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COUNCIL OF THE CITY OF PHILADELPHIA

STATED MEETING

- - -

Room 696, City Hall
Philadelphia, Pennsylvania
Thursday, February 27, 2003
10:10 a.m.

- - -

PRESENT:

COUNCIL PRESIDENT ANNA C. VERNA

COUNCILWOMAN JANNIE BLACKWELL
COUNCILWOMAN BLONDELL REYNOLDS BROWN
COUNCILMAN DARRELL L. CLARKE
COUNCILMAN DAVID COHEN
COUNCILMAN FRANK J. DI CICCO
COUNCILMAN W. WILSON GOODE, JR.
COUNCILMAN JAMES F. KENNEY
COUNCILWOMAN JOAN L. KRAJEWSKI
COUNCILMAN RICHARD T. MARIANO
COUNCILWOMAN DONNA REED MILLER
COUNCILMAN MICHAEL A. NUTTER
COUNCILMAN BRIAN J. O'NEILL
COUNCILMAN ANGEL L. ORTIZ
COUNCILMAN FRANK RIZZO
COUNCILWOMAN MARIAN B. TASCO

PATRICIA RAFFERTY, CHIEF CLERK

- - -

V A R A L L O, INCORPORATED
LITIGATION SUPPORT SERVICES
Eleven Penn Center
1835 Market Street, Suite 600
Philadelphia, Pennsylvania 19103
(215) 561-2220

1 2/27/03 - STATED - INVOCATION

2 COUNCIL PRESIDENT Verna: Good morning.

3 I note that the hour has come and that a quorum of
4 this Council is present. Council will please come
5 to order. Members will take their seats.

6 To give our invocation this morning, the
7 Chair welcomes the Reverend D.J. Lawrence. The Rev.
8 Lawrence is the Pastor of the New Psalmist Baptist
9 Church. He is here today as the guest of Councilman
10 Kenney.

11 Members and guests will please rise.

12 REV. LAWRENCE: Shall we pray?

13 Our Father, who art in heaven, hallowed
14 be thy name. Thy kingdom come, and in City Council
15 we pray, oh, God, that thy will would be done.

16 We pray, Lord, for the leader of our
17 nation. We pray for our President, for you have
18 instructed us in thy word to pray for those in
19 government. So we pray from the White House to the
20 State House. We pray for our Governor. We pray for
21 the Mayor of this City. Oh, God, we pray for the
22 President of this august body, this Council, Anna
23 Verna. We pray, oh, God, that you would bless each
24 Councilman, each Councilwoman. We pray especially,
25 oh, God, for Councilman James Kenney. We pray that

1 2/27/03 - STATED - APPROVAL OF JOURNAL

2 you would bless him, that you would strengthen him.
3 Lord, let our hearts be in harmony with truth. We
4 pray that you would prosper this City. We pray, oh,
5 God, these and all other blessings in the name of
6 truth, we request, and our hearts say amen.

7 COUNCIL PRESIDENT VERNA: The Chair
8 thanks Rev. Lawrence for his very inspiring
9 invocation.

10 Council will be at ease.

11 (Council at ease.)

12 COUNCILWOMAN VERNA: The next order of
13 business is the approval of the Journal of the
14 meeting of Thursday, February 20, 2003. And the
15 Chair recognizes Councilwoman Blackwell.

16 COUNCILWOMAN BLACKWELL: Thank you,
17 Madam President. I move that the Journal of the
18 meeting of Thursday, February 20, 2003, stand
19 approved.

20 COUNCIL PRESIDENT VERNA: Do I hear a
21 second?

22 (Duly seconded.)

23 COUNCILWOMAN VERNA: It has been moved
24 and properly seconded that the Journal of the
25 meeting of Thursday, February 20, 2003 stand

1 2/27/03 - STATED - LEAVES OF ABSENCE

2 approved.

3 All in fair will indicate by saying aye.

4 (Aye.)

5 COUNCILWOMAN VERNA: Those opposed?

6 (No response.)

7 COUNCIL PRESIDENT VERNA: The ayes have
8 it, and the Journal of the meeting of Thursday,
9 February 20, 2003, has been approved.

10 The next order of business is requests
11 for leave of absence.

12 The Chair recognizes Councilwoman
13 Blackwell.

14 COUNCILWOMAN BLACKWELL: Thank you,
15 Madam President. There are no requests for leaves
16 of absence today on the part of the majority.

17 COUNCILWOMAN VERNA: The Chair thanks
18 the Councilwoman.

19 At this time the Chair recognizes
20 Councilman O'Neill.

21 COUNCILMAN O'NEILL: Madam President, on
22 republicans, leave of absence is requested for
23 Councilman Thacher Longstreth.

24 COUNCILWOMAN VERNA: The Chair thanks
25 the Councilman. Leave will be granted.

1 2/27/03 - STATED - WELCOME

2 The Chair will dispense with the regular
3 order of business to recognize the guests and
4 visitors joining us in Chambers this morning.

5 On behalf of all Members of City
6 Council, I welcome you to our Council Session today.
7 We appreciate your taking the time to join us as we
8 attend to the legislative affairs of our City. We
9 certainly invite you to come again.

10 As most of us know, Philadelphia and the
11 City of Incheon, Korea, are sister cities. And this
12 year we are celebrating the 20 anniversary of that
13 relationship.

14 Therefore, I am especially pleased to
15 welcome a most distinguished delegation from
16 Incheon. Among them are the City Council President,
17 City Councilmembers, and various City officials.

18 Would you please stand so that we can
19 recognize you?

20 (Applause.)

21 COUNCILWOMAN VERNA: The group is
22 accompanied by our Philadelphia friends, Mr. Adam
23 Kim, Dr. Daniel Yun and Ms. Nancy Gillboy. And
24 also, it's my understanding that we also have Ms.
25 Jennifer McGin (ph).

1 2/27/03 - STATED - WELCOME

2 I am pleased at this time to ask Council
3 President Gyung Chul Shin to step forward and
4 address our Council and guests.

5 Mr. Shin.

6 MR. SHIN: Honorable City Council
7 President Anna Verna and City Council Members. I am
8 Gyung Chul Shin, and I am the president of Incheon
9 Metropolitan City Council of Korea. My gratitude
10 goes out to City Council President Anna Verna and
11 all of you present here. I am most grateful for
12 your warm reception.

13 I'd like to take a moment to introduce
14 our City Council Members. Councilman Bun Sung Lee,
15 Councilman Byung Uk Song, Councilman Byung Bae Ahn,
16 Councilman Myung Woo Lee, Councilman Pil Woo Kim,
17 Councilman Chang Gyoo Kang, Councilman Jin Woo Lee.

18 The following are Incheon city
19 officials: Hong Shik Oh, General Secretary
20 Division; Joong Jin Kim, General Secretary Division;
21 and that is all our delegation.

22 Honorable City Council President Anna
23 Verna, thank you for inviting our delegation to this
24 meeting today.

25 I had an opportunity to visit

1 2/27/03 - STATED - WELCOME

2 Philadelphia six year ago in 1997 and have noticed
3 that Philadelphia always gave me a sense of warmth
4 and friendliness. It is without doubt that
5 friendship shared by the two cities since 1993 has
6 cultivated through numerous exchange programs.

7 Incheon City Council, with the support
8 of 2.6 million Incheon citizens is striving to build
9 a new Incheon of 21st Century. And if I may say so,
10 Incheon has the potential of becoming the center of
11 Northeast Asia as the Korean government prepares to
12 make Incheon the Free Trade Zone. And I strongly
13 believe that the cooperate and the support of
14 Philadelphia is very much needed in making Incheon
15 an international and exceptional City.

16 Once again, I wish for mutual prosperity
17 of Philadelphia and Incheon, and furthermore, United
18 States of America and Korea whose friendship holds
19 such rich tradition.

20 I wish all the best for all of you
21 gathered here at this meeting today and thank you,
22 Councilmembers and President Verna.

23 COUNCIL PRESIDENT VERNA: Thank you. And
24 we will see you later today.

25 (Applause.)

1 2/27/03 - STATED - COMMUNICATIONS

2 COUNCILWOMAN VERNA: The next order of
3 business is communications. The Chair recognizes
4 the Sergeant-At-Arms for the purpose of delivering
5 the messages from the Mayor to the Chief Clerk.

6 The Clerk will please read the messages
7 from the Mayor.

8 THE CLERK: To the President and Members
9 of Council of the City of Philadelphia. I am
10 pleased to advise you that on February 26, 2003, I
11 sign all of the bills that were passed by Council at
12 its Session on February 13, 2003.

13 And I am transmitting for the
14 consideration of your Honorable Body a draft of a
15 resolution entitled, a resolution approving the
16 redevelopment contract and disposition supplement of
17 the Redevelopment Authority of City of Philadelphia
18 for the redevelopment and Urban Renewal of a portion
19 of the Model Cities Urban Renewal Area.

20 COUNCILWOMAN VERNA: The messages will
21 be printed in the Journal.

22 Does the Clerk have any other
23 communications in her possession?

24 THE CLERK: That's all I have, Madam
25 President.

1 2/27/03 - STATED - INTRO. OF BILLS AND RESOLUTIONS

2 COUNCIL PRESIDENT Verna: Thank you.

3 The next order of business is the introduction of
4 bills of resolutions.

5 And the Chair recognizes Councilwoman
6 Blackwell.

7 COUNCILWOMAN BLACKWELL: Thank you,
8 Madam President. I move that the Rules of Council
9 be suspended so as to permit immediate consideration
10 of resolutions at their time of introduction.

11 (Duly seconded.)

12 COUNCILWOMAN Verna: It has been moved
13 and properly seconded that the Rules of Council be
14 suspended so as to permit immediate consideration of
15 resolutions at the time of introduction.

16 All in favor of the motion will signify
17 by saying aye.

18 (Aye.)

19 COUNCIL PRESIDENT Verna: Those opposed?

20 (No response.)

21 COUNCILWOMAN Verna: The ayes have it.
22 The motion carries.

23 And the Chair recognizes Councilman
24 Kenney.

25 COUNCILMAN KENNEY: Thank you, Madam

1 2/27/03 - STATED - INTRO. OF BILLS AND RESOLUTIONS

2 President I offer one bill.

3 COUNCILWOMAN VERNA: Thank you.

4 The Clerk will please read the title of
5 the bill.

6 THE CLERK: An ordinance amending Title
7 14 of the Philadelphia Code entitled, "Zoning and
8 Planning," by amending Chapter 14-1600 entitled
9 "Miscellaneous," by adding a new section prohibiting
10 or regulating the conducting of license gambling
11 operations within certain or all zoning districts of
12 the City, under certain terms and conditions.

13 COUNCIL PRESIDENT VERNA: The bill will
14 be referred to the appropriate committee.

15 The Chair recognizes Councilwoman
16 Blackwell.

17 COUNCILWOMAN BLACKWELL: Thank you,
18 Madam President. This morning I have one
19 resolution.

20 COUNCILWOMAN VERNA: Thank you.

21 The Clerk will please read the title of
22 the resolution.

23 THE CLERK: A resolution honoring Arlene
24 Bass Nelson.

25 COUNCILWOMAN VERNA: The Chair

1 2/27/03 - STATED - INTRO. OF BILLS AND RESOLUTIONS

2 recognizes Councilwoman Blackwell.

3 COUNCILWOMAN BLACKWELL: Thank you,
4 Madam President. I move for the adoption.

5 (Duly seconded.)

6 COUNCIL PRESIDENT VERNA: It has been
7 moved and properly seconded that the resolution be
8 adopted.

9 All in favor will signify by saying aye.
10 (Aye.)

11 COUNCIL PRESIDENT VERNA: Those opposed?
12 (No response.)

13 COUNCIL PRESIDENT VERNA: The ayes have
14 it, and the motion carries.

15 The Chair recognizes Councilman Cohen.

16 COUNCILMAN COHEN: Thank you, Madam
17 President. On behalf of the Council President and
18 all Members of City Council, I offer one bill. The
19 bill was cosponsored by all Members of Council
20 President present here today.

21 COUNCILWOMAN VERNA: Thank you.

22 The Clerk will please read the title of
23 the bill.

24 THE CLERK: An ordinance requiring that
25 any proposed rate filing with the Pennsylvania

1 2/27/03 - STATED - INTRO. OF BILLS AND RESOLUTIONS
2 Public Utility Commission on behalf of the City's
3 natural Gas distribution operation include a
4 proposal to continue the existing Senior Citizen
5 Discount requiring that if any such filing was made
6 prior to the date this ordinance became law, such
7 filing shall be amended to include a proposal to
8 continue the Senior Citizen Discount.

9 COUNCILWOMAN VERNA: The bill will be
10 referred to the appropriate committee.

11 The Chair recognizes Councilwoman.

12 COUNCILWOMAN KRAJEWSKI: Madam
13 President, I have no bills or resolutions.

14 COUNCILWOMAN VERNA: The Chair thanks
15 the Councilwoman.

16 The Chair recognizes Councilman Mariano.

17 COUNCILMAN MARIANO: Madam President, I
18 have one bill and two resolutions.

19 COUNCILWOMAN VERNA: Thank you.

20 The Clerk will please read the title of
21 the bill.

22 THE CLERK: An ordinance authorizing the
23 revision of lines and grades on a portion of City
24 Plan No. 317 and 319, by striking from the City Plan
25 and vacating the legally open portions of Brobeck

1 2/27/03 - STATED - INTRO. OF BILLS AND RESOLUTIONS

2 Avenue from Algon Avenue to Pennway Street.

3 COUNCIL PRESIDENT Verna: This bill will
4 be referred to the appropriate committee.

5 The Clerk will please read the title of
6 the first resolution.

7 THE CLERK: A resolution approving the
8 redevelopment contract and disposition supplement of
9 the Redevelopment Authority of the City of
10 Philadelphia for the redevelopment and renewal of a
11 portion of the Model Cities Urban Renewal Area.

12 COUNCILWOMAN Verna: The Chair
13 recognizes Councilman Mariano.

14 COUNCILMAN MARIANO: Madam President, I
15 move for the adoption of the resolution.

16 (Duly seconded.)

17 COUNCIL PRESIDENT Verna: It has been
18 moved and properly seconded that the resolution be
19 adopted.

20 All in favor will indicate by saying
21 aye.

22 (Aye.)

23 COUNCIL PRESIDENT Verna: Those opposed?

24 (No response.)

25 COUNCIL PRESIDENT Verna: The ayes have

1 2/27/03 - STATED - INTRO. OF BILLS AND RESOLUTIONS

2 it, and the motion carries.

3 The Clerk will please read the title of
4 the second resolution.

5 THE CLERK: A resolution authorizing
6 City Council to retain outside counsel to intervene
7 at the proceedings before the Public Utility
8 Commission relating to the Philadelphia Gas Works
9 Restructuring Plan filed on July 1, 2002, and
10 docketed as M00021612 to make certain that the PUC
11 full understands that Council supports preservation
12 of the existing Senior Citizen Discount.

13 COUNCILWOMAN VERNA: The Chair
14 recognizes Councilman Mariano.

15 COUNCILMAN MARIANO: Madam President, I
16 move for the adoption of this resolution.

17 (Duly seconded.)

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

21 All in favor will signify by saying aye.
22 (Aye.)

23 COUNCIL PRESIDENT VERNA: Those opposed?
24 (No response.)

25 COUNCIL PRESIDENT VERNA: The ayes have

1 2/27/03 - STATED - INTRO. OF BILLS AND RESOLUTIONS

2 it, and the resolution has been adopted.

3 The Chair recognizes Councilwoman Tasco.

4 COUNCILWOMAN TASCO: I offer one
5 resolution, Madam President.

6 COUNCILWOMAN VERNA: The Clerk will
7 please read the title of the resolution.

8 THE CLERK: A resolution honoring Malik
9 Azi (ph).

10 COUNCILWOMAN VERNA: The Chair
11 recognizes Councilwoman Tasco.

12 COUNCILWOMAN TASCO: I move for the
13 adoption of the resolution.

14 (Duly seconded.)

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

18 All in favor will signify by saying aye.

19 (Aye.)

20 COUNCIL PRESIDENT VERNA: Those opposed?

21 (No response.)

22 COUNCIL PRESIDENT VERNA: The ayes have
23 it, and the motion carries.

24 The Chair recognizes Councilwoman
25 Miller.

1 2/27/03 - STATED - INTRO. OF BILLS AND RESOLUTIONS

2 COUNCILWOMAN MILLER: Thank you, Madam
3 President. I offer one resolution.

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

6 THE CLERK: A resolution honoring the
7 life and memory of the late Leroy Sweets Alexander,
8 who served as an inspiration and a role model for
9 the youth and citizens of Philadelphia.

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

12 COUNCILWOMAN MILLER: I move for the
13 adoption of the resolution.

14 (Duly seconded.)

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

18 All in favor will signify by saying aye.

19 (Aye.)

20 COUNCIL PRESIDENT VERNA: Those opposed?

21 (No response.)

22 COUNCIL PRESIDENT VERNA: The ayes have
23 it, and the motion carries.

24 The Chair recognizes Councilman Nutter.

25 COUNCILMAN NUTTER: Thank you, Madam

1 2/27/03 - STATED - INTRO. OF BILLS AND RESOLUTIONS

2 President. I offer two privileged resolutions.

3 COUNCILWOMAN VERNA: The Clerk will
4 please read the title of the first resolution.

5 THE CLERK: A resolution recognizing
6 February 25, 2003 as Reparations Awareness Day and
7 urging the US Congress t pass HR 40 and the
8 Pennsylvania House of Representatives to pass HB
9 315, both entitled the Commission Reparation
10 Proposals for the African Americans Act.

11 COUNCILWOMAN VERNA: The Chair
12 recognizes Councilman Nutter.

13 COUNCILMAN NUTTER: Thank you, Madam
14 President. I move the adoption of the resolution.
15 (Duly seconded.)

16 COUNCIL PRESIDENT VERNA: It has been
17 moved and properly seconded that the resolution be
18 adopted.

19 All in favor will signify by saying aye.
20 (Aye.)

21 COUNCIL PRESIDENT VERNA: Those opposed?
22 (No response.)

23 COUNCIL PRESIDENT VERNA: The ayes have
24 it, and the motion carries.

25 The Clerk will please read the title of

1 2/27/03 - STATED - INTRO. OF BILLS AND RESOLUTIONS

2 the second resolution.

3 THE CLERK: A resolution celebrating
4 Barbershop Talk Human Family Day.

5 COUNCIL PRESIDENT VERNA: The Chair
6 recognizes Councilman Nutter.

7 COUNCILMAN NUTTER: Thank you, Madam
8 President. I move the adoption of the resolution.

9 (Duly seconded.)

10 COUNCIL PRESIDENT VERNA: It has been
11 moved and properly seconded that the resolution be
12 adopted.

13 All in favor will signify by saying aye.

14 (Aye.)

15 COUNCIL PRESIDENT VERNA: Those opposed?

16 (No response.)

17 COUNCIL PRESIDENT VERNA: The ayes have
18 it, and the motion carries.

19 The Chair recognizes Councilwoman Brown.

20 COUNCILWOMAN BROWN: Thank you, Madam
21 President. I have no bill or resolutions this
22 morning.

23 COUNCIL PRESIDENT VERNA: The Chair
24 thanks the Councilwoman.

25 The Chair recognizes Councilman Goode.

4 COUNCIL PRESIDENT VERA: The Chair
5 thanks the gentleman.

7 COUNCILMAN ORTIZ: Thank you, Madam
8 Chair. I have one bill sponsored by all Members of
9 City Council.

THE CLERK: An ordinance repealing Chapter 17-500 of the Philadelphia Code entitled, "Goals for the Participation of Minority, Female, and Disabled Owned Businesses in City Contracts," and enacting a new Chapter 17-500 of the Philadelphia Code to establish City contract participation goals for disadvantaged owned business enterprises which are business owned by the socially and economically disadvantaged individuals which presumably include business owned by women, minorities, and the disabled.

25 The Chair recognizes Councilman DiCicco.

1 2/27/03 - STATED - INTRO. OF BILLS AND RESOLUTIONS

2 COUNCILMAN DICICCO: Thank you, Madam

3 President. I have no bills or resolutions today.

4 COUNCILWOMAN VERNA: Thank you.

5 The Chair recognizes Councilman O'Neill.

6 COUNCILMAN O'NEILL: Madam President, I
7 have no bills or resolutions.

8 COUNCILWOMAN VERNA: Thank you.

9 The Chair recognizes Councilman Clarke.

10 COUNCILMAN CLARKE: Thank you, Madam

11 President. I have one resolution.

12 COUNCILWOMAN VERNA: The Clerk will
13 please read the title of the resolution.

14 THE CLERK: An resolution authorizing
15 the Commissioner of Public Property to execute and
16 deliver to the Redevelopment Authority of the City
17 deeds located in the 16th, 20th, 28th, 32nd and 37th
18 Wards of the City of Philadelphia.

19 COUNCILWOMAN VERNA: The Chair
20 recognizes Councilman Clarke.

21 COUNCILMAN CLARKE: Move for the
22 adoption of the resolution.

23 (Duly seconded.)

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

1 2/27/03 - STATED - INTRO. OF BILLS AND RESOLUTIONS

2 adopted.

3 All in favor will signify by saying aye.

4 (Aye.)

5 COUNCIL PRESIDENT Verna: Those opposed?

6 (No response.)

7 COUNCIL PRESIDENT Verna: The ayes have
8 it, and the motion carries.

9 The Chair recognizes Councilman Rizzo.

10 COUNCILMAN RIZZO: Madam President, I
11 have one resolution on behalf of myself and
12 Councilwoman Blondel Reynolds-Brown.

13 COUNCILWOMAN Verna: The Clerk will
14 please read the title of the resolution.

15 THE CLERK: A resolution recognizing and
16 thanking the Pennsylvania Horticulture Societies,
17 Philadelphia Green Parks Revitalization Project for
18 transforming neglected parks into safe, attractive
19 and vital community places on its 10th anniversary.

20 COUNCILWOMAN Verna: The Chair
21 recognizes Councilman Rizzo.

22 COUNCILMAN RIZZO: I move for the
23 adoption of this resolution.

24 (Duly seconded.)

25 COUNCIL PRESIDENT Verna: It has been

1 2/27/03 - STATED - FIRST READING CALENDAR

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

4 All in favor will signify by saying aye.
5 (Aye.)

6 COUNCIL PRESIDENT Verna: Those opposed?
7 (No response.)

8 COUNCIL PRESIDENT Verna: The ayes have
9 it, and the resolution has been adopted.

10 COUNCILWOMAN Verna: There are no
11 reports from committees today. Therefore, our next
12 order of business is the consideration of the
13 Calendar.

14 The Clerk will please read the bill on
15 the First Reading Calendar.

16 THE CLERK: Bill No. 020728, an
17 ordinance amending Title 21 of the Philadelphia Code
18 entitled miscellaneous by adding provision requiring
19 members of boards and commissions of the City of
20 Philadelphia to conduct certain of their
21 deliberations, including deliberations with respect
22 to adjudications pending before the Board of
23 Commissions only at meetings open to the public with
24 certain exceptions and under certain terms and
25 conditions.

1 2/27/03 - STATED - 2ND READING AND FINAL PASSAGE

2 COUNCILWOMAN VERNA: The Chair agrees.

3 The bill read by the Clerk will be placed on the
4 second reading and Final Passage Calendar for our
5 next Session of Council.

6 That concludes the First Reading
7 Calendar.

8 The Chair now recognizes Councilwoman
9 Blackwell for the purpose of calling up bills on the
10 Second Reading and Final Passage Calendar.

11 COUNCILWOMAN BLACKWELL: Thank you,
12 Madam President. Today Bill Nos. 020538A, 020601,
13 and 020762, which is to be amended, and 030007 are
14 being called up for second reading and final
15 passage. All other bills are being held.

16 COUNCILWOMAN VERNA: Thank you.

17 The first bill to be considered is Bill
18 No. 020538A. The Clerk will please read the title
19 of the bill.

20 THE CLERK: An ordinance amending
21 Chapter 19-1800 of the Philadelphia Code entitled,
22 "School Tax Authorization," by providing that real
23 estate taxes imposed by the Board of Education of
24 the School District of Philadelphia on a property
25 shall not increase in any one year by more than a

1 2/27/03 - STATED - 2ND READING AND FINAL PASSAGE
2 specified percentage as a result of the increase in
3 the assessed value of the property as returned by the
4 Board of Revision of Taxes, under certain terms and
5 conditions.

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

9 COUNCILWOMAN BROWN: Point of
10 information, Madam Chair.

11 COUNCIL PRESIDENT Verna: Yes.

12 COUNCILWOMAN BROWN: I'd like the
13 sponsor of the bill why we are we voting on this
14 bill this week various next when we know for sure
15 what the State's contribution will be to public
16 education?

17 COUNCILWOMAN Verna: Councilman Nutter,
18 are you prepared to respond?

19 COUNCILMAN NUTTER: I'm sorry, Madam
20 President. I was slightly distracted. If I could
21 ask my colleague to repeat the question, I'd
22 appreciate it.

23 COUNCILWOMAN BROWN: Surely. To the
24 sponsor of the bill, my point of information is we
25 will not know until we hear the budgets address next

1 2/27/03 - STATED - 2ND READING AND FINAL PASSAGE
2 week what the State's share will be to public
3 education. So my question is, why this week versus
4 next week when we have solid, factual, hard
5 information?

6 COUNCILMAN NUTTER: Thank you, Madam
7 Chair. I appreciate the question. I think there
8 are a couple of responses.

9 One, I'm sure Members remember that we
10 were dealing with the property tax issue at the
11 tail-end of last year. There were two bills that
12 were introduced because there are two separate
13 components to the property tax bill; there's a City
14 tax and a School District tax. We've taken action
15 on the City tax portion, although at a certain level
16 we were unsuccessful in ultimately providing relief.
17 This is the next expected step on a two-part
18 process.

19 Secondly, I think it's been the subject
20 of a great amount of public information that
21 Governor Rendell as a part of his four-point agenda,
22 which I have every belief will be laid out next
23 week, plans to address the school funding issue by
24 putting forward measures that, by his own
25 calculation, indicate that he's seeking to raise or

1 2/27/03 - STATED - 2ND READING AND FINAL PASSAGE

2 inject an addition will \$1.5 billion into public
3 education throughout the Commonwealth.

4 Third, from the School District's own
5 materials in a letter dated December 11, 2002, as
6 well as a newspaper story generated by the School
7 District on Friday January 10, 2003, the School
8 District is presently anticipating showing some
9 amount of surplus which would actually cover the
10 cost of this proposed tax savings to the citizens.

11 Lastly, this bill is only for one year,
12 this current tax year, and will not have
13 implications for the District on a going-forward
14 basis.

15 Certainly, my preference would have been
16 that both bills were in last year together. But I
17 think generally the Council made a decision to
18 separate them. And we're getting back in Session.
19 I think we've had two or three Sessions since the
20 Budget Address, and so from my perspective, this is
21 just a continuation of Council legislative activity
22 trying to provide some level of relief to taxpayers
23 who have desperately been crying out after the
24 outrageous increases that some of the our
25 constituents experienced. And at least I know in

1 2/27/03 - STATED - 2ND READING AND FINAL PASSAGE
2 the 4th District, having attended four out of the
3 five Board of Revision Taxes hearings, many of those
4 constituents were quite upset that City Council was
5 not able to provide any relief to them and that
6 their only recourse in some instances was to appeal.

7 So that would be my response. I
8 appreciate the Councilwoman's concern. But I think
9 that we should try in our capacity to provide some
10 amount of tax relieve t citizens when we can.

11 Thank you, Madam Chair.

12 COUNCILWOMAN VERNA: You're welcome.

13 COUNCILWOMAN BROWN: Follow-up point of
14 information, Madam Chair.

15 We know that the surplus is 2 million.
16 What is the structural deficit expected to be for
17 the Philadelphia School District?

18 COUNCILMAN NUTTER: I think there's an
19 attachment with the materials. The School District
20 is projecting over the next -- although that
21 attachment doesn't -- I've seen another document
22 from the District. I think the District has shared
23 with us their financial information indicating
24 that -- it's probably addressed in point No. 3 in
25 the letter that the district will continue to have a

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2 structural deficit over the next few years, but they
3 also presently have \$187 million left from the
4 deficit financing proceeds that this Council
5 approved a millage transfer last year to enable the
6 District to borrow \$300 million. Even with that
7 funding remaining, the School District will be
8 able -- and I think they are showing balanced
9 budgets going forward for the next five years
10 because they will use those remaining \$187 million
11 of deficit financing proceeds to address their
12 structural deficits.

13 Ultimately, I think --- and I'm sure my
14 colleague is aware, ultimately I think that the
15 budget concerns for the School District will
16 ultimately be addressed by the package of materials
17 both by Governor Rendell and the State legislative
18 leaders to try to fix, not only the problems here in
19 Philadelphia, but I believe the 160-some-odd school
20 districts across the Commonwealth that are also
21 presently running deficits. As quiet as it's kept,
22 Philadelphia's not the only school district in the
23 Commonwealth out of 501 districts that has financial
24 problems. And so I think that Governor Rendell is
25 certainly committed to working on this issue. I

COUNCILWOMAN BROWN: Thank you, Madam. Some amount of tax relief on the backs of Philadelphia Public School children is, in my view, an unequal equation. We've stated many times that all of us of this body believe that every citizen in this City deserves tax relief. The question remains, should we do it on the backs of Philadelphia school children who attend public schools?

Councilman Goode, did you want to be
recognizes.

I'd like to ask the sponsor of the bill,

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2 we understand this bill only impacts the School
3 District for a year, we understand the School
4 District fairly health, we understand what we've
5 done to try to make sure they have long-term fiscal
6 health, but the truth of the matter is that the
7 Governor Rendell and State Legislature would not be
8 considering putting more money in the School
9 District if the School District didn't need
10 additional funds. So my question is, while Governor
11 Rendell who I trust to put more money in public
12 education has proposed 1.5 billion for the entire
13 State, do we yet know what cut Philadelphia school
14 children will get? And if not, why are we moving
15 before we know what specific cut Philadelphia school
16 children will get?

17 COUNCILMAN NUTTER: Thank you. I thank
18 my colleague for the question.

19 I certainly cannot tell you at the
20 moment what the cut will be -- I don't want to "cut"
21 in the same context -- what the share of the
22 Governor's proposal will be for Philadelphia. I
23 think we all know that Philadelphia has the largest
24 school district in the Commonwealth of Pennsylvania
25 and by sheer proportion will get a sizable amount of

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2 those dollars. I think all of us could probably
3 accept or stipulate to the fact that it will be more
4 than 1.35 million which is the projected cost of
5 this particular measure for this one school year.
6 And again, I think my position is very clear. I
7 mean, I care about the school children of
8 Philadelphia. I have a child in public school. But
9 I'm also sensitive to the many parents who have
10 children in public schools who are also asking for
11 some amount of relief. And I don't think that their
12 request is inconsistent with their concern about the
13 education of their child.

14 Let me repeat again for the record.
15 Given the School District's documents indicating
16 that they will finish this school year with the
17 surplus, no child is in jeopardy in the course of
18 this school year of not getting the same quality
19 education they anticipated at the beginning of the
20 school year. No one is going to go without lunch,
21 recess, books, or any other provision because the
22 School District has already anticipated providing
23 those services to our school children in the course
24 of this Fiscal Year and will complete the year on
25 the operating budget side with a surplus for this

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2 Fiscal Year as well as still holding \$187 million of
3 bond proceeds from the borrowing that was completed
4 last year.

5 So, I mean, I certainly am as sensitive
6 as any of my colleagues about this particular issue,
7 and I think what we have is a confluence of
8 circumstances where all of us care about public
9 education and public school children and at the same
10 time we care about their parents and others who
11 don't have children in public school and we're
12 trying to strike a balance, and a small balance, to
13 provide some amount of relief to people who are
14 finding it difficult to deal with our tax system and
15 others who may continue to decide that when you add
16 it all up between some of the concerns about schools
17 and between some of the concerns about taxes may
18 choose to just relocate to another locale. As we
19 continue to lose population, the City's fiscal
20 problems will only increase as well as the School
21 Districts fiscal situation.

22 So I understand the concerns and I
23 respect everyone's opinion on this particular
24 matter, but I think that if we have an opportunity
25 to provide even a minimal amount of relief to our

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2 citizens without extreme exposure to the School
3 District, that we should take the opportunity to try
4 to help people where we can and protect our school
5 children at the same time.

6 Thank you, Madam Chair.

7 COUNCILMAN GOODE: With all due respect
8 to the sponsor, Madam Chair, I would suggest that
9 while the School District's budget may be balanced
10 on paper that I our children need tens and millions
11 of dollars, if not hundreds of millions of dollars
12 more for books, for computers, for higher teacher
13 salaries. And just because the books are balanced
14 does not mean that we do not need more money for
15 schools. And until we find out what this State is
16 going to do, I don't think we should move on this
17 bill. And while I trust Governor Rendell to do the
18 right thing and fulfill his campaign promises, I
19 absolutely do not trust the State Legislature to do
20 the right thing.

21 Thank you, Madam President.

22 COUNCILWOMAN VERNA: You're welcome.
23 The Chair recognizes Councilwoman Tasco.

24 COUNCILWOMAN TASCO: I'd just like to
25 ask a question for clarification. When we were

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2 discussing this bill, Michael, you presented us some
3 information about the financial impact, not only on
4 this, but the other bill. And I know the other bill
5 is not before us at the point, but in comparison to
6 the various percentage rates of the impact, could
7 you explain for me a little further?

8 COUNCILMAN NUTTER: Sure.

9 COUNCILWOMAN TASCO: Because we do have
10 possible legislation in Harrisburg that could come
11 to the City with a cap relative to the real estate
12 taxes. So I'd like to know a little more about all
13 of that.

14 COUNCILMAN NUTTER: Sure. Councilwoman
15 Tasco, I think you're making reference to a chart
16 that had been put together back when we were in the
17 thick of all this conversation. If the question
18 is -- at the moment the matter in front of us is the
19 10 percent cap and there's been discussion about the
20 other cap bill that's on the Calendar and may be
21 moved for action. The chart that we all received at
22 that time indicates that the 10 percent cap bill
23 against the School District's budget that was passed
24 last year would have an impact of \$1.35 million to
25 the School District against the budget that was

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2 passed last year. The 4 percent cap from the chart
3 that was produced last year, that same chart
4 indicates that the 4 percent cap bill would have
5 revenue impact of \$8.29 million to the School
6 District against the budget that they passed last
7 year. Is that the information that you were
8 seeking, Councilwoman Tasco?

9 COUNCILWOMAN VERNA: At this time the
10 Chair recognizes Councilman Ortiz.

11 COUNCILMAN ORTIZ: I'd just like as a
12 question of the sponsor, is it clear that this bill
13 will subset in one year, Councilman Nutter?

14 And again, I would like you to go back
15 what impact, if any, will it have during this year
16 in terms of the classroom instruction and what the
17 kids will be able to get in terms of their school
18 programmatic activities?

19 COUNCILMAN NUTTER: Councilman, the
20 first part of your question is, yes, the bill is
21 clear that it is only for this year. It's for tax
22 bills for the tax year 2003. Many of our
23 constituents have received their bills, some have
24 not. But the bill is clear that it is only one
25 year.

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2 With regard to the second question that
3 you asked, I think that, first, Councilman Goode
4 makes an excellent point that -- and I certainly
5 don't want to get myself in a situation where
6 there's any confusion about, again, my position with
7 regard to the School District. There is no question
8 that there are many additional services, many basic
9 services that we should be providing to the school
10 children of Philadelphia and in our School District.
11 And so let there be no doubt that the School
12 District of Philadelphia needs more money and there
13 are many other services that can be provided. And I
14 think until we're operating at least at a quality of
15 education level comparable to many other school
16 districts that are, quite frankly, right near us if
17 not across the street from some of us, for instance,
18 in Lower Merion or Radnor or any of those places, we
19 have a long way to go. But again, on the other
20 hand, many of the parents of those same school
21 children are asking for relief under this current
22 situation. They are experiencing fiscal distress in
23 their household pocket books. And again, if you
24 talk to the School District, and I don't want to
25 talk for them, but I think their than letter

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2 indicates what they can do and what they can't do.

3 And they don't necessarily want to be involved in

4 this discussion. But Paul Vallas as the CEO over

5 there believes that they can finish out this school

6 year and not have any child's education affected by

7 what we may do in this circumstance because of the

8 way they're managing the dollars over at the School

9 District, the savings that they've made themselves,

10 as well as what their plans are for the rest of this

11 school year.

12 COUNCILMAN ORTIZ: Is it your intention

13 that there will be know impact instructionally or

14 programmatically in terms of classes?

15 COUNCILMAN NUTTER: Councilman, I didn't

16 hear the first --

17 COUNCILMAN ORTIZ: Your contention then

18 would be that there will be no impact

19 instructionally or programmatically in terms of the

20 services that will be provided to the students?

21 COUNCILMAN NUTTER: Well, I guess I'll

22 give you two answers to that. One, I certainly

23 believe in my heart and soul, given the fact that

24 about 25 schools are in the district that I

25 represent and there are 264 schools in the City and

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2 that my own child is in school, I'm certainly not
3 going to be irresponsible to the School District and
4 negatively affect their ability to provide quality
5 education. So that's kind of a personal response.

6 Second, I mean, I have certainly had
7 more than a few conversations with both Mr. Vallas
8 and with Mr. Harris and neither of them at any time
9 indicated other than, as we've discussed, their
10 general interest in having as much money as
11 possible, but neither of them have ever indicated
12 that this particular bill would negatively impact
13 their ability to provide a high-quality education to
14 students who are in school this year, and they also
15 are quite well aware that this bill is for one year.
16 I've had a bunch conversations with them, and that
17 issue has not been raised.

18 COUNCILMAN COHEN: Madam President,
19 would Councilman Ortiz yield?

20 COUNCILMAN ORTIZ: Councilman Tasco
21 asked me to yield, Councilman Cohen, so I yield to
22 her first. I'm through.

23 COUNCILWOMAN VERNA: The Chair
24 recognizes Tasco.

25 COUNCILWOMAN TASC0: Since it's been

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2 sometime since we've had this discussion about
3 Councilman Nutter's bill, and I know Councilman
4 O'Neill's similar and it's not before us, but I want
5 to ask Councilman O'Neill a question about his bill
6 in relationship to -- kind of brief us on what his
7 bill really does so we can some idea what we're
8 doing here.

9 COUNCILWOMAN VERNA: The Chair
10 recognizes Councilman O'Neill.

11 COUNCILMAN O'NEILL: Thank you, Madam
12 President.

13 In response to the Councilwoman's
14 question, the 4 percent bill, 20601 is similar to
15 the 4 percent bill that passed Council and became
16 law without the Mayor's signature back in the latter
17 part of last year. It is different than the 10
18 percent bill in a couple of respects, not just the
19 percentage cap, but it clearly calls for state
20 legislation to authorize its enactment. It's my
21 belief that whatever changes we made to the system
22 that we now have at BRT, state legislation is
23 required and it is specifically in the bill. The
24 State, I understand, in the spring is go to be
25 holding hearings on a bill that was introduced in

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2 Harrisburg to determine whether the State would
3 authorize a cap. And I would not expect -- and this
4 will be another difference. I would not expect the
5 4 percent capital to be effective until next year at
6 the earliest. By the time the state acts, the Board
7 of Revision will be substantially through all of its
8 appeals for this year, if not entirely through. And
9 we would be looking at the future and trying to get
10 control of the excessive increases that we've been
11 seeing at the Board of Revision of Taxes and
12 allowing the Board to do what it's real job is, and
13 that is to find the proper valuation for a property
14 and not be involved in or accused of being involved
15 in revenue-raising activities which are not their
16 mission. And I think if this wasn't something that
17 any one year was going to be a win-fall for either
18 the City or the School District, and if we're not
19 dealing with a system that started last summer, a
20 process that started last summer with notices going
21 out and is going to proceed until probably the
22 beginning of this coming summer, we'll be much
23 better served. And having the State as a partner in
24 this to give us some relief in an area that state
25 legislation doesn't presently allow us to do, I

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2 think would be a great help.

3 Just to go over it again, one is
4 obviously 4 percent instead of 10 percent. Two, it
5 specifically calls for state authorization and has
6 no effect until then. And thirdly, I would expect
7 the effectiveness of it to be for, not this school
8 year or city tax year, but the following.

9 And I would just, again, say that we
10 have to look at the real special interest here. The
11 School District is a huge government and any impact
12 of a cap is going to have a relatively minimal
13 impact. The City is a huge government. We've
14 already decided that if the State would approve it
15 that we can handle a relatively minimal impact. And
16 I would just say to my colleagues, again, it's the
17 people out there that can't afford these increases
18 who are willing to pay something in what is a very
19 unfair system just by its very nature that we should
20 be most concerned about. And the City's in a lot
21 worst shape financially, I think we'll all agree,
22 then the School District, and we should certainly be
23 looking, not at who is getting a little less money
24 that they never would have had if we had a fair
25 system, but what the impact is on those who can

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2 least afford to pay it that are being asked to pay
3 it. And again, not focussing on those who have
4 gotten all the publicity that live in the most
5 expensive residences, not just in the City but in
6 the region, but people that are just trying to make
7 it every day and getting hit with increases in
8 double digits that are very unaffordable for many on
9 them on fixed incomes. Thank you.

10 COUNCIL PRESIDENT VERNA: Thank you. At
11 this time, the Chair recognizes Councilwoman Tasco.

12 COUNCILWOMAN TASCO: Thank you, Madam
13 President. And I thank Councilman O'Neill for his
14 explanation.

15 Since these two bills were noted in the
16 Caucus that we were going to hold them up today,
17 what I'd ask respectfully ask my colleagues to do is
18 to give us an opportunity to go back and review
19 those charts that were given to us and let us look
20 at the charts and have another discussion about this
21 with our staff and with each our and then consider
22 these bills next week.

23 COUNCILWOMAN VERNA: Do I hear a
24 response from anyone?

25 COUNCILWOMAN VERNA: The Chair

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2 recognizes Councilman Cohen.

3 COUNCILMAN COHEN: My request is of the
4 sponsor of this measure, would he willing to take it
5 off the Calendar today without any fixed date of
6 bringing it back, it might be next week, it might
7 not be at all. I find the arguments of both sides
8 very compelling. The amount of money involved is
9 very small. And I don't think it ought to be a
10 basis for division in the Council. And therefore,
11 I'm just asking that it be taken off the Calendar
12 today, if the sponsor would agree to that. Give us
13 all time. So my request is of Councilman Nutter,
14 are you willing to have the bill withdrawn from the
15 Calendar today?

16 COUNCILWOMAN TASCO: Councilman Cohen,
17 we can ask them to hold it today, they can do what
18 they want to next week, so we're asking them to hold
19 it today. It's basically the same request. But I
20 do think in the meantime we have further discussion
21 about this.

22 COUNCIL PRESIDENT VERNA: Councilman
23 Nutter.

24 COUNCILMAN NUTTER: Thank you, Madam
25 President. I think we should have further debate

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2 and discussion about the distinctions between
3 Councilman Cohen's request and Councilwoman Tasco's
4 request, and I would like to have at least one hour
5 of debate on those particular issues. And I'll
6 actively engaged in that discussion.

7 (Laughter.)

8 COUNCILMAN NUTTER: To both of my
9 colleagues and to all of my colleagues for this
10 discussion, the request is more than reasonable.
11 And even at times as unreasonable as I can be, there
12 is no reason not to hold these bills. I do want to
13 make sure that I understand what I'm agreeing to
14 because Councilman Cohen is very precise in is
15 language.

16 Councilman, as I understood the request,
17 it's not so much that the bill is being taken off
18 the Calendar, but we are just holding until some
19 undetermined time which, as Councilwoman Tasco said,
20 could be next week, could be another week, and I'm
21 more than willing to do that.

22 COUNCILMAN COHEN: I state my intention
23 accurately.

24 COUNCILWOMAN VERNA: Thank you.

25 Councilman Clarke.

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2 COUNCILMAN CLARKE: Thank you, Madam
3 President. Madam President, I don't want to beat a
4 dead horse -- I'm going to do it anyway. There is
5 one particular issue of interest because I just had
6 a meeting last week with Michael Harris who is the
7 Chief Financial Officer of the School District and
8 Tim Spritzer (ph) who's the Deputy Chief and Bill
9 Miller, although he was not acting in the particular
10 capacity of a member of the Tax Commission, he is in
11 fact that. And one of the issues that we talked
12 about in very specific detail was this whole issue
13 about their position on the tax bills of last year.
14 And I indicated to them that it was somewhat unclear
15 to me as to what their real position was as to what
16 the implications of those tax bills would be on the
17 School District's budget. They indicated to me,
18 particularly Mr. Harris, that he felt he was quite
19 clear that any of the tax cap bills would have had
20 an effect on the School District's budget. So I
21 only say that to say over the next week at a minimum
22 I would think that we should have Mr. Harris in the
23 discussion when we deliberate among the bodies so
24 we'll get a clearcut idea of where the School
25 District is with respect to any reduction of revenue

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2 to it.

3 COUNCILWOMAN VERNA: Thank you,
4 Councilman.

5 COUNCILMAN CLARKE: Thank you.

6 COUNCILWOMAN VERNA: The next bill being
7 called for consideration is Bill No. 020601, and the
8 Chair recognizes Councilman O'Neill.

9 COUNCILMAN O'NEILL: Madam President,
10 I'm holding that bill for at least a week. But I do
11 intend to run it next week.

12 COUNCILWOMAN VERNA: Thank you.

13 The Clerk will please read the title of
14 Bill No. 020762.

15 THE CLERK: An ordinance grating
16 permission to Cogent Communications, its successors
17 and assigns to construct, maintain, operate, replace
18 and remove telecommunications service connections
19 and fiber cables in and under the public
20 rights-of-way and City streets, all under certain
21 terms and conditions.

22 COUNCILWOMAN VERNA: The Chair
23 recognizes Councilman Clarke.

24 COUNCILMAN CLARKE: Thank you, Madam
25 President. Madam President, I would like to amend

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2 this particular bill, Bill No. 020762. I believe
3 the amendment has been circulated. The amendment is
4 technical in nature. Basically it says instead of
5 listing the building address where the fiber cables
6 will be located, it lays out the actual routes the
7 cables will follow. So I would move that Bill No.
8 020762 be amended.

9 (Duly seconded.)

10 COUNCILWOMAN VERNA: It has been moved
11 and properly seconded that Bill No. 020762 be
12 amended. All in favor will indicate by saying aye.

13 (Aye.)

14 COUNCILWOMAN VERNA: Those opposed?

15 (No response.)

16 COUNCILWOMAN VERNA: The ayes have it,
17 and the amendment has been approved.

18 The Clerk will please read the title of
19 Bill No. 020814.

20 THE CLERK: An ordinance authorizing to
21 Commissioner of Public Property on behalf of the
22 City of Philadelphia to grant to each of the
23 respective owners of 901, 903, and 905 Jennifer
24 Terrace an easement across a portion of a certain
25 parcel of land known as 8582 Bloomfield Avenue.

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2 COUNCIL PRESIDENT VERNA: This bill
3 having been read on two different days, the question
4 now is shall the bill pass finally?

5 The Clerk will please call the roll.

6 THE CLERK: Councilwoman Blackwell.

7 COUNCILWOMAN BLACKWELL: Aye.

8 THE CLERK: Councilman Clarke.

9 COUNCILMAN CLARKE: Aye.

10 THE CLERK: Councilman Cohen.

11 COUNCILMAN COHEN: Aye.

12 THE CLERK: Councilman DiCicco.

13 COUNCILMAN DICICCO: Aye.

14 THE CLERK: Councilman Goode.

15 COUNCILMAN GOODE: Aye.

16 THE CLERK: Councilman Kenney.

17 COUNCILMAN KENNEY: Aye.

18 THE CLERK: Councilwoman Krajewski.

19 COUNCILWOMAN KRAJEWSKI: Aye.

20 THE CLERK: Councilman Mariano.

21 COUNCILMAN MARIANO: Aye.

22 THE CLERK: Councilwoman Miller.

23 COUNCILWOMAN MILLER: Aye.

24 THE CLERK: Councilman Nutter.

25 COUNCILMAN NUTTER: Aye.

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2 THE CLERK: Councilman O'Neill.

3 COUNCILMAN O'NEILL: Aye.

4 THE CLERK: Councilman Ortiz.

5 COUNCILMAN ORTIZ: Aye.

6 THE CLERK: Councilwoman Reynolds-Brown.

7 COUNCILWOMAN BROWN: Aye.

8 THE CLERK: Councilman Rizzo.

9 COUNCILMAN RIZZO: Aye.

10 THE CLERK: Councilwoman Tasco.

11 COUNCILWOMAN TASCO: Aye.

12 THE CLERK: Council President Verna.

13 COUNCIL PRESIDENT VERNA: Aye.

14 The ayes are 16, the nays are 0. A

15 majority of all Members of Council having voted in

16 the affirmative, the bill passes.

17 The Clerk will please read the title of

18 Bill No. 030007.

19 THE CLERK: An Ordinance authorizing

20 transfers in appropriation for Fiscal Year 2003 from

21 the General Fund certain or all City offices,

22 departments, boards and commissions, and from the

23 Grants Revenue Fund, Director of Finance provision

24 for other grants and from the Community Development

25 Fund, the Director of Finance Community Development

1 2/27/03 - STATED - 2ND READING AND FINAL PASSAGE

2 Block Grant to be allocated to the General Fund,
3 certain or all City offices, departments, boards,
4 and commissions.

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

8 The Clerk will please call the roll.

9 THE CLERK: Councilwoman Blackwell.

10 COUNCILWOMAN BLACKWELL: Aye.

11 THE CLERK: Councilman Clarke.

12 COUNCILMAN CLARKE: Aye.

13 THE CLERK: Councilman Cohen.

14 COUNCILMAN COHEN: Aye.

15 THE CLERK: Councilman DiCicco.

16 COUNCILMAN DICICCO: Aye.

17 THE CLERK: Councilman Goode.

18 COUNCILMAN GOODE: Aye.

19 THE CLERK: Councilman Kenney.

20 COUNCILMAN KENNEY: Aye.

21 THE CLERK: Councilwoman Krajewski.

22 COUNCILWOMAN KRAJEWSKI: Aye.

23 THE CLERK: Councilman Mariano.

24 COUNCILMAN MARIANO: Aye.

25 THE CLERK: Councilwoman Miller.

1 2/27/03 - STATED - SPEECHES
2 COUNCILWOMAN MILLER: Aye.
3 THE CLERK: Councilman Nutter.
4 COUNCILMAN NUTTER: Aye.
5 THE CLERK: Councilman O'Neill.
6 COUNCILMAN O'NEILL: Aye.
7 THE CLERK: Councilman Ortiz.
8 COUNCILMAN ORTIZ: Aye.
9 THE CLERK: Councilwoman Reynolds-Brown.
10 COUNCILWOMAN BROWN: Aye.
11 THE CLERK: Councilman Rizzo.
12 COUNCILMAN RIZZO: Aye.
13 THE CLERK: Councilwoman Tasco.
14 COUNCILWOMAN TASCO: Aye.
15 THE CLERK: Council President Verna.
16 COUNCIL PRESIDENT VERNA: Aye.
17 The ayes are 16, the nays are 0. A
18 majority of all Members of Council having voted in
19 the affirmative, the bill passes.
20 That concludes the Calendar.
21 Are there any speeches on the part of
22 the minority?
23 The Chair recognizes Councilman O'Neill.
24 COUNCILMAN O'NEILL: Thank you, Madam
25 President. I'd like to talk briefly on two issues

1 2/27/03 - STATED - SPEECHES

2 involving the big snowstorm and the aftermath that I
3 don't think have been discussed very much and I
4 think deserve the attention of this Council and
5 government.

6 One is there are at least three ladies
7 whose average age is about 85, homeowners that live
8 on Byberry Road and Verree Road, two very main
9 thoroughfares with very little parking or space for
10 parking, who either shoveled or had people shovel
11 their sidewalks in a very good time after the
12 snowfall. And then when plows came by, I believe by
13 private operators, really doing that extra measure
14 of getting all of the snow out of the parking lane
15 when no one parks, piled the snow back on their
16 sidewalk. These people had been hit with \$25 fines
17 under what is, if handled properly a pretty good
18 program under NTI, the Neighborhood Service Unit of
19 the Police Department where neighbors snitch on
20 other neighbors central office who haven't shoveled
21 their sidewalks, and it works very effectively. I
22 don't mind that. If somebody doesn't shovel their
23 sidewalk and it's five days after the snowstorm,
24 they should get fined. But common sense, first of
25 all, tells us that if the snow is deeper on the

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1
2 sidewalk than it was during the snowstorm that maybe
3 we should knock on the door or contact someone in
4 the City to contact that company that did the snow
5 removal and not hit people in their 80s, who were
6 doing everything right, with citations, basically
7 tickets, \$25 fines, that they would have to come
8 downtown to fight. And once they're aye in, there's
9 no pulling them back. It's got to be done at the
10 administrative hearing, it's got to be handled
11 there. So first you need a little sensitivity
12 training on people being sent from American Street
13 with different districts around the City to say if
14 it's clearly not the homeowners fault. You can tell
15 after five days whether it's some sidewalk that
16 wasn't shoveled or whether it's the other case I
17 mentioned where it's been piled back on. And there
18 should be a fine in all of these contracts with the
19 private contractors that if their operators of that
20 equipment are going to pile back on sidewalks,
21 whether it's a City-owned sidewalk in front of a
22 City property or a private property, that they get
23 fined and get fined a lot more than \$25 for doing it
24 and have to come in with smaller equipment and take
25 care of it. And I don't think that exists in

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2 anything we're doing. I'm not sure other than large
3 big snowstorms like we had last week and get every
4 years few years that this whole thing applies. But
5 when it applies, it is a big deal and we should be
6 on top of it, not talking about just how many side
7 streets we got covered when we've got injustices
8 like this going on both on the private sector side
9 getting away with it and on the City side hammering
10 elderly people with fines who can't keep going out
11 and getting sidewalk shoveled that came from the
12 street.

13 The second part of that is, this
14 Neighborhood Services Unit that we all can call,
15 most of the sidewalks in the City that were not done
16 within a few days, many of which still have not been
17 do to this day are government-owned sidewalks.
18 There are miles of those sidewalks in the City that
19 people have been shloshing through, falling down on,
20 because no one takes any responsibility for them.
21 Port Richmond Library, right around the corner from
22 my brother's house, grew up there. It's a city
23 block. One end of the block is the library. Well,
24 all around the library, it's shoveled. The rest of
25 it is the park, two-thirds of the block. Those

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2 sidewalks aren't touched. That's somebody else's
3 responsibility, but it's the City's. Thomas Home
4 School on Academy Road and Willis, right off I-95,
5 where the school is on about a quarter of the block,
6 it's all shoveled. The other three quarters of the
7 block is a playground that is effectively shut down
8 with all that snow on it, the outdoor part of the
9 playground, snow is as high as you can imagine.
10 That goes on and on. Vine Street, people are coming
11 off that Vine Street subway stop to go to either
12 work or have business at the courthouse or the
13 library, they have blocks that never get shoveled.
14 The crossovers over Vine Street, don't they belong
15 to anybody? When you call, who gets fined when
16 they're not done? Because they never get done. And
17 that goes on -- it's not all City property. Some of
18 it must be State property or Conrail or Amtrak or
19 somebody. But if we were as good with mapping out
20 these sidewalks where the kids have to walk to
21 school, where the elderly have to go and wait for
22 buses, we'd have much more to brag about in terms of
23 snow removal.

24 So I would ask when we're doing our GIS
25 and all this other technology laying out where we're

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2 going to plow that we look at the human element
3 where people have to walk and whose responsible and
4 who gets fined when it isn't done. Because that 4.5
5 million would be a lot higher if we were fining
6 ourselves. Thank you.

7 COUNCILWOMAN VERNA: Thank you.

8 Are there any other speeches on the part
9 of the minority.

10 (No response.)

11 COUNCIL PRESIDENT VERNA: Seeing none,
12 are there speeches on the part of the majority?

13 The Chair recognizes Councilman DiCicco.

14 COUNCILMAN DICICCO: Thank you, Madam
15 President. I'd like to take this time to thank my
16 colleagues in particular for their support on the
17 bill that the Mayor signed that will extend the
18 1 percent discount date to 60 days after the BRT
19 renders its final decision on any appeals. And as
20 you know, Council President Verna, and I'm sure the
21 other Councilmembers know, up until yesterday we
22 were still receiving numerous calls from people
23 wanting to know whether or not they had to pay their
24 tax bill by tomorrow even though they filed the
25 appeal. So the message is clear, the Mayor signed

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2 the bill for those folks out there who have filed an
3 appeal, it is not necessary for them to pay their
4 tax until they've exhausted their appeals and get a
5 final bill from the BRT.

6 I would also like to thank the
7 Department of Revenue as well as the Mayor's Office
8 for cooperating with me to get this legislation
9 which we think is very important and is a fair bill
10 for all the citizens in this City.

11 The other thing I'd like to announce is
12 that for those of you who are thinking of attending
13 tomorrow the ground-breaking for the Jefferson
14 Square Housing Development in my district in South
15 Philadelphia, because of the impending snowstorm, we
16 have decided to cancel that to a further date.
17 We're not certain as to what the date is yet. But
18 we will advise you in the next few days as to that
19 new date. So thank you.

20 COUNCILWOMAN VERNA: Thank you.

21 The Chair recognizes Councilman Cohen.

22 COUNCILMAN COHEN: Thank you, Madam
23 President. Three brief items.

24 First, the Daily News is still
25 advertising predatory loan business. I hope one day

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2 to be able to make a good announcement saying
3 they've discontinued, but they have not yet. And I
4 think it's shameful that they haven't. I also want
5 them to know that publishing letters suggesting I
6 retire will in no way intimidate me from continuing
7 to raise this issue.

8 Second, Judith Rodin, the President of
9 the University of Pennsylvania was quoted yesterday
10 in a way that makes everybody understand that she
11 is, in fact, the head of the largest private
12 employer both in the City and in the State, but she
13 spoke not as a head, really, of an educational
14 institution because she went way back into the
15 Middle Ages to justify an argument as to why people
16 should not join unions. The graduate students at
17 the University of Pennsylvania are waging with the
18 support of this City Council an heroic battle. The
19 election was yesterday and today to determine
20 whether or not they have a right to be treated in a
21 dignified way and have their complaints treated in a
22 justified way and get a contract which guarantees
23 them certain rights. Judith Rodin spoke as if she
24 were the head of Enron or the head of General Motors
25 or some major corporation. She forgot that as a

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2 leader of the greatest university in the area she
3 has a public responsibility and she ought to be in
4 the forefront of respecting the rights of working
5 people to organize in order to get fair treatment at
6 the bargaining table.

7 Last item, Sam Evans, the one man in
8 government older than I am, as least it seems as if
9 he's in government, we celebrated his 100th
10 birthday just a couple weeks ago in a Council
11 Session is making special requests for financial
12 support for AFNA, that's the great organization
13 he's headed for many years that has resulted in the
14 higher education of many African American lawyers
15 and doctors and other professionals. I think as we
16 go into the budget process, all of us ought to be
17 giving thought to how the City of Philadelphia can
18 better support and aid Mr. Evans in continuing his
19 fine work.

20 Thank you very much very, very much,
21 everyone.

22 (Applause.)

23 COUNCILWOMAN VERNA: Thank you.

24 Are there anymore speeches on the part
25 of the majority?

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2 (No response.)

3 COUNCILWOMAN VERNA: Seeing none, the
4 Chair recognizes Councilwoman Tasco.

5 COUNCILWOMAN TASCOS: Madam President, I
6 move that Council stand adjourned until Thursday,
7 March 6 at 10:00 a.m.

8 (Duly seconded.)

9 COUNCILWOMAN VERNA: It has been moved
10 and properly seconded Council stand adjourned until
11 Thursday 6, 2003.

12 All in favor will please say aye.

13 (Aye.)

14 COUNCIL PRESIDENT VERNA: Those opposed?

15 (No response.)

16 COUNCIL PRESIDENT VERNA: The ayes have
17 it. Council will be adjourned until March the 6th.

18 (Council adjourned at 11:22 a.m.)

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C E R T I F I C A T I O N

I HEREBY CERTIFY that the foregoing
proceedings of the Council of the City of
Philadelphia of February 27, 2003, were reported
fully and accurately by me, and that this is a
correct transcript of the same.

RE: STATED MEETING

Lisa C. Bradley, RPR
and Notary Public