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How City Council Works

I. Creation of an Ordinance

A. Sponsorship

Bills are introduced by their Council sponsors. The bills can be drafted by the City Law Department, Council Technical Staff, a Council Member and/or a Member's staff, or by an outside source. The Mayor cannot introduce a bill and, by custom, asks the Council President or a particular member to introduce an administration bill. The bill's summary reflects whether the Mayor has requested its introduction.

B. Assignment to Committee.

Once a bill is introduced, it is assigned to a committee by the President of Council. There are 22 standing committees. Art III Council Rules. The various committees and their members are detailed in chapter 4 of this manual. There is no deadline for a bill to emerge from a committee. A bill can remain in the committee for the term of the Council which can be as long as 4 years. For example, there will be elections in 2015 for Council members who will assume 4 year terms through 2019. Hence, a bill introduced in early in 2016 could reside in a committee through 2019.

1. Committee Member Appointments. Committee

members are appointed by the President of Council for the four year Council term. Occasionally committee members are reassigned. No member may be removed from a committee without a majority vote of Council. Council Rules Article II.

22 2. Committee Hearings. Every bill must have a hearing before
23 it can become law. The sponsor schedules the hearing through the committee chair
24 who also must obtain a sign off for the hearing date from the Council President.

25 a. Committee Hearing Protocols.

26 i. Advertising - Committee hearings are advertised in at least three
27 daily publications such as the Legal Intelligencer. A 5-day notice is required
28 except for zoning matters, for which the notice period is 15 days.

29 ii. Public Comment - Every hearing is open to public comment so
30 that all bills are subject to public comment. To arrange to speak on a bill, a citizen
31 should contact the office of the Council Clerk: Michael Decker 215 686 3410 or 11
32 michael.decker@phila.gov. or the office of a sponsor of the bill.

33 iii. Committee Voting Protocols - In order for a committee meeting
34 to open, a quorum of members must be present at the commencement at the
35 commencement of the meeting. While a bill is in the Committee, it may be
36 amended by a majority vote of the Committee. Stenographic records are made of
37 each hearing. Bills are reported out of committee by a majority vote of the
38 committee. At the time bills exit the committee, the committee issues a report
39 which is prepared by the Chief Clerk. The typical procedure is that the committee
40 chair receives the Chief Clerk's report prior to Council's Thursday meetings and
41 then the chair presents the report for reading in Council. When "reading" the bill,
42 the Chief Clerk typically recites the bill's title, its assigned number and the
43 committee's recommendation. On rare occasions, bills are reported out with an
44 unfavorable recommendation or "no recommendation" from the committee. This

45 usually arises where the bill's sponsor wants to have the entire Council vote on the
46 bill.

47 C. Council Votes

48 1. Council Caucus

49 All Council members from both parties meet in Caucus on Thursday mornings
50 before Council commences. The topics include bills and resolutions to be introduced
51 as well as the agenda for that morning's Council meetings. Members share the
52 amendments they wish to propose and the bills they want heard for second reading
53 and vote. The pre Council caucus meetings provide a good occasion for addressing
54 individual Council members about issues or ordinances.

55 2. The Reading Calendars and Voting

56 When a bill has been reported out of committee, the bill is placed on the first
57 reading calendar of the next Council session following the bill's exit from
58 committee. The Clerk of Council maintains the first and second reading calendars.
59 The Clerk of Council reads the titles of the bills on the first reading calendar. No
60 business occurs regarding a bill on the occasion of its first reading.

61 The rules provide that, after the bill's committee report has been read by the
62 Clerk in its first Council session, the bill must be read once in a separate Council
63 session and then for a second time in a third Council session. In the third session it
64 may be called for a vote. Bills do not receive their second reading unless their
65 sponsor requests a vote so that a bill may be held over for a number of sessions
66 after its first reading to await being called by its sponsor for a second reading and
67 vote. However, this three session sequencing procedure is frequently suspended by
Philadelphia Crosstown Coalition June 2014.

68 a majority vote of the Council. When the rules are suspended, the bill need only be
69 processed through two Council sessions. The bill has its first reading in the same
70 meeting that the committee report is read even though the bill is not on that
71 session's first reading calendar. The bill's sponsor can then call for its second
72 reading and vote in the session immediately following its introduction from
73 committee so that the rules suspension shortens the procedure by one session.

74 Typically, amendments are distributed at the caucus meeting before the
75 formal session of the Council meets. Accordingly, during the Council session, a
76 member rises and says, "I move that Bill Number XXXXXX be amended," and,
77 customarily, does not read the amendment because the amendment has already
78 been presented in caucus. When a bill is amended in a second reading session, the
79 amended bill may not be voted upon but must, instead, be held over to the next
80 meeting of Council.

81 2. Council Votes

82 Bills are presented to the Mayor after being passed by a 9 member majority
83 of the 17 member Council. The Council President's vote is the last to be counted
84 per II.4 of the Council rules. Records of how Council people voted on bills are
85 maintained by the Council Clerk and are available by request.

86 Under a 2010 Pennsylvania Supreme Court decision, Council must allow
87 public comment on bills before they are presented to a vote. *Alekseev v. City*
88 *Council of Philadelphia 8 A.3d 311 (2010)* Citizens who want to testify should
89 contact the Council Clerk: Michael Decker 215 686 3410 or 11 or email to
90 michael.decker@phila.gov.

91 D. Mayor's Duties

92 Once a bill is passed in Council, it is sent by the Clerk to the Mayor who may:

93 a. Sign the bill in which event it becomes law or

94 b. Fail to sign the bill in which event the bill becomes law without the

95 Mayor's signature at the time of Council's next meeting but not earlier than ten

96 days after the Mayor receives it. Hence while Council is in session meeting each

97 Thursday, the unsigned bill would become law at the later of ten days from its

98 delivery to the Mayor or the day on which Council first meets after the bill's receipt

99 by the Mayor. If the bill is presented before a Council recess, the unsigned bill

100 would become law when Council next convened which might be well beyond ten

101 days. . For example, if a bill is passed in the last session of Council before the

102 summer recess in June, the Mayor can delay taking action on the bill until

103 September

104 c. Veto the bill in which event the veto message is read in Council and,

105 in Council's next session, Council can override the veto by a 2/3 vote, 12 out of 17

106 votes.

107 II. Miscellaneous Topics

108 A. Council Session Dates

109 Council commences in early September and meets each Thursday through

110 mid December when it breaks for the holidays. It then reconvenes around the third

111 week of January until mid June when it takes a three month recess. For example in

112 2015 Council convenes on January 22 and meets for 20 consecutive Thursdays

113 through June 18. It then reconvenes on September 10 and meets for 12 sessions,
114 with a one week break for Thanksgiving, through December 10.

115 B. The Suspension Calendar

116 Bills may be placed on the suspension calendar so as to limit the calendar
117 clutter presented by bills which have been first read and are on the second reading
118 calendar but are not being called up because the sponsor does not wish to place
119 them for vote.

120 C. Staffing for Council Members

121 The longest serving members of Council tend to have the largest staffs.
122 Traditionally, Council staffers' salaries are kept in step with increases granted to
123 District Council 47 – the white collar union for City workers although this
124 arrangement is by custom, not law, and raises are under the discretion of the
125 Council President. When a staffer leaves, the accrued wage increases in that
126 staffer's salary is typically kept in the Council person's budget so that as time
127 passes, the budget of long serving Council people increases.

128 D. Staffing of Council

129 The Council President can appoint and dismiss all Council employees other
130 than those serving Council members and other than the Council Clerk who is
131 elected and can be removed by a Council majority. Art II. 8 of Council Rules.

132 E. Budget Hearings

133 Council holds around four hearings for the public to comment on the budget.
134 These comments can be on any budget issue – the entire budget or a line item on a
135 department budget such as funding for a recreation center.

136 F. Consent Agenda

137 Council may unanimously agree to pass a bunch of bills placed on a Consent
138 Agenda without a second reading. The bills are read in seriatim by the Clerk and
139 passed as a group. This procedure is typically reserved for minor ordinances –
140 changing the direction of a street, etc.

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