

THE GENERAL ASSEMBLY OF PENNSYLVANIA

# HOUSE RESOLUTION

No. 367 Session of  
2007

INTRODUCED BY ROEBUCK, JULY 3, 2007

REFERRED TO COMMITTEE ON TRANSPORTATION, JULY 3, 2007

## A RESOLUTION

1 Directing the Majority Leader and Minority Leader to form a  
2 special oversight panel to conduct an investigation and audit  
3 of the Philadelphia Parking Authority.

4 WHEREAS, In the new era of openness and reform in State  
5 government, it is the duty of the House of Representatives to  
6 ensure taxpayers of this Commonwealth that public funds are  
7 expended in a responsible and accountable manner; and

8 WHEREAS, The Philadelphia School Reform Commission (SRC),  
9 which is charged with operating the public school system in  
10 Philadelphia, is in a budgetary crisis that threatens the safety  
11 and quality of education of the children of Philadelphia; and

12 WHEREAS, In 2001, 53 Pa.C.S. § 5508.1(q) (relating to  
13 governing body) was enacted to provide the SRC with monetary  
14 support up to \$45,000,000 annually from the Philadelphia Parking  
15 Authority (Authority); and

16 WHEREAS, In 2004, 53 Pa.C.S. § 5508.1(q) was repealed and  
17 subsection (q.1)(2)(ii) was added, stating that in the event the  
18 net annual revenue of the Authority's system of on-street

1 parking regulations exceeds \$25,000,000, the Authority shall  
2 transfer all of the excess to the general fund of the SRC; and

3 WHEREAS, At this time, SRC documents reflect that the  
4 Authority has transferred no more than \$4,000,000 to the SRC  
5 since 2001; and

6 WHEREAS, At this time, it is unknown if the Authority has  
7 transferred money to the SRC in compliance with 53 Pa.C.S. §  
8 5508.1(q.1)(2)(ii) or if the proposed revenue structure of 53  
9 Pa.C.S. § 5508.1(q.1)(2)(ii) is sufficient to help fund the SRC;  
10 and

11 WHEREAS, The Authority's funding sources, operating and  
12 capital budgeting must be reviewed to ensure the SRC receives  
13 appropriate funds to educate the children of Philadelphia; and

14 WHEREAS, The public confidence in an investigation of ongoing  
15 operations of the Authority would be served best by an  
16 independent investigation; therefore be it

17 RESOLVED, That the House of Representatives direct the  
18 Majority Leader and the Minority Leader to organize a special  
19 oversight panel in accordance with this resolution to conduct an  
20 overall and inclusive investigation of the operations,  
21 administration, management and finances of the Authority; and be  
22 it further

23 RESOLVED, That the panel be comprised of five members chosen  
24 by the Majority Leader and four members chosen by the Minority  
25 Leader; and be it further

26 RESOLVED, That the panel members be appointed within five  
27 days of the adoption of this resolution; and be it further

28 RESOLVED, That within ten days after the adoption of this  
29 resolution, the Majority Leader call the initial meeting of the  
30 task force; and be it further

1       RESOLVED, That, at the initial meeting, the members elect a  
2 chairperson by majority vote; and be it further

3       RESOLVED, That the panel's investigation include an  
4 operations and financial audit of the Authority; and be it  
5 further

6       RESOLVED, That the panel evaluate the current structure and  
7 system of performance of the Authority and conduct a  
8 comprehensive coordinated evaluation of the Authority's  
9 financial management; and be it further

10       RESOLVED, That the panel's considerations include the  
11 development of productivity standards as they pertain to the  
12 Authority's operations, the implementation of a more efficient  
13 management and personnel structure, the provision for an annual  
14 and a biennial performance audit, the returning of the Authority  
15 to the City of Philadelphia and the effectiveness of the  
16 Authority's governance; and be it further

17       RESOLVED, That the Authority's management be directed to  
18 provide, within 15 days of the adoption of this resolution, a  
19 report to the General Assembly stating the reason for its  
20 failure to meet its obligations under 53 Pa.C.S. Ch. 55  
21 (relating to parking authorities) or, if there is compliance  
22 with 53 Pa.C.S. Ch. 55, the reason for its minimal financial  
23 transfers to the SRC; and be it further

24       RESOLVED, That the panel be empowered to hold hearings, take  
25 testimony and make its investigations at such places as it deems  
26 necessary in this Commonwealth and that each member of the panel  
27 have power to administer oaths and affirmations to witnesses  
28 appearing before the panel; and be it further

29       RESOLVED, That the panel be empowered to issue subpoenas  
30 under the hand and seal of its chairperson commanding any person

1 to appear before the panel and to answer questions touching  
2 matters properly being inquired into by the panel and to produce  
3 books, papers, records and documents the panel deems necessary;  
4 and be it further

5 RESOLVED, That subpoenas be servable upon any person and have  
6 the same effect as subpoenas issued out of the courts of this  
7 Commonwealth and that any person who willfully neglects or  
8 refuses to testify before the panel or to produce books, papers,  
9 records or documents be subject to the penalties provided by the  
10 laws of this Commonwealth in such case; and be it further

11 RESOLVED, That the panel be authorized to contract and  
12 consult with outside parties for the purpose of conducting all  
13 or part of its investigation or audits; and be it further

14 RESOLVED, That the expenses incurred by the panel in carrying  
15 out its responsibilities, including expenses for any  
16 contractors, counsel or consultants, be paid from appropriate  
17 accounts under the control of the Chief Clerk; and be it further

18 RESOLVED, That the panel make a preliminary report of its  
19 findings to the House of Representatives on or before February  
20 29, 2008, an interim report on or before May 1, 2008, and a  
21 final report on or before June 1, 2008; and be it further

22 RESOLVED, That the panel not be disbanded or the  
23 investigation terminated until the final report has been  
24 received by the House of Representatives.