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COUNCIL OF THE CITY OF PHILADELPHIA
PUBLIC HEARING AND PUBLIC MEETING
BEFORE THE COMMITTEE OF THE WHOLE

- - -
Room 400, City Hall
Philadelphia, Pennsylvania
Thursday, December 3, 1998
9:30 a.m.
- - -

- BILL 980784 - Amending Phila. Zoning Maps. . .
- BILL 980785 - Regarding Civic Center Land. . .
- BILL 980787 - Amending Phila. Code, entitled "Wage and Net Profits Tax". . .
- BILL 980788 - Amending Phila. Code to add "Keystone Opportunity Zone". . .
- BILL 980796 - (Being held.) Amending Phila. Code section on "Residence Requirements". . .
- BILL 980789 - Alternative Funding Mechanism. . .
- BILL 980843 - Amending Retirement System Ordinance. . .

- PRESENT: COUNCIL PRESIDENT JOHN F. STREET
COUNCILWOMAN AUGUSTA A. CLARK
COUNCILWOMAN JANNIE BLACKWELL
COUNCILMAN DAVID COHEN
COUNCILWOMAN JOAN L. KRAJEWSKI
COUNCILWOMAN ANNA CIBOTTA VERNA
COUNCILMAN JAMES F. KENNEY
COUNCILWOMAN DONNA REED MILLER
COUNCILMAN MICHAEL A. NUTTER
COUNCILMAN FRANK DICICCO
COUNCILMAN RICHARD T. MARIANO
COUNCILMAN W. THACHER LONGSTRETH
COUNCILMAN FRANK RIZZO

- - -
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12/3/98 COMMITTEE OF THE WHOLE

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2 P R O C E E D I N G S

3 PRESIDENT STREET: Good morning, ladies
4 and gentlemen. This is a recessed meeting of the
5 Council Committee of the Whole. In front of us
6 today, we have several items:

7 We have Bill No. 980784d, which is an
8 ordinance to amend zoning maps in West
9 Philadelphia around Penn;

10 We have Bill No. 908785, which is
11 another ordinance related to the Penn area;

12 We have in front of us Bill No. 980787,
13 which is the Wage and Net Profits Tax bill;

14 We have Bill No. 980788, which is the
15 Keystone Opportunity Zone Ordinance;

16 We have Bill No. 980796, which is the
17 bill that relates to police hiring.

18 We also have two pension ordinances:
19 One is refinancing or a financing, and one is a
20 comprehensive codification of the pension
21 ordinances.

22 Now if I could have every
23 Councilmember's attention, what I would like to do
24 is talk a little process here. If I could have
25 your attention, Councilmembers, I need all of

1 12/3/98 COMMITTEE OF THE WHOLE - Pub. Hearing (All Bills)

2 you. I would not like to have to go back over
3 this.

4 We're now talking process, we're
5 talking process. It is my understanding and
6 belief that the ordinances sponsored by
7 Councilwoman Blackwell, 980784 and 980785,
8 relating to her district, were -- that all the
9 testimony on those bills has been taken and that
10 those bills are ready for consideration. Is there
11 any member of Council who disagrees with that?

12 (No response.)

13 PRESIDENT STREET: So Bill No. 980784
14 and 980785 are ready for a public meeting. If
15 there's no member that disagrees with that, it
16 will be noted that these bills are ready for a
17 public hearing.

18 It is also my understanding that Bill
19 No. 980787 is also ready for a public hearing. Is
20 there anyone who disagrees with that?

21 (No response.)

22 PRESIDENT STREET: I mean a public
23 meeting, I apologize. It's ready for a public
24 meeting. It is my understanding that Bill No.
25 980787 is ready for a public meeting.

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2 COUNCILMAN COHEN: I would like to find
3 out from Councilman Kenney whether he intends to
4 proceed with the bill. My understanding was that
5 there was going to be no action on that bill. Have
6 I drawn the wrong assumption or --

7 PRESIDENT STREET: The Chair recognizes
8 Councilman Kenney.

9 COUNCILMAN KENNEY: Thank you, Mr.
10 President. The intention is to hold the bill
11 today with the on-the-record promise from the
12 Personnel Director and the Police Commissioner to
13 pursue what is appropriate and necessary to
14 accomplish the goals envisioned in this bill.

15 PRESIDENT STREET: Without a bill.

16 COUNCILMAN KENNEY: Through the vehicle
17 of the Civil Service Commission. So I'm not
18 withdrawing the bill; it's going to stay.

19 PRESIDENT STREET: You're just going to
20 hold it?

21 COUNCILMAN KENNEY: Hold it and see how
22 that goes.

23 PRESIDENT STREET: All right. Thank
24 you very much. The Chair has no objection to that
25 welcomes the idea that this is worked out.

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2 COUNCILWOMAN VERNA: Yes.

3 PRESIDENT STREET: It is my
4 understanding that we are not now ready for a
5 public meeting on Bill No. 980788, which is the
6 Keystone Opportunity Zone bill. We are not ready
7 for a hearing. There are requests for
8 information.

9 Do I correctly understand there were
10 requests for information on that bill and that we
11 really do need to get that information?

12 COUNCILWOMAN VERNA: Was the
13 information given to anybody?

14 PRESIDENT STREET: All the information
15 that was sent to our office is automatically
16 circulated to members of Council. I get a copy
17 like everybody else.

18 And, Mr. Mullin, has information been
19 prepared and circulated?

20 MR. MULLIN: Yes. It was sent to your
21 office, yes.

22 COUNCILWOMAN VERNA: Has it been
23 circulated, Mr. President?

24 PRESIDENT STREET: Any information that
25 came to my office should have been circulated. If

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2 it comes as a result of a request of a public
3 hearing, it's automatically circulated.

4 COUNCILWOMAN VERNA: Did you get it?

5 COUNCILMAN NUTTER: Mr. President, I
6 got a fax copy sometime yesterday.

7 PRESIDENT STREET: I don't know, we'll
8 find out; it's not an issue. If it came and was
9 not circulated, it will be circulated. If it came
10 and was circulate, it will be recirculated. But I
11 know that there were -- there were -- there was a
12 request for some information on Bill No. 908788.

13 Now, Bill No. 908789, it is my
14 understanding that this bill is ready for a public
15 meeting. And Bill No. 980843 is ready for a
16 public meeting with the proviso that there are
17 some amendments that Councilman Cohen has -- at
18 least two amendments -- and I think Councilman
19 Nutter may have an amendment. I think the
20 Administration may have an amendment.

21 Councilwoman Blackwell?

22 COUNCILWOMAN BLACKWELL: I understand
23 that we'll have hearings on your bill and my bill
24 on Monday.

25 PRESIDENT STREET: Yes.

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2 COUNCILWOMAN BLACKWELL: And that they
3 -- however, these bills may have to be changed.
4 And I have been advised that our dealing with
5 these bills today won't affect that.

6 PRESIDENT STREET: That's correct.
7 There's nothing in these bills that would impact
8 one way or another what we do with your bill, with
9 the COLA bill for retirees, nothing whatsoever.

10 As a matter of fact, Bill No. 980789
11 has to be approved if there will be any COLA for
12 anyone. And Bill No. 980843 a recodification that
13 is unrelated to either of those things.

14 What we would like to do, if possible,
15 is clean all of this up and get ready because I
16 think the only real bill that we have any real
17 need for further testimony on is Bill No. 980788.
18 We'll know in a minute the extent to which we need
19 more time.

20 COUNCILMAN COHEN: Right.

21 PRESIDENT STREET: The pension
22 recodification bill, I thought, was ready for a
23 public meeting. The activity we need to do is
24 amendment activity, and that can only take place
25 in a public meeting; is that correct?

1 12/3/98 COMMITTEE OF THE WHOLE - Pub. Hearing (All Bills)

2 COUNCILMAN COHEN: Right.

3 PRESIDENT STREET: So, I mean, we've
4 heard the testimony and we now have to go in a
5 public meeting on it in order to get all the
6 amendments considered.

7 Councilman Kenney?

8 COUNCILMAN KENNEY: Thank you. Are
9 there going to be discussions of the amendments in
10 the hearing or in the meeting?

11 PRESIDENT STREET: In the meeting. You
12 know, it just seems to me that we can recess the
13 public hearing and go into a public meeting as a
14 practical matter.

15 All of these amendments are friendly
16 amendments in the sense that Councilman Nutter has
17 an amendment that's designed to deal with issues
18 related to only three members of Council. It is
19 my understanding that the rest of us really aren't
20 impacted by it and the Administration has no
21 objection to it, but it's kind of clarification
22 thing to try to keep everybody out of trouble.

23 COUNCILMAN NUTTER: I'll only raise the
24 issue of -- I thought the other day one of
25 Councilman Cohen's amendments possibly --

1 12/3/98 COMMITTEE OF THE WHOLE - Pub. Hearing (All Bills)

2 PRESIDENT STREET: It's a five-year
3 vest provision.

4 COUNCILMAN NUTTER: Right. What I
5 asked at the hearing was whether or not we were
6 going to hear any testimony or response to that
7 particular issue from the Administration so that
8 we would have a better understanding of what their
9 reaction is.

10 PRESIDENT STREET: We can do that.

11 COUNCILMAN NUTTER: If the discussion
12 is only in the public meeting, then it's only a
13 discussion among us.

14 PRESIDENT STREET: What I just said
15 was, we can recess the public hearing. See, we
16 have the flexibility to recess the public hearing
17 on that bill, go into a public meeting, let the
18 bill be discussed at a public meeting, and then
19 not act on it at that public meeting, then
20 reconvene the public hearing on that bill. 'Cause
21 as long as we keep our public hearing alive -- we
22 can do it either way; it's not a big problem.

23 It was my expectation, though, that
24 that had been -- that there had been some
25 discussions around all of that. It's not a big

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2 problem. What I would like to do really is try to
3 get us to define what we have to do so that we can
4 determine whether or not we can do it before the
5 Council session or after the Council session.

6 And it sounds to me like we need to
7 have some additional testimony and discussion on
8 Keystone Opportunity Zones, and we also need to
9 have some additional testimony and discussions on
10 the pension recodification.

11 If that's the case, what we can do is
12 have a meeting on all of the rest, get 'em out,
13 recess the hearing and the public meeting on those
14 two, and then we could have whatever discussion we
15 need and testimony after a brief Council session
16 and then decide what we want to do.

17 'Cause we have people here on some of
18 these bills that are not here on other ones. So
19 I'd like to just go ahead and let them -- I don't
20 know.

21 COUNCILWOMAN Verna: So we'll have a
22 Council session and then come back?

23 PRESIDENT STREET: Yes. I have
24 reservations about holding everybody up on the
25 Keystone Opportunity Zones. I think that is going

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2 to take an hour or so, and I don't think that we
3 can do that. It is now 10 minutes to 10, and I
4 don't know that it makes any sense for us to try
5 to hold everything over. We won't have Council
6 till 11 or 11:30 if try to do this before Council.

7 My druthers are that we have a public
8 meeting on the bills that are are ready and then
9 recess the hearing, do the Council session,
10 reconvene the hearing, do what we have to do. And
11 then if we report something out, go back into a
12 session temporarily just to do that.

13 Does anybody have any objection to our
14 doing that?

15 (No response.)

16 PRESIDENT STREET: If not, then what I
17 would like to do is recess the public hearing on
18 all the bills and go into a public meeting on
19 Bills No. 980784, 980785, 980787, and 980789, and
20 do those bills now, and then recess the committee
21 and then come back.

22 Does anybody have any objections to
23 that?

24 COUNCILWOMAN BLACKWELL: (Inaudible/off
25 mike.)

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2 PRESIDENT STREET: Except the two
3 bills, the Keystone bill and the recodification
4 gives us a chance to get whatever information we
5 want on the record, take whatever action we want
6 to take, and we can still report it out to a
7 recessed session if we want.

8 Seeing no objections, the committee
9 stands in recess.

10 - - -

11 PRESIDENT STREET: We will in now go
12 into a public meeting on Bill No. 980784.

13 The Chair recognizes Councilwoman Verna
14 for a motion on this bill.

15 COUNCILWOMAN VERNA: Thank you, Mr.
16 President. I move that the amendments, as
17 presented to us on Monday, November 30th, be
18 adopted.

19 (Duly seconded.)

20 PRESIDENT STREET: All those in favor,
21 let it be known by saying aye.

22 Those opposed, say nay.

23 The ayes have it. The amendments are
24 adopted.

25 The Chair recognizes Councilwoman Verna

1 12/3/98 COMMITTEE OF THE WHOLE - Public Meeting - 980784

2 for a motion on Bill No. 980784 as amended.

3 COUNCILWOMAN Verna: Mr. President, I
4 move that Bill No. 980784 be reported out of
5 committee with favorable recommendation, as
6 amended; and a recommendation that the rules of
7 Council be suspended so as to permit first reading
8 at our next session of Council.

9 (Duly seconded.)

10 PRESIDENT STREET: All those in favor,
11 let it be known by saying aye.

12 Those opposed, say nay.

13 The ayes have it. Bill No. 980784 will
14 be reported from this committee with a favorable
15 recommendation, as amended, and a recommendation
16 that the rules of Council be suspended so as to
17 permit first reading at our next session of
18 Council.

19 The Chair recognizes Councilwoman Verna
20 for a motion on Bill No. 980785.

21 COUNCILWOMAN Verna: Mr. Chairman, I
22 move that the amendments, as presented to us on
23 this bill on November the 30th, be adopted.

24 (Duly seconded.)

25 PRESIDENT STREET: All those in favor,

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2 let it be known by saying aye.

3 Those opposed, say nay.

4 The ayes have it. The amendments are
5 adopted.

6 The Chair recognizes Councilwoman Verna
7 for a motion on the amended Bill No. 980785.

8 COUNCILWOMAN VERNA: Mr. Chairman, I
9 move that Bill No. 980785 be reported out of
10 committee with a favorable recommendation, as
11 amended; and a further that the rules of Council
12 be suspended so as to permit first reading at our
13 next session of Council.

14 (Duly seconded.)

15 PRESIDENT STREET: All those in favor,
16 let it be known by saying aye.

17 Those opposed, say nay.

18 The ayes have it. Bill No. 980785 will
19 be reported out with a favorable recommendation as
20 amended and recommendation to permit first reading
21 at our next session of Council.

22 The Chair recognizes Councilwoman Verna
23 on Bill No. 980787.

24 COUNCILWOMAN VERNA: Are you asking for
25 a suspension of the rules?

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2 PRESIDENT STREET: Yes.

3 COUNCILWOMAN VERNA: Mr. Chairman, I
4 move that Bill No. 980787 be reported out of
5 committee with a favorable; also a recommendation
6 that the rules of Council be suspended so as to
7 permit first reading at our next session of
8 Council.

9 (Duly seconded.)

10 PRESIDENT STREET: All those in favor,
11 let it be known by saying aye.

12 Those opposed, say nay.

13 The ayes have it. Then this bill, as
14 amended -- there are no amendments, so this bill,
15 as written, will be reported out with a favorable
16 recommendation and a recommendation that the rules
17 of Council be suspended so as to permit first
18 reading at our next session of Council.

19 The Chair recognizes Councilwoman Verna
20 for a motion on Bill No. 98078 the.

21 COUNCILWOMAN VERNA: Mr. Chairman, I
22 move that Bill No. 980789 be reported out of
23 committee with a favorable recommendation; also a
24 recommendation that the rules of Council be
25 suspended so as to permit first reading at our

1 12/3/98 COMMITTEE OF THE WHOLE - Public Meeting - 980789

2 next session of Council.

3 (Duly seconded.)

4 PRESIDENT STREET: All those in favor,
5 let it be known by saying aye.

6 Those opposed, say nay.

7 The ayes have it. This bill will be
8 reported out with a favorable recommendation and a
9 recommendation that rules of Council be suspended
10 so as to permit first reading.

11 This record should note that Bill No.
12 980796 held at the request of the sponsor of the
13 bill on the basis that the Civil Service
14 Commission and any other administrative body, as
15 needed, will take the appropriate steps take the
16 appropriate steps to see to it that the substance
17 of this bill is implemented; is that correct,
18 Councilman?

19 COUNCILMAN KENNEY: Yes, sir.

20 PRESIDENT STREET: But the bill will be
21 held in committee in case there are any problems.

22 Now, it seems to me that that leaves
23 for our further consideration as a committee Bill
24 No. 980788, which is the Keystone Opportunity Zone
25 bill, and then there is Bill No. 980843. These

1 12/3/98 COMMITTEE OF THE WHOLE - Public Meeting - 980789

2 bills will stand in front of the committee.

3 This committee will stand in recess
4 until 12:00. Until 12 o'clock, the committee will
5 stand in recess. We will now prepare for our City
6 Council session.

7 - - -

8 (Stated Council Session held, then
9 adjourned at 12:16 p.m.)

10 - - -

11 (Recessed Council Committee of the
12 Whole reconvenes.)

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1 12/3/98 COMMITTEE OF THE WHOLE - Public Hearing - 980788

2 PRESIDENT STREET: This is a recessed
3 hearing of the Council Committee of the Whole. We
4 have two items in front of us:

5 We have Bill No. 980788, which is an
6 ordinance amending Title 19 of the Philadelphia
7 Code, entitled "Finances, Taxes and Collections";

8 And we also have Bill No. 980843, which
9 is an ordinance adopting a comprehensive new
10 pension plan for City employees by restating and
11 amending their retirement system ordinance
12 approved. . . a long time ago.

13 Are the Administration witnesses
14 present?

15 (Administration witnesses come
16 forward.)

17 PRESIDENT STREET: The first bill I'd
18 like to consider is Bill No. 980788, the Keystone
19 Opportunity Zone bill.

20 Is there any member of Council that has
21 a question for the Administration on Bill No.
22 980788?

23 The Chair recognizes Councilman Cohen.

24 COUNCILMAN COHEN: At this point, I
25 just want clarification from the Chair of the

1 12/3/98 COMMITTEE OF THE WHOLE - Public Hearing - 980788

2 general content of the bill. Which is it; is the
3 pension bonds, the pension recodification, or
4 Keystone Opportunities?

5 PRESIDENT STREET: It's the Keystone
6 Opportunity Zone bill.

7 COUNCILMAN COHEN: Okay, very good.

8 PRESIDENT STREET: Does any member of
9 Council have questions about Bill No. 980 --

10 COUNCILMAN COHEN: I know Councilwoman
11 Blackwell stated to me that she had questions. If
12 this is the Keystone Opportunity --

13 COUNCILWOMAN BLACKWELL: I'm okay, I'm
14 fine.

15 COUNCILWOMAN CLARK: She's okay.

16 COUNCILMAN COHEN: She's okay. I have
17 no questions.

18 PRESIDENT STREET: You have no
19 questions?

20 COUNCILMAN COHEN: I have none.

21 PRESIDENT STREET: Any other member
22 have any questions about Bill No. 980788.

23 (No response.)

24 PRESIDENT STREET: Now, I understand a
25 series of amendments was offered. Do the

1 12/3/98 COMMITTEE OF THE WHOLE - Public Hearing - 980788

2 Councilmembers have the amendments? There's a big
3 package of amendments. Do the Councilmembers have
4 these proposed amendments?

5 This -- fundamentally, these are --
6 these amendments. . . clear up some technical
7 questions, and it is my understanding that they
8 offer -- the description of the sites are actually
9 defined by metes and bounds?

10 MR. MULLIN: Yes, Council President.
11 My name is Steve Mullin, Commerce Director with
12 the City.

13 Where we do not have a BRT parcel
14 number, we have to put in the metes and bounds or
15 other description. The vast bulk of the verbage
16 that you see there are the non-BRT parcel number
17 -- information.

18 PRESIDENT STREET: All right. Now, it
19 is my understanding that -- does everyone have a
20 copy of the amendment that says at the top,
21 "Exhibit 2, Page 2, Line 31?" And then it says
22 "insert," and there's a bunch of detail there.

23 And then there is amendments to Bill
24 No. 980788, Exhibit 1, Page 1, Line 25; Exhibit 1,
25 Page 2, Lines 2, 3, and 5, does everyone have

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2 that? Do you have all of those?

3 And then you have the big amendment to
4 the one bill. These are all amendments to the
5 Keystone Opportunity bill.

6 Is there anybody that has any question
7 about any other proposed amendments? There's a
8 large packet of amendments.

9 COUNCILWOMAN CLARK: Where is it?

10 PRESIDENT STREET: It was given to you
11 at the public hearing.

12 If we don't have extras, somebody
13 dies. The extras are now being distributed, so
14 nobody has to die; we can all live.

15 This is a whole series of amendments
16 that are fundamentally technical. And the Chair
17 wishes to have a motion that these amendments not
18 be read into the record but that they're available
19 to all members of Council and that all members of
20 Council have them.

21 COUNCILWOMAN CLARK: So moved.

22 PRESIDENT STREET: Is there any
23 objection to our including these amendments in the
24 record but not reading them laboriously into the
25 record? There are many, many, many, many pages.

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2 The Chair recognizes Councilman Cohen.

3 COUNCILMAN COHEN: Mr. President, do I
4 understand that there are two sets of amendments
5 to this bill? First those outlined in this very
6 heavy package.

7 PRESIDENT STREET: Yes.

8 COUNCILMAN COHEN: And then, secondly,
9 a two-page additional supplement.

10 PRESIDENT STREET: Those are all of the
11 amendments.

12 COUNCILMAN COHEN: Very good.

13 PRESIDENT STREET: Those are all of
14 them.

15 You know, these lawyers get on my
16 nerves. I tell you, they really do get on my
17 nerves 'cause they -- now, Richie, come and tell
18 us what you want to say now.

19 (Richard Feder comes forward.)

20 MR. FEDER: Thank you, Mr. President.
21 Richie Feder from the--

22 COUNCILMAN COHEN: Please identify
23 yourself.

24 PRESIDENT STREET: Identify yourself
25 for the record.

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2 MR. FEDER: I was trying to. Thank
3 you, Mr. President. Richie Feder from the Law
4 Department.

5 At the public hearing earlier this
6 week, Mr. Mullin --

7 PRESIDENT STREET: Make it brief.

8 MR. FEDER: Mr. Mullin distributed
9 large package of amendments as well as that
10 Exhibit A -- the exhibit -- Charlie, what does
11 that say?

12 PRESIDENT STREET: It says "Exhibit A
13 to Exhibit 5."

14 MR. FEDER: Right, that was distributed
15 last week as part of the package. That was a
16 last-minute description which we --

17 PRESIDENT STREET: Is it in the
18 package?

19 MR. FEDER: It is not in the package,
20 but it was distributed.

21 PRESIDENT STREET: All right, make
22 copies.

23 (Copies of amendment made and
24 distributed to all present Councilmembers).

25 PRESIDENT STREET: Does everyone now

1 12/3/98 COMMITTEE OF THE WHOLE - Public Hearing - 980788

2 have Exhibit A to Exhibit 5? Does everyone have

3 it?

4 Does anyone have any questions on it?

5 (No questions.)

6 PRESIDENT STREET: The Chair recognizes

7 Councilwoman Verna.

8 COUNCILWOMAN VERNA: Thank you, Mr.

9 President.

10 I just wanted to make the record very

11 clear. Mr. Mullin, we are not deleting, as it

12 would appear, on page 4 of the Navy Yard Girard

13 Point Philadelphia Naval Hospital. We're very

14 simply referring to that area now as "Lower

15 Delaware River?"

16 MR. MULLIN: That is correct.

17 COUNCILWOMAN VERNA: Thank you.

18 PRESIDENT STREET: The Chair recognizes

19 Councilman Cohen.

20 COUNCILMAN COHEN: Mr. President, I

21 have a single sheet of paper entitled "Exhibit A

22 to Exhibit 5."

23 PRESIDENT STREET: That's it, that's

24 it.

25 COUNCILMAN COHEN: So we now have --

1 12/3/98 COMMITTEE OF THE WHOLE - Public Hearing - 980788

2 and that's going to be offered as an amendment?

3 PRESIDENT STREET: Yes, it has been 00
4 it was already previously offered, but it wasn't a
5 part of the package, and we are now making sure
6 that everyone has it.

7 COUNCILMAN COHEN: 'Cause that's --
8 nothing on that sheet indicates it's an amendment;
9 it doesn't indicate what it is.

10 PRESIDENT STREET: Well, I understand
11 that, but it has previously been -- it is an
12 amendment.

13 COUNCILMAN COHEN: Okay, very good,
14 sir.

15 PRESIDENT STREET: Any questions?

16 The Chair recognizes Councilman Rizzo.

17 COUNCILMAN RIZZO: Just one question to
18 Mr. Mullin. And I understand that this may not be
19 applicable right now, but in the future, is the
20 liquor-by-the-drink tax exempt?

21 MR. MULLIN: No.

22 COUNCILMAN RIZZO: Thank you.

23 PRESIDENT STREET: Any questions from
24 any other members of Council on any of these
25 proposed amendments?

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2 (No response.)

3 PRESIDENT STREET: If not, we will
4 stand in recess on Bill No. 980788.

5 COUNCILWOMAN VERNA: Mr. President.

6 PRESIDENT STREET: We are now out of
7 recess and back on the record.

8 COUNCILWOMAN VERNA: Thank you, Mr.
9 President.

10 Mr. Mullin, at a later date, if there
11 are other areas that want to be included in this
12 ordinance, would that be possible?

13 MR. MULLIN: No. This is -- this will
14 be the final version of what the City will allow
15 to go into our application.

16 COUNCILWOMAN VERNA: Thank you.

17 PRESIDENT STREET: Thank you very much.
18 Any other questions?

19 The Chair recognizes Councilwoman
20 Clark.

21 COUNCILWOMAN CLARK: Mr. Mullin, all of
22 this submission is on the assumption that we will
23 be selected as a Keystone Opportunity Zone, yes?

24 MR. MULLIN: Well, it's -- I don't want
25 to assume that we will be accepted, but this is

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2 all so that we will be able to submit an
3 application. This is a required step in that
4 application.

5 And perhaps I'll also note, none of
6 this is in effect if we are not selected by the
7 State.

8 COUNCILWOMAN CLARK: But it's a nullity
9 if you don't get accepted.

10 MR. MULLIN: Exactly.

11 COUNCILWOMAN CLARK: But to follow up
12 on the question that Councilwoman Verna asked,
13 perhaps we would not be permitted to enlarge our
14 scope, but would it ever be possible to
15 substitute? I mean, are we locked to these
16 specific sites exclusively and only forever?

17 MR. MULLIN: Yes, we are, on that.

18 We can, as I testified on Monday, we
19 can drop a portion of what we agree here from
20 putting in the application. And, again, if there
21 are things that come up, like developments we know
22 or things like that, we cannot include something
23 in the application. But once the application goes
24 in on December 31st, that's locked out for the
25 next is 12 years, yes.

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2 PRESIDENT STREET: Councilman Cohen.

3 COUNCILWOMAN CLARK: Wait a minute.

4 PRESIDENT STREET: I'm sorry,
5 Councilwoman.

6 COUNCILWOMAN CLARK: Then, in looking
7 at your map, was an attempt made to apply for a
8 Keystone Opportunity Zone in places other than
9 where there have been other developmental efforts
10 such as Model Cities or the Enterprise Zone?

11 MR. MULLIN: I think we actually
12 attempted to look at all 145 square miles of the
13 city to find out whether there would be
14 appropriate subzones at a minimum of 20 acres
15 under the guidelines, so we didn't restrict
16 ourselves to any particular areas.

17 Now, the fact that a lot of these areas
18 that would be appropriate also fall in Enterprise
19 Zones or Empowerment Zones because those are areas
20 where there's --

21 (Unintelligible; parties speaking over
22 each other.)

23 MR. MULLIN: Exactly. So there is a
24 lot of coincidental. But our initial search was
25 through the entire city to find any areas that we

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2 could possibly include.

3 COUNCILWOMAN CLARK: And the smallest
4 site is 20 acres?

5 MR. MULLIN: The minimum for any of the
6 12 subzones has to be 20 acres. And I think the
7 smallest is about 35 acres or so.

8 And it's not completely contiguous. We
9 had to gerrymander a little bit of that, which is
10 allowed by the State.

11 COUNCILWOMAN CLARK: Okay. When are
12 you expected to make your submission?

13 MR. MULLIN: December 31, 1998 is the
14 last day that we can submit, so we will have it in
15 before then. And we expect the State to make
16 their decision sometime in either February, March,
17 and it would be retroactive to January 1st of
18 1999.

19 COUNCILWOMAN CLARK: But you have an
20 estimated completion date in mind; what is it?
21 For submission.

22 MR. MULLIN: For our submission?

23 COUNCILWOMAN CLARK: Mm-hmm.

24 MR. MULLIN: I'd like to say that we're
25 not racing up there on the 31st, so I hope that

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2 we'll have it done the week between Christmas and
3 New Year's for our application.

4 COUNCILWOMAN CLARK: Okay. And we have
5 until then -- what we do today is the last word
6 that we have on it; is that what you're saying?

7 MR. MULLIN: Uh, yes.

8 COUNCILWOMAN CLARK: Okay.

9 PRESIDENT STREET: The Chair recognizes
10 Councilwoman Krajewski.

11 COUNCILWOMAN KRAJEWSKI: I just want to
12 make sure I understand. The Northern Shipping
13 will be known as the "Upper"?

14 MR. MULLIN: It will be in a group in
15 upper Delaware, yes.

16 COUNCILWOMAN KRAJEWSKI: And also, the
17 I-95 will be known as what, the --

18 MR. MULLIN: The I-95 will be --

19 COUNCILWOMAN KRAJEWSKI: Is it Lower
20 Delaware --

21 MR. MULLIN: The area below up Tioga
22 would be known as "Middle Delaware."

23 COUNCILWOMAN KRAJEWSKI: Right. And
24 then we have Northern Shipping, which is --

25 MR. MULLIN: Which we are now calling

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2 "the Upper Delaware."

3 COUNCILWOMAN KRAJEWSKI: Thank you.

4 MR. MULLIN: Sure.

5 PRESIDENT STREET: The Chair recognizes
6 Councilman Cohen.

7 COUNCILMAN COHEN: Mr. Mullin, would it
8 be a fair characterization of the bill to say that
9 it is narrowly tailored to cover only blighted
10 areas?

11 MR. MULLIN: If I could amend that by
12 saying only blighted areas and certain that the
13 City owns now that aren't necessarily blighted,
14 like in our industrial parks.

15 With that one adjustment, I would say I
16 think that's a good characterization.

17 COUNCILMAN COHEN: Well, are you saying
18 the City-owned property are also blighted? Or
19 they may not be; is that what you're saying? I'm
20 just not clear.

21 MR. MULLIN: They're deteriorated, but
22 they might not be in as bad a condition as the
23 private parcels, correct.

24 COUNCILMAN COHEN: But all the
25 privately owned parcels are blighted areas; is

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2 that correct?

3 MR. MULLIN: I don't know if you mean
4 legally blighted through our City Planning. But
5 are they all dilapidated and vacant and
6 underutilized?

7 COUNCILMAN COHEN: Yes.

8 MR. MULLIN: Yes.

9 COUNCILMAN COHEN: All right, thank
10 you.

11 PRESIDENT STREET: The Chair recognizes
12 Councilman Nutter. Councilman Nutter, your light
13 is on; do you wish to be recognized?

14 COUNCILMAN NUTTER: Yes, I'm sorry. I
15 didn't hear you, Mr. President.

16 PRESIDENT STREET: The Chair recognizes
17 Councilman Nutter, then Councilman Rizzo.

18 COUNCILMAN NUTTER: Thank you.

19 Mr. Mullin in the response that we
20 received to the questions raised the other day --
21 this is the December 1st letter -- on question
22 number 4, if you would expand your research effort
23 beyond just the Michigan Renaissance Zones to --
24 again, it's my understanding that possibly
25 subsequent to the passage of the Michigan

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2 Renaissance Zones that in Michigan, there may be
3 some legislation that has been passed that does
4 prohibit municipalities in Michigan from offering
5 incentives that abate school taxes for economic
6 development purposes.

7 So if you could expand your search
8 beyond the Renaissance Zone legislation, I would
9 appreciate it.

10 MR. MULLIN: Okay.

11 COUNCILMAN NUTTER: Secondly, I do not
12 completely understand the response to question
13 number 7 where you say, "Attached is a memo from
14 Mr. Feder that a person who does not own the
15 property living on a non-residentially-zoned KOZ
16 property would be eligible for the wage tax and
17 income tax exemption."

18 What -- where is this person living
19 under that description? Are we talking about in
20 an apartment?

21 MR. FEDER: I think the intent of that
22 answer, Councilman Nutter, was in response to
23 Councilman Cohen's concern that someone might be
24 unlawfully living in a non-residential zone, yes,
25 in a rental property, one that he does not own --

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2 a squatter, perhaps, or a rental property.

3 COUNCILMAN NUTTER: Well, are there any
4 any rental properties in non-residentially-zoned
5 KOZs?

6 MR. FEDER: There certainly should not
7 be any, but the question was asked, What if
8 someone is living there, even if not zoned for
9 residential?

10 COUNCILMAN NUTTER: Okay.

11 MR. FEDER: And the answer is: if
12 they're living, they are entitled to the
13 exemption, and it's our job to get them out
14 because they're violating the zoning laws.

15 But they are entitled to the exemption;
16 that was the answer to the question.

17 COUNCILMAN NUTTER: Okay. All right,
18 thank you.

19 PRESIDENT STREET: The Chair recognizes
20 Councilman Rizzo.

21 COUNCILMAN RIZZO: Mr. Mullin, the area
22 that we're designating as Keystone, do we have any
23 knowledge whether or not any of the -- any of the
24 area are hazardous waste, or have any of them been
25 identified as being potential problematic areas

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2 where there would be remediation? Or do we know
3 of any situations like that that exist anywhere in
4 the zone?

5 MR. MULLIN: I think, in some cases, we
6 do know that there's environmental problems; and
7 in some cases, we have a real strong suspicion,
8 even though we haven't gotten in there. These are
9 dilapidated buildings that one -- they're on our
10 on demolition list, and we probably have a good
11 suspicion that there could be environmental
12 problems there.

13 And especially if it's not our land.
14 If it's private, we wouldn't have necessarily
15 checked. But we do know that there's probably a
16 very good chance.

17 And, in fact, one of our guidelines was
18 to try to identify parcels that do have -- that do
19 have environmental problems that are hindering
20 redevelopment of those parcels.

21 COUNCILMAN RIZZO: So all of the City
22 L&I requirements, all of the requirements that
23 would be needed for construction of a new facility
24 would hold -- stay in place? There would be no
25 exception or no laxing off of any of these

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2 regulations because a company would want to come
3 into a -- or a business would want to come into
4 the Keystone areas?

5 MR. MULLIN: Absolutely. They would
6 all hold. And in fact, the current owner of the
7 property -- if it is not us, the current owner of
8 the property has to have everything -- all code
9 violations taken care of, all liens paid off, all
10 taxes paid off before they can take one minute's
11 worth of the benefits.

12 COUNCILMAN RIZZO: Thank you.

13 Thank you, Mr. President.

14 PRESIDENT STREET: Are there any other
15 questions from any other members?

16 (No further questions.)

17 PRESIDENT STREET: Is there anyone else
18 in the chamber who wishes to speak on this bill?

19 (No response.)

20 PRESIDENT STREET: Seeing no one, we
21 will take it all under advisement.

22 Council will now consider Bill No.
23 980843.

24 The Chair recognizes Mr. Mullin.

25 MR. MULLIN: When I said it has to be

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2 paid off for delinquent taxes, they have to be
3 under agreement is what I mean; not that it does
4 not have to be fully paid.

5 Thanks.

6 PRESIDENT STREET: Any other
7 questions?

8 (No further questions.)

9 PRESIDENT STREET: We will now consider
10 Bill No. 980843, pension recodification.

11 (Administration witnesses come
12 forward.)

13 PRESIDENT STREET: Please identify
14 yourself for the record.

15 MR. HAYLLAR: Ben Hayllar, Director of
16 Finance. And in that capacity, Chairman of the
17 Pension Board.

18 With me is Joe Herkness, the Executive
19 Director of the Pension Board; and Deputy City
20 Solicitor Deborah Butler from the Law Department.

21 PRESIDENT STREET: Does anybody have
22 any questions for this team of witnesses that are
23 here to give us anything we want except lunch?

24 The Chair recognizes Councilman Cohen.

25 COUNCILMAN COHEN: Mr. President, I

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2 offered hearing two proposed amendments, and I
3 would like to hear from the Administration what
4 their position is.

5 PRESIDENT STREET: Councilman Cohen, I
6 need you to speak into that microphone. Hold it
7 up just a little bit.

8 COUNCILMAN COHEN: All right, I'll try
9 again.

10 I offered two amendments to this bill
11 during the previous public hearing stage. My
12 general impression was that it's at least, as to
13 one of them, that the Administration was in
14 agreement; that is the select group of 20 or 25
15 people.

16 MR. HAYLLAR: We're never in agreement
17 Councilman, Cohen. We have no objection to the
18 amendment concerning the people in Local 2186.

19 COUNCILMAN COHEN: Well, then, at the
20 appropriate time, I would introduce the amendment
21 and we can attach the statement that there would
22 be no objection to it by the Administration, all
23 right?.

24 And as to the second one, I will offer
25 a revised version of that amendment. Mr.

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2 President, on the five-year vesting provision, I
3 have a proposed amendment which is different than
4 the amendment I presented the other day in that it
5 makes it very clear that if there's a five-year
6 vesting period for anybody, it ought to apply to
7 all City employees, and that will be the purpose
8 of the amendment. I can circulate it at this time
9 or ask that it be circulated.

10 PRESIDENT STREET: All right. Can we
11 get copies of the amendment. This isn't an
12 amendment to an amendment; this is a new
13 amendment, right?

14 COUNCILMAN COHEN: Well, this is a --
15 I'm going to substitute this amendment for the
16 previous amendment.

17 PRESIDENT STREET: Thank you, that's
18 what I wanted to make clear.

19 COUNCILMAN COHEN: May I ask that this
20 be distributed?

21 PRESIDENT STREET: I would like for
22 somebody to --

23 COUNCILMAN COHEN: Actually, this
24 amendment is the same in substance as the
25 amendment that I offered at the public hearing.

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2 PRESIDENT STREET: Councilman, let's
3 just -- that description doesn't help us at all.
4 What we need to do is have someone get copies of
5 all of the amendments or the proposed amendments
6 to each member of Council so that we know that
7 every member of Council has a copy of every
8 proposed amendment.

9 COUNCILMAN COHEN: I understand, Mr.
10 President, that there's now going to be
11 distributed -- the Administration has a copy of
12 the one that referred to the small group of
13 people?

14 MS. BUTLER: Yes. Councilman Street,
15 this is Deborah Butler.

16 Charlie McPherson or the
17 sergeant-at-arms is now distributing the proposed
18 amendment that covers the transfer of the 20 or so
19 employees from Plan M to Plan J. They are
20 currently in Plan M, and they'll be --

21 PRESIDENT STREET: From M to J?

22 MS. BUTLER: M to J. M as in "Mary," J
23 as to "John."

24 PRESIDENT STREET: Couldn't it be M as
25 in "Martha?"

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2 MS. BUTLER: Martha is good, too.

3 COUNCILMAN COHEN: It covers a small
4 group. The only group the --

5 PRESIDENT STREET: Councilman Cohen,
6 let us get all of the amendments. We'll deal with
7 them all.

8 COUNCILMAN COHEN: Okay.

9 PRESIDENT STREET: You don't have to
10 argue the amendment before it's in front of us.
11 We'll have a chance to get to that.

12 Now I just want to make sure that every
13 member has all of the proposed amendments, and
14 we'll kind of walk through them.

15 COUNCILMAN COHEN: Very good, sir.

16 PRESIDENT STREET: Mr. Erickson, please
17 approach the Chair.

18 (Mr. Erickson comes forward and confers
19 with President Street.)

20 PRESIDENT STREET: If I can have your
21 attention, Councilmembers, please. Amendments in
22 hand, can each Councilmember get your amendment.
23 I want to make sure everyone has everything that
24 we have in front of us.

25 There was a proposed amendment to Bill

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2 No. 980843, which is an amendment that is offered
3 by Councilman Nutter. Does everyone have the
4 Nutter amendment?

5 Can I -- this is the amendment that
6 says: "Further as to members of Plan L, any part
7 of this ordinance that represents an increase or a
8 diminishment in the benefits rights of such member
9 shall not apply to an elected official during any
10 term of office to which such official was
11 elected. . . ." Ba-ba-ba-ba-ba-ba.

12 Does everyone have that amendment, the
13 last one handed out? Does everyone have that? Is
14 there anyone who does not have that amendment?

15 (No response.)

16 PRESIDENT STREET: All right. Now,
17 there is a proposed amendment regarding vesting
18 within five years. This is Councilman Cohen's
19 amendment. I think it was just recently
20 distributed.

21 COUNCILMAN COHEN: Yes.

22 PRESIDENT STREET: Is there anyone who
23 does not have that amendment?

24 (No response.)

25 PRESIDENT STREET: And then there are

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2 three amendments -- proposed amendments to Bill
3 No. 980843. Number 1 starts to amend Section 1 by
4 amending the Table of Contents of Title 22 by
5 adding, after 22-806, installment payments. Do
6 you see that?

7 It's number 1, it's the first amendment
8 on the page. Does everyone see that? It amends
9 Section 1 by amending the Table of Contents. I
10 want to make sure that everyone has it 'cause they
11 all look alike.

12 COUNCILMAN NUTTER: We don't have that.

13 PRESIDENT STREET: It's two pages.

14 MR. HAYLLAR: That's the Monday
15 amendment, Councilman.

16 PRESIDENT STREET: They're making
17 copies now. You're lost because you don't have
18 it.

19 All right, may I have your attention,
20 please, may I have your attention. To the
21 stenographer, we are on the record.

22 The Council session that we previously
23 recessed until 1 o'clock will now stand in recess
24 until 1:30. For anybody who's interested in that
25 Council session, it will be in recess till

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2 approximately 1:30. If it's going to go on
3 longer, we will make such an announcement.

4 We are now in consideration of -- this
5 is the Council Committee of the Whole for those
6 who may have entered the chamber.

7 The amendments are still being copied
8 and collated.

9 COUNCILMAN COHEN: Are we recessed?

10 PRESIDENT STREET: No, no, no, no, no,
11 no, no, no, no, no, no. Please don't leave, don't
12 leave.

13 COUNCILMAN COHEN: May I ask, what is
14 now being distributed is the totality of the
15 amendments?

16 PRESIDENT STREET: I want every member
17 to have in his or her hands every amendment that
18 we will consider.

19 COUNCILMAN COHEN: I have a question
20 with respect to that.

21 PRESIDENT STREET: Yes.

22 COUNCILMAN COHEN: There is now being
23 distributed two pages, which begin with the big
24 title "Proposed Amendments to Bill No. 980843."

25 PRESIDENT STREET: Yes.

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2 COUNCILMAN COHEN: I am asking whether
3 these two amendments, whether these two pages
4 constitute the totality of the amendments being
5 offered by the City Administration to this
6 particular bill.

7 PRESIDENT STREET: Can we -- can we
8 just hold that question until we get everything in
9 our hands and then we can go down the proposed
10 amendments sort of one at a time and then we can
11 get to that.

12 COUNCILMAN COHEN: Yes.

13 PRESIDENT STREET: 'Cause it could be
14 confusing if we do this now and then wait, and
15 then you'll get handed other pieces of paper,
16 okay?

17 COUNCILMAN COHEN: All right, yes.

18 PRESIDENT STREET: All right. It is
19 now my understanding that Councilmembers have a
20 series of pieces of papers that we are going to
21 refer to as proposed amendments.

22 I see Councilman Ortiz shaking his
23 head. Councilman Ortiz does not have that. Can
24 we please make it available to him. He now has
25 it.

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2 All right. Now, does -- I'd like to
3 start from the beginning. Does everyone have an
4 amendment regarding elected officials and
5 benefits, the amendment that's being offered by
6 Councilman Nutter?

7 COUNCILWOMAN KRAJEWSKI: It would be
8 easier if you put names on it.

9 PRESIDENT STREET: All right. Just put
10 "Nutter" at the top, that's what I did. It's the
11 Nutter amendment.

12 Now, there's an amendment that ou
13 should have just gotten that reads, "Proposed
14 Amendments to Bill No. 980843." The first number
15 on the page has "Amend Section 1 by Amending the
16 Table of Contents of Title 22 by Adding. . .
17 (Ba-ba-ba-ba). . . Installment payments." Does
18 everyone have that? It's two pages.

19 The last section says, "Separation
20 Prior to Minimum Retirement Age. . . (ba-ba-ba-
21 ba-ba-ba). . ." Does everyone have those two
22 pages.

23 Is this an Administration amendment?

24 MS. BUTLER: Yes, Councilman.

25 PRESIDENT STREET: So we put at the top

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2 "Administration."

3 Is this the only amendment the
4 Administration is offering?

5 MS. BUTLER: Yes.

6 PRESIDENT STREET: That's clear.

7 Now, I have a piece of paper that says
8 "Proposed Amendment Regarding Vesting Within Five
9 Years."

10 Do you see that? Does everyone have
11 that? We'll call that "Cohen."

12 COUNCILMAN COHEN: Yes.

13 PRESIDENT STREET: This is the "Cohen"
14 amendment, all right.

15 Now, it's my understanding that these
16 three amendments are the amendments that members
17 in the Administration wish to have considered.
18 There's a Cohen amendment, there's a Nutter
19 amendment, and there's the Administration's
20 amendment.

21 Now, Councilman Cohen, Councilman
22 Cohen, you had two amendments -- one amendment
23 regarding the -- is that incorporated in the
24 Administration's amendment?

25 PRESIDENT STREET: No.

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2 PRESIDENT STREET: Where is that

3 amendment?

4 COUNCILMAN COHEN: What's that?

5 PRESIDENT STREET: Where is the

6 amendment that you plan to offer which deals with

7 the --

8 COUNCILMAN COHEN: The one you

9 identified as the "Cohen amendment" is the

10 amendment. I would like to say that the

11 Administration supports it but --

12 PRESIDENT STREET: No, no, no, no, no.

13 Councilman, that's the five-year vest; that's a

14 different amendment.

15 COUNCILMAN COHEN: Yes. That's the 22

16 people.

17 PRESIDENT STREET: All right, there's

18 one another amendment.

19 COUNCILMAN COHEN: You need the

20 22-people amendment.

21 PRESIDENT STREET: That's right, that's

22 the one we're looking for.

23 Now do members of City Council have

24 it? I have it. Are there copies of it?

25 COUNCILMAN COHEN: Is that the

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2 22-people amendment? May I suggest you call that

3 "Cohen-2."

4 PRESIDENT STREET: Amendments Regarding
5 Members of AFSCME District Council 47, we all have
6 it.

7 COUNCILMAN COHEN: Well, they're saying
8 they don't have it, Mr. President.

9 PRESIDENT STREET: Well, I ask that
10 they get a copy.

11 It's three pages. This is also
12 "Cohen." We'll call this "Cohen-2."

13 There's the "Cohen amendment" and then
14 there's the "Cohen-2 amendment" regarding members
15 of AFSCME distribute Council 47.

16 Does everyone have that?

17 COUNCILMAN COHEN: For some reason,
18 they are not included when everybody else in the
19 city is included; that's why --

20 PRESIDENT STREET: Councilman Cohen,
21 let's not argue the amendments now.

22 COUNCILMAN COHEN: No, I'm not arguin;
23 I'm just --

24 PRESIDENT STREET: Yes, you are, you're
25 arguing the amendments now.

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2 COUNCILMAN COHEN: I'm identifying the

3 bill.

4 PRESIDENT STREET: We have it, we have

5 it.

6 COUNCILMAN COHEN: Okay.

7 PRESIDENT STREET: We have the bill.

8 Now I would like to start with

9 something easy. Can we start with the Nutter

10 amendment. This is an easy amendment.

11 All right, the Chair recognizes

12 Councilman Nutter.

13 COUNCILMAN NUTTER: Mr. President, I

14 have a document that reads "Proposed Amendments to

15 Bill No. 980843." In parentheses it says

16 "Amendments Regarding Members of AFSCME D.C.

17 47."

18 PRESIDENT STREET: Yes.

19 COUNCILMAN COHEN: Cohen-2.

20 PRESIDENT STREET: Cohen-2.

21 COUNCILMAN NUTTER: That's Cohen-2.

22 PRESIDENT STREET: Yes.

23 COUNCILMAN NUTTER: What is this one

24 that reads at the top "Proposed Amendment

25 Regarding Vesting Within Five Years"?

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2 COUNCILWOMAN VERNA: Cohen-1.

3 PRESIDENT STREET: That's Cohen-1.

4 COUNCILMAN NUTTER: And then there's

5 "Proposed Amendment Regarding Members of AFSCME

6 Local 21-86."

7 COUNCILMAN COHEN: No, that's Cohen-2.

8 PRESIDENT STREET: That's an old one.

9 Discard that one.

10 COUNCILMAN NUTTER: Thank you.

11 PRESIDENT STREET: Are we all right

12 now?

13 COUNCILMAN NUTTER: Yes. Thank you,

14 Mr. President. Sorry.

15 PRESIDENT STREET: Can we take an easy

16 one? Let's just sort of ease into this.

17 Is there anyone who has any questions

18 about Councilman Nutter's amendment?

19 This amendment is done, and my

20 understanding is that it only impacts three

21 members, and those are the three members that came

22 on this Council in the election that saw

23 Councilman Nutter come to this Council. And I

24 think it's Nutter, Kenny, and Blackwell.

25 And this kind of makes sure that they

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2 aren't voting for something that has the effect of
3 increasing their compensation. It keeps everyone
4 out of trouble.

5 Is that the bottom line here?

6 COUNCILMAN NUTTER: Yes.

7 PRESIDENT STREET: You know, there's
8 all the Wiener case and that all that -- you can't
9 increase your own compensation and all. And
10 rather than run the risk, this amendment is
11 designed -- and for the rest of us, it has no
12 impact,.

13 Is that correct?

14 COUNCILMAN NUTTER: That is my
15 understanding, Mr. President.

16 Councilman Kenney and myself and
17 Charlie McPherson tells me that Councilwoman
18 Blackwell may now possibly not be impacted because
19 of her previous service.

20 PRESIDENT STREET: Whatever.

21 COUNCILMAN NUTTER: It would prevent
22 Councilman Kenney and I from accessing the
23 eight-year vesting provision --

24 PRESIDENT STREET: Next year.

25 COUNCILMAN NUTTER: -- next year. And

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2 it would require us to only -- to have to be
3 reelected in order to take advantage of the
4 vesting requirement which, at that point in time,
5 it would be --

6 PRESIDENT STREET: It wouldn't matter
7 anyway.

8 COUNCILMAN NUTTER: But it would not
9 allow us to either not run next year and then take
10 advantage of --

11 PRESIDENT STREET: Or not be elected.

12 COUNCILMAN NUTTER: That was the
13 second. Or run and lose and take advantage of the
14 eight-year vesting provision; we would not be
15 eligible for it. And that's the purpose of this
16 amendment.

17 PRESIDENT STREET: Is there anyone that
18 has any question about that?

19 COUNCILMAN COHEN: Yes.

20 PRESIDENT STREET: Councilman Cohen.

21 COUNCILMAN COHEN: Did Councilman
22 Nutter have a question?

23 COUNCILMAN NUTTER: No.

24 (Laughter.)

25 COUNCILMAN COHEN: The question I have,

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2 I think the President referred to it, I'm not
3 certain.

4 We are barred from increasing -- we, as
5 members of the Council, are barred from increasing
6 any benefits during our term of office.

7 PRESIDENT STREET: "Our compensation,"
8 I think, are the words.

9 COUNCILMAN COHEN: Or compensation,
10 whatever it is.

11 COUNCILMAN NUTTER: Yes.

12 COUNCILMAN COHEN: I'm asking, does
13 this amendment avoid that problem?

14 COUNCILMAN NUTTER: Yes.

15 COUNCILMAN COHEN: Very good.

16 COUNCILMAN NUTTER: Because -- right,
17 it makes us ineligible for the provisions that are
18 being passed -- that would be passed today; we
19 would not be eligible for them until after the
20 next election.

21 PRESIDENT STREET: And then it becomes
22 moot because if they get reelected, they'll have
23 more than eight --

24 COUNCILMAN NUTTER: Under the current
25 pension system, we have to run for reelection in

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2 order to get the ten-year vesting anyway. I don't
3 want to change that situation. We would not be
4 eligible to take advantage of the eight-year
5 vesting right now.

6 PRESIDENT STREET: Is there anyone that
7 has any question about that?

8 (No questions.)

9 PRESIDENT STREET: Can we put the
10 Nutter amendment to the side for the moment 'cause
11 we all understand that.

12 COUNCILWOMAN CLARK: (Off mike/
13 inaudible.)

14 COUNCILMAN NUTTER: I'm sorry?

15 PRESIDENT STREET: Section 2. The
16 underlying language is added to Section 2.

17 COUNCILWOMAN CLARK: So this amendment
18 is Section 22-1305, Section 2?

19 PRESIDENT STREET: Section 2 is amended
20 to add the underlying language.

21 COUNCILWOMAN CLARK: Okay, fine.

22 PRESIDENT STREET: Can we now go to
23 Cohen-2, Cohen-2.

24 Mr. Hayllar, what is the
25 Administration's position on Cohen-2, the

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2 amendment offered by Mr. Cohen, which has been
3 identified as "Cohen-2." This is the 22-person
4 amendment.

5 MR. HAYLLAR: This deals with people in
6 Local 2186. We're fine with it; we do not oppose
7 it.

8 PRESIDENT STREET: Mr. Hayllar has
9 indicated that the Administration is not opposing
10 it.

11 Is there any questions about -- does
12 anyone have any questions about this amendment?

13 (No questions.)

14 COUNCILMAN STREET: Can we now go to
15 the Administration's amendments.

16 Is there any question about the
17 Administration's amendments? Does anybody have
18 any question to ask Mr. Hayllar about the
19 amendments that you have that are labeled
20 "Administration"? Are there any questions at
21 all?

22 Councilman Nutter.

23 COUNCILMAN NUTTER: Thank you, Mr.
24 President.

25 These amendments actually may not deal

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2 with this particular issue at all, but in a
3 conversation earlier today -- and I don't know
4 whether this is a question for Mr. Hayllar or Mr.
5 Herkness.

6 But I believe about six months ago or
7 so, we passed a bill that had to do with a hero
8 provision, I believe, for police and fire. The
9 question is whether or not that provision has made
10 it into the recodification bill.

11 MR. HERKNESS: No, Councilman, it
12 hasn't. That arbitration -- the Fraternal Order
13 of Police Arbitration that deals with language
14 that would propose to change the pension ordinance
15 to allow for heroic action interpretation has not
16 been yet passed by Council.

17 COUNCILMAN NUTTER: This is on
18 disability?

19 MR. HERKNESS: Yes, sir.

20 COUNCILMAN NUTTER: So the bill is
21 still pending?

22 MR. HERKNESS: Yes, sir.

23 COUNCILMAN NUTTER: All right, thank
24 you.

25 PRESIDENT STREET: Are there any

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2 question for the Administration on the
3 Administration's proposal?

4 The Chair recognizes Councilman Cohen.

5 COUNCILMAN COHEN: When a pension
6 vests, that does not automatically mean that the
7 person whose pension has vested and, say, leaves
8 the government service, the fact that vesting does
9 not mean that that person will start receiving
10 retirement benefits; is that correct?

11 MR. HAYLLAR: That's correct.

12 COUNCILMAN COHEN: There's a
13 requirement of age?

14 MR. HAYLLAR: Correct.

15 COUNCILMAN COHEN: Thank you, Mr.
16 President.

17 PRESIDENT STREET: Thank you very much.
18 Are there any other questions regarding the
19 amendment that we are referring to as "the
20 Administration amendment?"?

21 COUNCILMAN ORTIZ: I have a question
22 for Councilman Nutter. I want to know if he
23 qualifies on the age question or not.

24 PRESIDENT STREET: Councilman Cohen
25 refuses to dignify such a question from a youth.

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2 (Laughter.)

3 PRESIDENT STREET: Can we now consider
4 the proposed amendment regarding vesting within
5 five years. This is Cohen's amendment number 1.

6 The Chair recognizes the Finance
7 Director, Mr. Hayllar.

8 MR. HAYLLAR: The Administration
9 opposes this amendment. It's slightly different
10 than the one we'd seen yesterday and earlier
11 today, so we haven't studied it in depth.

12 First, our opposition is based on the
13 fact that we hold this to be a bargainable issue
14 with the four principal union groups.

15 Secondly, the change that was made from
16 yesterday's amendment, today's amendment, it
17 includes about 2,000 court employees. That
18 creates a problem down the road since we estimate
19 that the court employees will be moved as State
20 employees sometime earlier in the next century.

21 The whole question of how their pension
22 will be treated is a very complicated one. This
23 makes that problem more complicated because, as
24 you know, the State has a ten-year vest, and this
25 group of people would be in a pension plan with a

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2 five-year vest. The State has not resolved how to
3 deal with the pension matters of employees that
4 would move over. This certainly will complicate
5 it.

6 Also, there's something confusing in
7 the amendment that the Councilman has presented in
8 that it covers only current employees. Somebody
9 hired the day after this would go into effect
10 would have a ten-year vest.

11 So this is somewhat confusing and I'm
12 not sure it was the intention. It certainly
13 suggests that there might have been some haste in
14 preparing the amendment.

15 Finally -- and this is the least of our
16 concerns, but I should note it. We will have a
17 massive system with optional five-year or ten-year
18 vesting. It will increase and add an
19 administrative burden to the Pension Fund staff.
20 I believe they can handle it, quite honestly, but
21 it is an additional administrative problem that
22 Mr. Herkness and his people will have.

23 Thank you.

24 PRESIDENT STREET: The Chair recognizes
25 Councilman Cohen.

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2 COUNCILMAN COHEN: The purpose of this
3 amendment is to treat everybody equitably. The
4 Administration, in the codification bill, proposes
5 that employees who are both exempt from civil
6 service and who are not entitled to be represented
7 by a union will have the option of vesting their
8 pension rights after five years. They will have
9 to pay an increased amount; that is, an increased
10 amount would be deducted from their paycheck if
11 they exercise their option to vest in five years.

12 I believe it is wrong to give a benefit
13 to a select group of people without making that
14 benefit available to all others.

15 If there is any special problem about
16 court employees, then I think it might be
17 appropriate to separate them from the general
18 mix. I don't know how serious that problem is.

19 But except for that possible problem,
20 it seems to me very unfair to have two different
21 standards of vesting. And I would, therefore,
22 suggest that I would find it equally acceptable to
23 eliminate the five-year vesting provision for the
24 exempt non-civil service people who cannot be
25 represented by a union; then we'd have the

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2 standards vesting period.

3 Or if we're going to move to a
4 five-year vesting period, then I think it ought to
5 be applicable to everybody rather than having it
6 just applicable to nonunion members.

7 It seems to me to be very unfair, and
8 that's the purpose of my amendment.

9 And, incidently, it would not cost a
10 penny more because anybody who exercises the
11 option would have to agree to having the deduction
12 from their payroll -- from their check increased.
13 So it's no cost whatever to the City because the
14 employees would pay the full amount of money.

15 And, therefore, I'm trying to prevent a
16 discriminatory situation. And I say as far as I'm
17 concerned, I could go in either direction provided
18 it's applicable to all employees.

19 Thank you, Mr. President.

20 PRESIDENT STREET: Mr. Hayllar, would
21 you like to respond to that?

22 MR. HAYLLAR: Councilman Cohen, I'm
23 sorry, I was wondering what the rationale was for
24 having a five-year vest for current employees but
25 not allowing that option for somebody who's hired

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2 the day after this bill would go into effect.

3 COUNCILMAN COHEN: I would be delighted
4 to have that included. I was trying to make the
5 demand as minimal as possible with respect to
6 current employees and permitting the normal
7 bargaining process to apply to those who are not
8 yet employees. I would be delighted.

9 I was trying to cut it down by saying,
10 Let's just make it applicable to current employees
11 and credit the Administration with having some
12 freedom in the negotiating process with respect to
13 future employees.

14 But if it creates a problem, I would
15 like to amend this further to have it apply to all
16 employees.

17 PRESIDENT STREET: Councilman Cohen.
18 I'm trying to understand this. It is my
19 understanding of all the employees in this city,
20 as the bill currently stands, all the union
21 members will be vesting in ten years.

22 COUNCILMAN COHEN: Yes.

23 PRESIDENT STREET: Right? And there
24 are a few thousand people. Those who are
25 ineligible to be in the union, those who are

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2 exempt -- and they primarily work for City Council
3 and for an administration, they come into an
4 administration.

5 My recollection is, the idea was that
6 people who come into an administration don't
7 usually stay -- as a matter of fact, they can't --
8 almost never stay for ten years. They tend to
9 stay eight and they usually tend to stay less than
10 eight.

11 COUNCILMAN COHEN: That's true, but
12 some of them stay on.

13 PRESIDENT STREET: Yeah, some stay on,
14 a few will stay for a full eight years.

15 And I can remember, in some of our
16 discussions about some of this, the idea was that
17 those people, if they have a ten-year vest,
18 they're out. I mean, what's going to happen is --
19 I mean, pension deductions will be made at the
20 end. They'll leave after 2, 3, 4, 5 years.
21 They'll get their money back, and they basically
22 have to start all over again.

23 It's my understanding the basic idea
24 was to allow those people who are unlikely to be
25 here for ten years, under any circumstances, and

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2 those people who may work for a Councilmember who
3 might be here, you know, for 3, 4, 5 years or so,
4 to be able to vest in 4 years. But it is my
5 understanding that the overwhelming majority of
6 our 25, 30,000 employees will all have the same
7 10-year vest.

8 And you know, if there is other -- if
9 there is other information to add, it's my
10 understanding that at least that in part was the
11 rationale for carving out this much -- this very
12 -- this really represents a very small group of
13 people and say, Look, we're going to let these
14 people vest in five years if they're willing to
15 pay for it.

16 COUNCILMAN COHEN: Mr. President, my
17 understanding is that the provision does not cover
18 Council employees and that it was crafted
19 purposely to exclude -- for Council employees, I
20 believe the vesting period eight 8 years.

21 MR. HAYLLAR: No, sir, they're they're
22 not excluded. They would be included.

23 PRESIDENT STREET: They are included.

24 COUNCILMAN COHEN: Well, they -- as far
25 as I know, Council employees don't fit within this

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2 description.

3 PRESIDENT STREET: They're exempt
4 employees.

5 COUNCILMAN COHEN: Yes, but they have
6 to meet three conditions. They have to be exempt
7 from civil service, and a Council employee is
8 that, but cannot say to a Council employee, "I
9 know of no law which says that Council employees
10 are not entitled to be represented by a union."

11 Those are words of art which mean that
12 if the issue -- if Council employees sought to be
13 organized by a union, they would have what are
14 call "bargaining unit problems." They may or may
15 not be held eligible for a bargaining unit.

16 But there's no law that I know of that
17 exists now that excludes Councilmembers from
18 forming a union, and this language could easily be
19 used --

20 PRESIDENT STREET: Councilman Cohen.

21 COUNCILMAN COHEN: I'd like to get the
22 opinion of the Administration on that.

23 PRESIDENT STREET: Well, it will be
24 interesting to see if Council employees try to
25 form a union.

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2 COUNCILMAN COHEN: No, I'm not saying
3 that. All I'm saying is that they're not covered
4 by the language that the Administration proposes
5 to it.

6 PRESIDENT STREET: That would be
7 interesting. Where's Johnny Morris when we need
8 him?

9 (Laughter.)

10 COUNCILMAN COHEN: If it even said, Mr.
11 President, if it said "And who are not represented
12 by a union. . ." then Council employees would be
13 eligible. But this says they are not entitled to
14 be represented by a union. That's a vastly
15 different thing.

16 Would the Administration agree to
17 remove the words "entitled to be"?

18 MR. HERKNESS: Councilman, the bill
19 presently includes exempt employees any employee
20 who is categorized as exempt. That includes
21 Council staff. They are exempt employees under
22 the present system; they would clearlyb be
23 included by the language of this ordinance.

24 COUNCILMAN COHEN: For a five-year
25 vest.

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2 MR. HERKNESS: Yes, sir.

3 COUNCILWOMAN CLARK: Point of order.

4 MR. HERKNESS: If your scenario of this
5 (unintelligible) could -- you know, anything could
6 change, but they would still be included if they
7 were five-year vesting.

8 COUNCILMAN COHEN: Yes, ten years.

9 PRESIDENT STREET: You can't raise a
10 point of order, Councilwoman. That's
11 inappropriate for --

12 COUNCILWOMAN CLARK: It's a point of
13 clarification.

14 PRESIDENT STREET: What's the point of
15 clarification?

16 COUNCILWOMAN CLARK: I believe that now
17 the legislative history around this amendment
18 would be such to sustain what is meant and,
19 therefore, it would will have met the objection
20 that Councilman Cohen raised.

21 PRESIDENT STREET: Thank you very much.

22 COUNCILWOMAN CLARK: Did you understand
23 that?

24 PRESIDENT STREET: I understood exactly
25 what you said; I agree with it.

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2 COUNCILWOMAN CLARK: The legislative
3 history surrounding the amendment would be
4 sufficient to show the intention and, therefore,
5 to meet the objection that Mr. Cohen raises by
6 making a distinction between those people who are
7 eligible to be represented by a bargaining unit.

8 By Mr. Herkness's comments that Council
9 staff members meet exemption in every definition
10 covered by the language, I think, would be
11 sufficient.

12 Mr. Cohen, I think you've done an
13 excellent job in raising it. And I think that his
14 answer to your question is sufficiently clear to
15 serve as to what the legislative intent of this
16 body is.

17 Mr. Street, would you like to have me
18 repeat that?

19 PRESIDENT STREET: No, I understand
20 that.

21 (Laughter.)

22 PRESIDENT STREET: Councilman Cohen,
23 Councilman Cohen, it's my understanding that this
24 amendment would cover uniformed workers as well as
25 workers in District Council 43; is that correct?

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2 COUNCILMAN COHEN: Yes.

3 PRESIDENT STREET: And at no point in
4 time have I ever heard any of those unions come in
5 here asking us to change their vest from a
6 ten-year vest to a five-year vest.

7 So why are we now offering an amendment
8 to this bill that gives them something that they
9 never even asked us for?

10 COUNCILMAN COHEN: Well, I met with the
11 leadership of all of the unions, and they all
12 requested this amendment. I mean, I can't account
13 for discussions at which I was not present.

14 PRESIDENT STREET: I understand that.

15 COUNCILMAN COHEN: But all of the union
16 leadership said they favored strongly this
17 amendment.

18 PRESIDENT STREET: But none of that
19 union leadership is in this chamber today except
20 maybe some of the 47 people, but I don't even see
21 the head of District Council 47 in here today.

22 And I have to tell you, we're having a
23 lot of discussion about this, and I have never
24 known the unions to be bashful or shy about coming
25 in here and telling us exactly why they want, and

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2 they're not here doing that now.

3 COUNCILMAN COHEN: Mr. President, I
4 think they're planning to be here on Monday.

5 PRESIDENT STREET: And I understand why
6 they're going to be here on Monday; I do not
7 understand why it is you are -- you are urging
8 this amendment and they are not here today.

9 COUNCILMAN COHEN: Well, I can't answer
10 for them, Mr. President. They make their
11 decisions.

12 PRESIDENT STREET: The Chair recognizes
13 Councilman Nutter.

14 COUNCILMAN NUTTER: Thank you, Mr.
15 President. I'd like to go back to the area where
16 Councilman Cohen started with this, which was the
17 equity discussion.

18 Mr. President, you began to explain
19 what the original purpose was of this provision in
20 the pension recodification bill that deals with
21 the exempt-from-civil-service person. If I could
22 ask either Mr. Hayllar or Mr. Herkness for some
23 further discussion on that particular point.

24 As you went through this process, what
25 did you -- what did you think you were trying to

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2 cure and how did you get to five years? If --

3 MR. HAYLLAR: Okay. The major problem
4 is that there are many employees of the City
5 exempts who are appointed for the term of the
6 Mayor. And because the Mayor can only serve two
7 terms in this city, they will only be here for
8 eight years. Therefore, they cannot vest.

9 COUNCILMAN NUTTER: Are most of the
10 people that we're talking --

11 MR. HAYLLAR: Yes.

12 COUNCILMAN NUTTER: In that category?
13 I mean, how many people are we talking about?

14 MR. HAYLLAR: In the administration
15 bill --

16 MR. HERKNESS: Councilman, the total
17 number of exempts, including assistant district
18 attorneys, which are numerous, and the Law
19 Department attorneys, is 1100. But that includes
20 -- at least half of them are attorneys that are
21 hired by the City.

22 COUNCILMAN NUTTER: The attorneys in
23 the Law Department or the attorney's in the DA's
24 office?

25 MR. HERKNESS: Yes.

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2 COUNCILMAN NUTTER: I asked you two
3 different questions; you said "yes."

4 MR. HAYLLAR: The second question is,
5 Why five years? I think we've answered the
6 question of why ten years is not particularly
7 equitable for this particular group of employees.

8 The second question is, Why five?
9 Because what we have seen from our own practice is
10 that the inability to offer a pension to a manager
11 that's coming in and who is not going to come for
12 the entire, say, eight-year period of time, that
13 during the course of any administration, there are
14 vacancies, the Capital Programs Office is perhaps
15 the largest one. The individual in charge not
16 going to be there for more than four years.

17 What has happened is, it's a
18 disincentive to come to work for the --

19 COUNCILMAN NUTTER: Four or eight
20 years.

21 MR. HAYLLAR: Yeah. It's a
22 disincentive to work for the City. They do not
23 have the option of having a pension. They get
24 their contributions back, they don't even get
25 interest on that.

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2 What you've seen is historically a
3 pattern of managers at that level working for two
4 years and moving on. And what happens is -- and I
5 can tell you that I know this 'cause I was subject
6 to it. That after two years, you begin to realize
7 what you're losing in terms of not having a
8 pension option.

9 And, therefore, five years seemed to be
10 an equitable number where there is a longer-term
11 commitment to the City that's more than one term
12 but it is certainly less than the probably
13 impossible-to-reach ten years, and it encourages
14 people who traditionally have been with us for
15 two, three years to stay longer. That was the
16 rationale for it.

17 COUNCILMAN NUTTER: Why didn't you just
18 move it to eight?.

19 MR. HAYLLAR: Because unless you were
20 here on the first day of the new administration,
21 you will not get a pension. So when you are
22 recruiting for a manager, particularly in a
23 technical area -- when you're recruiting for a
24 manager in the second or third year of the term,
25 eight years will not provide them with a pension.

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2 Five years also in pensions is sort of
3 the general number in which vesting is approved in
4 the private sector, so there's a consistency
5 there. That's why five chosen over six -- just
6 because it tends to be what you see in the private
7 sector.

8 COUNCILMAN NUTTER: Well, let's go back
9 to -- the flip side of this discussion, as
10 Councilman Cohen laid it out, is take that
11 provision out, and is there anything that prevent
12 us at that point from waiting to see what happens
13 in future contract negotiations if, under the
14 premise -- and we'll make the argument for the
15 moment of -- I'll hold to your argument that this
16 is a bargaining issue.

17 Unions negotiate the contracts in
18 2,000. Suppose they do, in fact, bargain for this
19 and the vesting number comes down? There's
20 nothing to prevent us from going back and making,
21 for the non-exempts, the number the same as
22 whatever the unions negotiated for.

23 MR. HAYLLAR: That is correct.
24 Historically, however, this has not been an issue
25 that stayed on the negotiating table for terribly

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2 long; maybe that changes this time.

3 The reason we're proposing it now is --
4 'cause this will not benefit the Rendell
5 Administration, obviously. That the next mayor
6 coming in, and during that period of time when the
7 next mayor is beginning to put together the look
8 of the administration, this gives that mayor an
9 extra tool to recruit people.

10 He won't have that if you wait till the
11 negotiations are completed in the year 2,000.
12 You've lost six months easily; probably something
13 significantly more.

14 COUNCILMAN NUTTER: I understand that.
15 Are there examples of people who decline to come
16 here because of the pension issue?

17 MR. HAYLLAR: In my own experience,
18 yes, it's been a contributing factor in a number
19 of cases where you're trying to recruit
20 professionals, and the lack of viable pension
21 option was an issue.

22 And then keeping them once they're
23 here, you get that two-year, two-and-a-half-year
24 cycle that we're so familiar with, and they are
25 offering this to some of our really strongest

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2 people who you would want to keep.

3 COUNCILMAN NUTTER: I understand. But,
4 again, if contracts expire June 30, 2000, the
5 negotiations are whatever they are. And if the
6 issue is bargained, theoretically, somewhere
7 within the first year of that mayor's term, the
8 issue could, in fact, be legislatively resolved.

9 MR. HAYLLAR: That is correct. By
10 passing it as suggested in the recodification
11 ordinance you would give the new mayor the
12 opportunity to use that tool starting in November,
13 when people begin to think about what the
14 structure of their administration's going to be
15 instead of waiting until the administration has
16 already begun.

17 There's no what-if's to offer somebody,
18 like, Maybe I'm going to get this, this is an
19 option. If you're with us for five years, you
20 will vest.

21 And when I was younger, it didn't
22 matter that much to me, but I can tell you that at
23 a certain age, you start thinking about the
24 pension and the fact that, gee, you don't got one,
25 and it makes a big difference as to whether you

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2 stay.

3 PRESIDENT STREET: Gentlemen, I think
4 we might have a break-through here.

5 The Chair recognizes Councilman Cohen.

6 COUNCILMAN COHEN: Mr. President, I
7 feel that the position I have stated has great
8 merit, but I also feel that the matter of pension
9 recodification that's taking place is a very
10 important thing, and I don't want in any way to
11 have the five-year vesting period interfere with
12 the overall question, particularly since on
13 Monday, we're going to be discussing another
14 aspect on the COLA.

15 And under those circumstance, I will
16 withdraw this amendment known as "Cohen-1" in the
17 interest of our moving forward with the
18 recodification generally and the conversation of
19 the COLA bill on Monday.

20 PRESIDENT STREET: I thank you,
21 Councilman Cohen. You do know we appreciate that.

22 Does anyone else have any question of
23 any person on any amendment?

24 (No questions.)

25 PRESIDENT STREET: Thank you very much.

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2 The Council Committee of the Whole
3 public hearing is now in recess.

4 - - -

5 PRESIDENT STREET: We will now convene
6 a public meeting on the Council Committee of the
7 Whole. We will now be in a public meeting of the
8 Council Committee of the Whole.

9 The Chair recognizes Councilwoman Verna
10 for a motion on Bill No. 980843 -- I'm sorry, on
11 Bill No. 980788 as it relates to the amendments.

12 COUNCILWOMAN VERNA: Mr. Chairman, I
13 move that the amendments stand approved on Bill
14 No. 980788.

15 (Duly seconded.)

16 PRESIDENT STREET: All those in favor,
17 let it be known by saying aye.

18 Those opposed, say nay.

19 The ayes have it. The bill is amended.

20 The Chair recognizes Councilwoman Verna
21 for a motion on this bill, as amended.

22 COUNCILWOMAN VERNA: Mr. President, I
23 move that Bill No. 980788 be reported out of
24 committee with a favorable recommendation, as
25 amended; also a recommendation that the rules of

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2 Council be suspended so as to permit first reading
3 at our next session of Council.

4 (Duly seconded.)

5 PRESIDENT STREET: All those in favor,
6 let it be known by saying aye.

7 Those opposed, say nay.

8 The ayes have it. It is so ordered.

9 The Chair recognizes Councilwoman Verna
10 for a motion on Bill No. 980843.

11 COUNCILWOMAN VERNA: I move that the
12 amendments be approved as presented to us on Bill
13 No. 980843.

14 (Duly seconded.)

15 PRESIDENT STREET: And these are the
16 amendments that were offered, the Administration
17 amendment, Cohen-2, and Councilman Nutter's
18 amendment.

19 COUNCILWOMAN VERNA: And I believe --
20 weren't there some amendments on Monday?

21 PRESIDENT STREET: No, they are all
22 here.

23 COUNCILWOMAN VERNA: Are they all --
24 oh, I'm sorry.

25 PRESIDENT STREET: Is there a second?

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2 (Duly seconded.)

3 PRESIDENT STREET: All those in favor,
4 let it be known by saying aye.

5 Those opposed, say nay.

6 The ayes have it. The amendments are
7 adopted.

8 The Chair recognizes Councilman Cohen
9 Vern for a motion on the bill as amended.

10 COUNCILWOMAN VERNA: Mr. Chairman, I
11 move that Bill No. 980843 be reported out of
12 committee with a favorable recommendation, as
13 amended, and that the rules of Council be
14 suspended so as to permit first reading at our
15 next session of Council.

16 (Duly seconded.)

17 PRESIDENT STREET: All those in favor,
18 let it be known by saying aye.

19 Those opposed, say nay.

20 The ayes have it. It is so ordered.

21 This is the end of our public hearing
22 and our public meeting on these two bills.

23 (Adjourned at 2:08 p.m.)

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C E R T I F I C A T E

I HEREBY CERTIFY that the foregoing
proceedings of the Council of the City of
Philadelphia of Thursday, December 3, 1998, were
reported fully and accurately by me, and that this
is a correct transcript of same.

RE: COUNCIL COMMITTEE OF THE WHOLE
BILL NO.'S ^

_____,
MAUREEN BRODERICK

Registered Professional Reporter

_____,
JOSEPHINE CARDILLO,

Registered Professional Reporter