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COUNCIL OF THE CITY OF PHILADELPHIA

3

STATED MEETING

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5

Room 401, City Hall
Philadelphia, Pennsylvania
Thursday, February 25, 1999
10:00 a.m.

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10 PRESENT:

11 COUNCIL PRESIDENT ANNA C. VERNA

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COUNCILWOMAN JANNIE BLACKWELL

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COUNCILWOMAN AUGUSTA CLARK

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COUNCILMAN DAVID COHEN

15

COUNCILMAN FRANK DI CICCIO

16

COUNCILMAN JAMES KENNEY

17

COUNCILWOMAN JOAN L. KRAJEWSKI

18

COUNCILMAN W. THATCHER LONGSTRETH

19

COUNCILMAN RICHARD T. MARIANO

20

COUNCILWOMAN DONNA REED MILLER

21

COUNCILMAN MICHAEL A. NUTTER

22

COUNCILMAN BRIAN O'NEILL

23

COUNCILMAN ANGEL L. ORTIZ

24

COUNCILMAN FRANK RIZZO

25

COUNCILWOMAN MARIAN B. TASCO

MARIE B. HAUSER, CHIEF CLERK

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1 INVOCATION

2 COUNCIL PRESIDENT Verna: I note that
3 the hour has come and that a quorum of this Council
4 is present. Council will come to order. Members
5 will take their seats. Visitors will retire to the
6 seats outside the rails.

7 To give our invocation this morning, the
8 Chair recognizes Rabbi David Novitsky. He is from
9 Congregation Atiz Chaim and is the guest of
10 Councilman Rizzo.

11 Members and guests will please rise.

12 RABBI NOVITSKY: All Mighty God, Eternal
13 Creator, we are gathered here today as
14 representatives of the world's greatest city and to
15 conduct business for the City's behalf.

16 As we start the discussions of the day,
17 let us heed the words of God in the book of Micah
18 Chapter 7, Verse 18, that God delights in love and
19 kindness. And let us also pay attention to the
20 words of God in Deuteronomy Chapter 28, Verse 9,
21 "You shall walk in God's ways."

22 The midrash, a compendium of text on the
23 Old Testament explains, what does it mean that you
24 shall walk in God's ways; that we have to act in the
25 same manner of God.

1 INVOCATION

2 Just as the Holy One, blessed be he, is
3 compassionate; so we shall be compassionate.

4 Just as the Holy One, blessed be he, is
5 called gracious; so we shall be gracious.

6 Just as the Holy One, blessed be he, is
7 called righteous; so we shall be righteous as well.

8 As leaders of this fine and magnificent
9 city, let us heed these words of the All Mighty as
10 we transact business. Just as the Holy One cares
11 for the needs of the weak, the sick, the homeless,
12 the elderly, the widow, and the orphan, we must be
13 concerned about their plight as well.

14 Just as the Holy One protects the weak
15 and vulnerable, we must ensure the security and
16 protection for all our citizens.

17 Just as the Holy One has taught us
18 proper morals and values, we must also teach our
19 children in the Philadelphia School District proper
20 morals and values as well.

21 Just as the Holy One forgives our sins
22 and transgressions, let us forgive each other for
23 our mistakes and trespasses of the past and ask that
24 God guide us with proper light and direction in all
25 our actions in which we partake in, in these

1 APPROVAL OF JOURNAL

2 beautiful chambers would serve as a house of the
3 Lord as well. Amen.

4 COUNCIL PRESIDENT Verna: The Chair
5 thanks Rabbi Novitsky for his inspiring invocation.
6 Thank you.

7 (Council at rest.)

8 - - -

9 COUNCIL PRESIDENT Verna: The next order
10 of the business is the Approval of the Journal of
11 the meeting of February 18, 1999.

12 The Chair recognizes Councilwoman Clark.

13 COUNCILWOMAN CLARK: Madam President, I
14 move the adoption of the Journal of February 18,
15 1999.

16 (Duly seconded.)

17 COUNCIL PRESIDENT Verna: It has been
18 second.

19 All in favor will signify by saying aye.

20 Those opposed?

21 The ayes have it. The Journal of
22 Thursday, February 18, 1999, is approved.

23 - - -

24 COUNCIL PRESIDENT Verna: The Chair
25 recognizes Councilwoman Clark for the purpose of

1 LEAVES OF ABSENCE

2 leaves of absence.

3 COUNCILWOMAN CLARK: Madam Chair, I am
4 unaware of any requests for leaves of absence at
5 this time.

6 COUNCIL PRESIDENT Verna: The Chair
7 thanks the Councilwoman.

8 The Chair recognizes Councilman Rizzo.
9 Are there any reports or requests for leaves of
10 absence?

11 COUNCILMAN RIZZO: No requests. I
12 believe Councilman Longstreth is not here today, but
13 Councilman O'Neill is.

14 COUNCIL PRESIDENT Verna: So you're
15 asking for a leave of absence for Councilman
16 Longstreth?

17 COUNCILMAN RIZZO: I haven't been
18 informed of that.

19 COUNCIL PRESIDENT Verna: All right, we
20 will wait.

21 - - -

22 COUNCIL PRESIDENT Verna: The Chair will
23 dispense with the regular order of business to
24 recognize the guests and visitors joining us in the
25 chambers this morning.

1 WELCOME AND PRESENTATIONS

2 On behalf of all Members of Council, I
3 welcome you to our City Council Session this
4 morning. We appreciate your taking the time to join
5 us as we attend to the legislative affairs of our
6 City. We welcome you to come back again.

7 Do we have the Martin Luther King High
8 School Chorale Society here?

9 Councilwoman Tasco, is your group
10 expected to be coming in?

11 COUNCILWOMAN TASCO: Yes.

12 COUNCIL PRESIDENT VERNA: Well,
13 supposing we go on with our agenda while we're
14 waiting.

15 - - -

16 COUNCIL PRESIDENT VERNA: The next order
17 of business is Communications. The Chair recognizes
18 Sergeant-at-Arms for the purpose of delivering the
19 messages from the Mayor to the Chief Clerk.

20 The Chief Clerk will read the messages
21 from the Mayor.

22 CHIEF CLERK HAUSER: To the President
23 and Members of the Council of the City of
24 Philadelphia, I am transmitting herewith for the
25 consideration of your honorable body the following:

1 COMMUNICATIONS

2 A resolution designating the Philadelphia Industrial
3 Development Corporation as the industrial
4 development organization for the County of
5 Philadelphia with full power and authority to
6 represent said county in all matters relevant to and
7 for all purposes of the Industrial Development
8 Assistance Law.

9 COUNCIL PRESIDENT Verna: Are they all
10 the messages?

11 CHIEF CLERK HAUSER: Yes, Madam Chair.

12 COUNCIL PRESIDENT Verna: The messages
13 will be printed in the Journal.

14 The Chief Clerk will read any other
15 communications in her possession.

16 CHIEF CLERK HAUSER: I have none, Madam
17 Chair.

18 - - -

19 COUNCIL PRESIDENT Verna: There being
20 none, the next order of business is Introduction of
21 Bills and Resolutions.

22 The Chair recognizes Councilwoman Clark
23 for the purpose of making a motion to suspend rules
24 on resolutions.

25 COUNCILWOMAN CLARK: Madam President, I

1 INTRODUCTION OF BILLS AND RESOLUTIONS

2 move that the Rules of Council be suspended so as to
3 permit immediate consideration of resolutions at the
4 time of their introduction.

5 (Duly seconded.)

6 COUNCIL PRESIDENT Verna: It has been
7 duly seconded.

8 All in favor of the motion to suspend
9 the Rules of Council to permit immediate
10 consideration of resolutions at the time of
11 introduction will vote aye.

12 Those opposed?

13 The ayes have it. The motion is
14 carried.

15 The Chair recognizes Councilwoman Clark
16 for any bills or resolutions that she would like to
17 introduce.

18 COUNCILWOMAN CLARK: Madam President,
19 today I have no bills or resolutions.

20 COUNCIL PRESIDENT Verna: The chair
21 thanks the Councilwoman.

22 COUNCILMAN NUTTER: Point of order.

23 COUNCIL PRESIDENT Verna: Yes?

24 COUNCILMAN NUTTER: I see that we're
25 getting ready to go into bills and resolutions, but

1 INTRODUCTION OF BILLS AND RESOLUTIONS

2 I can see off to the side that Councilwoman Tasco's
3 group may be upon us.

4 COUNCIL PRESIDENT Verna: While they're
5 setting up, I don't see any reason why we can't
6 continue.

7 The Chair recognizes Councilwoman
8 Blackwell.

9 COUNCILWOMAN BLACKWELL: Madam
10 President, I have no bills or resolutions today.

11 COUNCIL PRESIDENT Verna: The Chair
12 thanks the Councilwoman.

13 The Chair recognizes Councilman Cohen.

14 COUNCILMAN COHEN: Madam President, I
15 have no bills or resolutions.

16 COUNCIL PRESIDENT Verna: Thank you.

17 Councilwoman Krajewski is not here. The
18 Chair recognizes Councilman Kenney.

19 COUNCILMAN KENNEY: Thank you, Madam
20 President. I offer one resolution.

21 COUNCIL PRESIDENT Verna: The Chief
22 Clerk will please read the title of the resolution.

23 CHIEF CLERK HAUSER: A Resolution
24 honoring and commending Project Home on the occasion
25 of its 10th anniversary.

1 INTRODUCTION OF BILLS AND RESOLUTIONS

2 COUNCIL PRESIDENT VERNA: The Chair
3 recognizes Councilman Kenney.

4 COUNCILMAN KENNEY: Move the adoption of
5 the resolution.

6 (Duly seconded.)

7 COUNCIL PRESIDENT VERNA: It has been
8 moved and properly seconded.

9 All of those in favor will signify by
10 saying aye.

11 Those opposed?

12 The ayes have it. The motion is
13 carried.

14 The Chair recognizes Councilman Mariano.

15 COUNCILMAN MARIANO: Madam President, I
16 offer one bill.

17 COUNCIL PRESIDENT VERNA: The Chief
18 Clerk will please read the title of the bill.

19 CHIEF CLERK HAUSER: An Ordinance
20 amending Section 9-205 of the Philadelphia Code
21 relating to sidewalk sales by adding a new provision
22 prohibiting sidewalk sales on Wyoming Avenue, both
23 sides, Whittaker Avenue to Fifth Street.

24 COUNCIL PRESIDENT VERNA: The bill will
25 be referred to the appropriate committee.

1 INTRODUCTION OF BILLS AND RESOLUTIONS

2 The Chair recognizes Councilwoman
3 Miller.

4 COUNCILWOMAN MILLER: Thank you, Madam
5 President. I offer two resolutions.

6 COUNCIL PRESIDENT VERNA: The Chief
7 Clerk will please read the title of the first
8 resolution.

9 CHIEF CLERK HAUSER: A Resolution
10 authorizing the Commissioner of Public Property to
11 execute and deliver to the Redevelopment Authority
12 of the City of Philadelphia without consideration
13 deeds for properties situate in the 11th, 13th,
14 22nd, and 59th Wards of the City of Philadelphia.

15 COUNCIL PRESIDENT VERNA: The Chair
16 recognizes Councilwoman Miller.

17 COUNCILWOMAN MILLER: I move for the
18 adoption of the resolution.

19 (Duly seconded.)

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

22 Those opposed?

23 The ayes have it. The motion is
24 carried.

25 The Chief Clerk will please read the

1 INTRODUCTION OF BILLS AND RESOLUTIONS

2 second resolution.

3 CHIEF CLERK HAUSER: A Resolution
4 honoring and commending the accomplishments of Emma
5 Hawkins Jackson and saluting her continued
6 commitment to building audiences to showcase
7 talented voices though Opera North, Inc., the City
8 of Philadelphia's only African-American organization
9 devoted to opera.

10 COUNCIL PRESIDENT VERNA: The Chair
11 recognizes Councilwoman Miller.

12 COUNCILWOMAN MILLER: I move for the
13 adoption of the resolution.

14 (Duly seconded.)

15 COUNCIL PRESIDENT VERNA: It has been
16 moved and seconded.

17 All those in favor of the motion will
18 signify by saying aye.

19 Those opposed?

20 The ayes have it. The motion is
21 carried.

22 The Chair recognizes Councilwoman
23 Krajewski.

24 COUNCILWOMAN KRAJEWSKI: Madam
25 President, I offer one bill.

1 INTRODUCTION OF BILLS AND RESOLUTIONS

2 COUNCIL PRESIDENT Verna: The Chief
3 Clerk will please read the title of the bill.

4 CHIEF CLERK HAUSER: An Ordinance
5 authorizing the revision of lines and grades and a
6 portion of City Plan No. 3-29 of an area bounded by
7 Pratt Street, Penn Street, Bridge Street, Bustleton
8 Avenue, and Frankford Avenue by relocating the
9 northeasterly curb line of Pratt Street in
10 establishing a cut-back corner at the northwest
11 corner of Pratt Street and Frankford Avenue under
12 certain terms and conditions.

13 COUNCIL PRESIDENT Verna: The bill will
14 be referred to the appropriate committee.

15 The Chair recognizes Councilman Nutter.

16 COUNCILMAN NUTTER: Thank you, Madam
17 President. I offer one resolution.

18 COUNCIL PRESIDENT Verna: The Chief
19 Clerk will please read the title of the resolution.

20 CHIEF CLERK HAUSER: A Resolution
21 recognizing February 25, 1999, as Reparation
22 Awareness Day in urging the U.S. Congress to pass
23 HR40 and the Pennsylvania House Representatives to
24 pass HB315, both entitled, the Commission to Study
25 Reparation Proposals for African-American Act.

1 INTRODUCTION OF BILLS AND RESOLUTIONS

2 COUNCIL PRESIDENT VERNA: The Chair
3 recognizes Councilman Nutter.

4 COUNCILMAN NUTTER: Madam President, I
5 move the adoption of the resolution.

6 (Duly seconded.)

7 COUNCIL PRESIDENT VERNA: It has been
8 moved and seconded that the resolution be adopted.
9 All in favor will signify by saying aye.
10 Those opposed?

11 AUDIENCE MEMBER: Nay. I oppose that
12 particular bill being passed, but as far as
13 reparation, I am in total agreement.

14 COUNCIL PRESIDENT VERNA: All those in
15 favor will signify by saying aye.

16 Those opposed?

17 The ayes have it. The motion is
18 carried.

19 (Applause.)

20 COUNCIL PRESIDENT VERNA: The Chair
21 recognizes Councilwoman Tasco.

22 COUNCILWOMAN TASCO: Madam President, I
23 have no bills or resolutions today.

24 COUNCIL PRESIDENT VERNA: Thank you.

25 The Chair recognizes Councilman Ortiz.

1 INTRODUCTION OF BILLS AND RESOLUTIONS

2 COUNCILMAN ORTIZ: Madam President, I
3 have no bills or resolutions.

4 COUNCIL PRESIDENT Verna: The Chair
5 thanks the gentleman.

6 The Chair recognizes Councilman DiCicco.

7 COUNCILMAN DI CICCIO: Thank you, Madam
8 President. I offer one bill and two resolutions.

9 COUNCIL PRESIDENT Verna: The Chief
10 Clerk will please read the title of the bill.

11 CHIEF CLERK HAUSER: An Ordinance
12 authorizing the Courtyard Annex, LLC, a Delaware
13 limited liability company, owner of 23-31 North
14 Juniper Street, Philadelphia, Pennsylvania 19107 to
15 construct and maintain various encroachments under,
16 over, and on the public right-of-way on Juniper
17 Street between Commerce Street and Filbert Street
18 under certain terms and conditions.

19 COUNCIL PRESIDENT Verna: The bill will
20 be referred to the appropriate committee.

21 The Chief Clerk will please read the
22 first resolution.

23 CHIEF CLERK HAUSER: A Resolution
24 calling for the Legislative Oversight Committee to
25 hold public hearings on the administration and

1 INTRODUCTION OF BILLS AND RESOLUTIONS

2 accountability of the City Empowerment Zones.

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

5 COUNCILMAN DI CICCIO: Madam Chair, will
6 that be referred to the committee?

7 COUNCIL PRESIDENT Verna: Is that to be
8 referred to the Oversight Committee?

9 COUNCILMAN DI CICCIO: Yes.

10 COUNCIL PRESIDENT Verna: The resolution
11 bill will be referred to the Oversight Committee.

12 The Chair recognizes the Chief Clerk to
13 read the second resolution, please.

14 CHIEF CLERK HAUSER: A Resolution
15 recognizing Herbert Oliver and Lester Johnson.

16 COUNCIL PRESIDENT Verna: The Chair
17 recognizes Councilman DiCicco.

18 COUNCILMAN DI CICCIO: Thank you, Madam
19 President. I move for the adoption of the
20 resolution.

21 (Duly seconded.)

22 COUNCIL PRESIDENT Verna: It has moved
23 and seconded that the resolution be adopted.

24 All in favor will signify by saying aye.

25 Those opposed?

1 WELCOME

2 The ayes have it. The motion is
3 carried.

4 The Chair recognizes Councilman O'Neill.

5 COUNCILMAN O'NEILL: Madam President, I
6 have no bills or resolutions.

7 COUNCIL PRESIDENT VERNA: Councilman, to
8 the best of your knowledge, is Councilman Longstreth
9 requesting a leave of absence?

10 COUNCILMAN O'NEILL: To the best of my
11 knowledge, he is not. I will keep you posted during
12 the meeting.

13 COUNCIL PRESIDENT VERNA: Thank you.

14 The Chair recognizes Councilman Rizzo.

15 COUNCILMAN RIZZO: No bills or
16 resolutions, Madam President.

17 COUNCIL PRESIDENT VERNA: The Chair
18 thanks the gentleman.

19 - - -

20 COUNCIL PRESIDENT VERNA: If the chorale
21 group is here and ready, I guess this would be a
22 good time to recognize them.

23 I am pleased to join my colleagues in
24 welcoming the Martin Luther King High School Chorale
25 Society. The students are here to perform in

1 REPORTS FROM COMMITTEE

2 commemoration of Black History Month. They are the
3 guests of Councilwoman Tasco, and I ask you to
4 welcome them with me as they begin their
5 performance.

6 (Applause.)

7 (The Martin Luther King High School
8 Chorale Society performs.)

9 COUNCIL PRESIDENT Verna: The Chair
10 recognizes Councilwoman Tasco.

11 COUNCILWOMAN TESCO: Thank you, Madam
12 President. We'd like to thank the Martin Luther
13 King Choir for coming here today. And the choir is
14 under the direction of Mrs. Nancy Jackson.

15 (Applause.)

16 COUNCILWOMAN TESCO: She'll let us know
17 when their concert will be so that we can go and
18 hear the choir in concert at the school.

19 COUNCIL PRESIDENT Verna: Thank you.
20 Thank you very much.

21 - - -

22 COUNCIL PRESIDENT Verna: Next order of
23 business is reports from committees.

24 The Chair recognizes Councilman Kenney
25 for the report from the Rules Committee.

1 REPORTS FROM COMMITTEE

2 COUNCILMAN KENNEY: Thank you, Madam
3 President. The Council Committee on Rules reports
4 out Bill No. 990059 with a favorable recommendation.

5 COUNCIL PRESIDENT VERNA: The Chair
6 thanks the gentleman.

7 The Clerk will please read the report.

8 CHIEF CLERK HAUSER: To the President
9 and Members of the Council of the City of
10 Philadelphia, the Committee on Rules to which was
11 referred Bill No. 990059, entitled, an Ordinance
12 declaring that it is desirable for the health,
13 safety, and welfare of the people in the area served
14 by Jefferson Health System, Inc.; Frankford Health
15 Care System, Inc.; Frankford Hospital Philadelphia
16 Frankford Hospital; and Delaware Valley Medical
17 Center for the hospitals and Higher Education
18 Facilities Authority of Philadelphia to participate
19 with the System, FHCS, Frankford Hospital, and DVMC
20 in a financing to provide for the acquisition by the
21 System of the sole corporate membership interest in
22 FHCS for acquisition by Frankford Hospital or its
23 assignees of substantially all the assets of DVMC
24 and for constructing and equipping improvements to
25 the facility DVMC, respectfully reports it

1 FIRST READING CALENDAR

2 considered the same and returned the attached bill
3 to Council with a favorable recommendation.

4 COUNCIL PRESIDENT VERNA: The Chair
5 recognize Councilman Kenney.

6 COUNCILMAN KENNEY: I move that the
7 Rules of Council be suspended so as to permit first
8 reading of Bill No. 990059 today.

9 (Duly seconded.)

10 COUNCIL PRESIDENT VERNA: It has been
11 moved and seconded that the Rules be suspended as to
12 permit consideration for first reading of this bill
13 today.

14 All in favor will signify by saying aye.
15 Those opposed?

16 The ayes have it. Bill No. 990059 will
17 be placed on our first reading calendar for today.

18 Are there any other reports from
19 committees?

20 - - -

21 COUNCIL PRESIDENT VERNA: There being
22 none, the next order of business is consideration of
23 the calendar. I believe we have one bill on the
24 first reading calendar. The Chief Clerk will please
25 read the bill.

1 FIRST READING CALENDAR

2 CHIEF CLERK HAUSER: Bill and final
3 passage 990001A --

4 COUNCIL PRESIDENT VERNA: I'm sorry. We
5 just suspended the rules.

6 CHIEF CLERK HAUSER: I'm sorry, Madam
7 Chair.

8 An Ordinance declaring that it is
9 desirable for the health, safety, and welfare of the
10 people in the area served by Jefferson Health
11 System, Inc., the System; Frankford Health Care
12 System, Inc., FHCS; the Frankford Hospital
13 Philadelphia Frankford Hospital; and Delaware Valley
14 Medical Center, DVMC, for the hospitals and Higher
15 Education Facilities Authority of Philadelphia to
16 participate with the System, FHCS, Frankford
17 Hospital, and DVMC in a financing to provide for the
18 acquisition by the System of the sole corporate
19 membership interest in FHCS for the acquisition by
20 Frankford Hospital or its assignee of substantially
21 all the assets of DVMC and for constructing and
22 equipping improvements to the facilities of DVMC
23 respectfully reports it consider the same.

24 COUNCIL PRESIDENT VERNA: The Chair
25 agrees. The bill read by the Chief Clerk will be

1 SECOND READING AND FINAL PASSAGE CALENDAR

2 placed on the Second Reading and Final Passage
3 Calendar for our next meeting.

4 - - -

5 COUNCIL PRESIDENT VERNA: The next order
6 is consideration of bills on the Second Reading and
7 Final Passage Calendar.

8 Councilwoman Clark.

9 COUNCILWOMAN CLARK: Madam Chair, all
10 bills are being held except Bill No. 990001A and
11 970272 which is being called up for purpose of
12 recommit.

13 COUNCIL PRESIDENT VERNA: The Chair
14 thanks the Councilwoman.

15 The first bill to be called for
16 consideration is Bill No. 990001A. The Chief Clerk
17 will please read the title of that bill.

18 CHIEF CLERK HAUSER: An Ordinance
19 amending the Retirement System Ordinance, approved
20 December 3, 1956, as amended, and amending the
21 Municipal Retirement Benefit Plan 1987 Ordinance,
22 which became effective January 8, 1987, as amended
23 by adding new Sections to, in the case of both
24 Ordinances, provide for increases to the benefits of
25 certain uniformed and nonuniformed retirees,

1 SECOND READING AND FINAL PASSAGE CALENDAR

2 beneficiaries and survivors by providing for certain
3 increases, under certain terms and conditions; and
4 making certain related technical amendments.

5

6 COUNCIL PRESIDENT Verna: The Chair
7 recognizes Councilman Nutter. Do you want to be
8 recognized, sir?

9 COUNCILMAN NUTTER: Prior to voting,
10 yes, Madam Chair.

11 COUNCIL PRESIDENT Verna: Well, we're
12 ready to be vote so I'm recognizing you.

13 COUNCILMAN NUTTER: Thank you. Madam
14 Chair, I wanted to express a tremendous amount of
15 appreciation to all of the Members of City Council
16 for the work that was done in a collaborative
17 fashion on this bill. But most importantly, I think
18 the work and effort of Councilwoman Blackwell for
19 bringing this issue to this body possibly at a time
20 that the Members were not completely ready to deal
21 with it, but we did in fact end up dealing with this
22 issue, and should have been dealt many, many years
23 ago. Many of our retirees have not, it is a fact,
24 received increases, some, for upwards of 18 years.

25 So I think that the members of the body

1 SECOND READING AND FINAL PASSAGE CALENDAR

2 tried to do the best that they could under difficult
3 circumstances, and I greatly appreciate all the
4 support, the suggestions, the criticisms, the
5 critique of this piece of legislation that results
6 in it being ready for vote today.

7 Let me also say that many of the union
8 leaders, some of whom are here today, but Mr.
9 Costello, Mr. Cronin, Mr. Matthews, and Mr. Yost, as
10 well their certainly helpful advisor Mr. Edis also
11 provided this Council with great insight and at
12 times criticism and suggestions. All of it is
13 helpful in this process. At times it is not a
14 perfect process, but I think we were able to come up
15 with something that recognizes, again, the needs of
16 the retirees. And I want to thank them for all
17 their time and attention to this matter.

18 Thank you very much, Madam President.

19 COUNCIL PRESIDENT Verna: Thank you.

20 The Chair recognizes Councilman O'Neill.

21 COUNCILMAN O'NEILL: Thank you, Madam
22 President.

23 Well, I agree with Councilman Nutter,
24 and I would like to add congratulations to him
25 because he did so much work on this. Although I did

1 SECOND READING AND FINAL PASSAGE CALENDAR

2 disagree with him on the final product, he certainly
3 put his all into it and deserves a lot of credit.

4 Even the Mayor, whom I disagree with on
5 some of this bill, if the Mayor weren't agreeing to
6 sign the bill, we may not be sitting here with
7 anything, and I think that should be recognized.

8 However, the bill is really two bills in
9 one. One deals with something that we all agree on;
10 that is, the two bonuses that will go to long-time
11 retirees over the next two years. I don't think
12 there's any question about that. I think it's time
13 to make up for past wrongs even though we weren't
14 involved in those wrongs. Those people have been
15 living on fixed incomes for a very long time.

16 However, the real opportunity to deal
17 with pensioners who are not in the bonus category
18 and who will be going out in the future is in the
19 COLA provision, setting up in the adjustment fund.
20 And that's the second part of the bill. It's really
21 the second bill within a bill. And I believe that
22 we are being terribly shortsighted in not starting
23 that pension adjustment fund at the actuarial
24 assumption which is now 9 percent, but instead going
25 to 10 percent before the new fund which starts

1 SECOND READING AND FINAL PASSAGE CALENDAR

2 sharing on a 50/50 basis with the pension fund. I
3 say that because in the last 10 years the Niels (ph)
4 have been such that once they are adjusted and
5 smoothed out over five years under the adjustment
6 mechanism that is in the bill, there's very little
7 left. And I'm still trying to find that
8 prognosticator who will prognosticate that we're
9 going to have a better stock market in the next 10
10 years than we had in the last 10, which is a
11 historic level of gains in the stock market.

12 I also believe that it's a time when we
13 know that future pensioners who are now employees
14 that started with the city in 1988 have
15 significantly lower pension benefits awaiting them
16 when they get out. Legislation was passed, I
17 believe, in '87 where many adjustments were made to
18 help the fund. One of the ones benefited both us as
19 elected officials and other high-ranking
20 administration officials. But while not affecting
21 current employees at that time, new employees have
22 significantly lower pension benefits. And when you
23 add to that, that we're minimizing rather than
24 maximizing the COLA potential, I think we're making
25 a mistake.

1 SECOND READING AND FINAL PASSAGE CALENDAR

2 The other thing is, and I can't -- I
3 don't think we can overlook it, is that the unions
4 play such a large part. Their agreement to the
5 pension bonds, approximately 1.25 billion, was
6 absolutely essential to that being passed at the end
7 of last year. And the pension fund greatly benefits
8 from that, but the general fund benefits very, very
9 much to the tune of 30-plus million dollars a year.
10 And of that 30-plus million dollars, only a fraction
11 is even affected in this bill.

12 I mean, for all the talk we've talked
13 about the impact on the general fund and the rating
14 of the general fund and the sanctity of the general
15 fund, the general fund will be compensated from that
16 pension bond issue in a multiple three to four times
17 what anything in front of us would cost or if we had
18 a 9 percent actuarial assumption floor for the
19 sharing with the new adjustment fund rather than 10
20 percent, 1 percent over the actuarial assumption, we
21 would never get near the 30-plus million that the
22 general fund will realize over the next 30 years
23 each year because of what was done and could only
24 have been done with the same unions that agreed, I
25 guess, for the second time in their history on

1 SECOND READING AND FINAL PASSAGE CALENDAR

2 something, and that was trying to have the actuarial
3 assumption begin at 9 percent.

4 So I believe it's a flawed part two in
5 the bill. I think it's a great piece of legislation
6 because it is landmark, it sets up a mechanism. And
7 I'm confident that we can make our own adjustment
8 later.

9 But I can assure you, Madam President,
10 that if not sooner, if I'm back here in January, the
11 first bill I will try to see introduced, and
12 hopefully all of us back and new members will
13 support having the actuarial assumption be the point
14 of sharing so there can be real money and real hope
15 for a future COLA for our pensioners. Thank you.

16 COUNCIL PRESIDENT VERNA: Thank you.

17 The Chair recognizes Councilman Cohen.

18 COUNCILMAN COHEN: Thank you, Madam
19 President.

20 When the bill on the pension retirement
21 was first introduced by Councilwoman Blackwell --
22 and I want to salute her leadership throughout the
23 entire fight because it wasn't as obvious as it
24 became later that justice cried out that this bill
25 be passed. I want to indicate that we've made a

1 SECOND READING AND FINAL PASSAGE CALENDAR

2 tremendous first step forward by this bill. We're
3 righting wrongs that existed for a long time. We
4 all who have been in the Council for quite sometime
5 are responsible for this long delay. I hope this
6 marks the end of the period when the mayors will say
7 pensions belong only on the collective bargaining
8 table where they never get solved and ultimately
9 they fall into the lap of the City Council.

10 But this bill is a great step forward.
11 It rights a wrong that was crying out to the high
12 heavens to be corrected.

13 Councilman O'Neill is right with respect
14 to the cost of living. We're just at the beginning
15 of the process. I hope before we're done with the
16 question of pensions we're going to have a pension
17 bill that honors the City of Philadelphia, honors
18 its employees. But no one must overlook the fact
19 that this is a tremendous victory, this bill. And
20 the reason nobody argued on the first two years --
21 I'm wrong. The Mayor fought really against the
22 first year originally. He agreed, then he fought
23 against the second year of increases and then he
24 agreed. And for that, I think all of us are
25 entitled to great credit.

1 SECOND READING AND FINAL PASSAGE CALENDAR

2 But to the retirees, on behalf of all of
3 the Council Members, what you're getting from this
4 bill you richly and justly deserved.

5 Thank you Madam President.

6 (Applause.)

7 COUNCIL PRESIDENT Verna: The Chair
8 recognizes Councilwoman Blackwell.

9 COUNCILWOMAN BLACKWELL: Thank you,
10 Madam President.

11 Certainly, let me thank my colleagues
12 who mentioned me in their remarks and for all those
13 who are supporting this bills, all my colleagues in
14 Council. Let me say that certainly I'm glad that we
15 have two lump sum payments that will be meted out to
16 the retirees in two years. I certainly agree that
17 the COLA provision is uncertain and that I'm hopeful
18 that we will be as watchful as we say we will to
19 have a real bill that will help retirees who so
20 desperately need it.

21 I would like to say thank you to the
22 union leaders who came together and who have stayed
23 together and who have pledged to try to stick
24 together from here on with regard to this issue and
25 other issues that affect them and their retirees.

1 SECOND READING AND FINAL PASSAGE CALENDAR

2 And finally, let me say Godspeed to all
3 those retirees in the City who have given their
4 lives in service to us and who certainly deserve
5 really a hands-up to make their retirement lives
6 more comfortable.

7 All of those who desperately need it, I
8 regret that we didn't get more, but let me say that
9 Godspeed and let's all stick together and thank you
10 for your struggles for our city.

11 (Applause.)

12 COUNCIL PRESIDENT Verna: The Chair
13 recognize Councilman Ortiz.

14 COUNCILMAN ORTIZ: Thank you, Madam
15 Chair.

16 I agree were Councilman Cohen and
17 Councilwoman Blackwell and my colleague Brian
18 O'Neill, and might I say, all of the hard work
19 Michael has put into developing this. We began this
20 process more than five, six, eight months ago, and
21 we have come along way. And although we did not get
22 what we ultimately wanted, we did take the steps
23 forward that advanced the process and advanced the
24 cause of the pensioners a great length of the road.

25 I think we have the structure for the

1 SECOND READING AND FINAL PASSAGE CALENDAR

2 COLA in place. We have to be very vigilant and we
3 have to bring back this legislation within the next
4 three years to make sure that we're being fair and
5 that the COLA, if it's going to take effect, does so
6 at that time. We in Council have retained the power
7 to be able to change it along the way in three years
8 interval.

9 I congratulate the leadership of the
10 unions because without their effort, their unity,
11 this process could not have been achieved.

12 And I salute the Council because without
13 the unity that we displayed and the perseverance
14 that was done in all of the work, this bill would
15 not have been done.

16 So I think we have come a great length
17 of the way towards what we all want. We're not
18 there yet, but we're on the road to achieving it.

19 Thank you, Madam Chair.

20 (Applause.)

21 COUNCIL PRESIDENT VERNA: Councilman
22 Kenney, would you come up a minute, please?

23 (Pause.)

24 COUNCIL PRESIDENT VERNA: To make
25 absolutely certain we're all on the right track, I

1 SECOND READING AND FINAL PASSAGE CALENDAR

2 would ask the Chief Clerk to please read the title
3 of Bill No. 990001A.

4 CHIEF CLERK HAUSER: An Ordinance
5 amending the Retirement System Ordinance, approved
6 December 3, 1956, as amended, and amending the
7 Municipal Retirement Benefit Plan 1987 Ordinance,
8 which became effective January 8, 1987, as amended
9 by adding new Sections to, in the case of both
10 Ordinances, provide for increases to the benefits of
11 certain uniformed and nonuniformed retirees,
12 beneficiaries and survivors by providing for certain
13 increases, under certain terms and conditions; and
14 making certain related technical amendments.

15 COUNCIL PRESIDENT VERNA: The Chief
16 Clerk will please call the role.

17 CHIEF CLERK HAUSER: Councilwoman
18 Blackwell.

19 COUNCILWOMAN BLACKWELL: Aye.

20 CHIEF CLERK HAUSER: Councilwoman Clark.

21 COUNCILWOMAN CLARK: Aye.

22 CHIEF CLERK HAUSER: Councilman Cohen.

23 COUNCILMAN COHEN: Aye.

24 CHIEF CLERK HAUSER: Councilman DiCicco.

25 COUNCILMAN DI CICC0: Aye.

1 SECOND READING AND FINAL PASSAGE CALENDAR

2 CHIEF CLERK HAUSER: Councilman Kenney.

3 COUNCILMAN KENNEY: Aye.

4 CHIEF CLERK HAUSER: Councilwoman

5 Krajewski.

6 COUNCILWOMAN KRAJEWSKI: Aye.

7 CHIEF CLERK HAUSER: Councilman

8 Longstreth.

9 COUNCILMAN LONGSTRETH: Aye.

10 CHIEF CLERK HAUSER: Councilman Mariano.

11 COUNCILMAN MARIANO: Aye.

12 CHIEF CLERK HAUSER: Councilwoman

13 Miller.

14 COUNCILWOMAN MILLER: Aye.

15 CHIEF CLERK HAUSER: Councilman Nutter.

16 COUNCILMAN NUTTER: Aye.

17 CHIEF CLERK HAUSER: Councilman O'Neill.

18 COUNCILMAN O'NEILL: Aye.

19 CHIEF CLERK HAUSER: Councilman Ortiz.

20 COUNCILMAN ORTIZ: Aye.

21 CHIEF CLERK HAUSER: Councilman Rizzo.

22 COUNCILMAN RIZZO: Aye.

23 CHIEF CLERK HAUSER: Councilwoman Tasco.

24 COUNCILWOMAN TASCO: Aye.

25 CHIEF CLERK HAUSER: Council President

1 SPEECHES

2 Verna.

3 COUNCIL PRESIDENT Verna: Aye.

4 - - -

5 COUNCIL PRESIDENT Verna: The ayes have
6 it, and the bill passes unanimously.

7 Congratulations to all of you.

8 Congratulations.

9 (Applause.)

10 COUNCIL PRESIDENT Verna: The Chair
11 recognizes Councilman Kenney regarding Bill No.
12 970272.

13 COUNCILMAN KENNEY: Thank you, Madam
14 President. I would asked that Bill No. 970272 be
15 referred back to its committee.

16 (Duly seconded.)

17 COUNCIL PRESIDENT Verna: All those in
18 favor will signify by saying aye.

19 Those opposed?

20 The ayes have it. The motion is
21 carried.

22 - - -

23 COUNCIL PRESIDENT Verna: Are there any
24 speeches on the part of the minority?

25 Are there any speeches on the part

1 SPEECHES

2 majority?

3 The Chair recognizes Councilwoman
4 Blackwell.

5 COUNCILWOMAN BLACKWELL: Thank you,
6 Madam President.

7 Just this morning I attended a debate
8 with five mayoral candidates. Former President was
9 absent because --

10 COUNCIL PRESIDENT VERNA: Councilwoman,
11 do you mind waiting just a moment?

12 We're still in session, gentlemen,
13 please.

14 COUNCILWOMAN BLACKWELL: Madam
15 President, I'll only take a moment.

16 Before coming in this morning, I
17 attended a mayoral debate sponsored by the Chamber
18 at the Hyatt. And certainly the issue of the
19 stadiums came up and each candidate was asked. Now,
20 three out of the five there said they favored a West
21 Philadelphia site. One other candidate said that
22 the people should decide. And the fifth candidate
23 said that he was open to all sites.

24 So I say that for the administration to
25 realize that it's time for us to have dialog with

25 All in favor?

1 ADJOURNMENT

2 All opposed?

3 The ayes have it. The motion is

4 carried.

5 (Adjourned at 10:55 a.m.)

6 - - -

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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 February 25, 1999, were reported
fully and accurately by me, and that this is a
correct transcript of the same.

RE: STATED MEETING

Lisa C. Bradley, RPR
and Notary Public