000725, as
11 amended, be reported out of committee with a
12 favorable recommendation, also a recommendation that
13 the rules of Council be suspended so as to permit
14 first reading at our next Session of Council.

15 All in favor will signify by saying aye.

16 (Aye.)

17 COUNCIL PRESIDENT VERNA: Those opposed?

18 COUNCILMAN COHEN: No.

19 COUNCILMAN ORTIZ: No.

20 COUNCIL PRESIDENT VERNA: The record
21 will reflect that Councilman Ortiz and Cohen voted
22 no.

23 The next bill that amendment that we are
24 considering is Bill 000726. We had a hearing on
25 these bills. We had proposed them but we thought we

PUBLIC MEETING

1
2 would adopt them this evening rather than at the
3 time of the public hearing because, if you recall,
4 we were rolling the bills over. This is regarding
5 the sports stadium district. Does everybody have a
6 copy? These were my amendments regarding the sports
7 stadium district and the north lot.

8 The Chair recognizes Councilwoman
9 Blackwell.

10 COUNCILWOMAN BLACKWELL: Thank you,
11 Madam President. I move that the amendments to Bill
12 000726 be adopted.

13 (Duly seconded.)

14 COUNCIL PRESIDENT VERNA: It has been
15 moved and properly seconded that the amendments to
16 Bill No. 000726 be approved.

17 All in favor will signify by saying aye.
18 (Aye.)

19 COUNCIL PRESIDENT VERNA: Those opposed?
20 (No response.)

21 COUNCIL PRESIDENT VERNA: Unanimous ayes
22 on Bill 000726 on the amendments.

23 The Chair now recognizes Councilwoman
24 Blackwell regarding Bill No. 000726.

25 COUNCILWOMAN BLACKWELL: Thank you,

1 PUBLIC MEETING

2 Madam President. I move that Bill 000726, as
3 amended, be reported out of committee with a
4 favorable recommendation and also a recommendation
5 that the rules of Council be suspended so as to
6 permit first consideration at our next Session of
7 Council.

8 (Duly seconded.)

9 COUNCIL PRESIDENT Verna: It has been
10 moved and properly seconded that Bill No. 000726 be
11 reported out of committee with a favorable
12 recommendation, as amended, also a recommendation
13 that the rules of Council be suspended so as to
14 permit consideration at our next Session of Council.

15 All in favor will signify by saying aye.

16 (Aye.)

17 COUNCIL PRESIDENT Verna: Those opposed?

18 (No response.)

19 COUNCIL PRESIDENT Verna: The ayes have
20 it and the motion passes.

21 We are now going to consider an adoption
22 to Bill No. 000728. Again, this was a public
23 hearing. There was a proposed zoning map. Those
24 who were on the Rules Committee did receive it --
25 this was the Committee of the Whole, I'm sorry.

1 PUBLIC MEETING

2 This was regarding the sports stadium issue. It's
3 being distributed. We did not vote for it at the
4 time of the public hearing because we were having
5 the roll-over and we said that we would do it
6 tonight.

7 The Chair recognizes Councilwoman
8 Blackwell regarding bill 000728.

9 COUNCILWOMAN BLACKWELL: Thank you,
10 Madam President. I move that the amendments to Bill
11 000728 be adopted.

12 (Duly seconded.)

13 COUNCIL PRESIDENT Verna: It has been
14 moved and seconded that the amendments to Bill No.
15 000728 be approved.

16 All in favor will signify by saying aye.

17 (Aye.)

18 COUNCIL PRESIDENT Verna: Those opposed?

19 (No response.)

20 COUNCIL PRESIDENT Verna: The ayes have
21 it and the motion carries.

22 The Chair recognizes Councilwoman
23 Blackwell.

24 COUNCILWOMAN BLACKWELL: Thank you,
25 Madam President. I move that Bill 000728, as

1 PUBLIC MEETING

2 amended, be reported out of committee with a
3 favorable recommendation and also a recommendation
4 that the rules of Council be suspended so as to
5 permit consideration at our next Session of Council.

6 (Duly seconded.)

7 COUNCIL PRESIDENT VERNA: It has been
8 moved and properly seconded that Bill No. 000728 be
9 reported out of committee, as amended, with a
10 favorable recommendation, also a recommendation that
11 the rules of Council be suspended so as to permit
12 first reading at our next Session of Council.

13 All in favor will signify by saying aye.

14 (Aye.)

15 COUNCIL PRESIDENT VERNA: Those opposed?

16 (No response.)

17 COUNCIL PRESIDENT VERNA: The ayes have
18 it and the motion has been carried.

19 The Chair recognizes Councilwoman
20 Blackwell.

21 COUNCILWOMAN BLACKWELL: Madam
22 President, I move that Bill 000729 be reported out
23 of committee with a favorable recommendation and
24 also a recommendation that the rules of Council be
25 suspended so as to permit consideration at our next

1 PUBLIC MEETING

2 Session of Council.

3 (Duly seconded.)

4 COUNCIL PRESIDENT VERNA: It has been
5 moved and seconded that Bill No. 000729 be reported
6 out of committee with a favorable recommendation,
7 also a recommendation that the rules of Council be
8 suspended --

9 COUNCILMAN COHEN: Point of order.

10 COUNCIL PRESIDENT VERNA: Sorry. What
11 is your point of order, sir?

12 COUNCILMAN COHEN: What is the nature of
13 000729?

14 COUNCIL PRESIDENT VERNA: I believe it's
15 condemnation for one of the properties.

16 COUNCILMAN COHEN: Condemnation?

17 COUNCIL PRESIDENT VERNA: Yes, it's a
18 condemnation bill.

19 COUNCILMAN COHEN: Ready for the nos
20 again.

21 COUNCILWOMAN BLACKWELL: Madam
22 President, I move that Bill 729 be reported out of
23 committee also a favorable recommendation and also a
24 recommendation that the Rules of Council be
25 suspended so as to permit consideration at our next

1 PUBLIC MEETING

2 Session of Council.

3 (Duly seconded.)

4 COUNCIL PRESIDENT Verna: It has been
5 moved and properly seconded that Bill No. 000729 be
6 reported out of committee with a favorable
7 recommendation, also a recommendation that the rules
8 of Council be suspended so as to permit first
9 reading at our next Session of Council.

10 All those in favor will signify by
11 saying aye.

12 (Aye.)

13 COUNCIL PRESIDENT Verna: Those opposed?

14 COUNCILMAN COHEN: No.

15 COUNCILMAN ORTIZ: No.

16 COUNCIL PRESIDENT Verna: The ayes have
17 it and the motion carries.

18 The Chair recognizes Councilwoman
19 Blackwell.

20 COUNCILWOMAN BLACKWELL: Madam
21 President, I move that Bill 000730 be reported out
22 of committee with a favorable recommendation and
23 also a recommendation that the rules of Council be
24 suspended so as to permit consideration at our next
25 Session of Council.

1 PUBLIC MEETING

2 (Duly seconded.)

3 COUNCIL PRESIDENT VERNA: All in favor
4 will signify by saying aye.

5 (Aye.)

6 COUNCIL PRESIDENT VERNA: Those opposed?

7 COUNCILMAN COHEN: No.

8 COUNCILMAN ORTIZ: No.

9 COUNCIL PRESIDENT VERNA: The ayes have
10 it and the motion has been carried.

11 The Chair recognizes Councilwoman -- I'm
12 sorry. We didn't ask for a suspension on that, did
13 we?

14 Can we try that again, please. I'm
15 sorry.

16 COUNCILWOMAN BLACKWELL: We didn't?

17 COUNCIL PRESIDENT VERNA: No. Go
18 ahead. No, we didn't.

19 COUNCILWOMAN BLACKWELL: Madam
20 President, I move that Bill 000730 be reported out
21 of committee with a favorable recommendation and
22 also a recommendation that the rules of Council be
23 suspended so as to permit consideration at our next
24 Session of Council.

25 (Duly seconded.)

1 PUBLIC MEETING

2 COUNCIL PRESIDENT VERNA: It has been
3 moved and properly seconded that Bill No. 000730 be
4 reported out of committee with a favorable
5 recommendation, also a recommendation that the rules
6 of Council be suspended so as to permit first
7 reading at our next Session of Council.

8 All in favor will signify by saying aye.
9 (Aye.)

10 COUNCIL PRESIDENT VERNA: Those opposed?

11 COUNCILMAN COHEN: No.

12 COUNCILMAN ORTIZ: No.

13 COUNCIL PRESIDENT VERNA: The ayes have
14 it and the motion carries.

15 The Chair recognizes Councilwoman
16 Blackwell.

17 COUNCILWOMAN BLACKWELL: Madam
18 President, I move that Bill 000731 be reported out
19 of committee with a favorable recommendation and
20 also a recommendation that the rules of Council be
21 suspended so as to permit first consideration at our
22 next Session of Council.

23 (Duly seconded.)

24 COUNCIL PRESIDENT VERNA: It has been
25 moved and properly seconded that Bill No. 000731 be

PUBLIC MEETING

1
2 reported out of committee with a favorable
3 recommendation, also a recommendation that the rules
4 of Council be suspended so as to permit first
5 reading at out next Session of Council.

6 All in favor will signify by saying aye.
7 (Aye.)

8 COUNCIL PRESIDENT Verna: Those opposed?

9 COUNCILMAN COHEN: No.

10 COUNCIL PRESIDENT Verna: The ayes have
11 it and the motion has been carried.

12 The Chair recognizes Councilwoman
13 Blackwell regarding Bill No. 000732.

14 COUNCILWOMAN BLACKWELL: Madam
15 President, I move that Bill 000732 be reported out
16 of committee with a favorable recommendation and
17 also a recommendation that the rules of Council be
18 suspended so as to permit first consideration at our
19 next Session of Council.

20 (Duly seconded.)

21 COUNCIL PRESIDENT Verna: It has been
22 moved and properly seconded that Bill No. 000732 be
23 reported out of committee with a favorable
24 recommendation, also a recommendation that the rules
25 of Council be suspended so as to permit

1 PUBLIC MEETING

2 consideration at out next meeting.

3 All in favor will signify by saying aye.

4 (Aye.)

5 COUNCIL PRESIDENT Verna: Those opposed?

6 COUNCILMAN COHEN: No.

7 COUNCILMAN ORTIZ: No.

8 COUNCIL PRESIDENT Verna: Bill No.

9 000733, Councilwoman Blackwell.

10 COUNCILWOMAN BLACKWELL: Madam

11 President, I move that Bill 000733 be reported out
12 of committee with a favorable recommendation and
13 also a recommendation that the rules of Council be
14 suspended so as to permit first consideration at our
15 next Session of Council.

16 (Duly seconded.)

17 COUNCIL PRESIDENT Verna: It has been
18 moved and properly seconded that Bill No. 000733 be
19 reported out of committee with a favorable
20 recommendation, also a recommendation that the rules
21 of Council be suspended so as to permit first
22 reading at out next Council Session.

23 All in favor will signify by saying aye.

24 (Aye.)

25 COUNCIL PRESIDENT Verna: Those opposed?

1 PUBLIC MEETING

2 COUNCILMAN COHEN: No.

3 COUNCILMAN ORTIZ: No.

4 COUNCIL PRESIDENT VERNA: The ayes have
5 it and passes.

6 I can't thank all of you enough. I know
7 that that was our last bill, but you have all been
8 terrific. I thank that you were tough. We really
9 hung out there today and I think that it really
10 showed a determination of working together and doing
11 things in the right way. Again, I know that the
12 hour is late, but we were determined to do this
13 today or tonight. We got it done and we could never
14 have done it without your consideration I personally
15 want to thank each and everyone of you.

16 COUNCILWOMAN BLACKWELL: We want to
17 thank you as well, Madam President.

18 COUNCIL PRESIDENT VERNA: Thank you and
19 good morning.

20 (Council adjourned at 1:45 a.m.)

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

I HEREBY CERTIFY that the foregoing
proceedings of the Council of the City of
Philadelphia of December 7, 2000, were reported
fully and accurately by me, and that this is a
correct transcript of the same.

RE: COMMITTEE OF THE WHOLE

Lisa C. Bradley, RPR
and Notary Public