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COUNCIL OF THE CITY OF PHILADELPHIA

3

STATED MEETING

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Room 400, City Hall
Philadelphia, Pennsylvania
Thursday, December 22, 2005
10:15 a.m.

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PRESENT:

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COUNCIL PRESIDENT ANNA C. VERNA

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COUNCILWOMAN JANNIE BLACKWELL

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COUNCILMAN DARRELL L. CLARKE

13

COUNCILMAN FRANK DiCICCO

14

COUNCILMAN W. WILSON GOODE, JR.

15

COUNCILMAN JACK KELLY

16

COUNCILMAN JAMES F. KENNEY

17

COUNCILWOMAN JOAN L. KRAJEWSKI

18

COUNCILWOMAN DONNA REED MILLER

19

COUNCILMAN MICHAEL A. NUTTER

20

COUNCILMAN BRIAN J. O'NEILL

21

COUNCILMAN JUAN RAMOS

22

COUNCILWOMAN BLONDELL REYNOLDS BROWN

23

COUNCILMAN FRANK RIZZO

24

COUNCILWOMAN MARIAN B. TASCO

25

PATRICIA RAFFERTY, CHIEF CLERK

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1 12/22/05 - STATED - INVOCATION

2 COUNCIL PRESIDENT VERNA: Good
3 morning, everyone. I note that the hour
4 has come and that a quorum of this
5 Council is present.

6 Council will please come to
7 order. Members will take their seats,
8 and visitors will retire to the seats
9 outside the rails.

10 The Chair now asks Deacon
11 Councilman Juan Ramos to give our
12 invocation at this time. I would ask all
13 members and guests to please rise.

14 (Everyone rises.)

15 COUNCILMAN RAMOS: Good
16 morning.

17 COUNCIL PRESIDENT VERNA: Good
18 morning.

19 COUNCILMAN RAMOS: Let us bow
20 in prayer.

21 Heavenly Father, on this your
22 day, guide us in the deliberations before
23 us. Pour your grace of wisdom, patience
24 and tolerance upon us. In return, let us
25 adore him, Jesus, born in the manger in

1 12/22/05 - STATED - APPROVAL OF JOURNAL

2 Bethlehem of a virgin named Mary.

3 Merry Christmas and God bless

4 Philadelphia.

5 Amen.

6 COUNCIL PRESIDENT Verna: Thank

7 you. Amen.

8 The Chair thanks Councilman

9 Ramos.

10 The next order of business is

11 the approval of the Journal of the

12 meeting of Thursday, December 15, 2005,

13 and the Chair recognizes Councilwoman

14 Blackwell.

15 COUNCILWOMAN BLACKWELL: Thank

16 you, Madam President. I move that the

17 Journal of the meeting of Thursday,

18 December 15, 2005 stand approved.

19 (Duly seconded.)

20 COUNCIL PRESIDENT Verna: It

21 has been moved and properly seconded that

22 the Journal of the meeting of Thursday,

23 December 15, 2005 stand approved.

24 All in favor will signify by

25 saying aye.

1 12/22/05 - STATED - LEAVES

2 (Aye.)

3 COUNCIL PRESIDENT VERNA: Those
4 opposed?

5 (No response.)

6 COUNCIL PRESIDENT VERNA: The
7 ayes have it and the Journal of the
8 meeting of Thursday, December 15, 2005 is
9 approved.

10 The next order of business is
11 requests for leave of absence, and the
12 Chair again recognizes Councilwoman
13 Blackwell.

14 COUNCILWOMAN BLACKWELL: Thank
15 you, Madam President. On behalf of the
16 Majority, a leave of absence is requested
17 for Councilman Mariano.

18 COUNCIL PRESIDENT VERNA: Thank
19 you. Leave will be granted.

20 The Chair recognizes Councilman
21 O'Neill.

22 COUNCILMAN O'NEILL: Thank you,
23 Madam President. On behalf of the
24 republicans, there are no requests for
25 leave of absence.

1 12/22/05 - STATED - COMMUNICATIONS

2 COUNCIL PRESIDENT VERNA: The
3 Chair thanks the gentleman.

4 The Chair will dispense with
5 the regular order of business to
6 recognize the guests and visitors joining
7 us in Chambers this morning. On behalf
8 of all members of City Council, I welcome
9 you to our Council session. We
10 appreciate your taking the time to join
11 us as we attend to the legislative
12 affairs of our City. We certainly invite
13 you to come again.

14 The next order of business is
15 communications. The Chair requests that
16 the Sergeant-At-Arms deliver the messages
17 from the Mayor to the Chief Clerk.

18 The Chief Clerk will please
19 read the messages from the Mayor.

20 CHIEF CLERK: To the President
21 and members of the Council of the City of
22 Philadelphia, I am pleased to advise you
23 that on December 22, 2005, I signed all
24 of the remaining bills that were passed
25 by Council at its session on December 8,

1 12/22/05 - STATED - COMMUNICATIONS
2 2005, and I am pleased to advise you that
3 on December 22, 2005, I signed the
4 following bills that were passed by
5 Council at its session on December 15,
6 2005: Bill No. 050953, Bill No. 051136,
7 Bill No. 051137 and Bill No. 051138.

8 And I am transmitting herewith
9 for the consideration of your honorable
10 body an ordinance dissolving the West
11 Philadelphia Retail Tax Increments
12 Financing District and creating the Park
13 West Tax Increments Financing District;
14 and

15 An ordinance authorizing the
16 Philadelphia Authority for Industrial
17 Development, PAID, for the 22 acres
18 located between 50th and 52nd Street,
19 south of Parkside Avenue, for
20 consideration of \$400,000.

21 COUNCIL PRESIDENT VERNA: Thank
22 you. The messages will be printed in the
23 Journal.

24 I would ask the Chief Clerk to
25 please read any other communications in

1 12/22/05 - STATED - INTRO. OF BILLS

2 her possession.

3 CHIEF CLERK: That's all I

4 have, Madam President.

5 COUNCIL PRESIDENT VERNA: Thank

6 you very much.

7 The next order of business is

8 the introduction of bills and

9 resolutions, and the Chair recognizes

10 Councilwoman Blackwell.

11 COUNCILWOMAN BLACKWELL: Thank

12 you, Madam President. I move that the

13 rules of Council be suspended in order to

14 permit the immediate consideration of

15 resolutions at their time of

16 introduction.

17 (Duly seconded.)

18 COUNCIL PRESIDENT VERNA: It

19 has been moved and properly seconded that

20 the rules of Council be suspended so as

21 to permit immediate consideration of

22 resolutions at the time of introduction.

23 All in favor of the motion will

24 please indicate by saying aye.

25 (Aye.)

1 12/22/05 - STATED - INTRO. OF BILLS

2 COUNCIL PRESIDENT VERNA: Those
3 opposed?

4 (No response.)

5 COUNCIL PRESIDENT VERNA: The
6 ayes have it and the motion carries.

7 The Chair recognizes Councilman
8 Kenney.

9 COUNCILMAN KENNEY: Thank you,
10 Madam President. I have no bills or
11 resolutions today.

12 COUNCIL PRESIDENT VERNA: The
13 Chair thanks the gentleman.

14 The Chair recognizes
15 Councilwoman Blackwell.

16 COUNCILWOMAN BLACKWELL: Thank
17 you, Madam President. Today I introduce
18 two resolutions and one bill.

19 COUNCIL PRESIDENT VERNA: Thank
20 you.

21 The Chief Clerk will please
22 read the title of the bill.

23 CHIEF CLERK: An ordinance
24 amending Section 19-2604 of The
25 Philadelphia Code, relating to tax rates,

1 12/22/05 - STATED - INTRO. OF BILLS
2 credits and alternative tax computation
3 for the business privilege tax, by
4 reducing certain tax rates to the extent
5 business privilege and realty transfer
6 tax receipts exceed the revenue
7 projections in the City's approved
8 Five-Year Plan for 2006 to 2010.

9 COUNCIL PRESIDENT VERNA: The
10 bill will be referred to the appropriate
11 committee.

12 CHIEF CLERK: And a resolution
13 approving Drexel University's proposed
14 amendment to its Institutional
15 Development District Master Plan pursuant
16 to Chapter 14-1107 of The Philadelphia
17 Code relating to Zoning and Planning.

18 COUNCIL PRESIDENT VERNA: The
19 Chair recognizes Councilwoman Blackwell.

20 COUNCILWOMAN BLACKWELL: Thank
21 you, Madam President. I move for the
22 adoption of the resolution.

23 (Duly seconded.)

24 COUNCIL PRESIDENT VERNA: It
25 has been moved and seconded that the

1 12/22/05 - STATED - INTRO. OF BILLS

2 resolution be adopted.

3 All in favor will indicate by
4 saying aye.

5 (Aye.)

6 COUNCIL PRESIDENT VERNA: Those
7 opposed?

8 (No response.)

9 COUNCIL PRESIDENT VERNA: The
10 ayes have it and the resolution is
11 adopted.

12 CHIEF CLERK: And a resolution
13 authorizing the Commissioner of Public
14 Property to execute and deliver to the
15 Redevelopment Authority deeds located in
16 the 6th and 44th Wards of the City of
17 Philadelphia.

18 COUNCIL PRESIDENT VERNA:
19 Again, the Chair recognizes Councilwoman
20 Blackwell.

21 COUNCILWOMAN BLACKWELL: Thank
22 you, Madam President. I move for the
23 adoption of the resolution.

24 (Duly seconded.)

25 COUNCIL PRESIDENT VERNA: It

1 12/22/05 - STATED - INTRO. OF BILLS
2 has been moved and properly seconded that
3 the resolution be adopted.

4 All in favor will indicate by
5 saying aye.

6 (Aye.)

7 COUNCIL PRESIDENT VERNA: Those
8 opposed?

9 (No response.)

10 COUNCIL PRESIDENT VERNA: The
11 ayes have it and the resolution is
12 adopted.

13 The Chair recognizes
14 Councilwoman Krajewski.

15 COUNCILWOMAN KRAJEWSKI: Madam
16 President, I have no bills or
17 resolutions.

18 COUNCIL PRESIDENT VERNA: The
19 Chair thanks the Councilwoman.

20 The Chair recognizes
21 Councilwoman Tasco.

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

25 COUNCIL PRESIDENT VERNA: Thank

1 12/22/05 - STATED - INTRO. OF BILLS

2 you.

3 The Chair recognizes

4 Councilwoman Miller.

5 COUNCILWOMAN MILLER: Thank

6 you, Madam President. Today I have no

7 bills or resolutions.

8 COUNCIL PRESIDENT VERNA: The

9 Chair at this time recognizes Councilman

10 Nutter.

11 COUNCILMAN NUTTER: Thank you,

12 Madam President. I offer five bills and

13 one resolution.

14 COUNCIL PRESIDENT VERNA: Thank

15 you.

16 The Chief Clerk will please

17 read the title of the first bill.

18 CHIEF CLERK: An ordinance

19 dissolving the West Philadelphia Retail

20 Tax Increment Financing District and

21 creating the Park West Tax Increment

22 Financing District.

23 COUNCIL PRESIDENT VERNA: The

24 bill will be referred to the appropriate

25 committee.

1 12/22/05 - STATED - INTRO. OF BILLS

2 CHIEF CLERK: And an ordinance
3 authorizing the Philadelphia Authority
4 for Industrial Development,
5 notwithstanding any contrary requirements
6 of the Philadelphia Industrial and
7 Commercial Development Agreement between
8 the City, the Philadelphia Industrial
9 Development Corporation and PAID, to
10 convey fee simple title to certain
11 property containing approximately 22
12 acres located between 50th and 52nd
13 Streets.

14 COUNCIL PRESIDENT VERNA: This
15 bill will be referred to the appropriate
16 committee.

17 CHIEF CLERK: And an ordinance
18 to amend the Philadelphia Zoning Maps by
19 changing the zoning designations of
20 certain areas of land located within an
21 area bounded by Parkside Avenue, 50th
22 Street, a railroad right-of-way and 52nd
23 Street.

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

1 12/22/05 - STATED - INTRO. OF BILLS
2 committee.

3 CHIEF CLERK: And an ordinance
4 approving the second amendment of the
5 redevelopment proposal of the West
6 Parkside Urban Renewal Area.

7 COUNCIL PRESIDENT VERNA: The
8 bill will be referred to the appropriate
9 committee.

10 CHIEF CLERK: And an ordinance
11 authorizing the revision of lines and
12 grades on a portion of City Plan No. 266
13 by striking from the City Plan and
14 vacating Jefferson Street and Heston
15 Street, each from 52nd Street to Paxon
16 Street.

17 COUNCIL PRESIDENT VERNA: This
18 bill will be referred to the appropriate
19 committee.

20 CHIEF CLERK: And a resolution
21 requesting that Mayor John F. Street
22 provide City Council and the citizens of
23 this City with its proposed smoke-free
24 ordinance, as there is clearly a
25 legislative impasse on this important

1 12/22/05 - STATED - INTRO. OF BILLS
2 issue, and acknowledging that Mayor
3 Street's leadership and direction on this
4 issue is needed in order to create
5 healthier work and leisure environments
6 for thousands of Philadelphia and
7 suburban residents who work and visit
8 Philadelphia, and, furthermore, given
9 Mayor Street's longstanding commitment to
10 public health and concerns about the
11 dangers of second-hand smoke, he should
12 be the champion of this monumental public
13 health initiative for our City.

14 COUNCIL PRESIDENT Verna: The
15 Chair recognizes Councilman Nutter.

16 COUNCILMAN NUTTER: Thank you,
17 Madam President. I move the adoption of
18 the resolution.

19 (Duly seconded.)

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

23 All in favor will indicate by
24 saying aye.

25 (Aye.)

1 12/22/05 - STATED - INTRO. OF BILLS

2 COUNCIL PRESIDENT VERNA: Those
3 opposed?

4 (No response.)

5 COUNCIL PRESIDENT VERNA: The
6 ayes have it and the resolution is
7 adopted.

8 The Chair recognizes
9 Councilwoman Brown.

10 COUNCILWOMAN BROWN: Thank you,
11 Madam President. I offer no bills or
12 resolutions.

13 COUNCIL PRESIDENT VERNA: Thank
14 you.

15 The Chair recognizes Councilman
16 Goode.

17 COUNCILMAN GOODE: Thank you,
18 Madam President. I offer one resolution.

19 COUNCIL PRESIDENT VERNA: The
20 Chief Clerk will please read the title of
21 the resolution.

22 CHIEF CLERK: A resolution
23 authorizing the Committee on Commerce and
24 Economic Development to hold hearings to
25 review Wachovia's statement of the

1 12/22/05 - STATED - INTRO. OF BILLS
2 financial reparations pursuant to Bill
3 No. 050615 unanimously passed by City
4 Council and signed into law by the Mayor,
5 and further authorizing the Committee to
6 issue subpoenas to compel the attendance
7 of witnesses for the production of
8 documents and other evidence.

9 COUNCIL PRESIDENT VERNA: The
10 Chair recognizes Councilman Goode.

11 COUNCILMAN GOODE: I move for
12 the adoption.

13 (Duly seconded.)

14 COUNCIL PRESIDENT VERNA: It
15 has been moved and seconded that the
16 resolution be adopted.

17 All in favor will indicate by
18 saying aye.

19 (Aye.)

20 COUNCIL PRESIDENT VERNA: Those
21 opposed?

22 (No response.)

23 COUNCIL PRESIDENT VERNA: The
24 ayes have it and the resolution will be
25 referred to the Committee on Commerce and

1 12/22/05 - STATED - INTRO. OF BILLS

2 Economic Development.

3 The Chair recognizes Councilman
4 Ramos.

5 COUNCILMAN RAMOS: Thank you,
6 Madam President. I offer no bills or
7 resolutions today.

8 COUNCIL PRESIDENT VERNA: The
9 Chair thanks the gentleman.

10 The Chair recognizes Councilman
11 DiCicco.

12 COUNCILMAN DICICCO: Thank you,
13 Madam President. I have no bills or
14 resolutions today.

15 COUNCIL PRESIDENT VERNA: Thank
16 you.

17 The Chair recognizes Councilman
18 O'Neill.

19 COUNCILMAN O'NEILL: Madam
20 President, I have no bills or
21 resolutions.

22 COUNCIL PRESIDENT VERNA: The
23 Chair recognizes Councilman Clarke.

24 COUNCILMAN CLARKE: Thank you,
25 Madam President. I have three

1 12/22/05 - STATED - INTRO. OF BILLS
2 resolutions.

3 COUNCIL PRESIDENT VERNA: The
4 Chief Clerk will please read the title of
5 the first resolution.

6 CHIEF CLERK: A resolution
7 authorizing City Council to retain
8 outside counsel to commence legal
9 proceedings on behalf of the City of
10 Philadelphia, seeking action that would
11 provide reasonable remedies for lethal
12 conditions of escalating gun-related
13 violence and trafficking in our City, and
14 further provide an increased level of
15 public safety and protection for our
16 citizens.

17 COUNCIL PRESIDENT VERNA: The
18 Chair recognizes Councilman Clarke.

19 COUNCILMAN CLARKE: I move for
20 the adoption.

21 (Duly seconded.)

22 COUNCIL PRESIDENT VERNA: It
23 has been moved and properly seconded.

24 Councilman O'Neill, your light
25 is on. Did you want to be recognized?

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2 COUNCILMAN O'NEILL: Yes.

3 Madam President, I just want to question
4 the sponsor on this.

5 Councilman Clarke, I'm just
6 looking at this for the first time, and
7 I'm just wondering what the possible
8 legal remedies are that a lawyer could do
9 on this.

10 I understand it's a very
11 difficult issue. I've supported
12 Councilman Clarke I think every time we
13 put up a vote on gun violence and the
14 different actions that the Councilman has
15 asked for, but on this one, as I look at
16 it very quickly, it just seems difficult
17 for me to envision something a lawyer
18 could do where it's actually state action
19 that is legislative action that's needed.
20 I'm just asking a question of a
21 colleague.

22 COUNCILMAN CLARKE: Thank you.
23 Thank you to my colleague.

24 Councilman, this particular
25 resolution is borne out of the level of

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2 frustration that I've never experienced
3 before. We in Council, we in this City
4 have been attempting to get a resolution
5 to this gun violence issue for the last
6 several years. Actually, prior to me
7 being a Councilperson, I actually
8 understand there was actually a lawsuit
9 against the gun manufacturers. To some
10 degree, it backfired. It ultimately
11 ended up relaxing some of the laws.

12 But we are at a point now where
13 we have to go to the next level. I
14 equate this issue, to some degree, to
15 years before when there was an issue as
16 it relates to civil rights where various
17 states had the wherewithal to legislate
18 individuals' civil rights on an
19 individual basis, and ultimately there
20 was, in fact, an action taken against the
21 states that ended up having a federal law
22 as it relates to civil rights. And I
23 look at the City of Philadelphia as one
24 of those states that had a minority of
25 individuals who were receiving treatment

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2 that was just not right as it related to
3 those individuals' civil rights, and
4 ultimately the federal government had to
5 step in and achieve a goal of providing
6 civil rights for everybody.

7 And when I look at the citizens
8 in this City, when I ride by 19th and
9 Susquehanna last night and I see all
10 those individuals out on the corner
11 having a vigil for a man who got shot by
12 simply trying to have commerce in the
13 community, a community that is certainly
14 lacking of commerce, based on my talking
15 to people in that neighborhood, would
16 allow individuals to purchase goods and
17 services on time and that individual gets
18 shot down by some thugs -- and that's
19 what they were, thugs -- over a pair of
20 jeans simply because he was trying to
21 make a living and simply because the
22 availability of weapons is so prevalent
23 among our cities, that I equate that with
24 the civil rights issue, because I think
25 people in the City of Philadelphia have

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2 the right, the civil right, to be safe.
3 And if the state is not going to act,
4 then I think we need to take it to the
5 next level and litigate this issue, and
6 if it calls for us going up to the
7 federal level, then that's what we'll
8 have to do.

9 But as an elected official and
10 a Councilperson, who technically has no
11 jurisdiction in this matter, I'm not
12 going to sit by and allow people to
13 continue to be shot and not do anything.

14 And I understand that you're
15 with me, Councilman, on this issue
16 because you supported all my prior
17 legislation. I think we should hire a
18 lawyer. I think we should explore all
19 avenues as it relates to any possible
20 litigation, and I think something has to
21 be done, because this is just
22 unacceptable. It is a person a day gets
23 killed. Two thousand people have gotten
24 shot over the last couple of years, and
25 it's like it's okay to our legislators in

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2 Harrisburg, and I'm just at that level of
3 frustration. I think we need to go
4 another level.

5 COUNCILMAN O'NEILL: Thank you,
6 Councilman.

7 COUNCILMAN CLARKE: You're
8 welcome.

9 COUNCILMAN O'NEILL: Madam
10 President, I understand the Councilman's
11 frustration. I'm still concerned as to
12 what litigation we would even embark on,
13 how much it would cost, what the strategy
14 would be. And I would ask the Councilman
15 if he could hold this until our next
16 session and I have a chance to sit down
17 with the Councilman, the sponsor, the
18 President and the Majority Leader just to
19 talk about the framework of this, maybe
20 even with our own legal staff present, if
21 necessary.

22 I don't want to vote for
23 something that is vague, has great
24 intentions, but may be a decision that
25 later I'd regret and have a hard time

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2 explaining, with very little knowledge on
3 both the cost and the strategy as to what
4 we'd be doing.

5 COUNCILMAN CLARKE: Well,
6 Councilman, I traditionally personally
7 all the time respect your request. In
8 this particular issue, I just don't feel
9 comfortable holding the resolution. What
10 I can personally agree to is to holding
11 any action as it relates to us hiring
12 that individual or individuals or firm
13 that will provide counsel for this
14 Council and this City. As you know, this
15 is essentially just authorizing to do
16 that.

17 I'd be more than willing
18 through the Council President, because
19 she ultimately has to make the decision
20 in terms of proceeding on the hiring of
21 the counsel, to sit down with you and
22 anybody else who is interested before we
23 take the official action, but I don't
24 feel comfortable waiting until we get
25 back in the end of January without

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2 authorizing, because, unfortunately, I
3 think that we'll probably be looking at
4 another 20, 30 deaths between now and
5 then. I think it would be sending the
6 wrong signal if we not authorize
7 ourselves to do something.

8 COUNCILMAN O'NEILL: Madam
9 President, I appreciate the Councilman's
10 response. I will be voting against it.
11 For me, nothing is going to happen in the
12 next two months with any litigation or
13 hiring that we couldn't accomplish ahead
14 of time, and I just don't want to
15 authorize something that I don't know
16 enough about, both from a legal strategy
17 standpoint where we go with it and also
18 the cost and what would be the run-away
19 cost of litigation. Whether it has
20 viability or not, I don't know.

21 But I appreciate the
22 Councilman's comments and I respect them,
23 but I will be voting no on this.

24 Thank you.

25 COUNCIL PRESIDENT VERNA: Thank

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2 you.

3 And I don't believe that we
4 would be able to obtain the services of
5 an independent attorney until such time
6 as the City Solicitor tells us that we
7 can do so, and I am sure that Councilman
8 Clarke has already spoken with the City
9 Solicitor.

10 COUNCILMAN CLARKE: Actually, I
11 have not.

12 COUNCIL PRESIDENT VERNA: Well,
13 I would suggest you do so.

14 COUNCILMAN CLARKE: Absolutely.

15 COUNCIL PRESIDENT VERNA: Thank
16 you.

17 COUNCILMAN CLARKE: I didn't
18 want to act on my own without the
19 authorization from this body. I felt it
20 was an issue that should have everybody
21 involved. And I'm sure, although
22 Councilman O'Neill doesn't feel
23 comfortable with this particular bill or
24 resolution, I'm sure he's comfortable
25 with the issue, that we need to do

1 12/22/05 - STATED - INTRO. OF BILLS
2 something, and I'm okay with his
3 explanation, but I just think that we
4 need to start the authorization process
5 now.

6 COUNCIL PRESIDENT VERNA: Thank
7 you.

8 COUNCILMAN CLARKE: You're
9 welcome.

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

12 COUNCILWOMAN MILLER: Thank
13 you, Madam President. I just wanted to
14 have a few comments on this particular
15 resolution.

16 Last May, over 80,000
17 Philadelphia voters approved the ballot
18 question, and I think that this is an
19 attempt to have that question start to be
20 worked on. Philadelphians said that they
21 want to reduce gun violence. That's the
22 overall goal of that legislation.

23 City officials are vested with
24 the duty and responsibility to take all
25 appropriate steps to the fullest extent

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2 allowable under the law to promote and
3 defend the will and mandate of the
4 people, and this action constitutes one
5 of the appropriate steps that it's going
6 to require for City officials to meet the
7 charge.

8 I think that the discussions
9 certainly are needed. The appropriate
10 steps have to be taken, but at some
11 point, I feel personally that we can't
12 continue to just sit here and leave all
13 this in the hands of the state
14 legislators, and no one seems to be
15 discussing this. I haven't heard any
16 action, and I think the resolution's
17 intent is to get something moving, at
18 least the discussion started.

19 So I will be voting as a
20 co-sponsor, certainly I'll be voting yes
21 on this resolution.

22 COUNCIL PRESIDENT VERNA: Thank
23 you.

24 The Chair recognizes Councilman
25 Kenney.

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2 COUNCILMAN KENNEY: Thank you,
3 Madam President. I agree with Councilman
4 Clarke. I think we need to move ahead
5 and send a message that we're serious as
6 a legislative body about doing something
7 about this problem which is devastating
8 our City.

9 One of the things that could
10 come about as a result of this resolution
11 is legal counsel being able to civilly
12 pursue the actual bad guys in the
13 situation, and they are the gun sellers.
14 The guns that are getting into the hands
15 of our kids are coming from some sellers
16 in the state, some sellers out of state,
17 and if through the discovery process
18 through civil litigation we're able to
19 discover or open up the records of some
20 of these gun sellers and find out where
21 they're coming from, what the trail of it
22 is, we could perhaps pursue civil
23 litigation against these people.

24 I mean, these people are
25 involved in this business that is

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2 destroying our neighborhoods and killing
3 our young people because they're greedy.
4 And the one way to really get to
5 someone's greed is by taking their
6 assets.

7 I would wish that the federal
8 government would put such an effort into
9 tracking down the illegal sales of guns
10 back to the large purchasers and large
11 sellers of weapons, to take their cars
12 and houses and boats and whatever else
13 they've acquired as a result of this
14 dirty business that they're in.

15 I mean, certainly the kids on
16 the street who are shooting each other
17 are not justified, and it is a tragedy,
18 but the people who are putting those guns
19 in their hands are people who are
20 probably in some ways upstanding business
21 people who are doing this dirty business
22 underground, and I think that civil
23 litigation and civil pursuit of this kind
24 of stuff could unmask those people and
25 perhaps get the federal government and

1 12/22/05 - STATED - INTRO. OF BILLS

2 the state government serious about
3 cracking down on them from the IRS
4 standpoint, from tax evasion standpoint,
5 all kinds of issues that I think really
6 is the way to get them.

7 So I would be supporting this
8 resolution, and hopefully we can move
9 forward as quickly as possible to send a
10 message that we're going to use whatever
11 resources are necessary to track down not
12 only the thugs, but the legitimate
13 business people, so to speak, who are
14 putting the guns in these people's hands.

15 Thank you.

16 COUNCIL PRESIDENT VERNA: Thank
17 you.

18 The Chair recognizes
19 Councilwoman Brown.

20 COUNCILWOMAN BROWN: No
21 comment, Madam President.

22 COUNCIL PRESIDENT VERNA: Thank
23 you.

24 It has been moved and properly
25 seconded that the resolution be adopted.

1 12/22/05 - STATED - INTRO. OF BILLS

2 All in favor will indicate by
3 saying aye.

4 (Aye.)

5 COUNCIL PRESIDENT VERNA: Those
6 opposed?

7 COUNCILMAN O'NEILL: Nay.

8 COUNCIL PRESIDENT VERNA: The
9 ayes have it. The resolution is adopted,
10 and the record will reflect that
11 Councilman O'Neill voted in the negative.

12 The Chief Clerk will please
13 read the title of the next resolution.

14 CHIEF CLERK: A resolution
15 authorizing the Commissioner of Public
16 Property to execute and deliver to the
17 Redevelopment Authority deeds located in
18 the 28th, 29th, 32nd and 37th Wards of
19 the City of Philadelphia.

20 COUNCIL PRESIDENT VERNA: The
21 Chair recognizes Councilman Clarke.

22 COUNCILMAN CLARKE: I move for
23 the adoption.

24 (Duly seconded.)

25 COUNCIL PRESIDENT VERNA: It

1 12/22/05 - STATED - INTRO. OF BILLS

2 has been moved and properly seconded that
3 the resolution be adopted.

4 All in favor will please say
5 aye.

6 (Aye.)

7 COUNCIL PRESIDENT VERNA: Those
8 opposed?

9 (No response.)

10 COUNCIL PRESIDENT VERNA: The
11 ayes have it and the resolution is
12 adopted.

13 CHIEF CLERK: And a resolution
14 authorizing the Commissioner of Public
15 Property to execute and deliver to the
16 Redevelopment Authority deeds located in
17 the 15th, 16th, 28th and 32nd Wards of
18 the City of Philadelphia.

19 COUNCIL PRESIDENT VERNA:
20 Again, the Chair recognizes Councilman
21 Clarke.

22 COUNCILMAN CLARKE: I move for
23 the adoption.

24 (Duly seconded.)

25 COUNCIL PRESIDENT VERNA: It

1 12/22/05 - STATED - INTRO. OF BILLS

2 has been moved and properly seconded that
3 the resolution be adopted.

4 All in favor will indicate by
5 saying aye.

6 (Aye.)

7 COUNCIL PRESIDENT VERNA: Those
8 opposed?

9 (No response.)

10 COUNCIL PRESIDENT VERNA: The
11 ayes have it and the resolution is
12 adopted.

13 The Chair recognizes Councilman
14 Kelly.

15 COUNCILMAN KELLY: Madam
16 President, I have no bills or resolutions
17 today.

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

20 The Chair recognizes Councilman
21 Rizzo.

22 COUNCILMAN RIZZO: Madam
23 President, no bills or resolutions today.

24 COUNCIL PRESIDENT VERNA: Thank
25 you very much.

1 12/22/05 - STATED - 1ST READING

2 There are no reports from
3 committees today. Therefore, I would ask
4 the Chief Clerk to please read the bills
5 on the First Reading Calendar.

6 CHIEF CLERK: Bill No. 051102,
7 an ordinance amending Chapter 19-1800 of
8 The Philadelphia Code, entitled "School
9 Tax Authorization," by adding a new
10 Section 19-1801.1 providing for a cap on
11 tax increases, under certain terms and
12 conditions.

13 COUNCIL PRESIDENT VERNA: The
14 Chair agrees.

15 That completes our First
16 Reading Calendar for today.

17 The Chair now recognizes
18 Councilwoman Blackwell for the purpose of
19 calling up the bills on the Second
20 Reading and Final Passage Calendar to be
21 considered today.

22 COUNCILWOMAN BLACKWELL: Thank
23 you, Madam President. Today all bills
24 are being held, save three. They are
25 Bill Nos. 050669-AA, Bill No. 050797-A,

1 12/22/05 - STATED - 2ND READING

2 that is to be amended further, and,
3 finally, Bill No. 051096.

4 COUNCIL PRESIDENT VERNA: Thank
5 you.

6 COUNCILWOMAN BLACKWELL: You're
7 welcome.

8 COUNCIL PRESIDENT VERNA: The
9 Chief Clerk will please read the title of
10 Bill No. 050669-AA.

11 CHIEF CLERK: An ordinance
12 amending Section 19-2604 of The
13 Philadelphia Code, relating to tax rates,
14 credits and alternative tax computations
15 for the business privilege tax, by
16 reducing certain tax rates, all under
17 certain terms and conditions.

18 COUNCIL PRESIDENT VERNA: This
19 bill having been read on two different
20 days, the question now is shall the bill
21 pass finally.

22 The Chief Clerk will please
23 call the roll.

24 CHIEF CLERK: Councilwoman
25 Blackwell.

1 12/22/05 - STATED - 2ND READING
2 COUNCILWOMAN BLACKWELL: Aye.
3 CHIEF CLERK: Councilman
4 Clarke.
5 COUNCILMAN CLARKE: No.
6 CHIEF CLERK: Councilman
7 DiCicco.
8 COUNCILWOMAN BLACKWELL: I'm
9 sorry.
10 COUNCIL PRESIDENT VERNA: The
11 Chair recognizes Councilwoman Blackwell.
12 COUNCILWOMAN BLACKWELL: Sorry,
13 Madam President. Scratch it. My vote is
14 definitely no on this bill.
15 COUNCIL PRESIDENT VERNA: Thank
16 you.
17 CHIEF CLERK: Councilman
18 DiCicco.
19 COUNCILMAN DiCICCO: Aye.
20 CHIEF CLERK: Councilman Goode.
21 COUNCILMAN GOODE: Aye.
22 CHIEF CLERK: Councilman Kelly.
23 COUNCILMAN KELLY: Aye.
24 CHIEF CLERK: Councilman
25 Kenney.

1 12/22/05 - STATED - 2ND READING
2 COUNCILMAN KENNEY: Aye.
3 CHIEF CLERK: Councilwoman
4 Krajewski.
5 COUNCILWOMAN KRAJEWSKI: No.
6 CHIEF CLERK: Councilwoman
7 Miller.
8 COUNCILWOMAN MILLER: No.
9 CHIEF CLERK: Councilman
10 Nutter.
11 COUNCILMAN NUTTER: Aye.
12 CHIEF CLERK: Councilman
13 O'Neill.
14 COUNCILMAN O'NEILL: Aye.
15 CHIEF CLERK: Councilman Ramos.
16 COUNCILMAN RAMOS: No.
17 CHIEF CLERK: Councilwoman
18 Reynolds Brown.
19 COUNCILWOMAN BROWN: No.
20 CHIEF CLERK: Councilman Rizzo.
21 COUNCILMAN RIZZO: Aye.
22 CHIEF CLERK: Councilwoman
23 Tasco.
24 COUNCILWOMAN TASCO: Aye.
25 CHIEF CLERK: Council President

1 12/22/05 - STATED - 2ND READING

2 Verna.

3 COUNCIL PRESIDENT VERNA: Aye.

4 CHIEF CLERK: The nays are six,
5 the ayes are ten.

6 COUNCIL PRESIDENT VERNA: No.

7 CHIEF CLERK: The ayes are
8 nine. Excuse me.

9 COUNCIL PRESIDENT VERNA: Thank
10 you.

11 A majority of all members
12 having voted in the affirmative, the bill
13 passes.

14 (Applause.)

15 COUNCIL PRESIDENT VERNA: The
16 Chief Clerk will please read the title of
17 Bill No. 050797-A.

18 CHIEF CLERK: An ordinance to
19 amend the Philadelphia Zoning Maps by
20 changing the zoning designations of
21 certain areas of land located within an
22 area bounded by Grant Avenue and
23 Roosevelt Boulevard.

24 COUNCIL PRESIDENT VERNA: Thank
25 you.

1 12/22/05 - STATED - 2ND READING

2 The Chair recognizes Councilman
3 O'Neill.

4 COUNCILMAN O'NEILL: Thank you,
5 Madam President. I'd like to offer an
6 amendment to Bill No. 050797-A, and it's
7 been circulated to all members.

8 COUNCIL PRESIDENT VERNA: Thank
9 you.

10 Does the Chief Clerk have a
11 copy?

12 CHIEF CLERK: Yes, I do, Madam
13 President.

14 COUNCIL PRESIDENT VERNA: The
15 Chair recognizes Councilman O'Neill.

16 COUNCILMAN O'NEILL: I move the
17 adoption of the amendment.

18 (Duly seconded.)

19 COUNCIL PRESIDENT VERNA: It
20 has been moved and properly seconded that
21 the amendment be adopted.

22 All in favor will say aye.

23 (Aye.)

24 COUNCIL PRESIDENT VERNA: Those
25 opposed?

1 12/22/05 - STATED - 2ND READING

2 (No response.)

3 COUNCIL PRESIDENT VERNA: The
4 ayes have it and the amendment has been
5 adopted.

6 The last bill to be considered
7 is Bill No. 051096.

8 CHIEF CLERK: An ordinance
9 authorizing the extension of and
10 modifications to the trial program
11 authorized by Bill No. 040558 under which
12 advance approval is given to the
13 Philadelphia Facilities Management
14 Corporation on behalf of the Philadelphia
15 Gas Works, subject to certain terms and
16 conditions.

17 COUNCIL PRESIDENT VERNA: Thank
18 you.

19 This bill having been read on
20 two different days, the question now is
21 shall the bill pass finally.

22 The Chief Clerk will please
23 call the roll.

24 CHIEF CLERK: Councilwoman
25 Blackwell.

1 12/22/05 - STATED - 2ND READING
2 COUNCILWOMAN BLACKWELL: Aye.
3 CHIEF CLERK: Councilman
4 Clarke.
5 COUNCILMAN CLARKE: Aye.
6 CHIEF CLERK: Councilman
7 DiCicco.
8 COUNCILMAN DiCICCO: Aye.
9 CHIEF CLERK: Councilman Goode.
10 COUNCILMAN GOODE: Aye.
11 CHIEF CLERK: Councilman Kelly.
12 COUNCILMAN KELLY: Aye.
13 CHIEF CLERK: Councilman
14 Kenney.
15 COUNCILMAN KENNEY: Aye.
16 CHIEF CLERK: Councilwoman
17 Krajewski.
18 COUNCILWOMAN KRAJEWSKI: Aye.
19 CHIEF CLERK: Councilwoman
20 Miller.
21 COUNCILWOMAN MILLER: Aye.
22 CHIEF CLERK: Councilman
23 Nutter.
24 COUNCILMAN NUTTER: Aye.
25 CHIEF CLERK: Councilman

1 12/22/05 - STATED - 2ND READING
2 O'Neill.
3 COUNCILMAN O'NEILL: Aye.
4 CHIEF CLERK: Councilman Ramos.
5 COUNCILMAN RAMOS: Aye.
6 CHIEF CLERK: Councilwoman
7 Reynolds Brown.
8 COUNCILWOMAN BROWN: Aye.
9 CHIEF CLERK: Councilman Rizzo.
10 COUNCILMAN RIZZO: Aye.
11 CHIEF CLERK: Councilwoman
12 Tasco.
13 COUNCILWOMAN TASCO: Aye.
14 CHIEF CLERK: Council President
15 Verna.
16 COUNCIL PRESIDENT VERNA: Aye.
17 The ayes are 15, the nays are zero. A
18 majority of all members having voted in
19 the affirmative, this bill passes.
20 That completes our Calendar for
21 today.
22 Are there speeches on the part
23 of the Minority?
24 (No response.)
25 COUNCIL PRESIDENT VERNA: Are

1 12/22/05 - STATED - SPEECHES

2 there speeches on the part of the
3 Majority?

4 The Chair recognizes
5 Councilwoman Tasco.

6 COUNCILWOMAN TASCO: Thank you,
7 ma'am. I'd just like to thank my friend,
8 colleague, Irv Ackelsberg, from Community
9 Legal Service for following through on
10 the effort to stop pay-day lending. They
11 have filed a class action suit to stop
12 the pay-day lending, which charges four
13 to five hundred percent of the loan when
14 they borrow from these companies that do
15 business with banks outside of the City
16 of Philadelphia. And also I want to say
17 that they are working. He's been in the
18 leadership role working with Senator Fumo
19 to outlaw pay-day lending through the
20 state legislature in Harrisburg.

21 So it's all in our effort to
22 protect the citizens of Philadelphia and
23 Pennsylvania, and we want to thank him
24 and wish him a happy holiday.

25 COUNCIL PRESIDENT VERNA: Thank

1 12/22/05 - STATED - SPEECHES

2 you.

3 The Chair recognizes

4 Councilwoman Miller.

5 COUNCILWOMAN MILLER: Thank

6 you, Madam President. I have an

7 announcement that I'm making on behalf of

8 the Young Black Kings Organization. It's

9 an organization for young people between

10 the ages of 10 through 15. They're

11 taught things such as chess and carpentry

12 and black history as a means of diverting

13 the attention of these inner City youth

14 from violence to positive channels.

15 They're hosting a Shoppers

16 Paradise event, and this event is being

17 held at the Philadelphia Convention

18 Center December 23rd from 11:00 a.m. to

19 11:00 p.m. And this is an opportunity

20 for 150 disadvantaged businesses to

21 market their products with an anticipated

22 crowd of two to three thousand shoppers.

23 So we just want to encourage

24 people to go support these young people

25 and their sponsors.

1 12/22/05 - STATED - ADJOURNMENT

2 And have a nice holiday.

3 COUNCIL PRESIDENT VERNA: Thank
4 you.

5 Are there any other speeches on
6 the part of the Majority?

7 (No response.)

8 COUNCIL PRESIDENT VERNA:

9 Seeing no one, this will conclude our
10 session for today. I would like to take
11 this opportunity to wish all of you a
12 very merry Christmas, a healthy, happy,
13 prosperous new year.

14 And at this time, I recognize
15 Councilwoman Tasco for a motion to
16 adjourn.

17 COUNCILWOMAN TASCO: Thank you,
18 Madam President. I too wish everybody a
19 merry Christmas and happy other holidays
20 that are celebrated.

21 I move that Council stand
22 adjourned until Tuesday, January 24th at
23 10:00 a.m. Thank you.

24 (Duly seconded.)

25 COUNCIL PRESIDENT VERNA: It

1 12/22/05 - STATED - ADJOURNMENT
2 has been moved and properly seconded that
3 Council stand adjourned until Tuesday,
4 January 24th, 2006 at 10:00 a.m.

5 All in favor will say aye.
6 (Aye.)

7 COUNCIL PRESIDENT VERNA: Those
8 opposed?

9 (No response.)

10 COUNCIL PRESIDENT VERNA: The
11 ayes have it. The motion carries.

12 Thank you all very much.

13 (Stated Meeting adjourned at
14 10:45 a.m.)

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CERTIFICATE

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I HEREBY CERTIFY that the

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proceedings, evidence and objections are

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contained fully and accurately in the

6

stenographic notes taken by me upon the

7

foregoing matter on December 22, 2005, and

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that this is a true and correct transcript of

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same.

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MICHELE L. MURPHY

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RPR-Notary Public

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