COUNCIL OF THE CITY OF PHILADELPHIA

PUBLIC HEARING

COMMITTEE ON LAW AND GOVERNMENT

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Room 696, City Hall
Philadelphia, Pennsylvania
Tuesday, April 22, 2003
5:20 p.m.

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RESOLUTION 030227 - A Resolution authorizing City Council's Committee on Law and Government to investigate the effectiveness and efficiency of the delivery of public housing resources and services to the low and moderate income residents of Philadelphia by the Philadelphia Housing Authority...

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PRESENT:

COUNCILMAN DAVID COHEN, Chair
COUNCILWOMAN JANNIE BLACKWELL
COUNCILMAN DARRELL CLARKE
COUNCILMAN RICHARD MARIANO
COUNCILMAN MICHAEL NUTTER
COUNCILMAN ANGEL ORTIZ
COUNCILMAN FRANK RIZZO
STATE REPRESENTATIVE LEANNA WASHINGTON

- - -

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COUNCILMAN COHEN: Will everybody please arrange to come to order? Will people find seats, if there are seats?

We're required by the Fire Marshall to limit attendance. We hope it won't stop anybody from coming, but at some point we may have to arbitrarily comply with the Fire Department regulations. You know, this a temporary meeting headquarters for City Council since the great waterfall that put our regular meeting room out of business over a year ago. By the next election, we hope that the new term of Council will also bring us back to our original meeting room. But that's why we are in the courtroom. This is a temporary meeting area.

Now, members are here, Councilman Mariano, Councilman Nutter, State Representative LeAnna Washington, Councilman Angel Ortiz, I'm Councilman David Cohen. This is Tim Kearney, my Legislative Director for the Law and Government Committee; Robert Jaffe, Counsel for Law and Government Committee; and Howard Rye, Technical Assistant. You'll be seeing them move around.

This will be relatively, we hope, a

short hearing. But the name "Cohen" is never associated with brevity. So when I say short, that means shorter than what it might otherwise be.

As most of you know, there was a meeting yesterday afternoon between representatives of Philadelphia Housing Authority, Mr. Carl Greene; his attorney, Alan Kessler; two Commissioners, Nelly Reynolds and Jannie Blackwell. Jannie Blackwell is also a member of this Committee and is also a member together with Nelly Reynolds of the Housing Board. So there were two members of the Housing Board. Mr. Jaffe was there. Mr. Shapiro of our technical staff, Councilman Nutter, Councilman Ortiz, and myself, Howard Rye on behalf of the technical staff. I may have missed somebody or other, so it's unintentional. The room was crowded. There wasn't too much ventilation, which was good, otherwise the meeting would have probably gone beyond the two hours it did go. I would like to report that there was sunshine and happiness in the room at all times. I guess that was the one thing that never existed at any point, but there were frank discussions. Maybe there was some form of name-calling, but that's natural when people get together and disagree.

We arrived at no satisfactory decision for either side. The committee chairman, myself, announced that the hearing would go on at 5 o'clock today and that Mr. Carl Greene was under subpoena to appear today, as he had been at the previous hearing and as he had been once invited without a subpoena. Mr. Greene just announced that he would make his decision on whether he would appear following that Monday meeting.

We discussed a number of things, including my inability to understand how any official doing business with the City of Philadelphia could refuse, under any circumstance, to appear at a hearing called by City Council, particularly when a subpoena had been issued. And Mr. Greene's inability, apparently, to understand why it is that City Council was interested in him except that he kept on thinking that we were interested in interfering with the PHA's efforts to negotiate a contract. We assured Mr. Greene repeatedly that the question of the contract was not an issue at all in this matter. What was an issue was a lot of other things that PHA -- including some subjects that might be the subject of union

negotiations, but also the subject of Council.

For example, Council legislates on pensions. We are very much interested in the subject of pensions. We legislate about it. We've changed the pension system; and the mere fact that the pension system might also be a subject for discussion, the union and management had nothing to do with Council's ability to require that information be submitted. We are very much concerned in City Council about the level of pensions, because we're fighting very hard to make sure that those who work for the City of Philadelphia are treated fairly in their retirement days. Just as we fight to retain the 20 percent Senior Citizen Discount for gas consumers in Philadelphia for senior citizens. We fight that when people retire, they should have a fair pension system. And we were very concerned that, from what we understood, we didn't know all the facts, that there were efforts being made to take action against the pension system affecting senior citizens.

We were also worried as to what this indicated for the fiscal stability of PHA; were they in trouble, were they going out of business, and

what did that mean for the Philadelphia residents, since approximately 75,000 Philadelphians are residents of PHA? Some people say PHA is the largest landlord in the City of Philadelphia. Some people say it's the largest slum lord in the City of Philadelphia. We're trying to characterize which it is, but we wanted to get information about a whole host of questions. However, we reached no agreement except Mr. Greene said he would notify us as to his intentions later on.

Earlier today, we received a letter from Mr. Greene saying that he would not be present, that legally he felt he had no obligation to appear. And my understanding is that the letter contained legal material given to him, or maybe it was just added to the letter he wrote, giving a legal basis for his not appearing. And then at 4:30, while conducting the Law and Government Committee hearing on auto insurance rates and what we can do to lower them, I received a visit from Council President Verna. She asked to speak with me, and I left the Chair. And she told me at 4:25 she had a telephone call from Mayor Street saying that he was sure that he could resolve the issue, that he did not wish to be on a

collision course with City Council, but that he would need he believed about a week and that he thought everything could be worked out. We're not sure of exactly what that means, but the intent that Council President Verna had of it and that I take from it is that he would understand that Mr. Greene would absolutely have to comply with the subpoena. And therefore, it is going to be -- I agreed, after I thought about it I agreed that the City Council would not take any action to enforce the subpoena, that at the end of this hearing today we're going to schedule another hearing. It will be on a specific date within the next 10 days or so at which Mr. Greene will be further subpoenaed to testify. And we'll see what can be worked out. It's in nobody's interest to have an agency that works for the City of Philadelphia and the City Council on a collision course. However, I am and I believe the Committee is of the opinion that committee subpoenas must be obeyed. And if there is a misunderstanding, we're willing to work with everybody to clear up that misunderstanding.

So what I'm going to do today, with everybody's consent, is to permit the leaders, Mr.

Cronin of the AFSCME Union and the person in charge of the police group that have an organization state whatever views they want to state.

I understand that it's the feeling of people who work for PHA -- I've had a number of phone calls indicating that people believed that the issue on pensions has not been accurately reported in the press, and so I'm going to invite the representative of the organizations on the pension system to report on that. And then it will be my intention to proceed from that point to a recess.

COUNCILMAN ORTIZ: One point of clarification, Mr. Chairman, about yesterday's meeting. I just want you to -- because you described it and you said there was some name-calling. I just want you to clarify that, the name-calling did not come from any of the Councilpeople present.

COUNCILMAN COHEN: Well, whatever it is, it is. It may be natural when tensions are high in a room that there may be some feelings expressed. But our intention is to protect two groups, Philadelphia workers and Philadelphia residents. And to protect Philadelphia residents, we have to

see that the agency is working in the interest of Philadelphia Housing do a proper and efficient job and we have to see that Philadelphia workers are properly treated. Anything less than that will be unsatisfactory.

COUNCILMAN ORTIZ: Mr. Chairman, if I may. Is it then your understanding -- if I may clarify.

COUNCILMAN COHEN: Go ahead, Councilman Ortiz.

COUNCILMAN ORTIZ: Is it then your understanding from the phone call from Mayor Street to Council President Verna that the Mayor is going to make Carl Greene available to this Committee without us having to enforce the subpoena? Is that your understanding?

COUNCILMAN COHEN: That's my understanding. But I must say, I cannot say that I have any word from the Mayor to prove it. The Mayor certainly reads the newspapers. He knows the position of this Council Committee that anything less than appearing here in compliance with the subpoena will be considered unsatisfactory by City Council. You know, it's been repeated in the press,

I don't know how many times. I must have said it at the meeting at least 20 times. It remains my position, it remains the position of Council Committee, Council cannot function unless it has the power to compel the production of testimony and documentation. No witness has the right to bargain with the Committee as to when that witness will testify or under what conditions or to limit the extent of testimony they're going to give. Everybody who knows anything about committee hearings knows that a witness always has the right to refuse to answer a question if for any reason the witness believes it's improper. The Fifth Amendment is known to everybody in the United States, and there may be other amendments or other provisions that apply. But then there's a second follow-up to that. After the refusal, the Committee has the right to take the person to court and get from the court an order to answer the question if the Committee convinces the Court that the question was an appropriate question. And that's what this is about. But we intended to -- what I've agreed not to do between now and the next hearing is to file a petition in court.

COUNCILMAN ORTIZ: If I may recommend, Mr. Chairman, because it would be very appropriate -- May Day it coming. I think we should set the next appearance of Mr. Carl Greene before this Body on May 1st, May Day, the day of the worker.

COUNCILMAN COHEN: Well, I understand there may be a difficulty with that date on the part of some people who are representatives of working people, and that's the only reason I did not suggest that day. That's otherwise a satisfactory day. But I'm hoping that I will get information that will permit us to set the hearing either that day or within a couple of days of that day.

COUNCILMAN ORTIZ: That would be appropriate.

COUNCILMAN COHEN: Before this hearing adjourns, we will have a specific day so that everybody will know the day and everybody can prepare both at PHA and among the working people that are affected directly.

I also understand there may be here some residents from the Tenant Council. I don't know where they are. I understand some people are concerned about whether this room will be large

enough to hold the groups that may want to come next time. Well, all I can say is this is a public hearing and we'll permit as many people to come as the Fire Marshall permits us in this room. And hallways may be stacked, but one thing I'm going to say to you here so that no one can have any question, as far I am concerned, a subpoena by the City Council must be obeyed. There is no way out and nobody can say, "I don't want to testify in person."

(Applause.)

COUNCILMAN COHEN: Councilman Rizzo.

COUNCILMAN RIZZO: I just wanted to make sure you knew I was here, Mr. Chairman.

COUNCILMAN COHEN: Yes, Councilman Rizzo is here. We have a full quorum and I'm going to ask the committee director, Tim Kearney, to read the second resolution. After the first hearing and after the presentation by PHA of some, not all, but some of the documentation, the City Council requested of PHA and of Mr. Greene, some of it was presented. We limited our request to material that was contained in the first letter that Mr. Greene sent us during the first hearing when Mr. Greene

notified us during the hearing time that he would not be coming to the hearing. He then in that letter referred to a number of contracts. We have not been able to locate all the contracts in the material Mr. Greene sent us, but we have located some that Mr. Greene will be further subpoenaed to attend the next hearing because he's already rejected the offer that he come without a subpoena. And he may well be required also to produce further documentation. That will be up to the legal staff. But before we finish today, we will have a specific date for the next meeting.

Now, I'm going to ask the Legislative Director of the Committee, Tim Kearney, to read the second resolution that was prepared following the examination of the documents that were submitted by PHA. And it's on that resolution and on the first resolution that this hearing is being held on. The combination of both resolutions. The first one has been read; the second one has not yet been read.

Mr. Kearney, would you proceed to read the title of the resolution that is being considered here today?

THE CLERK: Thank you, Mr. Chairman.

Resolution 030227, authorizing City Council's Committee on Law and Government to investigate the effectiveness and efficiency of the delivery of public housing resources and services to the low and moderate income residents of Philadelphia by the Philadelphia Housing Authority in cooperation with the City of Philadelphia, and the available legislative remedies for inadequacies that may be found, including, not limited to the reallocation of City controlled and/or appropriated housing funds to other agencies, and authorizing the Chairperson of the Law and Government Committee in furtherance of such investigation to issue subpoenas or process as the Chairperson deems necessary or appropriate to compel the attendance of witnesses and the production of documents to the full extent authorized under Section 2-401 of the Home Rule Charter.

COUNCILMAN COHEN: Mr. Kearney, because of the newspaper articles that have appeared, I think it would be important to read the whole body of the resolution because that's the subject of this hearing today. You've read the title.

THE CLERK: Whereas, the Philadelphia

Housing Authority was established in 1937 and is the nation's fourth largest housing authority in the State of Pennsylvania's and City of Philadelphia's largest landlord providing housing for over 75,000 Philadelphians; and

Whereas, this Council, in approving the current five-year plan has authorized a unique and central role for PHA in the City's overall housing program; and

Whereas, PHA governed by a five-member board of commissioners, appointed as follows: Two members are appointed by the Mayor, two are appointed by the City Controller, and the fifth member is appointed by the other four. One of the current members, the Chairperson, is the Mayor's Chief of Staff, and another is the Majority Leader of City Council; and

Whereas, PHA employs 2,100 people, all of whom must adhere to residency requirements identical to that in effect for City of Philadelphia employees; and

Whereas, the Philadelphia Department of Licenses and Inspections inspects and regulates the housing conditions in all PHA rental units; and

Whereas, the functions and activities of PHA and the City in the field of housing has been inseparably tied together as succinctly summarized in the following excerpt from Standard and Poor's evaluation of PHA published in January 2003:

PHA is unique among the authorities that Standard & Poor's has evaluated in that it has almost 7,500 scattered-site units. PHA's blend in with the various neighborhoods, blocks and streets more than most other authorities. As a result, the authority is woven into the City to a larger degree, requiring a strong external presence and cooperation with many citizens, neighborhood businesses, and community institutions. Among the many effects of this high level of proximity is mutual dependence between PHA and Philadelphia; and

Whereas, PHA plays an active role in the City's Neighborhood Transformation Initiative. PHA participates on the Neighborhood Transformation Initiative Interagency Acquisition Review Team to select properties for acquisition, together with the City Planning Commission, the Mayor's Office, the Redevelopment Authority, the Office of Housing and Community Development, the Commerce Department, the

Empowerment Zone and Philadelphia Industrial Development Corporation; and

Whereas, this Council in the current fiscal year has made $40.2 million in HOPE VI funds available to PHA through its approval of the CDBG Block Grant application. This funding has been utilized for a variety of vital projects, including the construction of 2,000 housing units within the City; and

Whereas, the City and PHA have forged an important working relationship to ensure a reliable supply of subsidized housing for homeless families ready to transition to independent living. In Fiscal Year 2002 the City and PHA began a new joint endeavor, the "Good Neighbors Make Good Neighborhood Program," offers a year of intensive support services to approximately 400 homeless Philadelphia households who will receive Section 8 vouchers through he program; and

Whereas, PHA must maintain a stable and productive level of financial and organizational health in order to succeed in its implementation of the City's comprehensive plans for blight removal and creation of additional affordable housing units.

The failure of PHA to properly implement this Council's comprehensive housing plans could subject this City to forfeiture of some or all of the federal funds the City now receives from the Department of Housing and Urban Development, a federal takeover of the housing authority, as well as --

(Audience member reacts.)

COUNCILMAN COHEN: The witness will be in order or will have to be removed if there's another outburst.

Go ahead, Mr. Kearney.

THE CLERK: Repeating the last sentence, the failure of PHA to properly implement this Council's comprehensive housing plans could subject this City to forfeiture of some or all of the federal funds the City now receives from the Department of Housing and Urban Development, a federal takeover of the housing authority, as well as a range of other federal sanctions; and

Whereas, in view of the critical role that PHA plays in implementing the policy of the City to provide decent and affordable housing for all Philadelphians, it is important for this Council

to review PHA performance and productivity and to determine the availability of remedies for any shortcomings that it may discover; and

Whereas, PHA has already partially complied with the subpoena issued by the Committee on Law and Government by furnishing documents which indicate that PHA has embarked on a cost-cutting initiative to significantly erode the pension rights of City of Philadelphia residents who are engaged in publicly financed work to benefit the City of Philadelphia. These documents have raised questions concerning the Administration's plan for erosion of the pension rights for other City of Philadelphia employees; and

Whereas, the new pension plan that has been imposed by PHA on its employees may severely prejudice its ability to retain and recruit qualified employees whose mission is vital to the success of Philadelphia's vital housing programs as administered and implemented by PHA; and

Whereas, the sharp curtailment in PHA's pension plan raises questions about the financial viability and management capability of PHA, and, accordingly, its ability to fulfill its contractual

obligations and cooperative arrangements with the City and potential financial liability of the City for any such failures by PHA to perform its obligations; and

Whereas, if as seems likely, the City seeks to impose the same sharply curtailed pension plan on City workers, all City functions may be sharply endangered due to unwillingness of qualified workers to work for the City and the need appropriateness of the plan must therefore be reviewed by the Council; now, therefore

Resolved, by the Council of the City of Philadelphia, that it hereby authorizes City Council's Committee on Law and Government to investigate the effectiveness and efficiency of the delivery of public housing resources and services to low and moderate income residents of Philadelphia by the Philadelphia Housing Authority in cooperation with the City of Philadelphia, and the available legislative remedies for inadequacies that may be found, including but not limited to the reallocation of City-controlled and/or appropriated housing funds to other agencies, and further authorizes the Chairperson of the Law and Government Committee in

furtherance of such investigation to issue subpoenas or other process as the Chairperson deems necessary or appropriate to compel the attendance of witnesses and the production of documents to the full extent authorized under Section 2-401 of the Home Rule Charter.

COUNCILMAN COHEN: That resolution was unanimously adopted by the City Council and will be in effect and force at the next meeting, as well as this meeting.

Now, I understand there's been some question about accuracy of the reports in the newspapers on pension. Could I ask that Mr. Cronin and the Housing Patrol Officer and the pension expert appear at the panel so we can get what the employees say is a proposal. We want to be sure that everybody has accurate information on this.

As each one speaks, identify yourself by name and spell your last name for the reporter so that we will have an accurate record.

Who's going to speak first? Go ahead, sir, identify yourself.

MR. WHITEHORN: I'm Matthew Whitehorn, a lawyer with Willig, Williams & Davidson. We

represent District Council 47 and Locals 2186 and 2187.

Some of the reporting on our contentions concerning the pension plan have not been accurate. And it's very complicated, so it's easy to understand why something like that would happen.

First of all, AFSCME and the employees have not requested any increase at all in the pension. We just want to maintain the status quo.

The media has referred to 3 percent increases and extra work credit and inflation. These are not the issues that are involved in this situation.

Since 1996, benefits under the PHA pension plan have in vast part been based on something called the automatic roll-up. What that means is, benefits are computed by reference to compensation earned in the three years prior to retirement and, obviously, those are typically the years where longer-service employees have the greatest years of service and the highest rate of compensation. What the PHA has proposed is to freeze the so-called automatic roll-up at levels on November 1, 2002, which would mean the 2002 plan

year, the 2001 plan year, the 2000 plan year; that would be the compensation taken into account. And in the future, additional accruals under the plan would be based on a percentage of compensation earned in years after November 1, 2002.

We had asked --

COUNCILMAN NUTTER: Point of information.

COUNCILMAN COHEN: Yes. The Chair recognizes Councilman Nutter.

COUNCILMAN NUTTER: Thank you, Mr. Chairman. I hate to interrupt you while you're trying to explain, but if I don't understand something, I'm going to ask you a question or I'll be further behind.

First, tell me your name again.

MR. WHITEHORN: Matthew Whitehorn.

COUNCILMAN NUTTER: Mr. Whitehorn, can you explain the last part of what you said? I was with you up to a certain point, and I think that your description of pension benefits so far has pretty much mirrored at least my understanding. I've decided now that I should pay a little more attention to the pension issue since I've been

around a little longer. You never know how long you're going last, so I'm actually now paying attention to the pension issue.

Ours are calculated based your last three highest years of pay. Is that what you were describing with regard to PHA prior to this proposal?

MR. WHITEHORN: Basically, that's how this system works. It's a rolling system, taking into account the last three years.

COUNCILMAN NUTTER: What I did not understand was when you laid out -- I heard about the freeze. What I did not understand was the calculation after the date of November 1, 2002. That seems to be the trigger date. Is that what you said?

MR. WHITEHORN: After November 1, 2002, the benefits are going to be computed by earnings each year. So for example, if you earned $10,000 in 2003, you accrued 2.5 percent of 10,000. That's your additional accrual. If you earned $10,000 in 2005, you get another 2.5 percent of that amount of compensation. Your ultimate benefit is no longer based on an average of your three high years, which

are going to be your three years generally before retirement, but instead on a percentage each year.

COUNCILMAN NUTTER: So let me make sure I'm understanding this. If I was employed by PHA and, let's say, my salary in 2000, 2001, and 2002 was 30,000, 31,000 and 32,000, respectively, for those years. Without whipping out my calculator, I think the average there is probably going to be $31,000.

MR. WHITEHORN: Something close to that, right.

COUNCILMAN NUTTER: Are you saying that if for whatever reason in 2003 under this proposal -- let me not try to characterize it. If in 2003, I made $40,000, and then I decided to retire in 2004, how would my pension be calculated based on the 31,000, 32,000 and now $40,000 last 3 years of service under this proposal, recognizing that the $40,000 salary is now coming subsequent to November 1, 2002.

MR. WHITEHORN: I want to be accurate, so I'm going to give you a two-part answer, so just bear with me.

COUNCILMAN NUTTER: You're an attorney,

right?

MR. WHITEHORN: Yes.

COUNCILMAN NUTTER: I'd be satisfied with a two-part answer.

No offense meant. A lot of my friends ar attorneys.

MR. WHITEHORN: None taken.

The first part of the pension through service through November 1, 2002, would be computed by reference to that 31,000 average that we just discussed. And there would be a certain percentage of that average amount times years of service worked until November 1, 2002. Then it cuts off. There's no more use of that average.

For the year 2003, the individual would pick up an accrual of an additional 2.5 percent of 40,000 or based on the person's years of service. If they have a large number of years of service it would be 1.25 percent. So there's no use of the three-year roll-up method after November 1, 2002.

COUNCILMAN NUTTER: What does that mean to me in my pocketbook?

MR. WHITEHORN: Well, there's one proviso on that. Part of the proposal made to us

was that there would be a grandfather for anybody who went out up until 2005, but there's no guarantee that the roll-up will ever come back again after 2005.

COUNCILMAN NUTTER: But I thought the roll-up ended on November 1, 2002.

MR. WHITEHORN: It does, except there's a grandfather to protect people for that limited amount of time up until 2005.

So the analysis that we asked for was actuarial analysis from the PHA's own actuary, which is Milliman USA. It's a national actuarial and pension consulting firm. And we took a sample of four employees with different years of service and ages who are representative of typical people in the work force. For one of the longer-service employees, the elimination of the automatic roll-up resulted in a reduction at retirement in 2010 of $7,613 a year off of the annual annuity. And I'm not am actuary, but I venture a guess that average reductions would run somewhere from 10 to 15 percent if we looked across the workforce.

COUNCILMAN NUTTER: Do you have a full run of the present -- how does this proposal affect

currently retired, already-retired people?

MR. WHITEHORN: It doesn't have an effect on them.

COUNCILMAN NUTTER: So we'll put that to the side for a moment.

COUNCILMAN COHEN: Councilman Nutter, may I interrupt for a moment to announce the presence of Councilman Darrell Clarke, who is not a member of the Committee but is welcome to participate as a member.

Go ahead, Councilman Nutter.

COUNCILMAN NUTTER: Thank you, Councilman.

Do you have an actuarial run of the entire workforce that would be potentially subject to this proposal and a comparison made in that analysis between the current roll-up system and the suspended roll-up system and what it would mean to the individual employees and with hypothetical retirement dates?

MR. WHITEHORN: We don't have a total cross-section of all employees. We have four sample employees, which is what we had initially requested from the Housing Authority, and that's the

information that we have. And I believe we provided that at one of the earlier hearings.

COUNCILMAN NUTTER: This has been a very long point of order. My last question is, do you know whether the Authority has done a full run of the entire employee workforce to ascertain the same type of information?

MR. WHITEHORN: Not to the best of my knowledge.

COUNCILMAN NUTTER: If they had, would you know it?

MR. WHITEHORN: We would certainly like to have it if it's been done. I don't believe it has been.

COUNCILMAN NUTTER: I bet you would. I'm just trying to understand the difference between not to the best of your knowledge because you don't know, or not to the best of your knowledge because they haven't done it.

MR. WHITEHORN: I don't know whether it's been done.

COUNCILMAN NUTTER: It would seem to me to make a lot of sense in terms of looking at this whole issue. I mean, from the limited amount that I

know, I believe I disagree with the proposal, but put that aside for a moment. It would seem to me that trying to make a determination by the Authority about this kind of idea, you would at least want to know, not only what you believe to be financial savings to the organization, but the potential negative impact to the workforce and better understand, not only the economics of what you're doing, but the financial impact as well as the changing of the nature of the employee/employer under the circumstances.

MR. WHITEHORN: Councilman, we would, of course, love to have something like that. But I will endeavor to get you another copy of the samples that we already have for the four representative employees so you can take a look at it.

COUNCILMAN NUTTER: And I do recall, I think, at the first hearing some of that information was floating around, and I appreciate that. But if I can refresh my recollection, I'd appreciate it. Thank you.

Thank you, Mr. Chairman.

COUNCILMAN COHEN: Just one further follow-up with Councilman Nutter. Doesn't that make

it very difficult for an employee to understand what his or her pension benefits will be as compared to their ability to define now what the pension benefits would be if they worked a certain number of years?

MR. WHITEHORN: I think this information is extremely complicated, and I'm not sure whether employees have received any explanatory information on the impact of these proposals.

COUNCILMAN COHEN: But currently, without the change, isn't it possible for an employee to determine relatively easy a rough approximation of what his retirement would be?

MR. WHITEHORN: Yes. If an employee had what's called a plan description -- it's usually called a summary plan description, the formula is laid out in the summary plan description and somebody probably could get a pretty rough estimate of what their benefit is. And supposedly, statements periodically have been issued with respect to the plan which might provide information. I don't know when the last one was issued to the plan participants.

COUNCILMAN COHEN: In a defined benefit

plan, isn't the current plan prior to the proposed amendments pretty much a defined benefit plan?

MR. WHITEHORN: It is a defined benefit plan which pays a promised future benefit in a certain amount based on a factor of years of service and compensation.

COUNCILMAN COHEN: Yes, that's what I understand the general proposal is for all City of Philadelphia employees, whether they have their own separate pension fund or whether they participate in the City's pension fund. Now, it seems to me under this plan, nobody could tell what their pension would be. And when there's that amount of doubt and mystery about it, there's plenty of room for fooling around. Isn't there?

(Applause.)

COUNCILMAN COHEN: Because I've been following you. I'm not very bright. I only led my class at the law school, so I can understand why I may have difficulties understanding, but frankly, I've not been able to follow what actually happens, how I would compute it if I were subject to that kind of plan.

How do you get that 2 1/2 percent or

1 1 1/4 percent?

MR. WHITEHORN: That's the formula in the plan document. Service up to 25 years, generally 2.5 percent of compensation is factor used. For service in excess of 25 years, generally 1.25 percent of compensation is the factor used. That's in the existing plan right now. That's not anything that's being changed. The change that's being made now is to eliminate the automatic roll-up with a grandfather for a couple of years and maybe a one-time adjustment of the roll-up in 2005 if two factors are satisfied which, being a pension lawyer, I've reviewed the proposal and it's very unclear to me how these factors would be satisfied because the proposal that we received uses certain terminology where terms are not even defined so I find it hard to be able to anticipate whether it's possible that these conditions would ever be satisfied.

COUNCILMAN ORTIZ: Mr. Chairman, if I may, one point.

COUNCILMAN COHEN: Councilman Ortiz.

COUNCILMAN ORTIZ: The effect, I guess, the grandfathering, as you call it, of the roll-up and so on, is that also intended to cause some

workers to retire sooner than later?

(Applause.)

MR. WHITEHORN: That may be the case.

COUNCILMAN ORTIZ: Can you explain to me why that would be?

MR. WHITEHORN: Well, what they're saying is if somebody retires before 2005 because these people had anticipated going out, they sort of compromised and said, "We'll let anybody who goes out during the course of this collecting bargaining agreement if its ever signed, which would be 2002 to 2005, still get the benefit computed under the old formula before freezing the automatic roll-up." So that's what that is. It just kind of protects anticipated benefits for people who are close to retirement now.

COUNCILMAN ORTIZ: And what would be the economic benefit of someone at 25-year level, let's say, that takes advantage of this?

MR. WHITEHORN: Well, it's hard for me to compute that off the top of head.

COUNCILMAN ORTIZ: Pick a number in terms of salary.

MR. WHITEHORN: Well, that person

typically gets a benefit based on 2.5 percent of that three-year factor we talked about of average compensation, and that's basically -- there's a couple other parts of the formula, but basically that's how it would work.

If somebody, in contrast, goes out in 2008 and there's no more roll-up, the person gets a piece of the benefit through 2002 computed by reference to this final average compensation in 2002, and then for all of the years after that, 2003 2004, 2005, 2006, 2007, 2008, accrues an additional benefit above that 2002 benefit each year only as a percentage of compensation earned each year. So 2.5 percent of comp in 2003, 2.5 percent of comp -- and if the person happens to have over 25 years of service, it's going to be 1.25 percent of compensation in those years. So that amount can't come close to having the formula which uses final average compensation because it doesn't take into account that those three years prior to retirement are typically the highest earning years for a long-service employee.

COUNCILMAN COHEN: Let me interrupt for a moment to announce the presence of Councilwoman

Blondel Reynolds Brown who is not a member of the Committee but shows her interest in the subject matter by being present this afternoon. Thank you.

Let me ask you, who operates the pension fund? Who are the trustees? Does it have trustees? It's not part of the regular City's pension fund, is it?

MR. WHITEHORN: No, it's an independent plan. It's a single employer plan sponsored by the Philadelphia Housing Authority.

COUNCILMAN COHEN: And who are the trustees, do you know?

MR. WHITEHORN: I know their identities. I don't have it with me. They're appointed trustees.

COUNCILMAN COHEN: By whom?

MR. WHITEHORN: I believe they're appointed by Carl Greene.

COUNCILMAN COHEN: Was there ever any proposal made to any group of employees to get their point of view about the change?

MR. CRONIN: No.

MR. WHITEHORN: No.

COUNCILMAN COHEN: Because in the City's

pension plan, there are four representatives of labor organizations and four management representatives, so labor is represented.

MR. WHITEHORN: I believe there is one labor person who's one of these trustees, but there's no mechanism for having input from all of the unions into the investments of the plan.

COUNCILMAN COHEN: Is Mr. Greene himself, is his pension covered by the plan? Does anybody know that?

It seems to me the whole plan is shrouded in mystery. And that's not healthy.

Has there ever been presented to any employees any amount that's going to be saved from pension payments?

MR. WHITEHORN: No.

COUNCILMAN COHEN: Nobody knows.

It seems to me that what's happening is apparently a raid on pension plans that sounds very much like the Enron raid.

(Applause.)

COUNCILMAN COHEN: We know throughout the labor movement and private industry that pensions are the targets now. They're trying to

take away pensions from people that didn't work for the last 10 years that had them the last 10 years. Major corporations are trying to take the pensions away from the retirees. That's dead wrong. Seems to me if you've been a worker in a plant that had a pension system, you are guaranteed a pension after retirement. And it seems to me the government ought to be fighting that kind of thing instead of modeling their own pension plans to cheat their workers the same way the private industry has cheated its workers.

(Applause.)

COUNCILMAN COHEN: Councilman Nutter.

COUNCILMAN NUTTER: Thank you, Mr. Chairman.

COUNCILMAN COHEN: Look, I don't think we want to have this as a real extended hearing, but we wanted to have the opportunity to correct some of the misimpressions in the paper.

But one thing that's clear -- although I can't fathom the details of it and I can see why they're cloaked in mystery because I think it's in the interest of some people to have everybody not know what's going on and to hide the facts from

them. But it certainly seems to me that there's something that people have a right to be disturbed about. And on behalf of the other 22 to 25,000 City employees, I am very worried. Is this what the City is going to follow later and say to all other workers, "They did it at PHA; why don't they do it with us?"

COUNCILMAN COHEN: Councilman Ortiz and then Councilman Nutter.

COUNCILMAN ORTIZ: Mr. Chairman, if I may. I want to also clarify because I know representatives of the resident organizations are here. And it seems, according to what was told to us yesterday, that a certain misinterpretation of what these hearings are all about was given to residents. These hearings are not about a takeover of PHA by City Council. City Council does not want to run PHA. We don't want to be able to do that. These are not hearings based on that. That was told to us yesterday, that we want to run -- no. All we want is some clarification on the public policy that Mr. Carl Greene institutes. And it seems that it's a public policy and a housing policy that is instituted by Mr. Greene and not by the Board of

PHA.

(Applause.)

COUNCILMAN ORTIZ: So I want the residents who are here to take a message back and say that the purpose of these hearings are not those that have been talked to them, told to them, and lied to them. Thank you.

(Applause.)

COUNCILMAN COHEN: Councilman Rizzo.

COUNCILMAN RIZZO: Councilman Cohen and members and everyone involved in this issue, it's important that we have a negotiated contract. This has been going on too long.

(Applause.)

COUNCILMAN RIZZO: Hopefully, the Mayor's new involvement in this issue will certainly get things moving. Let's just hope so.

And this Committee will attempt -- you have to appreciate the work of this Committee. This Committee will get this issue resolved; you be assured.

COUNCILMAN RIZZO: Thank you very much, Mr. Chairman.

COUNCILMAN COHEN: Councilman Nutter.

COUNCILMAN NUTTER: Mr. Chairman, I will seek to be brief. Mr. Chairman, I would like to make a variety of information requests. They are not directly related to the labor negotiations, but they are in part related to the issues at hand. I know that Mr. Greene, while he is not here, he has legal representatives in the room. I don't need necessarily, Mr. Chairman, that person to come to the table because we have witnesses at the table. But I believe the gentleman is over in what would be a jury box. With your permission, Mr. Chairman, I'd like to put a couple questions on the record.

COUNCILMAN COHEN: Well, I would like to suggest that any representative of PHA -- is Mr. Kessler here?

COUNCILMAN NUTTER: He had to leave, Mr. Chairman.

COUNCILMAN COHEN: Will Mr. Kessler who was Mr. Greene's counsel yesterday approach the table and with whoever he would note these requests. And Mr. Kessler will be given the opportunity or his designee will if he wishes to correct any misinterpretations he believes exists.

COUNCILMAN NUTTER: Mr. Chairman, it's

my understanding that Mr. Kessler has a family member who is in the process of, I believe, receiving an operation and which I was aware of earlier today. I know that he has left the room. There is at least one other legal representative and there may be two others who are outside of the Chamber presently, but one of Mr. Greene's legal representatives is here.

COUNCILMAN COHEN: If there's anybody authorized to represent Mr. Greene and to take note of these questions from Councilman Nutter, please approach the table for that purpose.

COUNCILMAN NUTTER: Thank you, Mr. Chairman.

These are questions for which I need information provided subsequent to this hearing. I do not need an immediate response to the questions, but I want my questions taken and I'd like to get answers to them.

I will not ask the questions by mental telepathy, I will ask the questions on the record.

COUNCILMAN COHEN: Ask the questions on the record, Councilman Nutter.

COUNCILMAN NUTTER: Thank you, Mr.

Chairman.

The first question is -- and I know that this information was provided in some form at the last hearing, but I would like it directly from PHA on their stationery. The name, address, and any entity that the individual represents who are members of the PHA Pension Board.

I would like to understand the method of appointment by members to the PHA Pension Board.

I'd like to know if there are any terms of office by those members as well as who their appointing authority is and at whose pleasure they serve.

Are they removable for cause only or do they serve at pleasure of the appointing authority?

I'd also like to know -- Mr. Chairman, the question was raised earlier, and I think it is an important question. Mr. Greene, as I understand it, at least upon his arrival in Philadelphia, actually had a multi-year contract I believe with the Philadelphia Housing Development Corporation. That contract may have expired. If it has, I'd like to know whether the contract has expired or not. I'd also like a copy of the signed contract that was

in place at the time of Mr. Greene's arrival.

If there is no present contract in place, I'd like to understand exactly who Mr. Greene works for. Is it PHDC or is it Philadelphia Housing Authority?

(Applause.)

COUNCILMAN NUTTER: If Mr. Greene has a contract with the Philadelphia Housing Authority, I'd like a copy of the approved contract with all of its terms and conditions, including compensation, any other benefits involving vehicles, memberships in organizations, or any other consideration that might be considered either perks or benefits of the employment contract.

Lastly, I'd like to know under what entity is Mr. Greene's pension.

(Applause.)

COUNCILMAN NUTTER: I believe, Mr. Chairman, that may cover the issues that I have with regard to the pension issue.

Mr. Chairman, I do have a question -- I'm not sure who to ask the question of. There was some discussion earlier about the possible transport of some individuals to this hearing today possibly

by the Philadelphia Housing Authority Police Department. I'd like to better understand that particular issue and whether or not that is, in fact, true. I'd like to better understand the terms and conditions under which Housing Authority Police Officers are authorized to transport anyone other than a person that would possibly be in custody for --

(Applause.)

COUNCILMAN NUTTER: Mr. Chairman, I actually would seek your direction on that particular issue. I am not sure who to ask that question of or who might have an answer to that question, but it is of concern if it is true. I do not know it to be true, but I would like to understand if it is true how something like that could possibly happen.

COUNCILMAN COHEN: Is there a person to answer that question?

MR. JORDAN: Tracy Jordan, President of Fraternal Order of Housing Police. I can answer that question.

COUNCILMAN COHEN: Go ahead, sir.

MR. JORDAN: Just to give you a little

background, Mr. Greene, knowing that this hearing was going to take place today, was trying to drum up support. Seeing that he has nobody else, he can't go to the employees for support, he went to Tenant Council leaders. He had some impromptu meetings, some emergency meetings, where he asked resident leaders to come here today and support him, even though he did not give them any information as to what to support him on. He offered them rides here and that was supposed to be coordinated by a police lieutenant, Lieutenant Heartfield. But, no, it's not customary for police officers to transport anyone to any meetings, even though Ms. Reynolds, she gets transported to meetings. And we have different entities like domestic violence units and, I guess, any detectives that might be available. They are available at, I guess, Mr. Greene's beck and call to do certain things like that.

COUNCILMAN COHEN: Ms. Reynolds is a member of the Executive Board so she might be entitled.

COUNCILMAN NUTTER: I understand the difference between the Board members receiving transportation services from the organization.

We've had the same experience with School Board members. I don't have any issue with that. What I'm trying to understand is how -- the police officers carry weapons; is that correct my understanding? They're Act 235 certified?

MR. JORDAN: Act 120 certified.

COUNCILMAN NUTTER: They are duly authorized to carry a weapon, they have police powers, at least on the premises of the facilities of any development, with the full ability to arrest if necessary; is that correct?

MR. JORDAN: Yes, that's right.

COUNCILMAN NUTTER: I don't understand -- and I've not necessarily heard that this transportation activity took place, but if it is true, I do not understand how a police officer could be pressed into service to transport a citizen to whatever, hearing, public demonstration, or anything else if it is not directly related to law enforcement activity or processing for the committing of a crime or some other incident. I think that that raises some very serious issues, liability issues, use of law enforcement personnel, and a wide variety of other issues if this is in

fact true and raises grave concerns away from the issue that we're here to discuss today but may possibly raise other issues that would need further examination.

MR. JORDAN: Well, this pretty much brings more clarity into who and what Carl Greene is. He is a slight-of-hand genius. He loves misdirection. The only reason that he wanted the Tenant Council people here was to put them against us. He wants us to be fighting against each other and taking the focus off what the real issues are.

(Applause.)

MR. JORDAN: But we're not going to play that game. We're going to stay focused on the individual at hand, and that is Mr. Greene and his Administration.

COUNCILMAN NUTTER: I can understand that and I appreciate that and at the moment I'll reserve judgment on the motivation issue because I am just trying to understand the actions and the activities. And I'm also going to stay focused on those particular issues as well. But if these issues, if not allegations, are in fact true, then Mr. Chairman, I would raise with you and the Members

of the Committee that it does warrant further examination. I do not understand the nature of it. This Committee is duly authorized to conduct a hearing. Citizens have a right to come and be of support of whomever they want to be of support of. But it is not appropriate, if it is true, to utilize police officers or any other personnel for the purpose of trying to either generate support, have a pep rally or anything else. The police officers should conduct police work, no more, no less.

MR. JORDAN: We agree.

COUNCILMAN NUTTER: Thank you very much, Mr. Chairman.

COUNCILMAN COHEN: Before the Chair recognizes the next speaker, I wanted to know the names for the record of the representatives of PHA who are going to make sure that the transcript is made available so that we know that Mr. Greene knows the questions being asked of him. So if the two people who appeared earlier would give their name in the record. Could you state your names for the reporter?

We'd like the two gentleman representing PHA who said they were going to see to it that Mr.

Greene got a copy of the transcript, would they be good enough to give their names to the reporter so we will know who is responsible for getting the information to Mr. Greene?

COUNCILMAN NUTTER: Mr. Chairman, I would ask that whoever the representatives are, there is a microphone right behind Councilwoman Blackwell. If the gentlemen -- one of them will take that microphone and enter their name into the record, I would greatly appreciate it.

MR. UNGAR: Councilman, I am Barry Ungar. This is Joel Sweet. The two of us are here as he counsel for Mr. Greene.

COUNCILMAN NUTTER: And the firm? Put on the record the name of the firm, please.

MR. UNGAR: Wolf, Block, Schorr & Solis-Cohen.

COUNCILMAN NUTTER: Thank you, very much.

Thank you, Mr. Chairman.

COUNCILMAN COHEN: Representative Washington.

REPRESENTATIVE WASHINGTON: Thank you, Mr. Chairman. I'd like to thank Members of City

Council for allowing me to sit here with them today. And while I'm not a part of the Committee, I hope my requests are a part of what the lawyers are required to bring back. One of the things that Councilman Nutter didn't ask for is a copy of the Charter and the relationship with the City of Philadelphia and the PHA. So we want to see that Charter. And also, I'd like to have information about the unions not being able to get paid their overtime wages in the following paycheck, which I thought was normal procedure.

Thank you, Mr. Chairman.

(Applause.)

COUNCILMAN COHEN: Councilman Ortiz.

COUNCILMAN ORTIZ: Mr. Chairman, it never ceases to really surprise me and astound me certain things that come out. The testimony of the gentleman just now about Mr. Greene actually held meetings. He didn't want to come here, but he goes out holds meetings with people. And I would like to find out -- I would like an answer from the attorneys, the Board, the Board of Directors of PHA, as to what are these meetings they are referring about City Council hearings and I'd like to find out

really what has transpired during those meetings.
COUNCILMAN COHEN: Councilman Ortiz, I'd like to say I received several phone calls saying that one of the subjects of those meetings was how do you defeat Councilman David Cohen in his efforts to be reelected.
(Applause.)
COUNCILMAN ORTIZ: I also would like to add one request to Councilman Nutter's list and State Representative LeAnna Washington. I'd like to see a chart of the structure of PHA from Executive Director on down. I'd like to have that chart with names, salaries, and everything down the line, what the credentials of the individuals have to hold. And also of the executive body PHA, I'd like to know what the pension rates are for those individuals.
(Applause.)
COUNCILMAN ORTIZ: I also would like to find out if they are residents or not of the City.
(Applause.)
COUNCILMAN COHEN: Mr. Cronin, was there anything you wish to say?
MR. CRONIN: Thank you very much.
COUNCILMAN COHEN: We're coming toward

the end of the meeting. I'm going to ask Mr. Cronin if he has anything to say. I'll also ask the president or presiding officer for the police of PHA and then I'll ask if any member representing Mr. Greene wishes to be heard.

MR. CRONIN: Thank you, Mr. Chairman. I deeply appreciate the opportunity to just make a couple of comments before you, and I appreciate the other City Councilpeople that have taken their time to be here and also State Representative LeAnna Washington as well as all the work that the staff has done to make sure that we have these hearings.

Let me just make a couple of quick comments, if I could. And that is that AFSCME District Council 47 and its locals welcome the involvement of the Mayor and perhaps other members of his Administration in trying to resolve these issues. But I do want to send a message to the Administration and to Mr. Greene that I've seen quite a bit of lately, and I think need to say this in a straightforward manner, and that is, don't try to split the unions. And I'm speaking specifically about the District Council 47 and its locals and the PHA Police. We don't want the Administration to try

to split the labor movement in this area because they've tried enough, I think, to split the labor movement in the past. And don't try to split the workers from the residents and the tenants of PHA.

(Applause.)

MR. CRONIN: I say that because we recognize this is an old tactic of the boss and agents, and that is divide black from black, black from white, jew from gentile, rich from poor, middle class from working class, et cetera, et cetera. We recognize that our interests are very, very similar. And we recognize also the fact that the more information, information is our best weapon.

So in line with that, I've had two of my locals say to me that they were willing to conduct a pension educational for all of the members in 2187 and 2186 who will give up their time to listen to this educational about what these proposals mean specifically to individual people. And we think that's important. And let me further say, while I'm not obligating these locals to, but if there are members of City Council who perhaps aren't here or perhaps who were staffed that do not understand the impact, the terrible impact of the proposals that

are on the table or even members of other unions who are affected by this who do not understand what is going down, District Council 47 will be happy to have an educational where we present, not rhetoric, but strictly facts on what it means and then let the chip fall where they may.

(Applause.)

MR. CRONIN: Let me further add one other thing. When I said that we do not -- we're asking the Administration not to try to divide the residents from the unions, I mean that sincerely. I do not know the individual members of the various Tenant Councils, but I would make the same invitation to them. If there are any questions at all that they have about the current relationship that we have, and I'll just speak for 47, and the Housing Authority, we will be more than happy to sit with them where ever they want, either in their homes or in our home, and talk about what these issues mean and the impact.

I would further say that we see down the road what's happening with respect to our country, housing for poor and working class people, and we think it is in our interest, I mean sincerely, for

us to join together, workers and residents, to fight what's coming down because it's in our best interest and we are allies, not adversaries. So again, I would ask this Administration try to unite us, don't divide us.

(Applause.)

MR. CRONIN: You wanted a specific date that we could come back and I would just -- this is a proposal to you, since you said at the beginning of the session that --

COUNCILMAN COHEN: We would like a date that would be acceptable to, say, the group of people who are here today.

MR. CRONIN: Well, the suggestion that I would make would be May the 5th. I think that would give us an opportunity to perhaps have these various educational and meetings with different people. And if that is okay with you, or any other date that you may suggest.

COUNCILMAN COHEN: Is that date Monday May 5th or is Tuesday May 6th better? I would suggest Tuesday, May 6th.

COUNCILMAN NUTTER: Mr. Chairman.

COUNCILMAN COHEN: May 5th, is that

agreeable?

COUNCILMAN NUTTER: The date is fine.

COUNCILMAN COHEN: May 5th seems to be all right. May 5th at 5 o'clock.

COUNCILMAN NUTTER: Mr. Chairman.

MR. CRONIN: I think that will give us enough time, as you said, that the Mayor was going to intervene. I don't know what that means, as you don't know what it means. But it gives him certainly ample time to contact all the responsible parties here. I think it also gives us time to further put information and facts out whether it's to other City Councilmembers, as I said, staff, residents, whoever wants to avail themselves of it and meet with us, we'll be more than happy to do that because I think in this case education and information is emancipation.

COUNCILMAN COHEN: Well, I think the point just made about the common interests of residents and workers is certainly true. The working conditions of the workers affect the living conditions of the people in housing, and workers have always been the best friends of persons living in housing areas. So I think uniting them is the

important thing. And I agree on that. That's always been the interest of the City Council because, as I stated at the outset of the meeting, both interests are concurrent, the interests of people who live in the houses and the people who work for the City at the same time.

So please by that reminder, and we're going to try to keep to that.

Now, is there anybody from PHA here who wishes to say anything from the PHA point of view.

COUNCILMAN NUTTER: Mr. Chairman.

COUNCILMAN COHEN: Who is the resident? Councilman Nutter.

COUNCILMAN NUTTER: Mr. Chairman, I have one -- I apologize. I have one other question that I should have put on the record at the time. And unfortunately, I will have to leave shortly, but this is back to the legal representatives of Mr. Greene. I would like to have forwarded to the Chair as a part of the other information request in a chart form. I'd like to better understand how the other nine large housing authorities function and operate on this particular pension issue. And I'd like to see a comparative analysis of the top 10

Housing Authorities in the country by name of the City or the authority, the number of members on their pension board, how they're appointed. But I'd also like -- with regard to the particular proposal that's under discussion, I'd also like to see on that chart the method of pension calculation utilized by the other large housing authorities in the United States of America so that we can better understand this particular proposal and the context of what else is going on throughout the country in the housing authority area. And if you could forward that information to the Chair along with the rest of the information, I would greatly appreciate it.

Thank you, Mr. Chairman.

(Applause.)

COUNCILMAN COHEN: Incidentally, during the meeting yesterday with Mr. Greene, he at one time requested 10 to 14 days notice to get prepared to testify. If he chose to testify, the date of May 5th gives him 13 days from today, so we've met with another request of his. I think we're all being very fair, but Mr. Greene and everybody else must understand that City Council has to have the power

to subpoena witnesses who don't voluntarily accept offers to come and testify. We require that information in order to deal with the problems that were so well described by many members of the City Council here during the questioning today. We appreciate everybody's attendance today.

Now, is anybody here officially representing the residents councils? Is there anybody who's the official representative?

Would you come forward? Do you want to be heard?

(Applause.)

COUNCILMAN COHEN: Please give your name and spell the last name for the reporter.

MR. WILKS: Virginia Wilks, W-I-L-K-S. I'm the President of the Citywide Tenant Action Coalition as well as the President of the Richard Allen/Glass B. Jacobs Manor Resident Council.

The only thing I want to say today, these employees have been going through this for the last two years. Now they know fully well what we were about five years ago when we demonstrating to keep Carl Greene out of here. If folk would have look at the fact sheet that we put together, if you

look at it today, everything has happened. Everything.

(Applause.)

MS. WILKS: During that time, the employees couldn't understand because we were, like, blocking the doors, and this was RAB and Citywide together as one, okay, blocking doors. And the employees had an attitude with us. But like we told them, we were fighting for ourselves, we're fighting for everybody. But one thing about us, we have not changed. Our position remains the same. We're for the employees. My thing is very simple. The pension plan that the senior staff got of the Housing Authority for the Detroitians should be just as good for the Philadelphians, okay? They got the sweetest deal in the world. If they walk at any time, they take all their pension money with them. Tell them to check that one out, okay?

Even though these employees have not had a signed contract going on two years, they have not given us any less service. The police had to because they have less men, but you've got to give credit where credit is due. My main superintendent is here, some of the other employees are here, and

they still give us good service, and you can't take that from them. But it's not fair. They have families, they have livelihoods, okay? They've got bills to meet and things to do. I mean, sickness, they've got to take care of these type things. So Carl Greene should not be allowed or permitted to play with the lives of people because there's an old saying, "Don't mess with my money. You got a problem."

(Applause.)

COUNCILMAN COHEN: Thank you. Is there any representative of somebody. If not, the hearing will stand in recess until Monday, May 5th at 5 o'clock. Thank you.

(Council adjourned at 6:45 p.m.)

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

I HEREBY CERTIFY that the foregoing proceedings of the Council of the City of Philadelphia of April 22, 2003, were reported fully and accurately by me, and that this is a correct transcript of the same.

RE: COMMITTEE ON LAW AND GOVERNMENT

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Lisa C. Bradley, RPR
and Notary Public