

Appropriations Committee
3/2/2022

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON APPROPRIATIONS

Remote location using Microsoft® Teams
Wednesday, March 2, 2022
9:00 a.m.

PRESENT:

COUNCILWOMAN MARIA D. QUINONES-SANCHEZ, CHAIR
COUNCILMAN KENYATTA JOHNSON, VICE-CHAIR
COUNCILMAN ALLAN DOMB
COUNCILMAN DAVID OH
COUNCILMAN BRIAN J. O'NEILL
COUNCILMAN ISAIAH THOMAS

BILL: 220114

1 - - -

2 COUNCILWOMAN QUINONES-SANCHEZ:

3 Good morning. It is Wednesday, March 2,
4 2022. This is the Committee on
5 Appropriations.

6 Before we begin this public
7 hearing, I wanted to make the following
8 announcement: Due to the continuing
9 threat of public health from COVID-19 and
10 the variants, City Council Committees are
11 currently meeting remotely. We are using
12 Microsoft Teams to make these remote
13 hearings possible.

14 Instructions for how the public
15 may view and offer public testimony at
16 these public hearings of Council
17 Committees are included in our public
18 notices that are published in the Daily
19 News, Inquirer and Legal Intelligencer
20 prior to the hearings and can also be
21 found on PHLCouncil.com. I note that the
22 hour has come.

23 Clerk, will you please call the
24 roll to take attendance. Members that
25 are in attendance, will you please

1 indicate you are present when your name
2 is called. Also, please say a few brief
3 words when responding so that your image
4 can be displayed on screen when you
5 speak.

6 Mr. Clerk.

7 THE CLERK: Good morning,
8 everyone. Madam Chair Maria Quinones-
9 Sanchez.

10 COUNCILWOMAN QUINONES-SANCHEZ:

11 I am present.

12 THE CLERK: Councilmember
13 Kenyatta Johnson.

14 COUNCILMAN JOHNSON: Present.

15 THE CLERK: Councilmember
16 Isaiah Thomas.

17 COUNCILMAN THOMAS: Present.

18 THE CLERK: Councilmember Brian
19 O'Neill.

20 COUNCILMAN O'NEILL: Present.

21 THE CLERK: Councilmember David
22 Oh.

23 (No response.)

24 THE CLERK: Councilmember Allan
25 Domb.

1 COUNCILMAN DOMB: Good morning,
2 Madam Chair and colleagues. Present.

3 COUNCILWOMAN QUINONES-SANCHEZ:
4 Thank you. Good morning, everyone. A
5 quorum of the Committee is present and
6 this hearing has officially been called
7 to order. This is the public hearing of
8 the Committee on Appropriations regarding
9 Bill 220114.

10 Will the Clerk read the title
11 of the bill.

12 THE CLERK: Bill No. 220114,
13 authorizing transfers and appropriations
14 for Fiscal Year 2022 from the General
15 Fund, certain or all City offices,
16 departments, boards and commissions, and
17 the Grants Revenue Fund, certain or all
18 City offices, departments, boards and
19 commissions to the General Fund, certain
20 or all City offices, departments, boards
21 and commissions, the Water Fund, certain
22 or all City offices, departments, boards
23 and commissions, and the Aviation Fund,
24 certain or all City offices, departments,
25 boards and commissions.

1 COUNCILWOMAN QUINONES-SANCHEZ:

2 Thank you. Before we begin to hear
3 testimony from our witnesses we have for
4 today, everyone who's been invited to the
5 meeting to testify should be aware that
6 the public hearing is being recorded.

7 Because the hearing is public,
8 participants and viewers have no
9 reasonable expectation of privacy. By
10 continuing to being in the meeting, you
11 are consenting to being recorded.

12 Additionally, prior to
13 recognizing Members for questions or
14 comments they have for witnesses, I will
15 note for the record at this time that we
16 will use the chat feature available in
17 Microsoft Teams to allow Members to
18 signify that they wish to be recognized.
19 In order to comply with the Sunshine Act,
20 the chat feature must only be used for
21 this purpose.

22 Our first and only panelist to
23 testify this morning on Bill 220114 is
24 Marisa Waxman, our Budget Director. Good
25 morning, you are connected and ready to

1 proceed.

2 MS. WAXMAN: Great. Good
3 morning. Good morning, Chairperson
4 Quinones-Sanchez and members of the
5 Appropriations Committee. My name is
6 Marisa Waxman, Budget Director and I
7 appear before you today to offer
8 testimony on Bill 220114.

9 The purpose of this bill is to
10 obtain approval from City Council to
11 transfer funds from the labor reserve to
12 various departments for costs associated
13 with the new collective bargaining
14 agreements, raises for exempt and
15 nonrepresented staff and vaccination
16 bonuses.

17 The Administration anticipated
18 these costs in the FY22 operating budget
19 approved by City Council, set aside funds
20 in a labor reserve to be allocated upon
21 ratification of new labor agreements.
22 Those funds were to cover new contracts
23 for D.C. 33, D.C. 47, the FOP, IAFF,
24 Local 810 and School Crossing guards.
25 The reserve also included funding for 2.5

1 percent raises for nonrepresented and
2 exempt employees that were effective as
3 of January 31, 2022.

4 Now that most of the new
5 agreements have been completed, this
6 transfer ordinance will move funds to the
7 departments. For the General Fund, the
8 total shift in appropriations included in
9 the proposed transfer ordinance is
10 123,147,813. The ordinance includes
11 excess appropriations beyond what is
12 needed for the exempt raises, and those
13 funds will be held in reserve.

14 The ordinance also appropriates
15 funds for the COVID vaccination bonus.
16 Most of the costs serve for direct
17 payments to employees allocated by
18 department, followed by 37.9 million for
19 Fringe Benefits which appears in the
20 budget for Finance.

21 There are also Class 200
22 allocations for a few departments such as
23 Fire and Police to reflect negotiated
24 increases for uniform allowances. Bill
25 220114 also includes labor cost-related

1 transfers within the Water and Aviation
2 Fund. This ordinance does not contain
3 any appropriations for purposes other
4 than the costs of the new contracts,
5 COVID vaccination bonuses and raises for
6 exempt and nonrepresented staff. This
7 concludes my testimony and I will be
8 happy to answer any questions Council
9 might have at this time.

10 COUNCILWOMAN QUINONES-SANCHEZ:

11 Thank you, Marisa, for the testimony.

12 For the purposes of the record,
13 I noted that in Paragraph 3 you highlight
14 that this ordinance include excess
15 appropriations beyond what is needed for
16 exempt raises and those funds will be
17 held for reserve. Can you please explain
18 for the record?

19 MS. WAXMAN: Certainly. So we
20 had those 2.5 percent raises for exempts
21 effective on January 31, 2022, five
22 months' worth of raises. The version of
23 this ordinance introduced includes
24 funding for more that is needed for those
25 five months of raises. And so, as those

1 were effective January 31st, anything
2 above the amount needed for that be held
3 in reserve for the Administration
4 departments.

5 COUNCILWOMAN QUINONES-SANCHEZ:

6 Back in November when we had an
7 Appropriations hearing, we talked about
8 this forthcoming appropriations to align
9 our represented unions with our
10 nonrepresented. What has been the
11 history in the past when these collective
12 bargaining agreements have been agreed
13 and when in the past has the
14 Administration provided unrepresented
15 members the comparable raises and why are
16 we waiting seven months later into the
17 budget on this particular occasion?

18 MS. WAXMAN: Because I wasn't
19 Budget Director at the time I don't have
20 actually all of the back knowledge about
21 when, but I can certainly research that.
22 I can tell you that the decision that was
23 made this year was balancing one as soon
24 as those new contracts were done, we
25 wanted to make sure that those exempts

1 and nonreps were getting raises going
2 forward, but we also have to carefully
3 balance that with understanding where the
4 City's finances are and we have a lot of
5 needs in a lot of areas.

6 And so, this is what we felt we
7 could do to basically balance wanting to
8 do right by our employees who have been
9 working incredibly hard and making sure
10 that they also receive raises. But the
11 amount and the timing, we decided within
12 the context of the City's overall
13 finances.

14 COUNCILWOMAN QUINONES-SANCHEZ:
15 How many unrepresented individuals are we
16 talking about in exempt employees?

17 MS. WAXMAN: I believe there
18 are about 2,000 exempt employees, and I
19 will have to get back to you with the
20 number for nonreps.

21 COUNCILWOMAN QUINONES-SANCHEZ:
22 So in the past, because I have been Chair
23 of Appropriations for a couple of years
24 here, when these aligned, the latest
25 we've provided folks with the comparable

1 raises has been around September, July --
2 obviously July 1st is the beginning of
3 the year, but we've done these in
4 September for the most part.

5 Essentially, you're saying
6 exempt employees are not entitled to what
7 every other employee got effective July
8 1st; is that the position of the
9 Administration?

10 MS. WAXMAN: So we have made
11 these effective January 31st going
12 forward. And while it's obviously making
13 sure that folks are treated the same, as
14 a priority we have to balance this within
15 the context of the City's finances. And
16 at different times -- this doesn't make
17 the situation any better -- but they are
18 not always treated the same. Exempt
19 employees, at least the Administration's
20 exempts, had to absorb some layoffs as
21 well as reductions in salary through the
22 pandemic.

23 This has been an incredibly
24 challenging time. We've had to make very
25 hard decisions around pay, around

1 staffing levels, and we continue to have
2 to navigate that and make the best
3 decisions we can.

4 COUNCILWOMAN QUINONES-SANCHEZ:

5 The Chair recognizes Councilman Oh has
6 joined the meeting.

7 Lastly, what is the difference
8 between what we are talking about between
9 if we were to give everyone retro-ing
10 back to September 1st this pay, how much
11 money are we talking about for these
12 nonexempt?

13 MS. WAXMAN: It is -- a little
14 bit of Excel -- \$4.3 million.

15 COUNCILWOMAN QUINONES-SANCHEZ:

16 So we're debating \$4.3 million and 2,000
17 employees on whether they should be
18 treated with equity and fairness as
19 everybody else?

20 MS. WAXMAN: That is the -- 4.3
21 million is the difference between the
22 raises that have already taken effect
23 starting in January and going back
24 further, yes.

25 COUNCILWOMAN QUINONES-SANCHEZ:

1 And so, for the record even though City
2 Council is going to allocate this money,
3 it is the decision of the Administration
4 that they will put this in a reserve fund
5 and not issue it to the employees?

6 MS. WAXMAN: You are correct,
7 yes.

8 COUNCILWOMAN QUINONES-SANCHEZ:
9 Any questions from my colleagues?

10 (No response.)

11 COUNCILWOMAN QUINONES-SANCHEZ:
12 Seeing none, is there anyone else here
13 scheduled to testify on this bill?

14 (No response.)

15 COUNCILWOMAN QUINONES-SANCHEZ:
16 Modesto, we had no one call up on the
17 list?

18 (No response.)

19 COUNCILWOMAN QUINONES-SANCHEZ:
20 So if there are no questions further from
21 the members of the Committee and no other
22 witnesses to testify, hearing none, I
23 want to thank the panel, Marisa Waxman,
24 our Budget Chairman, members --

25 COUNCILMAN JOHNSON: Madam

1 Chair.

2 COUNCILWOMAN QUINONES-SANCHEZ:

3 Yes.

4 COUNCILMAN JOHNSON: Councilman
5 Domb has a question.

6 COUNCILWOMAN QUINONES-SANCHEZ:

7 Oh, I'm sorry. I didn't see it.

8 Councilmember Domb. Chair
9 recognizes Councilmember Domb.

10 COUNCILMAN DOMB: Thank you,
11 Madam Chair.

12 Just a brief question for
13 Marisa. Many of these funds probably
14 were COVID-related. Have we used all the
15 monies we have for the COVID money from
16 the federal government that we could have
17 allocated some of these costs or have we
18 used them all in other areas?

19 MS. WAXMAN: So depending upon
20 which pot of money you are talking about.
21 So FEMA dollars are typically on a
22 reimbursement basis, and generally you
23 have to be approved and we couldn't use
24 that for that. The CARES Act money has
25 been fully allocated.

1 So the remaining pot of money
2 is the American Rescue Plan proceeds. We
3 are using those as revenue replacement,
4 so basically they already are in part,
5 they get just treated in the revenue
6 stream. And so, that is funding that
7 over the course until they expire in
8 December 2024 we are drawing down,
9 particularly because raises are going to
10 be going forward, the fact that we're
11 drawing funds down over time. It's not
12 like this is one year and we revert to
13 last year's salaries. So we in our
14 five-year plan have not drawn down all of
15 our American Rescue Care funds yet. But
16 in order to keep the plan balanced, we do
17 draw them down over the coming years,
18 including this year.

19 COUNCILMAN DOMB: A lot of the
20 overtime that incurred the last year or
21 two had to be probably we could argue
22 that it was COVID-related. So I just
23 want to make sure that we've captured all
24 those monies from the federal government,
25 because maybe if we capture more we can

1 use some of that to the unrepresented
2 that the Chair is referring to.

3 MS. WAXMAN: Yeah. So at this
4 point the ARP dollar, the amount that we
5 are getting is set. We have received the
6 first traunch. The second traunch
7 there's a schedule to receive. We do not
8 anticipate anymore so we are not able to
9 sort of assume more costs at this point
10 because we're using it for revenue
11 replacement. That's actually the most
12 flexible way we could use it. So we
13 could technically nearly do virtually
14 anything with it. And what we're really
15 doing is replacing the revenue we lost.
16 And so, that in turn allows us to sustain
17 our basic services.

18 The challenge is the funding
19 that we are getting from the American
20 Rescue Plan while it is a tremendous
21 amount of money does not come close to
22 fully making us whole from the revenue
23 losses compared to COVID. So that money
24 is already filling holes in the dam and
25 unfortunately, we're not expecting any

1 more of that sort of flexible money.

2 We are gearing up to look at
3 the Infrastructure Investment and Jobs
4 Act and some of the things, but those
5 will have very prescribed uses. The ARP
6 money, which basically we know has
7 already allocated is the one that is
8 really flexible.

9 COUNCILMAN DOMB: Okay. Thank
10 you very much, Marisa.

11 Thank you, Madam Chair.

12 COUNCILWOMAN QUINONES-SANCHEZ:
13 Thank you, Councilmember Domb.

14 As I was saying earlier, if
15 there is no one else here, this will
16 conclude the --

17 COUNCILMAN O'NEILL: Madam
18 Chair. Madam Chair, Councilman O'Neill.
19 I have a question for Ms. Waxman.

20 COUNCILWOMAN QUINONES-SANCHEZ:
21 Absolutely.

22 COUNCILMAN O'NEILL:
23 Ms. Waxman, the Chair's questions and
24 your answers have dealt with September
25 1st versus January 31st, right; is that

1 correct?

2 MS. WAXMAN: Correct, yes.

3 COUNCILMAN O'NEILL: What was
4 the actual -- if the nonrep employees
5 had -- if you had given the same
6 retroactive to make everyone start their
7 raises on the same day, would it have
8 been September 1st or did the four unions
9 raises begin before that?

10 MS. WAXMAN: The four unions
11 raises go back to July 1st.

12 COUNCILMAN O'NEILL: Thank you.
13 So the Chair's questions are really not
14 giving full -- would not be giving full
15 retroactive, but a compromised
16 retroactive?

17 MS. WAXMAN: Correct. Yes, 12
18 months --

19 COUNCILMAN O'NEILL: Okay.
20 That's --

21 MS. WAXMAN: -- 10 months, 5
22 months.

23 COUNCILMAN O'NEILL: -- all.
24 I'm just clarifying. Thank you.

25 COUNCILWOMAN QUINONES-SANCHEZ:

1 Thank you, Councilmember O'Neill.

2 Again, this will conclude the
3 public hearing. We will now go into our
4 public meeting to consider the action to
5 be taken on the bills before this
6 Committee. We are now in our public
7 meeting and we will convene the public
8 meeting.

9 I'm going to ask the Clerk to
10 call the roll to take attendance for
11 Members who are participating in the
12 Appropriations public meeting. Will the
13 Clerk take roll.

14 THE CLERK: Madam Chair Maria
15 Quinones-Sanchez.

16 COUNCILWOMAN QUINONES-SANCHEZ:
17 Present.

18 THE CLERK: Councilmember
19 Kenyatta Johnson.

20 COUNCILMAN JOHNSON: Present.

21 THE CLERK: Councilmember
22 Isaiah Thomas.

23 COUNCILMAN THOMAS: Present.

24 THE CLERK: Councilmember Brian
25 O'Neill.

1 COUNCILMAN O'NEILL: Present.

2 THE CLERK: Councilmember David

3 Oh.

4 COUNCILMAN OH: Present.

5 THE CLERK: Councilmember Allan

6 Domb.

7 COUNCILMAN DOMB: Present.

8 COUNCILWOMAN QUINONES-SANCHEZ:

9 Thank you. A quorum has been
10 established.

11 The Chair is going to call on
12 Vice-Chairman Kenyatta Johnson for an
13 amendment to Bill No. 220114.

14 COUNCILMAN JOHNSON: Thank you,
15 Madam Chair.

16 I move that the amendment for
17 Bill No. 220114 be adopted from this
18 Committee with a favorable
19 recommendation.

20 COUNCILWOMAN QUINONES-SANCHEZ:

21 All those in favor say aye.

22 (Aye.)

23 COUNCILWOMAN QUINONES-SANCHEZ:

24 Any opposed?

25 (No response.)

1 COUNCILWOMAN QUINONES-SANCHEZ:

2 The ayes have it. The amendment to Bill
3 220114 has been adopted.

4 The Chair will now recognize
5 Vice-Chairman Johnson for a motion on the
6 amended Bill 220114.

7 COUNCILMAN JOHNSON: Thank you,
8 Madam Chair.

9 I move that the amendment to
10 Bill No. 220114 be reported from
11 Committee with a favorable recommendation
12 and further move that the rules of
13 Council be suspended to permit first
14 reading of this bill at the next session
15 of Council.

16 COUNCILMAN DOMB: Second.

17 COUNCILWOMAN QUINONES-SANCHEZ:
18 All those in favor.

19 (Aye.)

20 COUNCILWOMAN QUINONES-SANCHEZ:
21 Any opposition?

22 (No response.)

23 COUNCILWOMAN QUINONES-SANCHEZ:
24 Seeing none, as amended Bill No. 220114
25 will be reported from this Committee with

1 a favorable recommendation and further
2 move that the rules of Council be
3 suspended to permit first reading at our
4 next Council session.

5 This concludes the business
6 before the Committee on Appropriations
7 today. Thank you all very much for your
8 attendance. Thank you, colleagues.

9 COUNCILMAN OH: Thank you.

10 (Committee on Appropriations
11 concluded at 9:19 a.m.)

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

2 I, hereby certify that the
3 proceedings and evidence noted are contained
4 fully and accurately in the stenographic
5 notes taken by me in the foregoing matter,
6 and this is a correct transcript of the
7 same.
8

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12 _____
13 TANEHA CARROLL
14 Court Reporter - Notary Public
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