

1

2

COUNCIL OF THE CITY OF PHILADELPHIA

3

STATED MEETING

4

- - -

5

Wednesday, September 23, 1998

6

10:40 a.m.

7

Room 400, City Hall

Philadelphia, Pennsylvania

8

- - -

9

10

PRESENT: COUNCIL PRESIDENT JOHN F. STREET
COUNCILWOMAN AUGUSTA A. CLARK
COUNCILWOMAN JANNIE BLACKWELL
COUNCILMAN DAVID COHEN
COUNCILWOMAN JOAN L. KRAJEWSKI
COUNCILWOMAN ANNA CIBOTTA VERNA
COUNCILMAN JAMES F. KENNEY
COUNCILWOMAN DONNA REED MILLER
COUNCILMAN MICHAEL A. NUTTER
COUNCILWOMAN HAPPY FERNANDEZ
COUNCILWOMAN MARIAN B. TASCO
COUNCILMAN ANGEL L. ORTIZ
COUNCILMAN FRANK DICICCO
COUNCILMAN BRIAN J. O'NEILL
COUNCILMAN RICHARD T. MARIANO
COUNCILMAN W. THACHER LONGSTRETH
COUNCILMAN FRANK RIZZO

19

20

MARIE B. HAUSER, Chief Clerk

21

- - -

22

23

VINCENT VARALLO ASSOCIATES, INC.

24

Registered Professional Reporters

Eleven Penn Center, Suite 600

Philadelphia, PA 19103

25

(215) 561-2220

1 9/23/98 STATED MEETING - GREETING, INVOCATION

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

3 PRESIDENT STREET: Good morning,
4 ladies and gentlemen. The Chair notes that the
5 hour has come and that a quorum is present.

6 Council will come to order, Members
7 will take their seats, visitors will retire to
8 their seats outside the rail.

9 To give our invocation this morning,
10 the Chair welcomes Reverend Ronald Paul Jaynes,
11 who is the assistant rector at St. Paul Church.
12 He is here today as the guest of Councilman Rizzo.

13 Members and guests will please rise.

14 (All rise.)

15 FATHER JAYNES: Let us pray.

16 O God, you have ordained that men and
17 women shall dwell together for their good in the
18 life of the community. We pray your blessing upon
19 all who are citizens and visitors to the city of
20 Philadelphia.

21 Give your grace to those who occupy
22 positions of authority, and especially the members
23 and staff of this City Council, that they may
24 fulfill their responsibilities with wisdom and
25 equity and in the fear of God.

1 9/23/98 STATED MEETING - APPROVAL OF 9/17/98 JOURNAL

2 Grant that true faith, honest dealing,
3 and mutual service may be the standard for our
4 common life. And make us strong to meet every
5 challenge which the coming day and days may bring.

6 In your name we pray, o God.

7 Amen.

8 PRESIDENT STREET: The Chair thanks
9 Reverend Jaynes for his inspiring invocation.

10 (Council stands at ease.)

11 - - -

12 PRESIDENT STREET: This is the approval
13 of the journal of the meeting of Thursday,
14 September 17, 1998.

15 The Chair recognizes Councilman Augusta
16 Clark.

17 COUNCILWOMAN CLARK: Mr. President, I
18 move the adoption of the journal of that date.

19 (Duly seconded.)

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

22 Those opposed, say nay.

23 The ayes have it. The journal of the
24 meeting of Thursday, September 17, 1998, stands
25 approved.

1 9/23/98 STATED MEETING - LEAVES OF ABSENCE

2 - - -

3 PRESIDENT STREET: The Chair recognizes
4 Councilwoman Verna for leaves of absence on behalf
5 of Members of the Majority.

6 COUNCILWOMAN VERNA: Thank you, Mr.
7 President. On behalf of the Majority, there are
8 no requests for leaves of absence.

9 PRESIDENT STREET: The Chair thanks the
10 Councilwoman.

11 The Chair recognizes Councilman
12 Longstreth.

13 COUNCILMAN LONGSTRETH: Mr. President,
14 I have no requests for leaves of absence.

15 PRESIDENT STREET: The Chair thanks the
16 Councilman.

17 - - -

18 PRESIDENT STREET: At this time, we
19 will dispense with our regular order of business
20 to recognize visitors.

21 To all of our visitors and guests with
22 us this morning, the Chair welcomes you here today
23 and applauds your interest in the civic affairs of
24 our city, and we certainly invite you to come
25 again.

1 9/23/98 STATED - RECOGNIZE VISITORS, PRESENTATIONS

2 I believe Councilwoman Blackwell would
3 like to introduce some visiting guests with us.
4 These are people that we all know, and we're
5 always delighted to have them in our chamber. As
6 a matter of fact, I think she might be doing
7 something on their behalf right at the moment.

8 The Chair recognizes Councilwoman
9 Blackwell.

10 COUNCILWOMAN BLACKWELL: Thank you, Mr.
11 President.

12 We are very, very pleased to have
13 legislation this morning that we will be
14 introducing, dealing with the retirement and
15 pension for policemen and firemen in the city, and
16 we would certainly ask that they stand and be
17 recognized. All of them are here, all the
18 officers and those members of the rank and file
19 who are here this morning.

20 PRESIDENT STREET: Can we have these
21 people stand.

22 (Officers and firefighters stand for
23 recognition.)

24 (Applause.)

25 PRESIDENT STREET: Thank you very much

1 9/23/98 STATED - RECOGNIZE VISITORS, PRESENTATIONS
2 for being with us.

3 Will Councilwoman Verna please approach
4 the Chair.

5 (Councilwoman Verna approaches the
6 Chair, assumes the Chair.)

7 COUNCILWOMAN VERNA: Our first
8 presentation honors Carolyn Gray.

9 To make this presentation, the Chair
10 appoints Councilwoman Clark. The Chair invites
11 Miss Gray to come and receive the resolution.

12 (Councilwoman Clark, Miss Gray, and
13 others come forward.)

14 COUNCILWOMAN CLARK: Councilwoman
15 Blackwell, Councilwoman Blackwell, will you join
16 us here.

17 COUNCILWOMAN BLACKWELL: Thank you.

18 (Councilwoman Blackwell comes forward.)

19 COUNCILWOMAN CLARK: I am so pleased
20 today to read this resolution which recognizes an
21 outstanding teacher, because we know how important
22 education is to prepare our young people for
23 productive citizenship in the new century.

24 This resolution from the City Council
25 of Philadelphia recognizes and honors Carolyn Gray

1 9/23/98 STATED - RECOGNIZE VISITORS, PRESENTATIONS
2 as Philadelphia's 1998 Teacher of the Year.

3 Whereas this year in Philadelphia, the
4 Teacher of the Year award is named for Dr. Ruth
5 Wright-Haire, who died in January after more than
6 half a century of service to Philadelphia's school
7 children; and

8 Whereas the Teacher of the Year award
9 is sponsored by the School District, the Teachers
10 Union, the Philadelphia Education Fund, and the
11 Greater Philadelphia First Partnership for Reform;
12 and

13 Whereas Masterman's Carolyn Gray, a
14 native of East Mt. Airy, is Philadelphia's 1998
15 Teacher of the Year; and. . .

16 COUNCILWOMAN BLACKWELL: Whereas
17 Carolyn Gray, who considers herself a lifelong
18 learner, dedicates herself to encouraging students
19 to always learn new things; and

20 Whereas Carolyn Gray brings energy and
21 enthusiasm to her classroom, which always is
22 looking for new and innovative teaching
23 techniques; and

24 Whereas Carolyn Gray demands
25 higher-order thinking skills from her students at

1 9/23/98 STATED - RECOGNIZE VISITORS, PRESENTATIONS

2 Masterman, considered by some to be the best
3 school in the district, and;

4 COUNCILWOMAN CLARK: Whereas Carolyn
5 Gray, who began teaching three decades ago in
6 Dallas, Texas, returned to Philadelphia in 1986,
7 teaching at Mann and then at the Hancock
8 Elementary School; and

9 Whereas she has taught science, social
10 studies, literature, and classes for the mentally
11 gifted at Masterman since 1992, she has spent her
12 career helping children make the connections that
13 will help them better understand their world; and

14 Whereas Miss Gray's soft-spoken but
15 demanding style brings out the best in her
16 students and does honor to the memory of Dr. Ruth
17 Wright-Haire;

18 Now therefore resolved that the Council
19 of the City of Philadelphia recognize and honor
20 Carolyn Gray as Philadelphia's 1998 Teacher of the
21 Year.

22 This is a true and correct copy of the
23 original resolution adopted by the Council of the
24 City of Philadelphia, on the 28th day of May,
25 1998, signed by John F. Street, President,

1 9/23/98 STATED - RECOGNIZE VISITORS, PRESENTATIONS
2 introduced by Augusta Alexander Clark, and
3 sponsored by every member of Council.

4 (Applause.)

5 COUNCILWOMAN Verna: The Chair
6 recognizes Miss Gray for remarks.

7 MS. GRAY: I'd like to take this
8 opportunity to thank the Council for its
9 recognition. I accept this award on -- or I guess
10 the resolution on behalf of all teachers in the
11 City of Philadelphia.

12 With me today, I'd like to introduce,
13 first of all my principal, Mrs. Barbara Bravo.

14 (Applause.)

15 MS. GRAY: The vice principal,
16 Mrs. McCrea. Mrs. McCrea put the Teacher-of-the-
17 Year packet together for me, while Mrs. Bravo made
18 the nomination.

19 (Applause.)

20 MS. GRAY: And my sister Vivian Lamar,
21 who's here with me, and she gives me a lot of
22 support and correction.

23 (Applause.)

24 MS. GRAY: And also, I have two
25 students. I have Meriam Lee. Meriam is currently

1 9/23/98 STATED - RECOGNIZE VISITORS, PRESENTATIONS
2 a 12th-grader. I had Meriam as a 7th-grader. She
3 also wrote a letter on my behalf.

4 And standing besides Meriam is Dan
5 Moss. It was his mother's letter that Dr.
6 Hornbeck read at the Teacher of the Year
7 celebration, so he's representing the middle
8 school, while Meriam is representing the high
9 school.

10 Thank you so much for everything.

11 (Applause.)

12 MS. GRAY: Well, very briefly, I was,
13 and I still am, in awe of having received this
14 award. I know that it represents something very
15 special in education to have your colleagues honor
16 you in such a special way. It's also very
17 heartwarming to receive the award when it first
18 was given in the name of Dr. Ruth Wright-Haire.

19 So I am still in awe of it, and
20 everything is so incredibly exciting for me. And
21 I want to thank everyone who supports teachers,
22 who supports children, and who support parents.

23 Thank you very much.

24 (Applause.)

25 COUNCILWOMAN Verna: Council will be at

1 9/23/98 STATED - RECOGNIZE VISITORS, PRESENTATIONS
2 ease.

3 (Council stands at ease.)

4 COUNCILWOMAN Verna: Our second
5 presentation declares October as Domestic Violence
6 Awareness Month.

7 To make this presentation, the Chair
8 appoints Councilwoman Tasco. The Chair invites
9 Miss Karen Freeman and those with her to come and
10 receive this resolution.

11 (Councilwoman Tasco, Karen Freeman, and
12 others come forward.)

13 COUNCILWOMAN Tasco: This year marks
14 the second annual "Let's Stop Domestic Violence
15 Day" in Philadelphia. We have joined this
16 national initiative in an effort to expose more
17 people to the causes and signs of domestic
18 violence while hoping that we can interrupt the
19 relentless cycle of the many dysfunctional
20 families enduring domestic violence on a daily
21 basis.

22 And with this in mind, we have asked
23 Karen Freeman and Laurie Burns-Simms of the Let's
24 Stop Domestic Violence Partnership to receive this
25 resolution this morning, and we welcome them back

1 9/23/98 STATED - RECOGNIZE VISITORS, PRESENTATIONS
2 to City Council.

3 This resolution declares October as
4 Domestic Violence Awareness Month and designating
5 October 1, 1998 as the second annual Philadelphia
6 Let's Stop Domestic Violence Day.

7 Whereas Philadelphia's four domestic
8 violence service agencies documented that nearly
9 30,000 women requested help in 1995 to '96; and

10 Whereas the University of Pennsylvania
11 School for Communications conducted a survey which
12 revealed that approximately 1 in 4 Philadelphia
13 women report that they have been physically abused
14 by a husband or boyfriend at some point in their
15 lives; and

16 Whereas Philadelphia has been selected
17 as a pilot city for implementation of a three- to
18 five-year model demonstration project to reduce
19 the incidence of domestic violence; and

20 Whereas local community-based
21 organizations around the city have planned
22 activities to educate citizens about domestic
23 violence, including the distribution of
24 literature, and canvassing, a community rally with
25 the police commissioner, and community

1 9/23/98 STATED - RECOGNIZE VISITORS, PRESENTATIONS
2 presentations by the four domestic abuse programs;
3 and

4 Whereas the principal activity of
5 October 1, 1998 will be a Market Street blitz,
6 with a morning rally and the distribution of
7 flyers and bumper stickers along the entire course
8 of Market Street;

9 Now therefore resolved by the Council
10 of the City of Philadelphia that we hereby declare
11 the month of October 1998 as Domestic Violence
12 Awareness Month, and designate October 1, 1998 as
13 the second annual Philadelphia Let's Stop Domestic
14 Violence Day;

15 Resolved further that an engrossed copy
16 of this resolution be presented to Philadelphia
17 Let's Stop Domestic Violence, a project of the
18 Family Violence Prevention Fund, in collaboration
19 with Women Against Abuse, Women in Transition,
20 Lutheran Social Mission Society, and Congreso de
21 Latinos Unidas, as an expression of the sincere
22 gratitude of the Council for their efforts in
23 sponsoring these timely discussions and activities
24 across our city to combat domestic violence.

25 Certification that this is a true and

1 9/23/98 STATED - RECOGNIZE VISITORS, PRESENTATIONS
2 correct copy of the original resolution adopted by
3 the Council of the City of Philadelphia, on the
4 17th day of September, 1998, signed by President
5 Street, introduced by Marian B. Tasco, and
6 sponsored by all Members of City Council.

7 Thank you again.

8 (Applause.)

9 COUNCILWOMAN Verna: The Chair
10 recognizes Miss Freeman for remarks.

11 MS. FREEMAN: Thank you, Councilwoman
12 Tasco, Councilwoman Verna, other Councilmen and
13 women, ladies and gentlemen.

14 We're very pleased to be here with you
15 this morning, and I want to introduce the four
16 women standing to my left who are holding up our
17 banner.

18 And we'll start on the right with
19 Patrice Gamin, from Women in Transition; Cynthia
20 Figueroa, from Congreso de Latinos Unidos, their
21 Latina Domestic Violence Program; Beatrice Vierra,
22 from Lutheran Settlement Bilingual Domestic
23 Violence Project; and Lisa Nelson, the field
24 coordinator for Philadelphia Let's Stop Domestic
25 Violence. And, of course, to my right, Laurie

1 9/23/98 STATED - RECOGNIZE VISITORS, PRESENTATIONS
2 Burns-Simms, project coordinator for Philadelphia
3 Let's Stop Domestic Violence.

4 Thank you.

5 (Applause.)

6 MS. BURNS-SIMMS: Council President,
7 Councilmen and women, ladies and gentlemen, thank
8 you for this opportunity to tell you that next
9 week, on October 1st, Philadelphians and Americans
10 across the country will join together to support
11 victims of domestic violence and let batterers
12 know that there's no excuse for domestic violence.

13 Domestic violence touches every one of
14 us. It fills emergency rooms and morgues. It
15 keep employees from being able to work. It makes
16 once-happy children fearful and angry. It
17 destroys homes, and it destroys families.

18 All Philadelphians must join together
19 in this effort. Domestic violence does not
20 discriminate. It knows no racial barriers, no
21 economic barriers, no social barriers. Domestic
22 violence exists in all neighborhoods, in all
23 cities, and in all countries.

24 Only by coming together can our
25 communities and our city stop the epidemic of

1 9/23/98 STATED - RECOGNIZE VISITORS, PRESENTATIONS
2 domestic violence once and for all. Each and
3 every one of us must take a stand and do what we
4 can to reduce the incidence of domestic violence.

5 On Thursday, October 1, Philadelphia's
6 Let's Stop Domestic Violence, in collaboration
7 with the four domestic violence programs here in
8 Philadelphia -- Congreso de Latinos Unidos, the
9 Lutheran Settlement House, Women Against Abuse,
10 and Women in Transition -- will hold a rally for
11 volunteers, who will then go out onto Market
12 Street, from 11 to 2 p.m., to canvass the street
13 with lifesaving information for victims and for
14 the general public who want to do something about
15 this epidemic.

16 This resolution and recognition by the
17 Council is greatly appreciated, but we hope that
18 Councilmembers go further in demonstrating your
19 commitment to do something about domestic
20 violence.

21 We ask all of you, all of City
22 Councilmembers to commit one staff member for
23 three hours to volunteer next Thursday for the
24 Market Street blitz. A sign-up sheet will be
25 passed around, if it hasn't already been so -- oh,

1 9/23/98 STATED - RECOGNIZE VISITORS, PRESENTATIONS
2 will be passed around, for you to indicate your
3 commitment. We'll follow up with your designated
4 contact.

5 The materials on your desks before you
6 will give you more information about the
7 Philadelphia Let's Stop Domestic Violence
8 campaign, the agencies, and the work that's
9 already very well-known to many of you, and the
10 information, of course, about the Market Street
11 blitz.

12 Please join us and help us send a
13 message that there is no excuse for domestic
14 violence in your homes, in your neighborhoods, in
15 your workplaces, and certainly no excuse for
16 domestic violence here in the City of
17 Philadelphia.

18 Thank you.

19 (Applause.)

20 COUNCILWOMAN VERNA: Council will be at
21 ease.

22 (Council stands at ease.)

23 - - -

24 COUNCILWOMAN VERNA: The next order of
25 business is communications.

1 9/23/98 STATED MEETING - COMMUNICATIONS

2 The Chair recognizes the
3 Sergeant-At-Arms for the purpose of delivering the
4 messages from the mayor to the chief clerk. The
5 chief clerk will read the messages from the mayor.

6 CHIEF CLERK HAUSER: To the President
7 and Members of the City Council of the City of
8 Philadelphia, I am transmitting for the
9 consideration of your honorable body a draft or a
10 resolution approving the redevelopment contract of
11 the Redevelopment Authority of the City of
12 Philadelphia for the redevelopment and urban
13 renewal of a portion of Eastwick Urban Renewal
14 Area, identified by house number and street
15 address as 8008 Madison Avenue, and authorizing
16 the Redevelopment Authority to execute the
17 redevelopment contract with William Johnson.

18 And a resolution approving the
19 redevelopment contract and disposition supplement
20 of the Redevelopment Authority of the City of
21 Philadelphia for the redevelopment and urban
22 renewal of a portion of Model Cities Urban Renewal
23 Area designated as Parcels 1, 2, 3, 4, 5, and 6.

24 And to the President and Members of the
25 City Council of City of Philadelphia, I am pleased

1 9/23/98 STATED MEETING - COMMUNICATIONS

2 to advise you that I have signed throughout the
3 summer 111 bills which Council passed in the month
4 of June.

5 And a memorandum from Rick Auerbach,
6 senior attorney, July 22nd. Bills that have
7 become law without the mayor's signature. On
8 April 23, 1998, City Council passed Bill No.'s
9 970693, 980022, 980121, 980174, and 980175.

10 I understand that these bills were
11 presented to the mayor for his approval on April
12 28, 1998. These bills were neither signed by the
13 mayor, nor returned, disapproved at the Council
14 session held May 14, 1999 (sic), which was the
15 first session of Council held not less than ten
16 days after the date the mayor received the five
17 bills.

18 Therefore, under Section 2-202 of the
19 Philadelphia Home Rule Charter, these five bills
20 became law on May 14, 1999 -- I'm sorry, 1998, and
21 certified copies of the bills should be prepared,
22 so indicating.

23 Please note that the mayor did sign
24 Bill No. 980121 on June 24, 1998. However, the
25 certified copy of Bill No. 980121 should still

1 9/23/98 STATED MEETING - COMMUNICATIONS

2 indicate that it became law on May 14, 1998,
3 pursuant to Section 2-202 of the Charter.

4 COUNCILWOMAN VERNA: The messages will
5 be printed in the journal.

6 The chief clerk will read any other
7 communications in her possession.

8 CHIEF CLERK HAUSER: To the President
9 and Members of the Council of the City of
10 Philadelphia, I am returning herewith, as
11 disapproved, Bill No. 970485, which was passed by
12 Council at its session on June 18, 1998. The bill
13 would prohibit automatic teller machine (ATM)
14 surcharges by any banks designated as depositories
15 for the City of Philadelphia.

16 Let me begin by saying that I am
17 sympathetic to the frustrations that Councilman
18 Nutter, the Members of Council, and all of us,
19 including me, feel over having to pay ATM
20 surcharges, particularly the practice of charging
21 an additional fee to non-customers for the exact
22 same service. Notwithstanding this frustration,
23 however, I want to explain the reason for my
24 decision to veto the bill.

25 First, if Bill 970485 were to become

1 9/23/98 STATED MEETING - COMMUNICATIONS

2 law, it is extremely doubtful that the City of
3 Philadelphia would be able to find a local bank to
4 handle its operations. Indeed, our comprehensive
5 review of ATM fees statewide reveals that there
6 are only three small banks in the entire
7 commonwealth that do not levy ATM surcharges; none
8 of these locations in the eastern portion of
9 Pennsylvania, let alone in Philadelphia.

10 And not one of these institutions
11 possesses significantly sophisticated check-
12 processing systems to meet the needs of the City's
13 payroll and payments accounts. The City issues
14 more than one million checks each year, including
15 60,000 payroll checks or direct deposits and funds
16 each month for 30,000 City employees. Smaller
17 banks simply are not equipped to handle this body
18 of activity with accuracy and efficiency.

19 Second, the efficient operation of the
20 City's finances demand that its depositories be
21 sophisticated enough to receive and record in
22 excess of 400,000 payments each month which come
23 to the City from a variety of sources, including
24 local residential and business taxpayers, the
25 Commonwealth of Pennsylvania, the federal

1 9/23/98 STATED MEETING - COMMUNICATIONS

2 government, and a variety of private and public
3 grants. Our review, conducted under the auspices
4 of the Finance Department, indicates that few
5 small banks possess the requisite complex
6 reporting systems to meet these needs.

7 Again, none of these is located in or
8 near Philadelphia, which means that there would be
9 inevitable delay in the availability of City funds
10 if any of these institutions were selected as
11 depositories. Similarly, few small banks offer
12 automatic account reconciliation or even
13 direct-deposit services. As a result, delays in
14 processing payments to and from the City would be
15 inevitable.

16 Given the volume and complexity of
17 banking transactions in which the City is
18 involved, it is imperative that the City engage
19 the services of depositories that possess the
20 necessary systems and services to handle the
21 City's banking needs with speed, accuracy, and
22 efficiency.

23 Third, given the wave of mergers and
24 acquisitions that have increasingly made banking a
25 national enterprise, it is extremely unlikely that

1 9/23/98 STATED MEETING - COMMUNICATIONS

2 a bank headquartered outside a city or a region,
3 or one headquartered in another state, would be
4 willing to abandon ATM fees in one jurisdiction
5 alone. To demand that a regional or national bank
6 abandon ATM surcharges only in Philadelphia simply
7 ignores banking reality.

8 Although the City is a significant
9 client, generating fees of approximately \$1
10 million annually, that figure pales in comparison
11 to the revenues banks receive from the ATM
12 surcharges in Philadelphia. In any other region
13 in which the bank operates under these
14 circumstances, it strains to believe that banks
15 would forego these revenues in order to earn or
16 maintain a designation as a City depository.

17 Fourth, Bill No. 970485 requires banks
18 to forego ATM surcharges, yet does not provide for
19 a consistent and rational set of remedies in the
20 event that a bank is found to have violated the
21 ordinance.

22 Specifically, the bill provides that
23 banks acting as City depositories, quote, shall
24 not change that, quote -- I'm sorry -- shall not
25 change any fee or surcharge, quote. But if a bank

1 9/23/98 STATED MEETING - COMMUNICATIONS

2 is found to have violated the ordinance, the bill
3 states only that, quote, Council may revoke the
4 designation of such bank as its City depository,
5 quote. In effect, the bill requires Council to
6 enact separate legislation to revoke an offending
7 bank's designation.

8 Such a regulatory scheme could lead to
9 inconsistent enforcement, one in which a bank
10 theoretically could violate the provisions of the
11 bill without being penalized for it, unless and
12 until Council enacts legislation to revoke its
13 designation as a City depository while other
14 violators are being punished.

15 I am convinced that Bill No. 970485
16 does not provide an effective solution to the
17 problem of escalating ATM costs. To the contrary,
18 Bill No. 970485 would have serious consequences
19 for the City's financial operations, while also
20 negatively impacting the City's employees and
21 taxpayers.

22 I believe that the answer to this
23 problem lies in the enactment of federal
24 legislation, as introduced by Senator Alphonse
25 D'Amato of New York, to create a uniform and

1 9/23/98 STATED MEETING - INTRO. BILLS, RESOLUTIONS
2 consistently enforceable regulatory scheme to
3 prohibit excess ATM surcharges.

4 For all these reasons, I must
5 disapprove Bill No. 970485.

6 Respectfully submitted, Edward G.
7 Rendell.

8 COUNCILWOMAN VERNA: A communication
9 will be noted in the journal.

10 - - -

11 COUNCILWOMAN VERNA: The next order of
12 business is the introduction of bills and
13 resolutions.

14 The Chair recognizes Councilwoman
15 Clark.

16 COUNCILWOMAN CLARK: Madame Chair,
17 today I have two bills and one resolution on
18 behalf of President Street.

19 COUNCILWOMAN VERNA: The Chair thanks
20 the lady.

21 The chief clerk will please read the
22 title of the bills.

23 CHIEF CLERK HAUSER: An ordinance
24 amending Section 19-201 of The Philadelphia Code
25 relating to City depositories by clarifying and

1 9/23/98 STATED MEETING - INTRO. BILLS, RESOLUTIONS
2 updating the list of institutions in which the
3 City is authorized to deposit funds, and by
4 amending certain conditions.

5 COUNCILWOMAN VERNA: The bill will be
6 referred to the appropriate committee.

7 CHIEF CLERK HAUSER: An ordinance
8 authorizing the president of the Fairmount Park
9 Commission and the executive director of the
10 Fairmount Park to execute a lease covering that
11 portion of Fairmount Park known as "River Field"
12 with the Philadelphia Authority for Industrial
13 Development for a term of 25 years, with one
14 5-year renewal option under which PAID shall
15 execute a sublease with the Friends of River
16 Field, Inc., a nonprofit corporation, organized
17 under the laws of the Commonwealth of
18 Pennsylvania.

19 COUNCILWOMAN VERNA: The bill will be
20 referred to the appropriate committee.

21 CHIEF CLERK HAUSER: A resolution
22 authorizing the Commissioner of Public Property to
23 execute and deliver to the Redevelopment Authority
24 of the City of Philadelphia deeds for properties
25 situated in the 28th Ward of the City of

1 9/23/98 STATED MEETING - INTRO. BILLS, RESOLUTIONS
2 Philadelphia.

3 COUNCILWOMAN VERNA: Councilwoman
4 Clark, would you make a motion to suspend the
5 rules of Council.

6 COUNCILWOMAN CLARK: Madame Chair, I
7 move that the rules of Council be suspended so as
8 to permit immediate consideration of all
9 resolutions introduced today.

10 (Duly seconded.)

11 COUNCILWOMAN VERNA: It's been properly
12 noted and seconded.

13 All those in favor will signify by
14 saying aye.

15 Those opposed?

16 The ayes have it. The motion is so
17 carried.

18 We will now vote to consider the vote
19 on your resolution. The Chair recognizes
20 Councilwoman Clark.

21 COUNCILWOMAN CLARK: Madame Chair, I
22 move that this resolution be adopted.

23 (Duly seconded.)

24 COUNCILWOMAN VERNA: All those in favor
25 will signify by saying aye.

1 9/23/98 STATED MEETING - INTRO. BILLS, RESOLUTIONS

2 Those opposed?

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

5 The Chair recognizes Councilwoman
6 Blackwell.

7 COUNCILWOMAN BLACKWELL: Thank you,
8 Madame Chair.

9 I have one bill that I introduced, that
10 is sponsored by -- it is signed by 15 members of
11 City Council. It is cosponsored by myself as well
12 as yourself, Councilwoman Verna, Councilman
13 Nutter, Councilman Kenney, Councilwoman Krajewski,
14 Councilman DiCicco, Councilman Rizzo, Councilman
15 Mariano, and Councilwoman Clark.

16 COUNCILWOMAN VERNA: Thank you. The
17 clerk will please read the title of the 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
23 amended, by adding new sections to, in the case of
24 both ordinances, provide for increases to the
25 benefits of police and fire retirees, by providing

1 9/23/98 STATED MEETING - INTRO. BILLS, RESOLUTIONS
2 for cost-of-living increases and by allowing
3 police and fire employees to purchase service
4 credit based on a higher compensation, under
5 certain terms and conditions; and making certain
6 related technical amendments.

7 COUNCILWOMAN VERNA: The bill will be
8 referred to the appropriate committee.

9 The Chair recognizes Councilman Cohen.

10 COUNCILMAN COHEN: Madame Chair, I have
11 no bills or resolutions.

12 COUNCILWOMAN VERNA: The Chair thanks
13 the gentleman.

14 The Chair recognizes Councilwoman
15 Krajewski.

16 COUNCILWOMAN KRAJEWSKI: Madame Chair,
17 I have no bills or resolutions.

18 COUNCILWOMAN VERNA: Thank you.

19 The Chair recognizes Councilman Kenney.

20 COUNCILMAN KENNEY: Thank you, Madame
21 Chair. On your behalf, by request, I offer one
22 bill. There are no bills for myself today.

23 COUNCILWOMAN VERNA: The clerk will
24 please read the title of the bill.

25 CHIEF CLERK HAUSER: An ordinance

1 9/23/98 STATED MEETING - INTRO. BILLS, RESOLUTIONS
2 authorizing the Commissioner of Public Property to
3 execute and deliver to the Philadelphia Authority
4 for Industrial Development, without consideration,
5 a deed conveying fee simple title to a certain
6 tract of City-owned land, with the buildings and
7 improvements thereon situated, on the
8 northeasterly side of 63rd Street, south of
9 Eastwick Avenue, under and subject to the terms
10 and conditions of the Philadelphia Industrial and
11 Commercial Agreement between the City, PAID, and
12 the Philadelphia Industrial Development
13 Corporation.

14 COUNCILWOMAN VERNA: The bill will be
15 referred to the appropriate committee.

16 The Chair recognizes Councilwoman
17 Miller.

18 COUNCILWOMAN MILLER: Thank you, Madame
19 Chair. I have one bill.

20 COUNCILWOMAN VERNA: Thank you. The
21 clerk will please read the title of the bill.

22 CHIEF CLERK HAUSER: To name Tot Lot,
23 at 177 through 185 West Price Street, "The Rosalyn
24 Freeman and Myrtle Scott Tot Lot."

25 COUNCILWOMAN VERNA: The bill will be

1 9/23/98 STATED MEETING - INTRO. BILLS, RESOLUTIONS
2 referred to the appropriate committee.

3 The Chair recognizes Councilman Nutter.

4 COUNCILMAN NUTTER: Thank you, Madame
5 Chair. I offer one resolution on behalf of myself
6 and Councilwoman Miller and many other members of
7 City Council.

8 CHIEF CLERK HAUSER: A resolution
9 authorizing the Special Committee on Parks,
10 Recreation and Cultural Affairs to hold hearings
11 and conduct a full review of the operation and
12 maintenance of the Recreation Department's
13 facilities, including but not limited to type of
14 programs, number of youth and adults served, hours
15 of operation, and condition of facilities and
16 equipment, current funding levels of programs,
17 personnel, materials, supplies and equipment, and
18 accountability and performance measures in place
19 for both program and maintenance staff;

20 And further authorizing the committee
21 to evaluate programs and maintenance procedure
22 available in other comparable municipal recreation
23 departments; and to make recommendations on policy
24 and funding changes.

25 COUNCILWOMAN VERNA: The Chair

1 9/23/98 STATED MEETING - INTRO. BILLS, RESOLUTIONS
2 recognizes Councilman Nutter.

3 COUNCILMAN NUTTER: Madame Chair, I
4 move the adoption of the resolution.

5 (Duly seconded.)

6 COUNCILWOMAN VERNA: All those in favor
7 will signify by saying aye.

8 Those opposed?

9 The ayes have it. The motion is so
10 carried.

11 The Chair recognizes Councilwoman
12 Fernandez.

13 COUNCILWOMAN FERNANDEZ: Thank you,
14 Madame Chair. I have no bills or resolutions this
15 morning.

16 COUNCILWOMAN VERNA: The Chair thanks
17 the lady.

18 The Chair recognizes Councilwoman
19 Tasco.

20 COUNCILWOMAN TASCO: I have no bills or
21 resolutions today.

22 COUNCILWOMAN VERNA: Thank you.

23 The Chair recognizes Councilman Ortiz.

24 COUNCILMAN ORTIZ: Madame Chair, I have
25 no bills or resolutions today.

1 9/23/98 STATED MEETING - INTRO. BILLS, RESOLUTIONS

2 COUNCILWOMAN VERNA: Thank you.

3 The Chair recognizes Councilman
4 DiCicco.

5 COUNCILMAN DICICCO: Thank you, Madame
6 Chair. I offer one bill.

7 COUNCILWOMAN VERNA: The chief clerk
8 will please read the title of the Bill.

9 CHIEF CLERK HAUSER: An ordinance
10 amending Title 14 of The Philadelphia Code
11 relating to zoning and planning by amending
12 Chapter 14-1600, entitled "Miscellaneous," by
13 amending Section 14-16-07, entitled "Special
14 Controls for the Center City Commercial Area," and
15 by amending Section 14-1803, entitled "Criteria
16 for Granting a Special-Use Permit," by requiring a
17 Zoning Board of Adjustment special-use permit for
18 certain uses for properties fronting on the north
19 side of Market Street between Front Street and
20 Fifth Street, under certain terms and conditions.

21 COUNCILWOMAN VERNA: The bill will be
22 referred to the appropriate committee.

23 The Chair recognizes Councilman
24 O'Neill.

25 COUNCILMAN O'NEILL: Madame Chair, I

1 9/23/98 STATED MEETING - INTRO. BILLS, RESOLUTIONS
2 have no bills or resolutions.

3 COUNCILWOMAN VERNA: The Chair thanks
4 the gentleman.

5 The Chair recognizes Councilman
6 Mariano.

7 COUNCILMAN MARIANO: Madame Chair, I
8 have one bill and one resolution.

9 CHIEF CLERK HAUSER: An ordinance
10 amending Section 10-611 of The Philadelphia Code
11 entitled "Sidewalk Behavior," by providing that
12 the 7th City Councilmatic District shall be
13 covered by the prohibitions and penalties set
14 forth in said Section 10-611 of The Philadelphia
15 Code.

16 COUNCILWOMAN VERNA: The bill will be
17 referred to the appropriate committee.

18 (President Street resumes Chair.)

19 PRESIDENT STREET: The clerk will
20 please read the title of the resolution introduced
21 by Councilman Mariano.

22 The Chair thanks Councilwoman Verna.

23 CHIEF CLERK HAUSER: A resolution
24 approving the redevelopment contract and
25 disposition supplement of the Redevelopment

1 9/23/98 STATED MEETING - INTRO. BILLS, RESOLUTIONS
2 Authority of the City of Philadelphia for the
3 redevelopment and urban renewal of a portion of
4 the Model Cities Urban Renewal Area designated as
5 Parcel No.'s 1, 2, 3, 4, 5, and 5, also sometimes
6 identified by house numbers and street addresses
7 for Parcel No. 1 as 564 through 68 West Dauphin
8 Street, 2222 through 42, and 2246 through 60 North
9 Fairhill Street.

10 PRESIDENT STREET: The Chair recognizes
11 Councilman Mariano.

12 COUNCILMAN MARIANO: Mr. President, I
13 move for the adoption.

14 (Duly seconded.)

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

17 Those opposed, say nay.

18 The ayes have it. The resolution is
19 adopted.

20 The Chair recognizes Councilman
21 Longstreth.

22 COUNCILMAN LONGSTRETH: Mr. President,
23 I have no bills or resolutions.

24 PRESIDENT STREET: The Chair thanks the
25 Councilman.

1 9/23/98 STATED MEETING - INTRO. BILLS, RESOLUTIONS

2 The Chair recognizes Councilman Rizzo.

3 COUNCILMAN RIZZO: Mr. President, no
4 bills or resolutions today.

5 PRESIDENT STREET: The Chair thanks
6 Councilman Rizzo.

7 - - -

8 PRESIDENT STREET: The next order of
9 business is reports from committees; there are no
10 reports from committees.

11 - - -

12 PRESIDENT STREET: Council will now
13 consider the calendar.

14 The chief clerk will read the bills on
15 the first-reading calendar.

16 CHIEF CLERK HAUSER: Mr. President, we
17 have none on the first-reading calendar.

18 CHIEF CLERK HAUSER: The Chair thanks
19 the chief clerk.

20 - - -

21 PRESIDENT STREET: Council will now
22 consider the bills on the second- and
23 final-reading passage calendar.

24 The Chair recognizes Councilwoman
25 Verna.

1 9/23/98 STATED - FINAL READING - BILL 980330-A

2 COUNCILWOMAN VERNA: Thank you, Mr.

3 President.

4 Bill No. 980330-A is the only bill
5 being called for consideration on the second-
6 reading and final-passage calendar. All others
7 are being held.

8 PRESIDENT STREET: The Chair thanks the
9 Councilwoman.

10 The first bill for consideration will
11 be Bill No. 980330-A. The clerk will please read
12 the title of the bill.

13 CHIEF CLERK HAUSER: An ordinance
14 amending an ordinance approved December 15, 1969,
15 as amended, which approved the redevelopment
16 proposal, the urban renewal plan, and the
17 relocation plan of the Redevelopment Authority of
18 the City of Philadelphia for the redevelopment of
19 Grays Ferry Urban Renewal Area, by approving the
20 eighth amendment of the redevelopment proposal and
21 the urban renewal plan, which provide inter alia
22 for the expansion of the northwestern boundary to
23 36th Street between Wharton Street and Grays Ferry
24 Avenue, certain additional land acquisitions;

25 And provision of certain relocation

1 9/23/98 STATED - FINAL READING - BILL 980330-A
2 services, as required by law, for the individuals,
3 families, and business concerns which will be
4 displaced.

5 PRESIDENT STREET: This bill, having
6 been read on two different days, the question now
7 is, shall the bill pass finally?

8 The Clerk will call a roll.

9 CHIEF CLERK HAUSER: Councilwoman
10 Blackwell?

11 COUNCILWOMAN BLACKWELL: Aye.

12 CHIEF CLERK HAUSER: Councilwoman
13 Clark?

14 COUNCILWOMAN CLARK: Aye.

15 CHIEF CLERK HAUSER: Councilman Cohen?

16 COUNCILMAN COHEN: Aye.

17 CHIEF CLERK HAUSER: Councilman
18 DiCicco?

19 COUNCILMAN DICICCO: Aye.

20 CHIEF CLERK HAUSER: Councilwoman
21 Fernandez?

22 COUNCILWOMAN FERNANDEZ: Aye.

23 CHIEF CLERK HAUSER: Councilman

24 Kenney?

25 COUNCILMAN KENNEY: Aye.

1 9/23/98 STATED - FINAL READING - BILL 980330-A
2 CHIEF CLERK HAUSER: Councilwoman
3 Krajewski?
4 COUNCILWOMAN KRAJEWSKI: Aye.
5 CHIEF CLERK HAUSER: Councilman
6 Longstreth?
7 COUNCILMAN LONGSTRETH: Aye.
8 CHIEF CLERK HAUSER: Councilman
9 Mariano?
10 COUNCILMAN MARIANO: Aye.
11 CHIEF CLERK HAUSER: Councilwoman
12 Miller?
13 COUNCILWOMAN MILLER: Aye.
14 CHIEF CLERK HAUSER: Councilman
15 Nutter?
16 COUNCILMAN NUTTER: Aye.
17 CHIEF CLERK HAUSER: Councilman
18 O'Neill?
19 COUNCILMAN O'NEILL: Aye.
20 CHIEF CLERK HAUSER: Councilman Ortiz?
21 COUNCILMAN ORTIZ: Aye.
22 CHIEF CLERK HAUSER: Councilman Rizzo?
23 COUNCILMAN RIZZO: Aye.
24 CHIEF CLERK HAUSER: Councilwoman
25 Tasco?

1 9/23/98 STATED - SPEC. ORDER OF BUS. - BILL 970485

2 COUNCILWOMAN TASCO: Aye.

3 CHIEF CLERK HAUSER: Councilwoman

4 Verna?

5 COUNCILWOMAN VERNA: Aye.

6 CHIEF CLERK HAUSER: Council President

7 Street?

8 PRESIDENT STREET: Aye. The ayes are
9 17, the nays are 0. The majority of all Members
10 of Council having voted in the affirmative, the
11 bill passes.

12 This is the only bill we have for
13 consideration on our second- and final-reading
14 passage calendar.

15 Council will please stand at ease for a
16 couple of minutes.

17 (Council stands at ease.)

18 - - -

19 PRESIDENT STREET: Council will please
20 come to order.

21 This is a special order of business.

22 The mayor has transmitted to Council his veto of
23 Bill No. 970485. At this time, Council will
24 proceed to consider the possibility of
25 reconsidering the votes by which that bill was

1 9/23/98 STATED - SPEC. ORDER OF BUS. - BILL 970485
2 approved.

3 The Chair recognizes Councilman Nutter.

4 COUNCILMAN NUTTER: Thank you, Mr.
5 President.

6 Mr. President, I have a letter that
7 I've just received a copy of, which is from the
8 mayor. I'd like to read this letter into the
9 record, and then I have some remarks that I'd like
10 to make.

11 PRESIDENT STREET: Please proceed.

12 COUNCILMAN NUTTER: Thank you, Mr.
13 President.

14 This is a letter to the President and
15 Members of the Council of the City of
16 Philadelphia.

17 "Last week, I submitted to the Council
18 my veto of Bill 970485, which seeks to prohibit
19 automatic teller (ATM) surcharges by any banks
20 designated as depositories for the City of
21 Philadelphia.

22 "While I remain opposed to the
23 legislation and commend those members of Council
24 who support my veto, I would also note that the
25 debate over the bill has raised a number of

1 9/23/98 STATED - SPEC. ORDER OF BUS. - BILL 970485
2 important issues. Among these are the
3 frustrations that all of us share over having to
4 pay ATM surcharges. But equally important has
5 been the increasing awareness generated during the
6 course of the ATM surcharge debate over the need
7 for all of us to work together to develop ways to
8 attract jobs and business opportunity to
9 Philadelphia's financial services sector.

10 "As the banking leaders noted as
11 recently as yesterday when they met with Members
12 of Council to discuss the bill, the Philadelphia
13 region is home to more than 55,000 financial
14 services jobs. It is imperative that we do all in
15 our power to retain these jobs in today's highly
16 competitive and ever-changing financial
17 marketplace, while also working together to
18 attract new jobs and opportunities for our
19 citizens.

20 "To that end, I will join with Council
21 President Street to convene a working group
22 comprised of City-elected and -appointed
23 officials, as well as representatives of the
24 Greater Philadelphia Chamber of Commerce and the
25 banking industry to review these and other issues

1 9/23/98 STATED - SPEC. ORDER OF BUS. - BILL 970485
2 pertaining to the financial services industry.

3 "It is my expectation that this working
4 group also will develop recommendations to state
5 and federal governments that will address the
6 issue of ATM surcharges, including the practice of
7 charging an additional fee to non-customers for
8 the exact same service. In addition, I will ask
9 the working group to develop recommendations for
10 enhancing the business environment for businesses
11 in the finance, insurance, and real estate
12 services sector.

13 "I want to thank the Members of Council
14 for their support, and I look forward to working
15 with you on these important issues.

16 "Sincerely, Edward G. Rendell, Mayor
17 of the City of Philadelphia."

18 Mr. President, all I can add to this is
19 that I would also like to thank the Members of
20 Council who have been supporters of Bill 970485.
21 And regardless of where anyone may have ended up
22 after the vote of this past June, I respect my
23 colleagues, their interests, their concerns, and
24 some of the things that they were told throughout
25 the course of the debate.

1 9/23/98 STATED - SPEC. ORDER OF BUS. - BILL 970485

2 There was certainly a great amount of
3 information. Unfortunately, as it happens in our
4 process, there was also a fair amount of
5 misinformation, but we understand the process.
6 And I think that all Members of Council,
7 certainly, and possibly even some people in the
8 banking community, realized what the true impact
9 of the bill is and what it is not.

10 Having said all of that, and I
11 certainly would anticipate participating in this
12 working group should I be asked to participate,
13 nonetheless, this is a very important issue. It
14 is not something that can be swept under the rug,
15 it is not something that this Body inappropriately
16 took up, it is not something that this Body tried
17 to slip through.

18 The fact of the matter is that in June
19 of 1997, this bill was introduced. There was no
20 response from the banking community whatsoever,
21 with the exception of one bank. There was no
22 participation at a public hearing literally a year
23 later, with the exception of one bank. There was
24 no discussion over the summer, after this Council
25 passed the bill 14 to 2.

1 9/23/98 STATED - SPEC. ORDER OF BUS. - BILL 970485

2 One bank did come to the public
3 hearing, and I appreciate the participation of Dr.
4 Emma Chappelle from United Bank for her thoughts
5 and her ideas, her concerns, and even some of her
6 suggestions, and I would hope many of those issues
7 will be taken up by the proposed working group.

8 Now, there has been a lot of discussion
9 over the past few days. This process, while not
10 perfect, can in fact operate much more orderly
11 than it has in this particular matter. And so I
12 would hope, going forward, that we would have a
13 much more sincere participation by the banking and
14 business community on this particular issue. That
15 is not meant to be reckless. We would not be
16 irresponsible, but I think we do have an
17 obligation to try to represent the interests and
18 concerns of our various constituents.

19 This is not a political issue; this is
20 a people issue. It is unfortunate that many of my
21 colleagues, on such a bill, would face either
22 numerous phone calls and, at times, as I
23 understand it, particularly threatening ones to
24 them on such a bill. It is not -- it does not
25 rise to that level. And if anyone suffered that

1 9/23/98 STATED - SPEC. ORDER OF BUS. - BILL 970485
2 unfortunate circumstance, I certainly regret it
3 and never meant to put anyone in any particular
4 danger or harm.

5 My colleagues have been straight with
6 me, they have been honest, and I respect their
7 concerns. And for that reason and because we will
8 have the opportunity to revisit these particular
9 issues, there is no need to have a vote at this
10 particular point in time.

11 The members spoke in June, they
12 demonstrated their concern and their interest by a
13 vote of 14 to 2. Whatever happens after that is
14 what happens, but we have spoken about this issue
15 and I will leave it at that point.

16 Thank you, Mr. President.

17 PRESIDENT STREET: Thank you very
18 much.

19 This, then, completes our consideration
20 of the special order of business.

21 - - -

22 PRESIDENT STREET: Are there any
23 speeches on the part of Members of the Minority?

24 (No speeches on the part of Members of
25 the Minority.)

1 9/23/98 STATED - SPEECHES

2 PRESIDENT STREET: Are there any
3 speeches on the part of Members of the Majority?

4 The Chair recognizes Councilman Cohen.

5 COUNCILMAN COHEN: Thank you, Mr.
6 President.

7 Because of the --

8 PRESIDENT STREET: Councilman Cohen, I
9 think people are signaling that you use that
10 microphone.

11 COUNCILMAN COHEN: Because of the
12 Jewish New Year holiday that began Sunday night --
13 and, of course, we're still in that period until
14 next Wednesday on Yom Kippur, but because of the
15 holiday, I had the special opportunity to listen
16 to a great deal of the president's tape. And it
17 caused me to have many observations and numerous
18 concerns, and I wanted to mention some of them.

19 I've been a lawyer for more than 60
20 years. During the course, it's been a varied
21 legal practice, but it did include for a good
22 number of years representation of many defendants
23 in criminal actions. Most people that don't have
24 firsthand experience with the criminal process
25 don't quite appreciate what occurs when grand

1 9/23/98 STATED - SPEECHES

2 juries get into action. And when -- and in the
3 only instance I know of in our legal system, most
4 people face grand juries without counsel next to
5 them. It's a foreboding experience even when
6 having, as the president had, a counsel next to
7 him.

8 If you heard it, you heard sort of the
9 voices of doom coming from the unseen members of
10 Kenneth Starr's staff. I don't call him "Judge
11 Starr," although he served some years on the
12 Circuit Court of Appeals bench, because I think
13 his action as an independent prosecutor disgraces
14 the judiciary. I think he and his staff disgrace
15 the legal profession by the way in which they've
16 introduced something I never thought I would see
17 again in my lifetime -- and that is the
18 introduction of McCarthyism in its very worse form
19 into the whole legal process.

20 I don't know what other people's
21 reactions are, but let me say for the record, in
22 my judgment as to how President Clinton fared as a
23 witness, I thought he did an outstanding job. I
24 thought, despite all of the difficulties, he spoke
25 out strongly on his views.

1 9/23/98 STATED - SPEECHES

2 And he made it clear -- and I've never
3 had any doubt -- that he is in fact the president
4 of the United States, and not only the leader in
5 the United States, but if you turned the knob and
6 saw what happened at the United Nations Council,
7 you saw the enormous respect that all of the
8 world's leaders paid to him. There's never been
9 any question in my mind that he's capable of
10 leadership. And, as many of the Councilmembers
11 know, I am not a lover of some of Clinton's
12 policies; I've spoken out sharply in opposition to
13 them.

14 But the fact remains that, like nobody
15 else, he stands up and stood up during his whole
16 term and stands up now for senior citizens. His
17 is the one clarion voice of top-government people
18 calling for making certain that the Social
19 Security system stays alive and strong, and senior
20 citizens know they have a friend at the top level
21 of government.

22 Women know that, 'cause there's never
23 been a president that ever gave the recognition to
24 women as this president has by his actions.
25 Minorities know that, because there never has been

1 9/23/98 STATED - SPEECHES

2 a president who gave such recognition to all
3 minorities and recognized them as total equals.
4 There's never been a president that stood up for
5 education as this president has. And there's no
6 president that ever fought to get more police into
7 our neighborhoods as this president has. I don't
8 want to go through the whole litany.

9 And those in the labor movement have
10 never had a president who fights for the rights of
11 ordinary working people. He's the one voice that
12 says it's wrong for the law to provide, as it does
13 today, that when working people are forced to go
14 on strike as they seek higher wages, that the
15 employer under the law today in the United States
16 has the right to fire those workers. His is the
17 one voice that says no to that and has called for
18 a change.

19 Yesterday there was a vote in the
20 Senate, and the same folks who are leading the
21 fight against the president also fought against
22 the dollar increase in the minimum wage. There
23 was a proposal to raise it from 5.15 to 6.15 an
24 hour, a still-below poverty rate; and yet, the
25 great leaders, all of them that are carrying on

1 9/23/98 STATED - SPEECHES

2 against the president, said no to that proposal.

3 I wanted to commend two of our three
4 City Congressmen, Congressman Fattah and
5 Congressman Brady, because they had both the
6 foresight and the courage, the political courage,
7 to stand up and vote no to that very awful
8 resolution passed by the House of Representatives
9 at the federal level that authorized the judiciary
10 committee to release whatever it wanted to. And I
11 thought what was released was a terrible thing to
12 do. I don't know whether they were trying to
13 introduce sex education or pornography because one
14 could look at it whichever way they wanted.

15 They didn't do what any lawyer is
16 supposed to do. Before you know what evidence
17 you're going to produce, you have to know what the
18 issues are. And if you've been watching the TV
19 programs, you know there's been no action by the
20 house judiciary committee to even define broadly
21 what constitutes an impeachable offense. The
22 country is acting at the national level as if it
23 were not a country ruled by law.

24 They talk of crimes of the president.
25 Mr. President, I must have missed something in my

1 9/23/98 STATED - SPEECHES

2 law school days and in my practice. I've always
3 been under the belief that no one can be convicted
4 of a crime unless there was a trial and a judge or
5 a jury found somebody guilty, that there is a
6 presumption of innocence until that trial takes
7 place. And so I'm dumbfounded to hear that the
8 president committed crimes because it means we no
9 longer have the presumption of innocence.

10 I'm not going to go into all of the
11 elements. One could speak for many hours, but I
12 did want to make clear that in my judgment, the
13 one who maybe committed high crimes and
14 misdemeanors against the United States, against
15 our form of government, is Kenneth Starr and his
16 little band of -- I guess we have to call them
17 "lawyers" because they have a legal license, but
18 I thought their behavior was terrible.

19 Thank you very much, Mr. President.

20 PRESIDENT STREET: Thank you very much.

21 The Chair recognizes Councilman Ortiz.

22 COUNCILMAN ORTIZ: Mr. President, thank
23 you.

24 I concur with -- I concur with the
25 statements of Councilman Cohen, and I believe that

1 9/23/98 STATED - SPEECHES

2 it's time for our Democrats in the House to stand
3 up for our president and begin acting as Democrats
4 and as constitutional people who are there to
5 defend the constitution. But I don't rise for
6 that.

7 Puerto Rico and the Dominican Republic
8 have been hit probably by the worst hurricane that
9 the Caribbean and that island have been visited
10 with in the last 80 years. More than 30,000
11 people have been left homeless, there is no
12 electricity across the island, there's no water
13 across the island, the whole island is in essence
14 without communications between the different towns
15 and the different municipalities.

16 We have great hardships because we
17 don't know at this point how the Dominican
18 Republic will fare and Haiti. But, obviously,
19 Haiti and the Dominican Republic may be worse off
20 than Puerto Rico at this point because the
21 infrastructure of those two countries are not in
22 as good condition as the ones in Puerto Rico.

23 We have whole islands -- Viesques,
24 Culebra -- that have been destroyed. We have
25 schools that have been totally ripped apart by the

1 9/23/98 STATED - SPEECHES

2 winds and the mudslides that have occurred.

3 And today, I rise to ask the people of
4 Philadelphia for assistance for Puerto Rico and
5 Hispanola. and they can do that by sending a
6 check, because that's what is needed at this
7 point, to:

8 Rescate 98

9 c/o Colcilio

10 7th and Fairmount

11 Rescate is spelled R-E-S-C-A-T-E; and
12 Concilio is C-O-N-C-I-L-I-O, at 7th and Fairmount.

13 And we need -- we don't need food and
14 clothing. What I think people need at this point
15 in time is the financial wherewithal to begin
16 putting their lives together.

17 And in this hour of need, a lot of our
18 citizens here in Philadelphia have many, many
19 relatives in these two nations, in the nation of
20 Puerto Rico and the nation of the Dominican
21 Republic and Haiti. And we would hope that the
22 citizens of Philadelphia would rise up, as they
23 have done before, and come to the assistance of
24 people that are in need.

25 Thank you, Mr. President.

1 9/23/98 STATED - SPEECHES

2 PRESIDENT STREET: Thank you very much,
3 Councilman.

4 The Chair recognizes Councilwoman
5 Blackwell.

6 COUNCILWOMAN BLACKWELL: Thank you, Mr.
7 President. My mike keeps falling apart, but we're
8 trying to keep it together.

9 I certainly concur with the statements
10 made by both of my colleagues this morning. I
11 find it very, very sad that in this country, when
12 we have a president who's obviously doing a good
13 job, because when all else fails, there are those
14 in a democracy who would sink to this level to try
15 to criticize him.

16 So I think that it is important that we
17 focus on that. We're not talking about his
18 performance on domestic policy or across the world
19 -- no criticism there. And so there are those
20 who would sink to this low a level.

21 So, certainly, I agree with all of
22 those that I've spoken with across the city and in
23 other states who are totally behind and supportive
24 of our president.

25 Thank you.

1 9/23/98 STATED MEETING - ADJOURNMENT

2 PRESIDENT STREET: Thanks very much.

3 Is there anyone else?

4 (No response.)

5 - - -

6 PRESIDENT STREET: Seeing no lights,
7 the Chair recognizes Councilwoman Verna.

8 COUNCILWOMAN VERNA: Thank you, Mr.
9 President. I move that Council stand adjourned
10 until Thursday, October 8, 1998, at 10 a.m.

11 (Duly seconded.)

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

14 Those opposed, say nay.

15 The ayes have it. This Council stands
16 adjourned until Thursday, October 8, 1998, 10
17 o'clock a.m.

18 (Adjourned at 11:54 a.m.)

19 - - -

20

21

22

23

24

25

1

2

C E R T I F I C A T E

3

4

5

I HEREBY CERTIFY that the foregoing

6

excerpt of proceedings of the Council of the City

7

of Philadelphia of Wednesday, September 23, 1998,

8

was reported accurately by me, and that this is a

9

correct transcript of same.

10

11

12

13

RE: 9/23/98 STATED MEETING

14

15

16

17

18

19

20

21

22

JOSEPHINE CARDILLO,

23

Registered Professional Reporter

24

25