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COUNCIL OF THE CITY OF PHILADELPHIA  
PUBLIC HEARING AND PUBLIC MEETING  
BEFORE THE COMMITTEE OF THE WHOLE

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- - -

Thursday, 2/7/02

1:14 p.m.

6

Room 400, City Hall

Philadelphia, PA

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9 BILL 010529 - An ordinance amending Section 20-501 of  
10 the Philadelphia Code relating to the boundaries of  
11 Councilmatic Districts by revising the boundaries of  
12 Councilmatic Districts, under certain terms and  
13 conditions.

12

13

PRESENT: COUNCIL PRESIDENT ANNA C. VERNA  
COUNCILWOMAN JANNIE L. BLACKWELL  
14 COUNCILWOMAN BLONDELL REYNOLDS BROWN  
COUNCILMAN DARRELL L. CLARKE  
15 COUNCILMAN DAVID COHEN  
COUNCILMAN FRANK J. DICICCO  
16 COUNCILMAN W. WILSON GOODE, JR.  
COUNCILMAN JAMES F. KENNEY  
17 COUNCILWOMAN JOAN L. KRAJEWSKI  
COUNCILMAN W. THACHER LONGSTRETH  
18 COUNCILMAN RICHARD T. MARIANO  
COUNCILWOMAN DONNA REED MILLER  
19 COUNCILMAN MICHAEL A. NUTTER  
COUNCILMAN BRIAN J. O'NEILL  
20 COUNCILMAN ANGEL L. ORTIZ  
COUNCILMAN FRANK RIZZO  
21 COUNCILWOMAN MARIAN B. TASCO

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2           COUNCIL PRESIDENT VERNA: Good morning,  
3 everyone. This is the Committee of the Whole  
4 regarding Bill No. 010529.

5           I would ask Mr. Mezzaroba to please read  
6 the title of the bill.

7           MR. MEZZAROBA: Bill No. 010529, an  
8 ordinance amending Section 20-501 of the  
9 Philadelphia Code relating to the boundaries of  
10 Councilmatic Districts by revising the boundaries  
11 of Councilmatic Districts, under certain terms and  
12 conditions.

13          COUNCIL PRESIDENT VERNA: I was just given  
14 a copy of proposed amendments. Does everybody have  
15 a copy of them at this time? Yes, no?

16          COUNCILMAN KENNEY: About the specific  
17 amendments, the white pages, I assume, are the  
18 amendments to the pink bill. Are there any  
19 highlights as to what exactly the amendments are?  
20 You know how it's usually underlined or bracketed?  
21 Is there any specific change?

22          COUNCIL PRESIDENT VERNA: Councilman  
23 Clarke or Councilwoman Blackwell.

24          COUNCILWOMAN BLACKWELL: You're asking me  
25 what?

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2           COUNCILMAN KENNEY: Sometimes when we get  
3 amendments, they're either bracketed or underlined  
4 what information is added or deleted, and is there  
5 anything that's significantly different from the  
6 pink bill?

7           COUNCILWOMAN BLACKWELL: This really is a  
8 replacement.

9           COUNCILMAN KENNEY: On the pink bill?

10          COUNCILWOMAN BLACKWELL: This is a  
11 replacement. Yeah, that's why it's amended.

12          COUNCILMAN KENNEY: And are there any --  
13 no, I understand. Is there anything in the white  
14 pages that indicate what was changed?

15          COUNCILWOMAN BLACKWELL: It was pretty  
16 much all changed, so we submitted the amendment in  
17 this form.

18          COUNCILMAN KENNEY: Right.

19          COUNCILWOMAN BLACKWELL: The only change  
20 is now instead of nine signatures, there are ten.

21          COUNCILMAN KENNEY: For the record, Madam  
22 Chair, will the changes be read into the record so  
23 we can understand -- my only point is I'm trying to  
24 understand it better, 'cause usually if it's  
25 underlined, you know what's going in, and if it's

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2       bracketed, you know what's coming out. And if it  
3       needs to be read into the record, I could follow  
4       it.

5           COUNCIL PRESIDENT VERNA: And so that the  
6       Chief Clerk's Office ...

7           COUNCILMAN KENNEY: Yes.

8           COUNCILWOMAN BLACKWELL: Madam President  
9       and my colleague, number 1 says, "Delete Section 1  
10      of the bill in its entirety and replace it with the  
11      following." So it does indicate that it's an  
12      entire change.

13           We can read that, but in lieu of that,  
14      everyone has it. It lists each ward in each  
15      division. It's pretty evident, it seems to me, as  
16      to what it is.

17           COUNCILMAN KENNEY: Madam Chair?

18           COUNCIL PRESIDENT VERNA: Yes.

19           COUNCILMAN KENNEY: I withdraw the  
20      request; I'll figure it out myself. Thank you.

21           COUNCIL PRESIDENT VERNA: Thank you.

22           Do we have anyone to testify on this bill?  
23      Are there witnesses here?

24           COUNCILMAN COHEN: Point of order.

25           COUNCIL PRESIDENT VERNA: Yes, Councilman

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2       Cohen?

3           COUNCILMAN COHEN: Following the question  
4       and answer between Councilwoman Blackwell and  
5       Councilman Kenny, do I understand that this  
6       amendment replaces in entirety the entire bill  
7       before?

8           COUNCILWOMAN BLACKWELL: (Nods head.)

9           COUNCILMAN COHEN: What was advertised in  
10      the -- as noticed? Did the public have notice?  
11      Did the public have notice? I'm thinking of what  
12      we call the "Max Weiner" --

13          COUNCIL PRESIDENT VERNA: The public has  
14      notice of the pink bill, No. 010529, as was  
15      introduced. We certainly did not know what the  
16      amendments were at the time that we had to  
17      publicize it.

18          COUNCILMAN COHEN: I'm just questioning  
19      the possible legality, and I wonder if there's  
20      anyone from the City Solicitor's Office here who  
21      could tell us whether the notice requirements, as  
22      defined by the Pennsylvania courts, have been  
23      complied. I'm concerned about the fact that the  
24      amendments are apparently an entirely new bill.  
25      And did the public know that there was going to be

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2       a new bill presented, or did they think there was  
3       going to be consideration of the original bill?

4       And has the City Solicitor studied this, and are  
5       they prepared to give us an opinion as to whether  
6       our action today would be legal, working on an  
7       amendment as a replacement for the original bill?

8           COUNCILWOMAN BLACKWELL: Madam President,  
9       I'm glad to respond. The Law Department has  
10      reviewed the amendments, and as the President just  
11      said, the bill was advertised -- the title of the  
12      bill was advertised.

13           Everything was done properly and in order,  
14      and it was reviewed by the Law Department.

15           COUNCILMAN COHEN: Well, this is an  
16      amendment that replaces the whole bill.

17           COUNCILWOMAN BLACKWELL: The title was the  
18      same, I say to my colleague. Amendments are  
19      amendments. There's no change in the title of the  
20      bill, it was properly advertised, and it was  
21      reviewed by the Law Department.

22           Everything's in order.

23           COUNCILMAN COHEN: Well, I would ask, is  
24      there an opinion by the Law Department?

25           COUNCILWOMAN BLACKWELL: The Law

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2       Department already reviewed the bill.

3           Everything that was done with regard to  
4       this bill --

5           COUNCILMAN COHEN: Do we have anything in  
6       writing?

7           COUNCILWOMAN BLACKWELL: -- as was done  
8       with every other bill.

9           COUNCILMAN COHEN: But do we have anything  
10      in writing from the Law Department stating that an  
11      opinion of the City Solicitor, consideration of  
12      this amendment today would be legal? That's what  
13      I'm trying to --

14          COUNCILWOMAN BLACKWELL: An opinion was  
15      never requested. The Law Department reviewed it,  
16      as it does with every bill. We had no request for  
17      the Law Department to be here or for a request  
18      to -- for an amendment.

19          COUNCILMAN COHEN: Well, there was no  
20      reason to have a request from the Law Department  
21      because until a couple of hours ago -- maybe until  
22      just now -- I did not know what the bill was going  
23      to be, but I'm requesting now an opinion from the  
24      City Solicitor as to whether the procedure whereby  
25      Council considers a totally replacement bill for

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2       the bill advertised would be legal. And I think we  
3       ought to have a City Solicitor's opinion on that  
4       score.

5           COUNCIL PRESIDENT VERNA: Well,  
6       Councilman, in order to --

7           COUNCILMAN COHEN: And I'd make the  
8       request to the President to ask for just an  
9       opinion.

10          COUNCIL PRESIDENT VERNA: In order to save  
11       time, can we proceed with the hearing, and in the  
12       interim, we'll ask someone from the Law Department  
13       to come here to address your issue?

14                 (Unintelligible; Council  
15       members talking over each other.)

16          COUNCILMAN O'NEILL: My understanding is  
17       that the Law Department not only reviewed the bill  
18       but helped prepare it based on input that they  
19       received, and that if we need a written formal  
20       opinion from them ascertaining what we already have  
21       been told, that we have a week for that to occur  
22       before final vote, and we'll certainly have it in  
23       front of us at that time. Rather than bring them  
24       back here, try to find a lawyer today and -- well,  
25       we know they've prepared the bill; it's not like it

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2       was prepared by two staffers and they weren't  
3       involved in it.

4           Thank you.

5           COUNCILMAN COHEN: It would just confirm  
6       the City Solicitor, so we do have a City Solicitor  
7       and we can have an opinion, I'm sure.

8           COUNCIL PRESIDENT VERNA: I think what  
9       Councilman O'Neill has said is that we can proceed  
10      with the hearing. Since the City Solicitor's  
11      Office was involved in this and have seen it, that  
12      we could get something in writing from them between  
13      now and the final vote.

14          COUNCILMAN COHEN: Well, I appreciate the  
15      Councilman's statement about what the City  
16      Solicitor believes, but I think the City Solicitor  
17      is the appropriate official to state his view, and  
18      if the City Solicitor approves it, fine, let's hear  
19      it from him.

20          COUNCIL PRESIDENT VERNA: Well, would you  
21      mind if we went on with the hearing.

22          COUNCILMAN COHEN: No, I --

23          COUNCIL PRESIDENT VERNA: We will make a  
24      phone call to the City Solicitor to come over  
25      before the end of the hearing, that's fine.

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2           COUNCILMAN COHEN: But I do request that  
3 the City Solicitor be asked to come here, but we  
4 can go ahead.

5           COUNCILWOMAN KRAJEWSKI: For every  
6 amendment?

7           COUNCILMAN COHEN: No, not for every  
8 amendment, no. But this is a case in which an  
9 entire bill that was advertised to be heard is  
10 being replaced by an amendment.

11          COUNCILWOMAN KRAJEWSKI: That bill was  
12 advertised.

13          COUNCILMAN COHEN: No, I don't know of any  
14 other situation --

15          COUNCILWOMAN KRAJEWSKI: That bill was  
16 advertised.

17          COUNCILMAN COHEN: The bills were  
18 advertised, but since 1968, during the 24 years,  
19 during that period during which I've been in City  
20 Council, I do not recollect a single instance in  
21 which a hearing took place on a bill that entirely  
22 replaced the advertised bill, and that's what this  
23 amendment does. Now, that's the reason I'm asking  
24 for the City Solicitor's opinion.

25          COUNCIL PRESIDENT VERNA: We're making an

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2       attempt to call the City Solicitor's Office;  
3       however, in the interim, I do think that we ought  
4       to proceed with the hearing.

5           COUNCILMAN COHEN: Yes, I have no  
6       objection to the proceedings.

7           COUNCILMAN O'NEILL: Madam Chair, I  
8       disagree with the characterization that this is an  
9       entire replacement. If this were done line by  
10      line, which would probably be about a hundred  
11      pages, 70, 80, 90 percent of the bill -- of the  
12      amended bill are the same as what's in the original  
13      bill. There are districts that are exactly the  
14      same as in the original bill.

15           To say that this is a total replacement of  
16      the original bill is just a mischaracterization.

17           I would also, at the appropriate time, ask  
18      for a vote on whether Councilman Cohen's motion to  
19      wait for a City Solicitor's opinion, if we have to  
20      wait, on my motion to get the City Solicitor's  
21      opinion be ruled on.

22           COUNCIL PRESIDENT VERNA: As I said, I  
23      think we ought to proceed.

24           COUNCILMAN O'NEILL: Thank you.

25           COUNCILMAN COHEN: Now, I'm getting very

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2       annoyed, Madam President. I have never made a  
3       request during this hearing for the proceedings to  
4       halt while the City Solicitor comes. I've been as  
5       clear as I know how to be to say I have absolutely  
6       no objection to the hearing proceeding.

7           What I have stated is that the appearance  
8       of this bill constitutes a replacement of the bill  
9       that was advertised by an entirely new bill. The  
10      normal procedure for amendments is to have the  
11      brackets eliminate what was going out, retaining  
12      what stays in with there being in italics the new  
13      part. What appears from this bill is that the  
14      entire sections of the old bill are being  
15      eliminated and entirely new sections are being put  
16      in.

17           One reading this bill cannot see at all  
18      what the changes are -- I cannot tell and you  
19      cannot tell, Councilman O'Neill, from this  
20      amendment what is being changed in the original  
21      bill, because the bill -- the amendments say  
22      "Delete entirely Section 1 and replace it with this  
23      language."

24           Now, that's the reason I'm asking for a  
25      City Solicitor's opinion as to its legality. I

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2       have no objection whatever to the hearing  
3       proceeding while the City Solicitor's Office comes  
4       to the hearing and states its opinion.

5           COUNCIL PRESIDENT VERNA: And if he is not  
6       here by the time that we end the meeting, then  
7       we'll ask for a written opinion.

8           COUNCILMAN O'NEILL: I will agree with  
9       Councilman Cohen: Looking just at the amendment, I  
10      can't tell what is changed in the original bill,  
11      but I will add that looking at the original bill  
12      and the amendment, I can tell everything that's  
13      changed.

14           Can I tell in a second or a minute? It  
15      probably would take me a little longer. But taking  
16      the bill and the amendment, I can tell everything  
17      that was changed. And I think the record should be  
18      clear --

19           COUNCILMAN COHEN: Well, Councilman  
20      O'Neill, let me take you up on it.

21           COUNCILMAN O'NEILL: -- that anyone can,  
22      taking the time to look at both.

23           COUNCILMAN COHEN: Councilman O'Neill,  
24      would you please state for the record what is it in  
25      the 1st District that constitutes the change in the

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2       amendment.

3           COUNCILMAN O'NEILL: Everything that is  
4       different in the amendment than what's in the bill  
5       has been changed.

6           Thank you. That's the end of my answer.

7           COUNCIL PRESIDENT VERNA: Thank you.

8           There are a number of lights on. Are we  
9       going to -- do people want to be recognized now  
10      or -- I think we do have a number of witnesses  
11      here. Shall we have the presentation? I see that  
12      there's going to be a presentation made.

13          Would you want to make the presentation  
14      first so witnesses could better understand what is  
15      being proposed?

16          Councilman Goode.

17          COUNCILMAN GOODE: I just wanted to make a  
18      very brief statement. I think that it's common  
19      knowledge that we are redistricting based upon new  
20      census numbers that came out of 2000. I think we  
21      are in agreement in terms of what the population of  
22      the City is according to those figures. We are  
23      clear that there are 10 districts in the City, we  
24      are clear that there are 66 wards, we are clear  
25      that there are 1,681 divisions.

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2           And I think there's no misunderstanding  
3   about the fact that we are dividing that number in  
4   terms of population by ward and division in the  
5   most equitable way fashion. I think there's no way  
6   that we can conclude, although I won't try to make  
7   a conclusion, and we can allow the City Solicitor  
8   to make that conclusion, but there's no reason why  
9   we can't move forward in good faith, knowing that  
10  everyone knows what we're here to do today.

11           Thank you.

12           COUNCIL PRESIDENT VERNA: Thank you.

13           I believe we're going to have a  
14  presentation. Is it the desire that the  
15  presentation be shown first before we hear  
16  witnesses so that the witnesses would be aware more  
17  clearly about what changes are being proposed?

18           COUNCILMAN CLARKE: If that's your choice,  
19  I was willing to ask that the witnesses go first  
20  because they've been here for some time.

21           COUNCIL PRESIDENT VERNA: Okay, fine.

22           COUNCILMAN CLARKE: But if the preference  
23  is to allow -- I mean, either way is okay.

24           MR. MEZZAROBBA: Wilfredo Rojas?

25           (No response.)

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2           MR. MEZZAROBBA: Michael McCray (ph)?

3           COUNCIL PRESIDENT VERNA: Is Michael  
4 McCray here?

5                       (Witness comes forward.)

6           COUNCIL PRESIDENT VERNA: Good afternoon,  
7 Mr. McCray. Thank you for your patience. Please  
8 identify yourself for the record and proceed with  
9 your testimony.

10          MR. MCCRAY: Thank you very much, Madam  
11 President. I'm Michael McCray. I'm President of  
12 the Feltonville Recreation Center Advisory Council,  
13 and I have to tell you I haven't seen the latest  
14 amendments, so I'm not really sure if I support  
15 this bill or not. However, I'm kind of discouraged  
16 by the process only because in three different  
17 bills in this process, I've been in three different  
18 districts, and my neighborhood's been split up  
19 between two different districts two or three times.

20          You know, I'm very discouraged, and you  
21 know, what is its definition of  
22 "disenfranchisement"? People talked about that in  
23 the previous bills when they got -- didn't vote for  
24 'em or the Mayor vetoed 'em. I mean, you know,  
25 there isn't anybody speaking for me. Am I going to

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2       be pushed around three times? I mean, it's a very  
3       small number of groups that we're actually changing  
4       here, but, you know, it's affecting everybody.

5           And for me personally, I like where I was  
6       but, you know, I'm not that affected by it.  
7       However, you know, my community itself, you know,  
8       what district am I going to be in? I really don't  
9       know at this point, and I don't know, I haven't  
10      seen the amendments yet.

11           And it's kind of confusing to me the whole  
12      process that it doesn't look that difficult. I  
13      understand how hard it is, and I have worked with  
14      some of the people in your office on the second  
15      bill that got vetoed. And I was kind of happy with  
16      that bill but, you know, now it's, like, I'm here  
17      today, I'm here to testify at a 10 o'clock hearing  
18      this morning and I couldn't even get the amendments  
19      at 10 o'clock, and I'm here testifying now and I  
20      still don't have the amendments. I've been asking  
21      for 'em all day.

22           So I don't know what this bill says.

23           COUNCIL PRESIDENT VERNA: Can someone  
24      please share the amendments with Mr. McCray?

25           MR. MCCRAY: Thank you.

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2           Well, I mean, that -- to me, it's not the  
3 bill itself, but I think it's the process, you  
4 know, and I kind of feel like there isn't anybody  
5 representing my best interests here, there really  
6 isn't. I mean, if I can be in three different  
7 districts in three different bills, I mean, you  
8 know, I get redistricted into a district, and the  
9 Councilperson comes out and in public says he's not  
10 interested in serving me. I mean, you know, how am  
11 I supposed to feel in this process. I don't know.

12           You know, it's very disturbing to me, it  
13 really is. I mean, normally, this is something  
14 that you would think that wouldn't be that much of  
15 a problem. But to me, it's, it's ...

16           COUNCIL PRESIDENT VERNA: Mr. McCray, do  
17 you have a copy of the proposed amendments?

18           MR. MCCRAY: Yes, I do. Thank you.

19           COUNCIL PRESIDENT VERNA: Have you  
20 found --

21           MR. MCCRAY: Yes, and it appears my that  
22 community is probably split up between the 7th and  
23 the 5th.

24           You know, I think my only part in this  
25 process -- I was hoping that we could all be at my

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2       old community for one time and, like, my whole  
3       community could all be in one district, but  
4       obviously, that hasn't happened here again, so I  
5       can't support this bill if it doesn't put our whole  
6       community in one district.

7           And I'm not sure what the percent of  
8       Hispanic in our district, in the 7th district,  
9       would be, but, you know, if that doesn't reach at  
10      least the 43 percent the Mayor asked for, I  
11      couldn't support this bill anyway.

12           COUNCIL PRESIDENT VERNA: Thank you.

13           MR. MCCRAY: Thank you.

14           COUNCIL PRESIDENT VERNA: Just a moment,  
15      Mr. McCray.

16           Councilman Goode. You wanted to be  
17      recognized?

18           COUNCILMAN GOODE: Yes.

19           Good afternoon, sir. I enjoyed our  
20      conversation earlier looking at the maps.

21           MR. MCCRAY: Thank you.

22           COUNCILMAN GOODE: I'd like to clarify for  
23      the record, did you say that you worked on the  
24      second bill?

25           MR. MCCRAY: I did talk to some people on

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2       the second bill, Council President Verna's people  
3       had, and I had sent a letter and they had contacted  
4       me, and I just -- just on concerns that I had had,  
5       'cause I was concerned at being redistricted --

6           COUNCILMAN GOODE: They contacted you in  
7       what capacity?

8           MR. MCCRAY: Well, no, as representing my  
9       community.

10          COUNCILMAN GOODE: Okay, thank you.

11          Thank you, Madam President.

12          COUNCIL PRESIDENT VERNA: You contacted  
13       City Council, did you not?

14          MR. MCCRAY: Yes. I have a number of  
15       times on both the bills that the Mayor vetoed, on  
16       both times, and your office also.

17          COUNCIL PRESIDENT VERNA: Thank you. Just  
18       a moment, Mr. McCray.

19          The Chair recognizes Councilman Cohen.

20          COUNCILMAN COHEN: Sir, may I ask you to  
21       look at the bill. And someone --

22          MR. MCCRAY: Sure.

23          COUNCILMAN COHEN: -- gave you the bill  
24       that covers the amendments that have been proposed  
25       today. Which district did you say you were

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2       interested in?

3           MR. MCCRAY: Well, my community looks like  
4       here between the 7th and the 5th

5           COUNCILMAN COHEN: Can you tell by looking  
6       at the bill what the amendments to the bill are in  
7       those two districts that concern you?

8           MR. MCCRAY: At a quick glance, I can  
9       probably tell you most of it, the ones -- but I  
10      only know the wards and divisions I'm concerned  
11      with and I know the ones that are in my area, but I  
12      can't tell you beyond that, you know, like sitting  
13      here looking at this right now for the first time.

14          And, you know, I agree -- I have to say I  
15      agree with your point. I think it's just -- it's  
16      something that's just being -- just put here in  
17      front of you, you know, and in 30 seconds, am I  
18      going to look at this and say I'm happy with this?  
19      I can't tell you for sure.

20          But, you know, I know where it puts my  
21      division -- divisions where it puts me as far as  
22      being in one district or two districts, and it  
23      doesn't put me all in one district, and I can't  
24      support it.

25          COUNCIL PRESIDENT VERNA: All right, I

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2       have no further questions.

3           COUNCIL PRESIDENT VERNA: Thank you.

4           The Chair recognizes Councilman Ortiz.

5           COUNCILMAN ORTIZ: According to the  
6       documents that they just gave me, the percentage of  
7       Latinos in the district goes down to 42.7 from what  
8       I --

9           MR. MCCRAY: Is that in the proposed  
10      amendments?

11          COUNCILMAN ORTIZ: 42.7 from what I  
12      considered the ground floor, which was 44. And  
13      this is assuming that these numbers are accurate.  
14      So it's -- because as you said, we just got these  
15      numbers given to us at the same time.

16          MR. MCCRAY: Right. Then you and I are at  
17      the same disadvantage, Councilman.

18          Thank you.

19          COUNCIL PRESIDENT VERNA: Thank you.

20          The Chair recognizes Councilman O'Neill.

21          COUNCILMAN O'NEILL: Mr. McCray, did you  
22      testify at the hearings on the first two bills, the  
23      ones that were vetoed?

24          MR. MCCRAY: No, I didn't. I wasn't able  
25      to be there in either one of those. I sent

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2       letters.

3           COUNCILMAN O'NEILL: Did you support them?

4           MR. MCCRAY: I didn't support the first  
5       but I supported the latest one that the Mayor  
6       vetoed. I didn't support the first one, but I did  
7       support the second one.

8           COUNCILMAN O'NEILL: Okay, thank you.

9           COUNCIL PRESIDENT VERNA: Thank you.  
10       Any other questions of this witness?

11       The Chair recognizes Councilman Clarke.

12       COUNCILMAN CLARKE: Thank you, Madam  
13       Chair.

14       Madam Chair, I'd just like to make a brief  
15       statement to the gentleman. I, like you, am  
16       somewhat confused throughout the process 'cause as  
17       the 5th District Councilperson under numerous  
18       proposals, I had pretty much been recommended to  
19       represent every part of the City of Philadelphia.

20       MR. MCCRAY: I understand.

21       COUNCILMAN CLARKE: But understanding the  
22       process and understanding the difficulties  
23       associated with redistricting, trying to achieve  
24       various goals, political, creating a Latino  
25       district, having certain variations, you know, fall

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2       within the guidelines is an extremely difficult  
3       process.

4           MR. MCCRAY: I understand that.

5           COUNCILMAN CLARKE: So it sometimes calls  
6       for us to come up with something at the last  
7       minute.

8           I, myself, have had numerous individuals  
9       from parts of my district that have sent letters,  
10      that have sent -- that have come in and testified  
11      about their concerns about being a divided  
12      community. Unfortunately --

13          MR. MCCRAY: Yeah. You got mine as well,  
14      I assume.

15          COUNCILMAN CLARKE: Oh, yeah, exactly.

16          MR. MCCRAY: Yes.

17          COUNCILMAN CLARKE: Unfortunately, in  
18      redistricting and under the certain guidelines that  
19      we are trying to achieve, it just happens that way,  
20      and it's important --

21          MR. MCCRAY: I understand.

22          COUNCILMAN CLARKE: I mean, you know, in  
23      the best-case scenario, we would draw ten blocks in  
24      the City of Philadelphia, but it just doesn't work  
25      like that. So I, you know, I understand you.

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2           MR. MCCRAY: I looked at the map and I was  
3 very confused.

4           COUNCILMAN CLARKE: I understand your  
5 concern.

6           Thank you, Madam President.

7           COUNCIL PRESIDENT VERNA: Thank you.

8           Are there any other questions of this  
9 witness?

10                   (No further questions.)

11           COUNCIL PRESIDENT VERNA: Thank you very  
12 much, sir.

13           MR. MCCRAY: Thank you.

14           I did want to add one last comment. I did  
15 want to say that I kind of wish -- and I was -- I  
16 didn't get a chance to be at the hearing, but I was  
17 listening to the hearing in December when you  
18 passed the second bill that the Mayor vetoed, and I  
19 don't usually like to single people out, but  
20 Councilman DiCicco said something that was really  
21 kind of very simple and very to the point: He  
22 said, Whatever I get redistricted into, I'm going  
23 to serve those people the same as I serve everybody  
24 else, and it doesn't matter. He said, If they get  
25 redistricted into my district or not, I'll serve

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2       'em.

3           You know, and I wish more people in this  
4       body would take that under consideration

5           Thank you.

6           COUNCIL PRESIDENT VERNA: Thank you very  
7       much, sir.

8           Our next witness?

9           MR. MEZZAROBBA: Wilfredo Rojas.

10                   (Witness comes forward.)

11           COUNCILMAN DICICCO: I appreciated the  
12       comments, Madam President, of that last witness,  
13       but he was not my witness today.

14           Thank you.

15           COUNCIL PRESIDENT VERNA: Good afternoon,  
16       sir. Thank you for your patience in waiting to  
17       testify.

18           MR. ROJAS: Thank you. My name is  
19       Wilfredo Rojas, and I'm appearing here before the  
20       Delaware Valley Voter Registration and Education  
21       Project.

22           I testified here back in September, a few  
23       days before the tragic events of September 11th,  
24       and at that time I was testifying to ensure that  
25       the City of Philadelphia would have a place in

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2       Philadelphia where a Latino can run and possibly  
3       win a District Office.

4           Today, I'm appearing to voice the support  
5       of the amendments proposed by Councilman Clarke and  
6       Councilman Mariano because we feel that it  
7       addresses, the issues that were raised by the  
8       Latino community in terms of political empowerment,  
9       and we also feel that it more closely meets the  
10      standard of the law of the one person/one vote.

11           We think that the Latino community has  
12      been satisfied with both bills. I want to let this  
13      Council know that we appreciate the efforts that  
14      you initially put into this to ensure that our  
15      community was taken into consideration when you  
16      proposed your bill, but now we're coming back to  
17      this Council and asking you to take into  
18      consideration the one person/one vote standard as  
19      set forth by the law.

20           We believe that in the case of Councilman  
21      Clarke and Councilman Mariano, they are being  
22      singled out as the two individual District  
23      Councilpersons where we're trying to carve out  
24      redistricting. We're doing redistricting around  
25      those two particular districts, as opposed to

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2   equalizing the number of residents throughout  
3   Philadelphia.

4           That is why I wholeheartedly support the  
5   amendments as proposed by Councilman Clarke, and  
6   the Delaware Valley Voter Registration Project will  
7   continue to work with this Council in getting  
8   Latinos involved in the election process.

9           Thank you.

10          COUNCIL PRESIDENT VERNA: Thank you very  
11   much, sir.

12          The Chair recognizes Councilman Ortiz.

13          COUNCILMAN ORTIZ: You understand that  
14   under this proposal, the percentage of the Latinos  
15   goes down.

16          MR. ROJAS: 42.6 as compared to --

17          COUNCILMAN ORTIZ: 44.

18          MR. ROJAS: To 44.

19          COUNCILMAN ORTIZ: With a cap on top.

20          MR. ROJAS: Yes, I do understand that, but  
21   at the same time, I think that with those numbers,  
22   we can elect a Latino in that district, as we have  
23   proven in the legislative districts.

24          COUNCILMAN ORTIZ: Thank you, Madam Chair.  
25   No more questions.

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2           COUNCIL PRESIDENT VERNA: Thank you.

3           Any other questions?

4           Councilman Clarke.

5           COUNCILMAN CLARKE: Thank you, Madam

6 Chair.

7           I just want to say with respect -- and it  
8 will probably be more detailed in the presentation  
9 that the Latino percentage is in fact less than the  
10 Latino percentage in the last bill, but the  
11 minority population in the proposed 7th  
12 Councilmatic District is extremely higher, upwards  
13 of 65 percent.

14           Additionally, the Latino population in  
15 this proposed bill, they are the majority of the  
16 population in that particular 7th District. So the  
17 opportunity to elect a minority representative is  
18 increased in this particular bill.

19           Thank you, Madam Chair.

20           COUNCIL PRESIDENT VERNA: Thank you.

21           Any other questions of this witness?

22           (No further questions.)

23           COUNCIL PRESIDENT VERNA: Seeing none, I  
24 would ask that the next witness be called, please.

25           MR. MEZZAROBBA: Will Gonzales.

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2                   (Witness comes forward.)

3           COUNCIL PRESIDENT VERNA: Good afternoon.

4           MR. GONZALES: Good afternoon. Sorry I  
5 had to prepare my presentation here on the computer  
6 and I wasn't able to print it out. Let me just ...

7                   Okay. Good afternoon. My name is Will  
8 Gonzales. I'm the Executive Director of SAVA (ph).  
9 SAVA is a consortium of organizations in the Latino  
10 community. Its membership currently consists of  
11 (indiscernible), (indiscernible) Credit Union,  
12 Hunting Park CDC, (indiscernible) CDC, the Council  
13 of Spanish-Speaking Organizations, and the Norris  
14 Square Civic Association.

15                   We are grateful for the opportunity you  
16 have given us today to testify on the latest  
17 proposal to redistrict the City of Philadelphia.

18                   SAVA looks at the issue of redistricting  
19 through the prism of housing and economic  
20 development. Accordingly, we consider the  
21 preservation of neighborhood integrity the primary  
22 principle when redistricting the City.

23                   City Planners, academics, the media, and  
24 even elected officials often describe Philadelphia  
25 as "a city of neighborhoods." It is more than a

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2       cute label; many people in the City identify with  
3       their neighborhood and organize themselves  
4       accordingly. Cohesion is such within each  
5       community that people in the neighborhoods create  
6       organizations to come together to work for the  
7       benefit of their area.

8           The work of SAVA and its member  
9       organizations covers the neighborhoods of Fair  
10      Hill, West Kensington, Hunting Park, Juniata Park,  
11      and Olney, among others. These neighborhoods share  
12      a commonality of interests, they face serious  
13      common challenges in housing and economic  
14      development, they share much commonality in their  
15      demographic data.

16          One of the prime commonalities between  
17      them is the strong presence of Latinos. This trait  
18      also creates commonness among the seven  
19      neighborhoods in sharing Spanish as a second  
20      language and Hispanic traditions as an additional  
21      source of culture.

22          The reality of the commonalities in  
23      geography, demographics, and cohesiveness of  
24      institutions makes it important for development  
25      purposes that the seven neighborhoods remain

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2       together in one City Council district. Bringing  
3       together the neighborhoods under one common  
4       Councilmatic umbrella is more than a matter of  
5       keeping maps neat and keeping people with  
6       commonality of interests together. It is a  
7       tremendous step forward in efficiency, economies of  
8       scale, and coordination to meet development  
9       opportunities.

10           City Council district persons play a  
11       significant role in matters pertaining to their  
12       districts. Issues of zoning, City funding, and  
13       development often must have the direct input of  
14       City district persons. The neighborhoods and the  
15       myriad organizations and businesses within them can  
16       be more productive if they had the ability to go to  
17       one Councilperson instead of several to address  
18       their needs or to seek support for their projects.

19           We ask that as you carve out the City and  
20       create Council maps of Philadelphia, that you do  
21       the right thing and think first of how to best  
22       maximize the impact of your work in addressing the  
23       needs of neighborhoods residents. The upcoming  
24       work of the City in addressing issues of blight  
25       make redistricting on the basis of neighborhoods

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2       important in its efficiency, and it becomes more  
3       important than ever.

4           Our proposal may be politically naive, but  
5       the challenges our organizations face are  
6       tremendous, and one of the clear ways out of the  
7       problems is a cohesive and compact City Council  
8       district map.

9           One of the best ways to find your way out  
10      of trouble is to use a good map, and we hope that  
11      City Council can at least try to do that.

12          We also would like to comment on the  
13      redistricting process. We know that the process  
14      has not been easy for Councilpeople because you  
15      have not received a paycheck for four months. The  
16      process has been very difficult for us as well,  
17      because it's very hard to know what's going on.  
18      Proposals fly around, they are not presented with  
19      enough time for us to digest them, and to grasp  
20      these proposals, one has to have a map to see what  
21      they mean, and those maps should be presented  
22      contemporaneously at the same time that you present  
23      the bill in its language form.

24          We politely suggest that Council ensure  
25      that from this time on that when it considers

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2       redistricting matters, that it make public not only  
3       the language of the bill but the map for it.

4           We also hope that you make these measures  
5       and maps public, not only by publishing them in the  
6       major dailies, but also in the community  
7       newspapers. The Pennsylvania legislature does that  
8       for the whole state; why can't Philadelphia do it  
9       for the City?

10          Another logistical matter that has made  
11       this process difficult for us is the way that  
12       Council has organized the public hearings. I don't  
13       want you to think that I'm being disrespectful by  
14       using the very microphone you give me now to speak  
15       to criticize when and where you let me use it.

16          The very first time when Council organized  
17       these hearings, we were summoned to be here at 9  
18       o'clock in the morning, and it was not until after  
19       6 that we were able to speak. Some of us, however,  
20       had to leave to attend to other commitments.  
21       Today, we were summoned for 10 o'clock, and the  
22       hearing was postponed twice, and it started at 1.  
23       Participation by people in this redistricting  
24       process deserves better attention.

25          To finalize, I'm going to make sure to

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2       express our thanks to Mayor Street for his veto of  
3       the original legislation. I know that this may not  
4       sound nice to some of you, but for the Latino  
5       community, that veto meant an increase in the way  
6       that it is housed within the 7th Councilmatic  
7       District.

8           The current measure, whatever its latest  
9       incarnation is, is not perfect, but it dilutes less  
10      the cohesive minority group, the Latino community,  
11      at a time when it can finally begin to participate  
12      in the electoral process in a meaningful manner.

13           We urge you to continue to work to make  
14      the City's districts more compact, more cohesive,  
15      better form so as to maximize the opportunities for  
16      community development in the neighborhoods, and to  
17      ensure that the Latino community gets a chance to  
18      have a better presentation.

19           Thank you.

20           COUNCIL PRESIDENT VERNA: Thank you

21           The Chair recognizes Councilman Ortiz.

22      Your light is on, sir.

23           COUNCILMAN ORTIZ: Yeah, thank you, Will.

24      The next chance for that is going to be, like, ten  
25      years from now, in terms of the next redistricting

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2       process that takes place, and I agree with you that  
3       this process has been fraught with mistakes all  
4       throughout the time that we've been handling it,  
5       and that the people have really not had a clear say  
6       as to what it is that they're voting on.

7           As you can see, the Councilmatic 7th  
8       District is not a compact district; it is anything  
9       but a compact district. And I would agree with you  
10      that we, the people, should have had a greater  
11      notice to be able to speak to these things.

12           The latest amendments we just got we  
13      ourselves. And so that we still have not  
14      internalized what the impact is and how the  
15      demographic changes in our community, the movement  
16      of population within the Latino community, is going  
17      to be affected by these new lines. We still have  
18      to see that. I don't know yet.

19           But I agree with you, I agree with what  
20      you are saying in terms of the process and what's  
21      lacking and how it should be and it hasn't been.  
22      So I thank you for coming forward.

23           MR. ROJAS: Thank you.

24           COUNCIL PRESIDENT VERNA: Thank you.

25           Any other questions from members of the

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2       committee of the witness?

3                       (No further questions.)

4           COUNCIL PRESIDENT VERNA: Thank you very  
5       much, sir.

6           MR. ROJAS: Thank you.

7           COUNCIL PRESIDENT VERNA: And we do  
8       apologize for the delay in the hearing.

9           Our next witness?

10          MR. MEZZAROBBA: Pat DiCarlo?

11                       (No response.)

12          COUNCIL PRESIDENT VERNA: Can we now have  
13       the presentation?

14          COUNCILMAN COHEN: Point of order, Madam  
15       President?

16          COUNCIL PRESIDENT VERNA: Yes, sir?

17          COUNCILMAN COHEN: Any reply from the City  
18       Solicitor?

19          COUNCIL PRESIDENT VERNA: I believe that  
20       Mr. Feder is supposed to be on his way over.

21          MR. BROWN: Good afternoon, Madam  
22       President and members of Council. My name is  
23       Robert Brown, I'm the Chief Legislative Aide to  
24       Councilman Clarke.

25                       In front of you on the slide show

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2       projection is a blown-up version of the amendments  
3       to Bill 010529. I'd like to spend a little time  
4       talking about how the bill got to this place, the  
5       way that it was amended, and some of the  
6       substantive changes in the bill.

7           Bill 010529 was introduced in the  
8       Committee of the Whole at the same time the  
9       original bill that was vetoed -- the first bill  
10      vetoed by the Mayor was introduced. It was heard  
11      in the Committee of the Whole and a hearing was  
12      held and the bill was held in that committee.

13           Bill 010529 was originally written in the  
14      form that Councilman Cohen is familiar to, whereby  
15      all the districts are listed and then specific  
16      deletions are made. After the Law Department had  
17      made some revisions, the Council President's staff  
18      had also adopted the style in which 010529 was  
19      presented and deleted Section 1 in its entirety so  
20      as to put divisions and wards listed specifically.  
21      So what we have done in this particular amendment  
22      is the same style as was done in the first vetoed  
23      bill.

24           The first bill started -- had a Latino  
25      percentage of 34 percent and rose later on to just

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2       under 40 percent. The bill that is currently in  
3       front of us has a Latino percentage of  
4       42.77 percent. It also is a majority-Latino  
5       district and has a greater percentage of minorities  
6       in the district as compared to either the first or  
7       the second vetoed bills.

8           Speaking a little bit about how the  
9       substance of the bill came to be, after this  
10      bill -- the text of this bill is substantially  
11      similar to amendments proposed in Bill No. 010626.  
12      After that bill was circulated and seen by  
13      Councilmembers, Councilmembers met in the Council  
14      President's office to discuss a possible  
15      compromised plan.

16           The text of that compromised plan, as was  
17      circulated by the Council President's Office, is  
18      substantially similar to the bill that you see in  
19      front of you now, with the exception of three  
20      changes:

21           • The first change exists in the 31st --  
22      exists in the 23rd Ward of the City of  
23      Philadelphia. The 23rd Ward is Frankford, and I'll  
24      blow it up on the screen for you.

25           The 23rd Ward boundaries. You'll note at

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2       the top of the screen the three intersections would  
3       be the Oxford Circle, where you see the cursor --  
4       this is the Oxford Circle along Harbison Avenue.  
5       this is bridge and Pratt. This is the Frankford  
6       Creek.

7           In the original provisions of Bill 010626,  
8       as circulated, Councilman DiCicco had the 23rd Ward  
9       Divisions 1 and 2, the 19th and 20th Divisions. In  
10      this particular iteration of the bill, as different  
11      from 010626, Councilman Mariano has Divisions 1, 2,  
12      20, and 19.

13           As a result of that change, Councilman  
14      DiCicco's population was under what we thought was  
15      an acceptable variance.

16           • The second major from 010626, which was  
17      circulated by a map seen by Councilmembers, were  
18      the five divisions that were in the 31st Ward, have  
19      been removed -- the five divisions that Councilman  
20      Clarke -- the 5th Councilmatic District had in the  
21      31st Ward were put into Councilman DiCicco's 1st  
22      Councilmatic District.

23           • That leaves only one other change  
24      different between what was circulated in the forms  
25      of amendments to 010626, and that would be the

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2       addition of the 21st and 25th Divisions of the 43rd  
3       Ward to Councilman Clarke, as opposed to Councilman  
4       Mariano's district.

5           Aside from the specific substance of the  
6       bills, redistricting in this particular -- these  
7       particular iterations, it's been difficult for a  
8       couple reasons.

9           One -- if I can zoom out.

10          Generally speaking, districts in the  
11       Northeast of the map that you see in front of you  
12       contains dark lines, which are major streets and  
13       roads; red are interstates. And this is a map of  
14       the City of Philadelphia with the adjoining  
15       counties.

16          The redistricting process has been  
17       difficult because population losses occurred  
18       primarily in two districts in the City of  
19       Philadelphia: The 5th Councilmatic District losing  
20       16,000 people, and the 1st Councilmatic losing  
21       9,000 people, as compared to the 1991 redistricting  
22       maps. Further, population gain, so to speak. Has  
23       been in the 1st, the 7th, the 6th, and the 10th  
24       Councilmatic Districts, which are in the Northeast.  
25       As a result, districts have to shift towards the

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2       Northeast. And in this particular iteration,  
3       you'll note that Councilman Clarke's district, the  
4       5th Councilmatic District, shifts to the Northeast.

5           This line here which the cursor's going  
6       along is the Boulevard. Councilman Clarke's  
7       district, which previously had its northern-most  
8       boundary at Luzerne, now extends all the way above  
9       the Boulevard to Oxford Circle, and extends across  
10      what I believe to be Frankford Avenue.

11           COUNCILMAN MARIANO: Point of information,  
12      Madam President. I think he made a mistake. I  
13      think the other district that lost the population  
14      was the 2nd, not the 1st.

15           COUNCIL PRESIDENT VERNA: Right.

16           MR. BROWN: I apologize, I misspoke. The  
17      2nd Councilmatic District has lost --

18           COUNCILMAN MARIANO: I didn't want to give  
19      anybody the wrong information.

20           MR. BROWN: I misspoke.

21           COUNCILMAN MARIANO: Thank you.

22           MR. BROWN: The 2nd Councilmatic District  
23      has lost population; the 1st Councilmatic District  
24      has gained population.

25           The other difficulty in doing a

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2     redistricting map is this bulk that you find in the  
3     7th Councilmatic District here. In order to keep a  
4     Latino percentage at about 42 or 43 percent, you  
5     had to add divisions that had over 43 percent  
6     Latino population. The vast majority of these are  
7     located between 9th Street, Kensington Avenue,  
8     Frankford Creek on top, and Girard Avenue. As  
9     well, this mass could not be shared by people  
10    adjoining to it to gain population.

11           So in order to keep a high percentage here  
12    without having too much population loss had to  
13    occur in the northern districts, which, you will  
14    note, the 14th Division of the 56th Ward is now in  
15    the 10th Councilmatic District, and Councilwoman  
16    Krajewski's district extends into the 56th Ward  
17    across the Boulevard in the form of the 26th and  
18    39th Divisions.

19           However, the sum and substance of my  
20    comments for today is that this bill is  
21    substantially similar to the amendments circulated  
22    in 010626, with three exception:

23           • The 31st Ward is now contained wholly  
24    by Councilman DiCicco, with the exception of the  
25    2nd and 9th divisions;

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2           • Councilman Clarke has taken two  
3 divisions in the 43rd; and

4           • Councilman Mariano retains 15 divisions  
5 in the 23rd Ward.

6           Thank you very much, Council President.

7           COUNCIL PRESIDENT VERNA: Thank you.

8           The Chair recognizes Councilman DiCicco.

9           COUNCILMAN DICICCO: Thank you, Madam  
10 President.

11           Mr. Brown, I know you put a lot of work  
12 into this, as have many other people did, and I do  
13 appreciate it, although I may not agree with the  
14 final outcome of it, and that will be noted in my  
15 vote today.

16           You keep referencing the 31st Ward as  
17 having been in Councilman Clarke's district and now  
18 it will be in my district. Just for the record,  
19 currently, I do represent those divisions; is that  
20 correct?

21           MR. BROWN: That's correct.

22           COUNCILMAN DICICCO: And those were  
23 divisions that early on, on the first bill back in  
24 September, I believe I suggested if anything needed  
25 to be taken from my district that I represent today

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2       to move the boundaries in any way, shape, or form  
3       to come to some agreement, I said those divisions  
4       were on the table for discussion.

5           COUNCILWOMAN REYNOLDS BROWN: That is  
6       correct, Councilman.

7           When I spoke -- on your first question,  
8       when I spoke earlier, I -- just so I'm specific, I  
9       meant that the divisions you had all -- the 1st  
10      Councilmatic District had always represented that  
11      section of the 31st Ward. The change that I speak  
12      of is in the --

13          COUNCILMAN DICICCO: What was out is now  
14      back in.

15          MR. BROWN: That's correct.

16          COUNCILMAN DICICCO: Okay, and I just want  
17      to make that clear because that was part of what I  
18      offered as an opportunity to see if we could come  
19      to some sort of resolution on the issue.

20          MR. BROWN: That's correct, Councilman.

21          COUNCILMAN DICICCO: And there was also  
22      some concern from my colleague Councilman Clarke  
23      about the demographics of the neighborhood and how  
24      that may not be working for him at the time.

25          MR. BROWN: To speak to that specifically,

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2       the -- what is noted in the offering in front of  
3       you is the 7th Councilmatic District, as proposed  
4       by this bill.

5           COUNCILMAN DICICCO: I'm not ready to get  
6       into the 7th.

7           MR. BROWN: No, I'm just laying out the  
8       lay of the land.

9           Because we want to keep that compact,  
10       Councilman Clarke's district needs to pick up  
11       16,000 people, so under either iteration, it either  
12       goes north over the Boulevard; or as in the  
13       previous iteration, it goes under the 31st, as you  
14       had suggested.

15          COUNCILMAN DICICCO: I understand that.  
16       I'm just trying for the record to make sure that  
17       everyone else understands that.

18          So those divisions that I currently  
19       represent in the 31st Ward, at some point during  
20       this lengthy process, we, I thought, had an  
21       agreement that they would go to Councilman Clarke.  
22       Subsequent to that, as recent as today, it is  
23       understood by myself and Councilmember Clarke that  
24       those divisions would now be retained by me.

25          MR. BROWN: I -- without speaking for the

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2       Councilman, I never understood it to be our  
3       position or the Councilman's position that we  
4       wanted to have the 31st Ward as part of the 5th  
5       Councilmatic District. Our preference was to go  
6       over the Boulevard, and the difference between that  
7       is just that it's a more integrated neighborhood --

8                       (Unintelligible; parties  
9                       talking over each other.)

10           COUNCILMAN DICICCO: If it sounds like I'm  
11       suggesting that that's what you wanted, I certainly  
12       would retract that.

13           What I'm saying is that there were issues  
14       that we were talking about to try to get to some  
15       agreement that necessitated in a sense that some of  
16       those divisions in the 31st would go to Councilman  
17       Clarke, even though that was not his most  
18       desirable --

19           MR. BROWN: I would agree with that. My  
20       only difference would be, my recollection was that  
21       Councilman Clarke had never agreed to have as part  
22       of the 5th Councilmatic District the 31st, but I  
23       think we're saying substantially similar things.

24           COUNCILMAN DICICCO: It never was his  
25       intention to have the 31st Ward, they were never

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2       divisions that he -- that he sought.

3           COUNCIL PRESIDENT VERNA: I'm sorry, point  
4       of order, Councilman?

5           COUNCILMAN CLARKE: Point of order, please

6           I just wanted to clarify my statements  
7       associated with the 31st Ward and one of the  
8       proposed redistricting plans.

9           My statements were the following: That my  
10      preference was to move north and represent the  
11      divisions that were proposed in the plan that  
12      Councilman Mariano and myself presented; secondly,  
13      it was indicated to me that the demographics of the  
14      particular divisions on the southern end might not  
15      be divisions that were favorably to me politically.  
16      It was also suggested to me that the people in  
17      those divisions may not view me as a favorable  
18      Councilperson.

19           That's what the statements were.

20           COUNCILMAN DICICCO: Well, would the  
21      Councilman care to expound on that as to why you  
22      think you would be --

23           COUNCILMAN CLARKE: I don't know, I've  
24      never represented that area before. Frankly  
25      speaking, I'm not familiar with that area.

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2           COUNCILMAN DICICCO: But your testimony is  
3 now that those are divisions that -- that people  
4 indicated --

5           COUNCILMAN CLARKE: I'm familiar with --

6           COUNCILMAN DICICCO: -- that you may not  
7 be more or less accepted in that community.

8           COUNCILMAN CLARKE: I didn't ask for them  
9 to clarify that, but I was familiar --

10          COUNCILMAN DICICCO: I guess I'm asking --

11          COUNCILMAN CLARKE: Okay, I'll let you  
12 finish.

13          COUNCILMAN DICICCO: The point is, the  
14 divisions that I have been representing for six and  
15 a half years in the 31st Ward under one scenario  
16 would have been removed, would have gone to the 5th  
17 Councilmatic District, even though we understand  
18 that that's not the best situation or the ideal  
19 situation for Councilman Clarke; he would rather  
20 have gone North.

21          Is it not also true that in the 18th Ward,  
22 there are divisions that I have also been  
23 representing for six and a half years that then  
24 became part of the 5th Councilmatic District by way  
25 of compromise?

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2           MR. BROWN: I think the most accurate way  
3 to answer your question is, under both our proposal  
4 and the Council President's most recent proposal,  
5 that section of the 18th is in the 5th District in  
6 both proposals.

7           COUNCILMAN DICICCO: But is it not so that  
8 some of the divisions under your plan that we're  
9 being asked to vote on today in the 18th Ward are  
10 currently represented, and have been represented,  
11 by me for six and a half years?

12          MR. BROWN: That's correct. They were in  
13 the 5th Councilmatic west of Frankford Avenue  
14 prior.

15          COUNCILMAN DICICCO: Okay. So I'm giving  
16 up -- I was willing to give up divisions in the  
17 31st and in the 18th as it relates to consideration  
18 for the 5th District to work with the 5th District  
19 Councilperson to come to some agreement at least at  
20 the northern end of my district or somewhere in  
21 between.

22          MR. BROWN: Without speaking for the 5th  
23 District Councilman, I never understood -- my only  
24 disagreement with what has been characterized is, I  
25 never understood the 18th or 31st Wards to be

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2       quid pro quo in terms of reaching a deal. I never  
3       understood that there was an agreement either by  
4       the Councilman or by other Councilmembers on those  
5       wards in the southern end of the district.

6           COUNCILMAN DICICCO: Let's just for the  
7       moment say there was no agreement. The fact of the  
8       matter is, I did represent them for six and a half  
9       years, and I put those on the table as divisions  
10      that could be negotiable to come to an agreement.  
11      When we were dealing with what we dealt with I  
12      thought in December were three or four divisions  
13      that the Majority Leader suggested was the real  
14      reason why we couldn't pass that -- was the reason  
15      why the Mayor ultimately vetoed the first bill.

16           So what I'm saying is that I, too, like  
17      everyone else, or most of the District  
18      Councilpeople, have been willing to give up  
19      divisions that I have been representing for six and  
20      a half years, and in some cases, folks are giving  
21      up things that they have been representing for even  
22      longer than six and a half years.

23           And is it not so that there are three  
24      divisions in the 5th Ward that I have been  
25      representing for six and a half years that were

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2       also part of negotiations to offer those to  
3       Councilman Clarke in the 5th District going  
4       forward?

5           MR. BROWN: I just would -- I would feel  
6       uncomfortable about characterizing the nature of  
7       the negotiations.

8           COUNCILMAN DICICCO: The facts are, there  
9       are divisions in the 31st, in the 18th, and the 5th  
10      Wards that I have been representing for six and a  
11      half years that wound up on one or two or three or  
12      four different maps, and they were never really  
13      concerns for anyone other than myself and  
14      Councilman Clarke, and I thought we were able to  
15      work that through.

16           The point is, and some of the witnesses  
17      have testified today is, none of us, none of us  
18      would like to give up neighborhoods that we have  
19      been representing. But under the -- because of the  
20      nature of redistricting, we can't do it in a  
21      vacuum, and there are times when we need to give up  
22      things that we would not normally want to give up.

23           MR. BROWN: Yeah, I, again, wouldn't want  
24      to characterize the nature of your negotiations as  
25      a Councilmember with other Councilmembers.

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2           COUNCILMAN DICICCO: Well, you've been  
3     working on the maps. Obviously, my districts  
4     have -- my boundaries have changed, as are the  
5     boundaries of Councilman Clarke and many other  
6     members who represent districts.

7           MR. BROWN: No, I think it is accurate  
8     that many Councilmembers, with a couple of  
9     exceptions, have had major Councilmatic Districts.  
10    I think that the biggest change, frankly speaking,  
11    has been in the 5th Councilmatic District, but that  
12    is not to say that there haven't been other major  
13    changes.

14           I just would just feel uncomfortable in  
15    characterizing the negotiations as being a quid pro  
16    quo agreement

17           COUNCILMAN DICICCO: I would agree that  
18    the 5th Councilmatic District probably has the  
19    biggest change happening; there's no question about  
20    it.

21           COUNCILMAN CLARKE: Point of order, Madam  
22    President.

23           COUNCIL PRESIDENT VERNA: Yes.

24           COUNCILMAN CLARKE: If I may respond with  
25    respects to the proposals that was alleged that

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2       were offered to me in the 31st. On the first  
3       redistricting plan, I was simply shown a map,  
4       without my input about changes in my Councilmatic  
5       District. On the second Council redistricting  
6       proposal, I was shown a map again that included the  
7       31st and the 18th, without my input.

8           So to characterize it as an offer to come  
9       to a solution, I think, is totally inaccurate, and  
10      I just want to clarify that it was not an offer --

11           COUNCILMAN DICICCO: So I guess --

12           COUNCILMAN CLARKE: It was not an offer;  
13      it was simply a map that was thrust before me and  
14      said this is the latest proposal. I had no  
15      discussion with respects to my input into that  
16      particular proposal, so it was not an offer and not  
17      a negotiated deal.

18           COUNCILMAN DICICCO: In any event, for the  
19      record, there were a number of divisions that --

20           COUNCILMAN MARIANO: Point of information,  
21      Madam President. (Inaudible/off-mic.)

22           COUNCILMAN DICICCO: I can't hear him,  
23      Madam President.

24           COUNCILMAN DICICCO: If we want to make  
25      things perfectly clear, Councilman, I had the same

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2       offer Councilman Clarke had. I walked into the  
3       room, they gave me the district, and they said,  
4       That's it, and then we were at the table  
5       negotiating something that you agreed to, that you  
6       walked out of the room and changed your mind.  
7           COUNCILMAN DICICCO: I will get --  
8           COUNCILMAN MARIANO: And that's why we're  
9       here five months later.  
10          COUNCILMAN DICICCO: I will --  
11          COUNCILMAN MARIANO: Now you're  
12       questioning a staffer --  
13          COUNCIL PRESIDENT VERNA: I'm sorry.  
14               (Striking of gavel.)  
15          COUNCIL PRESIDENT VERNA: Please address  
16       the Chair, please address the Chair.  
17          COUNCILMAN DICICCO: The staff recognized  
18       himself as a witness to these proceedings.  
19          COUNCILMAN MARIANO: Right, right.  
20          COUNCILMAN DICICCO: And I will address  
21       the issue of who --  
22          COUNCILMAN MARIANO: And you're asking him  
23       questions that should be addressed to his boss.  
24          COUNCILMAN CLARKE: No, Rick, that's all  
25       right.

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2           COUNCILMAN MARIANO: No.

3           COUNCILMAN DICICCO: Are you the new  
4 leader here again?

5           COUNCILMAN MARIANO: No, no, but I --

6           COUNCILMAN DICICCO: I heard you earlier  
7 asking for leadership; have you assumed that  
8 responsibility?

9           COUNCILMAN MARIANO: No. Council  
10 President, to Councilman DiCicco, I have a voice  
11 too and I'm just letting my voice be heard.

12          COUNCILMAN DICICCO: I hear you.

13          COUNCILMAN MARIANO: We could sit here and  
14 I'm just clarifying Councilman Clarke's point.

15          COUNCILMAN DICICCO: I think Councilman  
16 Clarke could do a much better job of clarifying the  
17 situation than you can.

18          COUNCILMAN MARIANO: Well, Councilman, we  
19 can agree on one thing: We can agree to disagree,  
20 and what we're going to disagree on is that  
21 opinion.

22          COUNCIL PRESIDENT VERNA: Please address  
23 the Chair. Thank you.

24          COUNCILMAN MARIANO: Council President, we  
25 can agree to disagree, but we're going to disagree

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2       on as that is what happened that day --  
3           COUNCILMAN DICICCO: Well, I --  
4           COUNCILMAN MARIANO: -- to Councilman  
5       Clarke and myself.  
6           COUNCILMAN DICICCO: Councilman Clarke --  
7           COUNCILMAN MARIANO: Now, we could do all  
8       of that, Council President, 'cause I'm talking to  
9       you, and if Councilman wants to listen, he can,  
10      it's up to him. That's what this is all about.  
11           Now, we'll sit here all day and listen,  
12      and he can ask Robert -- or Mr. Brown all the  
13      questions he wants, but they might be better if  
14      they went right to Darrell -- or to Councilman  
15      Clarke.  
16           COUNCILMAN DICICCO: Councilman what?  
17           COUNCILMAN GOODE: (Inaudible, off-mic.)  
18           COUNCIL PRESIDENT VERNA: Yes, sir?  
19           COUNCILMAN GOODE: I believe Mr. Brown  
20      offered himself as a technical witness.  
21           COUNCIL PRESIDENT VERNA: Yes, he did.  
22           COUNCILMAN GOODE: And not as a witness to  
23      political negotiations.  
24           COUNCILMAN MARIANO: Exactly.  
25           COUNCILMAN DICICCO: And I thank you,

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2       Councilman Goode, and I thought Councilman Clarke  
3       and I were doing this in a very professional way,  
4       not shouting and yelling at each other. I'm not  
5       walking out of these chambers. I just want to get  
6       to some of the issues that have been circulating in  
7       this Council for four and a half months.

8           I will address some of issues that were  
9       raised by the Councilman from the 7th district in a  
10      very few minutes, when I get my opportunity to  
11      speak on how I'm voting or not voting for this  
12      bill.

13           Thank you.

14           COUNCIL PRESIDENT VERNA: Thank you.

15           The Chair recognizes Councilman Cohen.  
16      Your light was on, sir.

17           COUNCILMAN COHEN: Yes. Mr. Brown, you  
18      described yourself as working on the maps on the  
19      redistricting; is that right?

20           MR. BROWN: That's correct.

21           COUNCILMAN COHEN: Did you also work on  
22      the written legislation?

23           MR. BROWN: The -- to answer your  
24      question, the original bill was a modified draft of  
25      a bill that I had, Bill 010526. The white sheet

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2       that you find in front of you, that's an amendment  
3       that was prepared by the Law Department with  
4       technical data that the computer prints out in a  
5       spreadsheet-like format.

6           COUNCILMAN COHEN: The reason I raise this  
7       question and a few following questions is because  
8       while in the discussion here, redistricting sounds  
9       as if it is considered the property of  
10      Councilmembers; it is in fact the property of the  
11      whole citizenry, isn't it? Don't they have a  
12      legitimate right to know what's going on at all  
13      times; isn't that so?

14          MR. BROWN: I appreciate the question,  
15      Councilman, but I have to repeat a comment that I  
16      made to Councilman DiCicco, that I feel  
17      uncomfortable characterizing the discussion in that  
18      way or making a characterization one way or  
19      another.

20          COUNCILMAN COHEN: Well, my questions will  
21      probably irritate people on both sides of this  
22      issue, but I think very strongly that the public  
23      has a right to know what's going on in  
24      redistricting and form its own judgment as to who  
25      is right or who is wrong and what they prefer, and

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2       I just wanted to raise -- I think -- I feel that  
3       the various amendments that have been circulated by  
4       whoever just have failed in their duty to the  
5       public. There was absolutely no way the public  
6       would know, if they read what is being considered,  
7       what the changes were in the bill that was  
8       advertised.

9           And in the one that you referred to in the  
10       earlier proposal, which was circulated to at least  
11       some Councilmembers -- not to all, 'cause I never  
12       got a copy of the first, though I've learned later  
13       that there was one similar to this -- there still  
14       is no way for anyone in the public to really see  
15       what was being proposed.

16           I'm just suggesting that I think it's all  
17       of our obligations to always include the public as  
18       part of those that are concerned about legislation  
19       we pass. And I know --

20           MR. BROWN: Councilman, I --

21           COUNCILMAN COHEN: -- you from my staff  
22       members and personally, I know you're a person of  
23       high integrity and of high ability. I'm just  
24       suggesting to you that keep in mind the  
25       responsibility this body has to make sure that the

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2       public is fully aware of its rights to know what's  
3       going on in City Council by the way of legislation.

4           MR. BROWN: Councilman, my only response  
5       to that would be that the bill that we are  
6       currently considering, 010526, had been advertised,  
7       the title of which was in the newspaper --

8           COUNCIL PRESIDENT VERNA: Isn't that 529?

9           MR. BROWN: 529, I apologize, I misspoke.  
10       Bill 010529 had been advertised after it had been  
11       introduced, had been in a Committee of the Whole  
12       hearing, which had also been advertised. So the  
13       text of this particular amendment had been  
14       advertised and a hearing had been held on it prior  
15       to this particular Council session. And the  
16       proposed amendments, the most recent ones, are  
17       substantially similar to those that have been  
18       circulated to members of Council and discussed.

19           As to the public, which, I think, is your  
20       specific issue, the proposed amendments that you  
21       find in front of you are substantially similar in  
22       respects to six or seven Council Districts to every  
23       redistricting proposal we've had on the subject.  
24       And I don't offer that as a rhetorical rebut but  
25       just to point out some of the steps that have been

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2       made in terms of making the public aware.

3           And this is no different from the last  
4       Council -- both the consideration of the first and  
5       second bills that were vetoed by Mayor Street.  
6       Amendments were made both on the floor and in  
7       committee, which had not been circulated prior for  
8       the public dissemination.

9           COUNCILMAN COHEN: But it seems to me  
10      clearly that if there was a specific proposal in  
11      the form of an amendment to a bill that was going  
12      to be considered at this session -- and that was  
13      the whole purpose of this session of the Committee  
14      of the Whole -- there was a responsibility to make  
15      available to the public information on what this  
16      meeting was about.

17           And I submit to you the public was misled.  
18      The public, by the advertisement, believed that we  
19      were discussing the basic bill when, in fact, what  
20      we were going to be discussing were changes to the  
21      bill that was advertised. And I think Max Weiner  
22      made the law in Pennsylvania with respect to the  
23      notice required, you know, to fulfill legal  
24      requirements by Council to act, and some people  
25      have thought I look like him, some people think I'm

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2       a (indiscernible) like him -- they're probably both  
3       right in both areas.

4           But I do want to suggest that despite my  
5       likeness or not likeness to Max Weiner, the issue  
6       is still important: The public has a right to  
7       know, and I urge you to give more consideration in  
8       the future to that aspect.

9           COUNCIL PRESIDENT Verna: Councilman,  
10       Councilman Goode has a point of order.

11           COUNCILMAN GOODE: The Chair recognizes  
12       Councilman Goode.

13           COUNCILMAN GOODE: Thank you, Madam  
14       President.

15           Just a quick point of information. The  
16       process in terms of public input has been the same  
17       on every bill that we've heard a public. There's  
18       been a public hearing and a public meeting. Other  
19       bills have been amended. As I stated before, it's  
20       very clear as to what we're doing.

21           Excuse me, excuse me.

22           The population figures in Philadelphia  
23       basically on the 2000 census are 1,517,550 people.  
24       There are 66 wards, 1,681 divisions. We are --  
25       excuse me.

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2           We are dividing those wards and divisions  
3   into Council Districts. Everyone knows what we're  
4   here to do.

5           It's the same process for every bill.  
6   Anyone who is familiar with the ward structure,  
7   ward and decision, and how not only the Council  
8   Districts are constructed now, are constructed in  
9   the various bills, can easily walk in here, not  
10   necessarily being able to tell the difference  
11   between the original bill and the amendments.

12          Anyone familiar with the ward structure,  
13   as part of the same public process, the same type  
14   of public hearing and meeting, can walk in here,  
15   look in each district, and tell in terms of ward  
16   and division what the districts look like.

17          And then it is a challenge of 17 members  
18   of Council to decide.

19          MR. BROWN: Thank you.

20                 (Inaudible off-mic. discussion  
21                 among some Councilmembers.)

22          COUNCILMAN GOODE: It's the same public  
23   process for all three bills: A public hearing and  
24   a public meeting.

25          That was the point of information; did you

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2       get it? Did you get it?

3           COUNCILMAN KENNEY: Madam President, I  
4       would ask the member to address the Chair.

5           COUNCILMAN GOODE: I was; I was just  
6       looking at you.

7           COUNCILMAN KENNEY: I know.

8           COUNCIL PRESIDENT VERNA: Councilman  
9       Cohen, are you finished?

10          COUNCILMAN COHEN: Yeah. I didn't see the  
11       relevancy of what Councilman --

12          COUNCIL PRESIDENT VERNA: Councilman  
13       DiCicco.

14          COUNCILMAN DICICCO: Yeah, I have just a  
15       couple follow-up questions.

16          Mr. Brown, you're familiar with the first  
17       bill, 010523, that passed this Council 15 to 2 and  
18       then was subsequently vetoed by the Mayor?

19          MR. BROWN: I'm not familiar enough with  
20       the text to comment without having it in front of  
21       me.

22          COUNCILMAN DICICCO: Are you familiar with  
23       the -- what that bill's representation of a Latino  
24       district meant, what the percentage of the Latino  
25       district was in that bill? Not necessarily the

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2       makeup of the boundaries.

3           MR. BROWN: I remember and I -- my  
4       recollection is -- and I could be incorrect -- that  
5       the bill, as introduced, was 34 percent, and as  
6       passed, was 40 percent, but I could be wrong on --

7           COUNCILMAN DICICCO: You're about  
8       accurate.

9           COUNCILMAN COHEN: Point of order, Madam  
10      President.

11          I understand that the City Solicitor is  
12      here. I'm sure he has other things to do. I would  
13      request that he be recognized.

14          COUNCIL PRESIDENT VERNA: That's fine.

15          Is the City Solicitor in the room?

16                 (Witness comes forward.)

17          COUNCIL PRESIDENT VERNA: Good afternoon.  
18      Thank you very much for coming when you were  
19      called.

20          The Chair recognizes Councilman Cohen.

21          COUNCILMAN COHEN: I'm addressing it to  
22      the City Solicitor.

23          We have before us today for a hearing in  
24      City Council a proposed amendment to Bill No., and  
25      the number is given, and what the bill does is to

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2       delete the entire content of the bill, which was  
3       advertised with notice, and it substitutes entirely  
4       different language. There is no pointing out from  
5       what respect the new bill changes the bill that was  
6       advertised, so the public thought they were going  
7       to have a hearing on the first bill, they come and  
8       read the bill -- an amendment, which says, Throw  
9       out everything in the bill and substitute the  
10      following.

11           Now, in your judgment, sir, is that legal  
12      for us to proceed to enact the amendment which the  
13      people in the public had no notice of and which the  
14      entire content of the original bill advertised is  
15      deleted and there is a substitution about any  
16      indication in the proposed amendment of what the  
17      changes are?

18           COUNCIL PRESIDENT VERNA: Could I ask the  
19      City Solicitor to identify himself for the record,  
20      please, before he responds.

21           MR. DIAZ: Thank you, Madam President. My  
22      name is Nelson Diaz. I'm the acting City  
23      Solicitor; I have not been sworn in yet.

24           In my limited knowledge with regard to the  
25      phone call that I just received a few minutes ago,

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2       as I indicated, I would come at your need and beck  
3       and call, and I'm willing to be here whenever and  
4       however you want me to be here.

5           The information that the Councilman talks  
6       about in terms of a total new bill, if the facts  
7       were as he claim they are, then obviously, there  
8       would be questions with regard to the provisions  
9       not only of the Charter but the provisions of the  
10      Sunshine Act.

11          The representations have been made to me  
12      by the members of my law office is that this is an  
13      amendment to a bill that has been presented prior  
14      to and this is the second hearing on a bill based  
15      on a bill that was introduced, which is 010529.  
16      Similar to the blight amendment and other  
17      amendments, the provisions of amendments have  
18      complied, one, with the Charter in terms of  
19      advertised the meeting and the meeting being  
20      advertised; and secondly, with regard to the  
21      Sunshine Act because the bill was initially  
22      presented in an advertisement, and then this is the  
23      continuation of that bill at its second hearing.

24          That is the presentation and the  
25      representation that's been made to me. So it

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2       depends on how you read the facts.

3           The facts as the Councilman states and the  
4       facts as has been stated to me by the Law  
5       Department differ in terms of being a totally new  
6       bill.

7           Madam President?

8           COUNCIL PRESIDENT VERNA: Councilman  
9       Ortiz, you wanted to be recognized? Your light's  
10      on.

11          COUNCILMAN ORTIZ: Yes. I was to make  
12      another statement on another issue, so it's fine  
13      right now.

14          COUNCIL PRESIDENT VERNA: All right.

15          Any other questions of the City Solicitor?

16                (No further questions.)

17          COUNCIL PRESIDENT VERNA: Gentlemen, thank  
18      you very much for coming. We appreciate it.

19          MR. DIAZ: Thank you very much, Madam  
20      President, for the opportunity and for  
21      accommodating us.

22          Thank you, Councilman Cohen.

23          COUNCIL PRESIDENT VERNA: Thank you.

24                (Applause.)

25          COUNCIL PRESIDENT VERNA: Are there any

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2       other questions of Mr. Brown? Mr. Brown? Is  
3       Mr. Brown in the room?

4           The Chair recognizes Councilman DiCicco.

5           Mr. Brown is sitting at the witness table.

6           COUNCILMAN DICICCO: Oh, I'm sorry. I'm  
7       looking over there. I apologize. Thank you.

8           I'll try to remember where we left off  
9       with the bill, the original bill, 010523, which  
10      started out as a 34 percent Latino district, moved  
11      up to 40 percent. The bill passed this Council 15  
12      to 2. The Mayor subsequently vetoed it.

13           When you began your deliberations, your --  
14      whatever we want to refer to that, your is sit-down  
15      with the Planning Commission and others to come up  
16      with an alternative plan, an alternative bill --

17           MR. BROWN: We never had an opportunity to  
18      sit down with the Planning Commission.

19           COUNCILMAN DICICCO: Whoever. Did you  
20      take into consideration some of the comments that  
21      were made on the original bill, 010523, and the  
22      comments that were made back on that date that that  
23      bill passed, comments that were made by Councilman  
24      Ortiz and Councilman Mariano in relationship to the  
25      percentage of Latinos that they both thought should

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2       be represented in the district? Did you take into  
3       consideration -- and maybe I can refresh your  
4       memory.

5                   (Reading from transcript.) Councilman  
6       Ortiz was recognized by the Council President:  
7       "Madam Chair, I wanted to speak before. When the  
8       bill was being considered ten years ago, I stood up  
9       in this Council, myself and Councilwoman Tasco. At  
10      the time, the Latino community had a problem. We  
11      were divided into four different districts. The  
12      bill today" (meaning Bill 010523) "that we  
13      considered, this Council had a very good  
14      opportunity, if the Latino issue was the priority  
15      two weeks ago and a few weeks before that, to  
16      really create a Latino district, but this Council  
17      did not do that. We went, we did not do bad, we  
18      did not do good. There was a lot of  
19      dissatisfaction, so I voted no. It was 15 to 2."

20                   He goes on to talk about the Latino issue  
21      being brought up and the reason for his vote.

22                   Madam President, could I ask for them to  
23      be -- I'm -- it's very distracting.

24                   COUNCIL PRESIDENT VERNA: It's very  
25      distracting to the speaker with the side

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2       conferences.

3           COUNCILMAN DICICCO: (Continuing to read  
4       from transcript.) "The Latino issue has been  
5       brought up as a reason for this veto. I don't  
6       think so. I think the people who spoke on the bill  
7       to try to delay the bill really couched it  
8       correctly. This was about Center City, some  
9       divisions, but it was not about creating a Latino  
10      district. I would hope that now that we are here,  
11      we will come up with a 45, 46, 47 percent Latino  
12      district. I would hope that the reasons given for  
13      the veto is made to stand, but I don't think that  
14      was the reason, and that's why, knowing that the  
15      Latino was being used, I was not going to go along  
16      with it."

17           In response to that, the Councilman from  
18      the 7th district says, "Madam President, you know,  
19      I probably shouldn't say this, and that's how I get  
20      into trouble around here, but I just can't help  
21      myself. That's probably one of the biggest  
22      untruths I've ever heard in Council" (referring to  
23      Councilman Ortiz's comments). "You know, I mean,  
24      the Councilman fought all along for a district, and  
25      then when it comes up for a chance to do something

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2       for the people he's supposed to represent here in  
3       Council, who he's been telling me he's represented  
4       for six years I've been sitting here, and then  
5       changes his vote and then cops a plea afterwards."

6           The point I'm trying to make is, the bill,  
7       010646, came up with a 44 percent Latino district.  
8       It addressed the concerns of Councilman Ortiz and  
9       the Councilman from the 7th Councilmatic District  
10      referencing his chastation, his criticism of the  
11      councilman, Councilman Ortiz.

12           When you did your math, when you did your  
13      remapping and came up with Bill 010529, did you  
14      take into consideration of trying to attain -- at  
15      the very least maintain the 44 percent Latino  
16      district?

17           MR. BROWN: Councilman, I appreciate you  
18      refreshing my recollection about the veto message  
19      on the first time.

20           First, just a couple of procedural  
21      questions. Bill No. 010529, I was not a sole  
22      drafter, nor did all of the input from drafting  
23      come solely from my head. It would be incorrect to  
24      take both the responsibility and possibly the  
25      praise for doing so.

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2           Secondly, Bill 010529 was introduced at  
3     the same time the Council President's bill was, so  
4     it preceded the veto, so the veto --

5           COUNCIL PRESIDENT VERNA: That was --  
6     excuse me. When you keep referring that to my  
7     bill, I think it was a bill that --

8           MR. BROWN: I apologize.

9           COUNCIL PRESIDENT VERNA: -- came up --

10          COUNCILMAN DICICCO: Out of the committee.

11          COUNCIL PRESIDENT VERNA: -- out of  
12     committee.

13          MR. BROWN: Let me say it this way.

14          COUNCIL PRESIDENT VERNA: Is that the  
15     second bill?

16          MR. BROWN: There were two redistricting  
17     bills that were introduced.

18          COUNCIL PRESIDENT VERNA: Well, when we  
19     talk about the second bill, I'd like it to be  
20     referred to as "the bill that the leadership  
21     committee came up with."

22          MR. BROWN: I appreciate that.

23          COUNCIL PRESIDENT VERNA: Thank you.

24          MR. BROWN: My only -- but the bill that I  
25     was -- I wasn't referring to that bill.

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2           There were two bills introduced in  
3   September. The first bill that was drafted  
4   without -- not the second bill that was in response  
5   to the Mayor's veto, the first redistricting bill,  
6   whose cosponsor was Council President Verna.

7           There was another that Councilman Clarke  
8   had. That bill -- our introduction of Bill 010529  
9   preceded the Mayor's veto. In fact, the hearing on  
10   the bill preceded the Mayor's veto. So there was  
11   no opportunity to take advantage of the Mayor's  
12   veto message in drafting that bill because the bill  
13   preceded it in time.

14           COUNCILMAN DICICCO: So the amendments  
15   that you've come up with now really don't address  
16   either of those issues.

17           MR. BROWN: Speaking to the amendments,  
18   the Mayor's veto message, over or three or four  
19   pages, delineated a number of issues that he had  
20   problematic with the first redistricting bill as  
21   passed by Council. One of the issues was the  
22   variance.

23           Another issue was the Latino percentage;  
24   he felt that it should be higher. Another issue  
25   was the political burden he felt was not shared

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2       equally amongst Councilpeople, that it had been  
3       placed too heavily upon the 5th and the 7th  
4       Councilmatic Districts.

5           Another issue that he addressed in that  
6       same veto message was percentage of African-  
7       Americans living in the 2nd Councilmatic District.

8           So amongst issues that we had to deal  
9       with, one of the issues was a Latino issue. About  
10      the Latino issue vis-a-vis these amendments, while  
11      the second redistricting bill had 45 percent, the  
12      commission bill, if I can refer to it as that, the  
13      commission bill had a 44.5 percent Latino district.  
14      It did not have Latinos as the majority; and  
15      secondly, it fractured the Frankford community and  
16      some other communities in terms of the Latino bill.

17          This bill is only a couple of percentage  
18      points lower, has a similar number of Latinos in  
19      the district, and is actually a more majority/  
20      minority district than that particular bill was.

21          So we feel comfortable with what we tried  
22      to do within the confines of what applicable case  
23      and statutory law would allow.

24          COUNCILMAN DICICCO: I don't know. Maybe  
25      I have a tendency to look at things much more

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2       simply. I just know that 43 percent is lower than  
3       44 percent, so how it works out to the Latino  
4       advantage with 43 --

5           MR. BROWN: Because there are more Latinos  
6       in the district.

7           COUNCILMAN DICICCO: -- as opposed to 44,  
8       I'm not even going to get into that one.

9           I just want one other question, and I will  
10      end. When you were doing the map, you referred to  
11      the area in the 23rd Ward and you referred to it as  
12      "the Frankford neighborhood"?

13          MR. BROWN: If I did, I may have  
14      misspoken. Parts of the Frankford neighborhood are  
15      in the 23rd.

16          COUNCILMAN DICICCO: 'Cause the Councilman  
17      from the 7th District recently suggested that  
18      Councilman DiCicco from South Philadelphia wouldn't  
19      know how to represent the people in the 23rd Ward  
20      because he wouldn't know Frankford,  
21      F-R-A-N-K-F-O-R-D, which we know is in  
22      Philadelphia, from Frankfurt, F-R-A-N-K-F-U-R-T,  
23      which is in Germany.

24          I'd suggest to the Councilman who made  
25      that remark that maybe he should go back to the map

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2           and study it even more so than I.

3           Thank you.

4           Thank you, Mr. Brown.

5           MR. BROWN: Thank you.

6           COUNCIL PRESIDENT VERNA: Thank you.

7           Any other questions of Mr. Brown?

8           (No further questions.)

9           COUNCIL PRESIDENT VERNA: Thank you very  
10          much.

11          Are there any other witnesses to testify  
12          on this bill?

13          (No response.)

14          COUNCIL PRESIDENT VERNA: Seeing none,  
15          this will conclude the public hearing.

16          COUNCILMAN DICICCO: Madam President, I  
17          wish to speak on the bill. Do I do that in the  
18          hearing or --

19          COUNCIL PRESIDENT VERNA: You can do that  
20          in the meeting.

21          COUNCILMAN DICICCO: In the meeting?

22          COUNCIL PRESIDENT VERNA: This will  
23          conclude our public hearing.

24                               - - -

25

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2           COUNCIL PRESIDENT VERNA: We will now go  
3 into our public meeting

4           The Chair recognizes Councilman Nutter

5           COUNCILMAN NUTTER: Thank you, Madam  
6 President.

7           I just want to make sure -- there was a  
8 sheet given out a little while ago, there was  
9 another sheet given out earlier. I just want to  
10 make sure this is a -- it says "Proposed  
11 Redistricting Plan Amendments to Bill 010529," and  
12 it lays out all of the populations and the  
13 percentages.

14           I just want to make sure that I'm  
15 understanding that this is the correct breakout,  
16 and I know that the two very important things that  
17 have been discussed in the past is the Latino  
18 percentage primarily in the 7th District as well as  
19 the deviation issue. I just want to make sure that  
20 I'm understanding what those two numbers are with  
21 absolute clarity.

22           COUNCIL PRESIDENT VERNA: Is Mr. Brown  
23 going to respond?

24           MR. BROWN: I apologize, Madam President.  
25 I didn't hear the question.

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2           COUNCILMAN NUTTER: That's okay, and you  
3 may have answered this earlier and I apologize.

4           There was a sheet given out earlier -- I  
5 think you and I had actually had some discussion  
6 about it, and then there was an issue about maybe  
7 something was missing and that there was a  
8 recalculation. I just want to make sure that the  
9 numbers on the sheet that I think you gave out a  
10 little while ago on the Latino percentage as well  
11 as the deviation issue, that I have the right sheet  
12 and the right numbers.

13          MR. BROWN: Yes to answer the question.  
14 The sheet that was presented that I had given you  
15 earlier, I said that it's complete, with the  
16 exception of one figure you'll find at the bottom  
17 of it, which lists the deviation. The sheet that  
18 I've passed out to you lists the deviation. All of  
19 the numbers, to the best of my knowledge, are the  
20 same.

21          COUNCILMAN NUTTER: Okay.

22          MR. BROWN: And I would feel comfortable  
23 in saying they are the same.

24          COUNCILMAN NUTTER: All right. So the  
25 Latino percentage is 42.77 on the sheet, and the

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2       deviation is 4.28?

3           MR. BROWN: Yes, that's correct.

4           COUNCILMAN NUTTER: Okay, thank you.

5           COUNCILMAN ORTIZ: Madam Chair?

6           COUNCIL PRESIDENT VERNA: Yes, the Chair  
7       recognizes Councilman Ortiz.

8           COUNCILMAN ORTIZ: In both veto messages  
9       of the Mayor, one of his more salient points and  
10      one of the points that he really, I think, probably  
11      had reason was that the deviation was too high.  
12      And in both -- in fact, I think in the second one,  
13      he made a mistake because I think it's an exact  
14      duplicate of the first letter, and actually, we  
15      brought the deviation down.

16           He says, "This deviation is significantly  
17      higher than the population spreads after any of the  
18      final redistricting ordinances of the last 30  
19      years. In '92, the spread was only 1.4; in '81,  
20      the spread was 0.5."

21           The deviation in Bill 010523 is more than  
22      two and a half times as large as the largest spread  
23      in the last 30 years, the 2.8 spread of 1971. The  
24      spread actually was three points, 3.0.

25           And in the second bill, he says, "While

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2       none of us like the deviation in Bill 010523, it  
3       still remains more than two and a half times as  
4       large as the largest spread in the last 30 years,  
5       the 2.8 spread of 1971."

6           Actually, I think somebody made a mistake  
7       there because it's not twice as large. Actually,  
8       the brand-new, the brand-new deviation approximates  
9       the two and a half times or two times larger than  
10      the previous one.

11           So I would hope that the Mayor keeps faith  
12      because the Mayor has vetoed bills on one issue. I  
13      mean, on this issue, in essence, it is the  
14      deviation and Mr. Clarke's brand-new number of  
15      people in his districts, but Frank DiCicco has a  
16      lot -- many -- has as many as Mr. Clarke and as  
17      Mr. Mariano, and so on down the line. So that  
18      aspect has been taken care of.

19           And the Latino district really goes from  
20      40 to 42. I was hoping for 45; I didn't get it.  
21      And 44 was the sort of floor. That's fine -- it's  
22      not fine with us, really, but I think that's as  
23      much as we expect to get.

24           But the deviation really seems to be very  
25      high. I would hope the Mayor takes notice of that

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2       when he gets this bill on his desk.

3           MR. BROWN: Councilman, I would only  
4       respond by saying two things. In the same comments  
5       that I had made to Councilman DiCicco, I had  
6       understood the Mayor's veto message to list several  
7       items that he had concern with, and while the  
8       variance is higher --

9           COUNCILMAN ORTIZ: Well, in his second  
10      one --

11          COUNCIL PRESIDENT VERNA: Councilman, I'm  
12      sorry. We're not in a public hearing at this  
13      point.

14          MR. BROWN: Oh, I apologize.

15          COUNCIL PRESIDENT VERNA: We were in a  
16      public hearing and we went into a public meeting.

17          COUNCILMAN ORTIZ: Okay, thank you, Madam  
18      Chair.

19          MR. BROWN: I apologize, Council  
20      President.

21          COUNCIL PRESIDENT VERNA: So I don't think  
22      at this point, we could be asking questions.

23                Thank you.

24                The Chair recognizes Councilman DiCicco.

25          COUNCILMAN DICICCO: Is there anyone else

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2       who wishes to speak? 'cause I'll wait my turn.

3           COUNCIL PRESIDENT VERNA: Are any other  
4       speakers? Councilman DiCicco will yield to any  
5       other speaker at this time

6                       (No response.)

7           COUNCIL PRESIDENT VERNA: There are no  
8       other speakers.

9           Councilman DiCicco?

10          COUNCILMAN DICICCO: Thank you, Madam  
11       President.

12          Yesterday, while I was at a continuing  
13       education class for real estate -- required  
14       actually -- I was sitting there, bored to death,  
15       and thinking about this whole process that we've  
16       gone through for the last four and a half months --  
17       actually even longer than that, four and a half  
18       months since the first bill was past, and all of  
19       the rest of it is history, we all know what took  
20       place after that.

21          I jotted down some notes. I'm using now  
22       the note writer and I'm going to try to go as  
23       quickly as I can and the best that I can.

24          I will not be voting for this bill today.  
25       I have not and I will not be asking for anyone else

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2       in this chamber to vote along with me. I only ask  
3       that you vote according to the way you believe is  
4       the best thing for this City Council.

5           If you don't vote with me and you don't  
6       vote against the bill, there is no hard feelings, I  
7       understand. This has now become, in my opinion,  
8       more of a matter of economics than anything else,  
9       with the exception of kind of deja vu, Councilwoman  
10      Blackwell, three or four divisions. We're back to  
11      where we started in September.

12           I have my opinion, the Councilman from the  
13      7th District has his opinion as to who should give  
14      what and take what. I stand by what I believe is  
15      in the best interests not only of my district but  
16      of all the other districts, because if we had to go  
17      back to Ground Zero, we might as well rip up all of  
18      these maps and start over again.

19           So I am not asking anyone to vote along  
20      with me. Do so because that's something that you  
21      think that you want to do.

22           We all deserve to be paid. We've been  
23      working hard. And I know, like everyone else in  
24      this room, how hard we work, although sometimes the  
25      public may not realize that. And to go without

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2       four and a half months of pay, even for me, who is  
3       self-sustaining these days, 'cause, thank God, I  
4       have two children that can support themselves, it's  
5       beginning to be a strain on me as well. Not  
6       counting all of the other stuff that we have to  
7       deal with -- our benefits and deferred  
8       compensation, God only knows what's going to happen  
9       with that.

10           I want to make a couple of things clear  
11       here today. There have been rumors and allegations  
12       that have been going around this chamber since  
13       September. One of them was brought up a little  
14       while ago by the Councilman from the 7th District,  
15       suggesting that somehow when we all met in your  
16       office, Madam President, that I was in agreement  
17       with recommendations, and that when I left the  
18       office, my dear friend and colleague Councilman  
19       Kenney -- and I'm proud to call him my friend --  
20       somehow twisted my arm, convinced me, threatened  
21       me, God only knows what else is being said, that I  
22       should not go along with the plan that was being  
23       presented to me.

24           Nothing could be further from the truth.

25           I think what happened was, when I was

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2       suggesting as a possible compromise to compact, as  
3       one of the witnesses here today spoke about, to  
4       make my district, the new district, more compact as  
5       it related to the northern end of that district,  
6       that I may be able to take a couple more divisions  
7       in the 23rd Ward. You all know what took place.  
8       All hell broke loose. All of us were told to  
9       basically go screw ourselves, and the Councilman  
10      from the 7th District walked out of the chambers.  
11           At that point, through all of that  
12      confusion, I said, If he is not willing to  
13      negotiate, then there is no negotiation on my part  
14      either. It is over, it is what it is, and let's  
15      vote on it.  
16           The other thing that's been circulating,  
17      Madam President -- and I want to thank you, by the  
18      way, for your leadership, although there's some  
19      people who may not think you're a leader here. You  
20      have tried, you have turned, you were like a  
21      corkscrew in this place in the last four and a half  
22      months, to try to figure out a way in which to come  
23      up with a bill that would satisfy the majority.  
24      And in two instances, you did: 15 to 2 on one, 15  
25      to 2 on the other. Both times you succeeded. One

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2       of the times you succeeded was, as a result of the  
3       first veto, you put together a working committee, a  
4       bipartisan working committee, that came out with a  
5       plan, that they voted for and then decided to vote  
6       against when the Mayor sent it up for a veto.

7           You did your job, Madam President; don't  
8       let everyone else tell you anything different.

9           And the other rumor is that you -- and you  
10      know and I know that the Senator from South  
11      Philadelphia doesn't pull your strings. I don't  
12      even think Vernie has a shot at pulling your  
13      strings 'cause you're a determined woman and you  
14      have beliefs and things, and you go according to  
15      the way you think things should be done.

16           I'm a little dry, I've got penicillin in  
17      me, so I apologize.

18           COUNCIL PRESIDENT VERNA: Get the  
19      Councilman some water, please.

20           COUNCILMAN DICICCO: If it was up to the  
21      Senator and if it was up to me, my plan, as I  
22      suggested to Councilman Clarke in the spring or the  
23      early summer of last year, I'd like to have the 8th  
24      Ward. I went to the Councilman in good faith, we  
25      discussed it; he said he was not interested in it

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2       and I packed my bags and I went home. Never once  
3       did I put the 8th Ward on any of the proposed  
4       changes in any of these maps that have been  
5       circulating around.

6           I went along with everybody until it got  
7       to the point where now all of a sudden, my  
8       boundaries would go beyond the 45th Ward of where I  
9       am today and take me well into the Oxford Circle  
10      area. And then I became concerned to the  
11      logistics, to the geography of it all. And I asked  
12      if we could somehow reduce the number of divisions  
13      in the 62nd Ward and move me a little bit more into  
14      the 23rd.

15           Then, and as recent as today, we've been  
16      told time and time again by the Councilman from the  
17      7th District, they are non-negotiable, they're off  
18      the table.

19           We have spent too much time in this  
20      process. The paychecks are sitting there, we have  
21      not gotten those paychecks. The public deserves  
22      better. I don't know about the rest of you all,  
23      but I had to put a lot of meetings on hold that I  
24      didn't care to do, and I'm trying to make up for  
25      them now.

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2           Councilman Clarke, I want to apologize to  
3   you for not getting back to you the other day. I  
4   told you earlier, and I'll say it on the record, I  
5   didn't get done till 9:30 that night 'cause that  
6   was an impromptu suggestion on your part. You're a  
7   well-meaning person, and I respect that. And  
8   yesterday I was in class, so I just had no  
9   opportunity to get back to you.

10           As for the other conversations that are  
11   going around, the Mayor is saying that I don't  
12   return his calls. Councilwoman Krajewski, I think  
13   you overheard me tell the Mayor last week as he  
14   stepped off that podium that "I've been calling you  
15   back, Mayor," and his remark is, "I know. I'll  
16   call you back." So that rumor, discount it.

17           Senator Fumo is my friend, he's my mentor,  
18   he's my colleague, he's helped me to get to where I  
19   am today. But the one thing I can tell you about  
20   the Senator for those of you who don't know, you  
21   can speak your piece and have an opinion and you  
22   try to work it out, and that's all he's about and  
23   that's all I'm about.

24           We can't work it out. I will be voting no  
25   on this bill.

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2           And, again, I want to thank all of you.

3       Those of you who obviously were on my side, for  
4       lack of a better way of saying it, and those of you  
5       who didn't see it my way, for going through the  
6       process. Let the process continue, let's take the  
7       vote.

8           Thank you, Madam President.

9           COUNCIL PRESIDENT VERNA: Thank you.

10          The Chair recognizes Councilman Ortiz.

11          COUNCILMAN ORTIZ: Madam Chair, I wasn't  
12       going to say anything, but I'll be voting no on  
13       this. We've gone from 40 to 42. We had a  
14       committee that put forward what I believe was a  
15       plan that answered all of the questions that were  
16       put in the veto message of the Mayor, all of the  
17       questions. And, in fact, Councilwoman Blackwell  
18       can attest that that was the basis of the  
19       discussions of that committee.

20          We went to the task of answering the  
21       questions that the Mayor proposed and put forward.  
22       I think that committee answered those questions and  
23       came up with a plan, and although the Mayor was  
24       still not satisfied with the plan that we agreed  
25       to, it's still the best plan that was better for

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2       the Latino community and equitable for every other  
3       City Councilperson in this body. It's still a plan  
4       that does not have a cohesive, compact 7th  
5       Councilmatic District, and you can look at that map  
6       and it is not compact, it is not cohesive, even in  
7       the plan that the Mayor vetoed the second time.

8           The numbers are not right. The new plan,  
9       which caps the 5th and brings the 5th as a sort of  
10      cap over the 7th Councilmatic, interrupts the  
11      demographic and movement of the Latino community,  
12      and it really prevents that community from growing  
13      within that district the way it normally would have  
14      done.

15           There have been too many words in this  
16      process, too many insults put forward. The debate  
17      really got down to not factual arguments and not  
18      the basis of principle, but the basis really of raw  
19      power. And I think probably raw power will win,  
20      but that does not make it correct.

21           Thank you.

22           COUNCIL PRESIDENT VERNA: Thank you.

23           The Chair recognizes Councilwoman Tasco.

24           COUNCILWOMAN TASCO: Thank you, Madam  
25      President.

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2           For someone who worked very, very hard on  
3   trying to help develop a fair -- as much as fair as  
4   can be -- because as Councilman DiCicco said, we  
5   all gave up areas that we had worked with and, in  
6   some instances, are picking up new communities,  
7   which we will work with, as we have done in the  
8   last ten years of redistricting.

9           I will be voting no on this bill because I  
10   think the bill that was vetoed was a bill that we  
11   worked very hard to answer when the Mayor vetoed  
12   the first bill. We addressed the Latino issue, we  
13   addressed the deviation and the other issues in his  
14   message.

15           This bill reverts back to some of those  
16   same issues that he raised. So in principle, I  
17   have to be against this bill because it does not  
18   address -- it still raises the issues that were  
19   raised in the first veto message.

20           But I don't believe that there will be any  
21   other compromise. Maybe later on when people are  
22   paid and we're calmed down and tempers are calm,  
23   there may be some way to address some of the issues  
24   that have been raised, and maybe people can come  
25   together and amend. You can always amend a bill,

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2           and this legislation is not set in stone. And  
3           hopefully, that will occur.

4                     But just based on principle and what we  
5           tried to do, and I was a part of the committee that  
6           promoted the second bill, I will be voting no.

7                     COUNCIL PRESIDENT VERNA: Thank you.

8                     Is there anyone else who wants to be  
9           recognized?

10                    (No response.)

11                    COUNCIL PRESIDENT VERNA: Councilwoman  
12           Blackwell, are you ready to be recognized?

13                    COUNCILWOMAN BLACKWELL: Certainly, Madam  
14           President.

15                    Today we submit to Bill 010529 that are  
16           signed by ten members of Council, and also request  
17           a rules suspension so as to permit first reading at  
18           our reconvened session of Council.

19                    (Duly seconded.)

20                    COUNCIL PRESIDENT VERNA: It has been  
21           moved and seconded that Bill No. 010529 be reported  
22           out of committee with a favorable recommendation.

23                    We have to vote for the amendments first.  
24           I'm sorry.

25                    COUNCILWOMAN BLACKWELL: Yes.

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2           COUNCIL PRESIDENT VERNA: As amended. I

3 think we have to vote for the --

4           COUNCILWOMAN BLACKWELL: We have to vote

5 for the amendments.

6           COUNCIL PRESIDENT VERNA: We have to

7 approve the amendments first.

8           COUNCILWOMAN BLACKWELL: Yes.

9           COUNCIL PRESIDENT VERNA: All those in

10 favor of the adoption of the amendments will vote

11 aye.

12           COUNCILWOMAN BLACKWELL: Madam Chair, we

13 have a request for roll call.

14           COUNCIL PRESIDENT VERNA: Okay.

15           MR. MEZZAROBBA: Councilwoman Blackwell?

16           COUNCILWOMAN BLACKWELL: Aye.

17           MR. MEZZAROBBA: Councilman Clarke?

18           COUNCILMAN CLARKE: Aye.

19           MR. MEZZAROBBA: Councilman Cohen?

20           COUNCILMAN COHEN: Nay.

21           MR. MEZZAROBBA: Councilman DiCicco?

22           COUNCILMAN DICICCO: No.

23           MR. MEZZAROBBA: Councilman Goode?

24           COUNCILMAN GOODE: Aye.

25           MR. MEZZAROBBA: Councilman Kenney?

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2           COUNCILMAN KENNEY: No.

3           MR. MEZZAROBA: Councilwoman Krajewski?

4           COUNCILWOMAN KRAJEWSKI: Aye.

5           MR. MEZZAROBA: Councilman Longstreth?

6           COUNCILMAN LONGSTRETH: Aye.

7           MR. MEZZAROBA: Councilman Mariano?

8           COUNCILMAN MARIANO: Aye.

9           MR. MEZZAROBA: Councilwoman Miller?

10          COUNCILWOMAN MILLER: Aye.

11          MR. MEZZAROBA: Councilman Nutter?

12          COUNCILMAN NUTTER: No.

13          MR. MEZZAROBA: Councilman O'Neill?

14          COUNCILMAN O'NEILL: Aye.

15          MR. MEZZAROBA: Councilman Ortiz?

16          COUNCILMAN ORTIZ: No.

17          MR. MEZZAROBA: Councilwoman Reynolds

18          Brown?

19          COUNCILWOMAN REYNOLDS BROWN: Aye.

20          MR. MEZZAROBA: Councilman Rizzo?

21          COUNCILMAN RIZZO: Aye.

22          MR. MEZZAROBA: Councilwoman Tasco?

23          COUNCILWOMAN TASCO: No.

24          MR. MEZZAROBA: Council President Verna?

25          COUNCIL PRESIDENT VERNA: No.

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2           COUNCIL PRESIDENT VERNA: The votes are 7  
3 nays, 10 ayes.

4           The motion carries

5           The Chair recognizes Councilwoman  
6 Blackwell.

7           COUNCILWOMAN BLACKWELL: Thank you, Madam  
8 President.

9           I move that Bill No. 010529, as amended,  
10 be reported out of committee with a favorable  
11 recommendation and also a recommendation that the  
12 rules of Council be suspended so as to permit first  
13 reading at our next session of Council.

14           (Duly seconded.)

15           COUNCIL PRESIDENT VERNA: It has been  
16 moved and properly seconded that Bill No. 010529 be  
17 reported out of committee with a favorable  
18 recommendation as amended and also a request that  
19 the rules of Council be suspended so as to permit  
20 first reading at our next Council meeting. And a  
21 roll call --

22           COUNCILMAN CLARKE: (Inaudible, off-mic.)

23           COUNCIL PRESIDENT VERNA: I beg your  
24 pardon?

25           COUNCILMAN CLARKE: That it be read in the

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2       recessed Council session.

3           COUNCIL PRESIDENT VERNA: We are going to  
4       have our Council recessed immediately after this  
5       hearing.

6           COUNCILMAN CLARKE: All right, it was just  
7       recessed from last week; I just wanted to clarify  
8       that.

9           COUNCIL PRESIDENT VERNA: A roll-call vote  
10      has been requested. Mr. Mezzaroba, please call the  
11      roll.

12           MR. MEZZAROBA: Councilwoman Blackwell?

13           COUNCILWOMAN BLACKWELL: Aye.

14           MR. MEZZAROBA: Councilman Clarke?

15           COUNCILMAN CLARKE: Aye.

16           MR. MEZZAROBA: Councilman Cohen?

17           COUNCILMAN COHEN: Nay.

18           MR. MEZZAROBA: Councilman DiCicco?

19           COUNCILMAN DICICCO: No.

20           MR. MEZZAROBA: Councilman Goode?

21           COUNCILMAN GOODE: Aye.

22           MR. MEZZAROBA: Councilman Kenney?

23           COUNCILMAN KENNEY: No.

24           MR. MEZZAROBA: Councilwoman Krajewski?

25           COUNCILWOMAN KRAJEWSKI: Aye.



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2           COUNCIL PRESIDENT VERNA: I would suggest  
3   that everyone stay in their seats so that we could  
4   go immediately into our Council session. Thank  
5   you.

6                       (Proceedings end at 2:45 p.m.)

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CERTIFICATE

I HEREBY CERTIFY that the foregoing  
proceedings of the Council of the City of  
Philadelphia's meeting of the Council Committee of  
the Whole of Thursday, February 7, 2002, are  
contained fully and accurately in the stenographic  
notes taken by me upon, and that this is a true and  
correct transcript of same.

RE: Ordinance No. 010529

\_\_\_\_\_,  
Josephine Cardillo  
Registered Professional Reporter  
and Notary Public

(The foregoing certification of this  
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