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COUNCIL OF THE CITY OF PHILADELPHIA

4

PUBLIC HEARING - COMMITTEE OF THE WHOLE

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Room 400, City Hall

7

Philadelphia, Pennsylvania

8

Thursday, April 7, 2005, 10:15 a.m.

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PRESENT:

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12

COUNCIL PRESIDENT ANNA C. VERNA

13

COUNCILWOMAN JANNIE L. BLACKWELL

COUNCILWOMAN BLONDELL REYNOLDS BROWN

14

COUNCILMAN DARRELL L. CLARKE

COUNCILMAN DAVID COHEN

15

COUNCILMAN FRANK DiCICCO

COUNCILMAN W. WILSON GOODE, JR.

16

COUNCILMAN JACK KELLY

COUNCILMAN JAMES F. KENNEY

17

COUNCILMAN RICHARD T. MARIANO

COUNCILWOMAN DONNA REED MILLER

18

COUNCILMAN MICHAEL A. NUTTER

COUNCILMAN BRIAN J. O'NEILL

19

COUNCILMAN FRANK RIZZO

COUNCILWOMAN MARIAN B. TASCO

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3 P R O C E E D I N G S

4 - - -

5 COUNCIL PRESIDENT VERNA: Good
6 morning, everyone. I note that the hour has
7 come and that a quorum of this Council is
8 present. Council will please come to order.
9 Members will take their seats, and visitors
10 will retire to the seats outside the rails.

11 To give our invocation this morning,
12 the Chair welcomes Bishop Lionel Parsons of
13 the Greater Gethsemane Outreach Ministries.
14 He is here today as the guest of Councilman
15 Nutter. All guests and members will please
16 rise.

17 BISHOP PARSONS: Good bless you. It
18 certainly is a privilege and an honor to be
19 here this morning.

20 I hope that the hand of the Lord has
21 found you in great health. And we do give
22 honor to God and to every one of the Council
23 and to the President of the Council, and to
24 my good friend, Councilman Michael Nutter.

25 We're going to look to the Lord just

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2 very quickly. Father, we do thank You in the
3 mighty and precious name of Jesus.

4 We thank You for your goodness, your
5 kindness, and your mercy and love, unchanged
6 and untouched.

7 We recognize these your children
8 because you indicate that in the Word of God.
9 You've said in Corinthians that the
10 government is a gift.

11 And you also recognize in the Book
12 of Galatians that we ought to pray for the
13 government. The only gift that you have told
14 the people of God to pray for, that they may
15 pray for the gift of government, those that
16 are gifted to govern, those that are gifted
17 to lead.

18 And so, Lord, we thank You now for
19 these persons that stand before You that are
20 gifted, and we ask that You infuse them with
21 Your power, that You stabilize them with Your
22 mercy, and that You keep them in Your unity.

23 Father, we thank You so very much
24 because You also said that we ought to stir
25 it up. With such a great challenge that they

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2 face every day, where they need to be
3 encouraged, they need to be energized.

4 And we ask... Among the millions of
5 people that You've chosen these out of each
6 and every family, each and every community to
7 represent You, to make decisions on Your
8 behalf for the people that You've put under
9 them.

10 And so, Lord, we ask that You
11 energize, and You keep, and You bless, that
12 their decisions be influenced by You, that
13 You might influence the world.

14 We thank You, and we praise You.
15 Amen.

16 COUNCIL PRESIDENT VERNA: Amen.

17 The Chair thanks Bishop Parsons for
18 his very inspiring invocation.

19 Council will be at ease.

20 The next order of business is the
21 approval of the Journal of the Meeting of
22 Thursday, March 31, 2005.

23 And the Chair recognizes
24 Councilwoman Blackwell.

25 COUNCILWOMAN BLACKWELL: Thank you,

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2 communications. I'm sorry. The Chair
3 recognizes Councilman Kenney.

4 COUNCILMAN KENNEY: Thank you, Madam
5 President.

6 It is my honor today to introduce
7 some visitors from Poland who have come to us
8 today through our fine retired Judge Zaleski
9 who we all know, who is here today.

10 And I'd like to take the opportunity
11 to introduce a few people. First it's
12 Justice Katarzina Gonaro (phonetic) of the
13 Polish Supreme Court.

14 She is a member of the court and
15 Vice President of Lusticia (phonetic), the
16 Polish Judge's Association. I'd like to ask
17 her to rise, please.

18 COUNCIL PRESIDENT VERNA: Please
19 stand. Welcome.

20 (Applause.)

21 COUNCILMAN KENNEY: Accompanying the
22 Justice is Retired Justice Maria Theresa
23 Romer (phonetic), who is, of course, retired
24 and President of Lusticia.

25 Also I would like to mention that

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2 Judge Romer is a veteran at age nine of the
3 Warsau uprising, where she delivered messages
4 between home army units through the city
5 streets, back alleys, and sewers. So, a very
6 strong and important person here today. So,
7 justice.

8 (Applause.)

9 COUNCILMAN KENNEY: We also have
10 with us Dr. Tomas Shanoff (phonetic), who's
11 the Chairman of the School of European Law at
12 Catholic University in Lublin, Poland.

13 (Applause.)

14 COUNCILMAN KENNEY: And, of course,
15 we couldn't go without saying hello to Judge
16 Zaleski. Judge Zaleski, thank you.

17 COUNCIL PRESIDENT Verna: Thank you
18 for joining us. And we certainly welcome
19 you.

20 COUNCILMAN KENNEY: Thank you, Madam
21 President. In my best Polish, I'd like to
22 say vitame (phonetic). Welcome.

23 Thank you.

24 COUNCIL PRESIDENT Verna: The next
25 order of business is communications.

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2 The Chair requests that the
3 sergeant-at-arms deliver the messages from
4 the Mayor to the Chief Clerk.

5 The Chief Clerk will please read the
6 messages from the Mayor.

7 CHIEF CLERK: To the President and
8 members of the Council of the City of
9 Philadelphia: I am transmitting for the
10 consideration of your honorable body a draft
11 of a resolution approving the redevelopment
12 contract and disposition supplement of the
13 Redevelopment Authority of the City of
14 Philadelphia for the redevelopment and urban
15 renewal of a portion of the Cecil B. Moore
16 Urban Renewal Area designated as Parcel
17 Number 369; and an ordinance amending Title
18 4, subcode a, of the Philadelphia
19 Administrative Code, to clarify the types of
20 permits, in connection with which the
21 Department of Licenses and Inspections may
22 charge fees for providing accelerated plan
23 reviews, and to establish a fee for the
24 electronic storage of building plans, all
25 under certain terms and conditions.

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2 COUNCIL PRESIDENT Verna: Thank you.

3 The messages will be printed in the Journal.

4 The Chief Clerk will please read any
5 other communications in her possession.

6 CHIEF CLERK: That's all I have,
7 Madam President.

8 COUNCIL PRESIDENT Verna: Thank you.

9 The next order of business is the
10 introduction of bills and resolutions.

11 And the Chair recognizes
12 Councilwoman Blackwell for a motion.

13 COUNCILWOMAN BLACKWELL: Thank you,
14 Madam President.

15 I move that the rules of Council be
16 suspended in order to permit immediate
17 consideration of resolutions at their time of
18 introduction.

19 UNIDENTIFIED COUNCIL PERSON:
20 Second.

21 COUNCIL PRESIDENT Verna: It has
22 been moved and properly seconded that the
23 rules of Council be suspended so as to permit
24 immediate consideration of resolutions at the
25 time of introduction.

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2 All in favor of the motion will
3 signify by saying aye.

4 (Chorus of "ayes.")

5 COUNCIL PRESIDENT Verna: Those
6 opposed?

7 (No response.)

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

10 The Chair at this time recognizes
11 Councilman Kenney.

12 COUNCILMAN KENNEY: Thank you, Madam
13 President.

14 I offer one bill. Thank you.

15 COUNCIL PRESIDENT Verna: Thank you.

16 The Chief Clerk will please read the
17 title of the bill.

18 CHIEF CLERK: An ordinance amending
19 Title 9 of The Philadelphia Code, entitled
20 regulation of business, trades and
21 professions, by amending Section 9-601,
22 entitled garages, parking lot, sales lots and
23 showrooms, by providing further for the
24 filing of rates by public parking garages,
25 under certain terms and conditions.

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2 COUNCIL PRESIDENT VERNA: The bill
3 will be referred to the appropriate
4 committee.

5 The Chair at this time recognizes
6 Councilwoman Blackwell.

7 COUNCILWOMAN BLACKWELL: Madam
8 President, today I have no bills or
9 resolutions.

10 COUNCIL PRESIDENT VERNA: The Chair
11 thanks the Councilwoman.

12 The Chair recognizes Councilman
13 Mariano.

14 COUNCILMAN MARIANO: Thank you,
15 Madam President.

16 I have one bill.

17 COUNCIL PRESIDENT VERNA: Thank you.

18 The Chief Clerk will please read the
19 title of the bill.

20 CHIEF CLERK: An ordinance amending
21 Title 4, subcode a, the Philadelphia
22 Administrative Code, to clarify the types of
23 permits in connection with which the
24 Department of Licenses and Inspections may
25 charge fees for providing accelerated plan

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2 reviews and to establish a fee for the
3 electronic storage of building plans.

4 COUNCIL PRESIDENT VERNA: This bill
5 will be referred to the appropriate
6 committee.

7 Again, the Chair recognizes
8 Councilwoman Blackwell.

9 COUNCILWOMAN BLACKWELL: Thank you,
10 Madam President.

11 This morning I introduce a
12 resolution on behalf of Councilman Cohen, who
13 should be in shortly.

14 COUNCIL PRESIDENT VERNA: Thank you.

15 The Chief Clerk will please read the
16 title of the resolution.

17 CHIEF CLERK: A resolution in solemn
18 recognition during the week of May 6 through
19 May 12, 2005, of the annual remembrance of
20 the six million Jewish martyrs who perished
21 during the holocaust.

22 COUNCIL PRESIDENT VERNA: The Chair
23 recognizes Councilwoman Blackwell.

24 COUNCILWOMAN BLACKWELL: Thank you,
25 Madam President.

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2 I move for the adoption of the
3 resolution.

4 UNIDENTIFIED COUNCIL PERSON:
5 Second.

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

9 All in favor will signify by saying
10 aye.

11 (Chorus of "ayes.")

12 COUNCIL PRESIDENT VERNA: Those
13 opposed?

14 (No response.)

15 COUNCIL PRESIDENT VERNA: The ayes
16 have it, and the regulation is adopted.

17 COUNCIL PRESIDENT VERNA: The Chair
18 recognizes Councilwoman Tasco.

19 COUNCILWOMAN TASC0: Offer two
20 resolutions, Madam President. I'd like to
21 speak on the one.

22 CHIEF CLERK: A resolution
23 recognizing April 25, 2005, through April 29,
24 2005, as Shelter-in-Place Week in the City of
25 Philadelphia.

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2 COUNCIL PRESIDENT VERNA: The Chair
3 recognizes Councilwoman Tasco.

4 COUNCILWOMAN TASC0: Move for the
5 adoption of the resolution.

6 COUNCILMAN KENNEY: Second.

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

10 All in favor will signify by saying
11 aye.

12 (Chorus of "ayes.")

13 COUNCIL PRESIDENT VERNA: Those
14 opposed?

15 (No response.)

16 COUNCIL PRESIDENT VERNA: The ayes
17 have it, and the resolution is adopted.

18 The Chief Clerk will please read the
19 title of the second resolution.

20 CHIEF CLERK: A resolution
21 authorizing the Council Committee on Commerce
22 and Economic Development to hold hearings on
23 the findings and recommendations of the
24 Brookings Institute report entitled, The
25 Price Is Wrong, Getting the Market Right for

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2 Working Families in Philadelphia.

3 COUNCIL PRESIDENT VERNA: Chair
4 again recognizes Councilwoman Tasco.

5 COUNCILWOMAN TASCO: Move for the
6 adoption of the resolution.

7 I want to speak. I'd like to
8 briefly note, Madam President, that the
9 Brookings Institute report that was issued
10 this week, called The Price is Wrong, Getting
11 the Market Right for Working Families, was an
12 initiative that was pulled together by the
13 Greater Philadelphia Urban Affairs Coalition,
14 who put together an advisory group of leaders
15 in Philadelphia to guide the study and
16 coordinate the advisor's involvement.

17 This report is about the tremendous
18 and largely hidden opportunity Philadelphia
19 has to grow its middle class by getting the
20 market right for working families.

21 It reveals the troubling fact that
22 working families living in the City are
23 paying higher prices than other residents of
24 the metropolitan area for a wide range of
25 everyday goods and services, from insurance

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2 and loans, to gas and groceries.

3 The good news is that the state and
4 local leaders have the ability to take
5 numerous actions that can dramatically reduce
6 the prices that families pay for necessities.

7 And I'd like to say that, in keeping
8 with this Council's actions on the
9 anti-predatory lending bill, I believe after
10 we have a full discussion of the Brookings
11 report before the Commerce and Economic
12 Development Committee, we can incorporate
13 some of the recommendations in the report
14 that they issued, as well as may come up with
15 other ways to help our working families in
16 Philadelphia.

17 I want to applaud the Greater
18 Philadelphia Urban Affairs Coalition and
19 Charmaine Matlock Turner, who's the Executive
20 Director, for their leadership and continuing
21 to work on behalf of families in
22 Philadelphia.

23 And we look forward to a very
24 lively, spirited and productive discussion,
25 as we move to hear the results of the report.

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2 Thank you.

3 COUNCIL PRESIDENT VERNA: Thank you.

4 It has been moved and properly
5 seconded that resolution be adopted.

6 All in favor will signify by saying
7 aye.

8 (Chorus of "ayes.")

9 COUNCIL PRESIDENT VERNA: Those
10 opposed?

11 (No response.)

12 COUNCIL PRESIDENT VERNA: The ayes
13 have it, and the resolution is adopted.

14 The Chair recognizes Councilwoman
15 Miller.

16 COUNCILWOMAN MILLER: Thank you,
17 Madam President.

18 This morning I offer three
19 resolutions.

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

23 CHIEF CLERK: A resolution
24 authorizing the Commissioner of Public
25 Property to execute and deliver to the

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2 Redevelopment Authority deeds located in the
3 23rd ward of the City of Philadelphia.

4 COUNCIL PRESIDENT VERNA: The Chair
5 recognizes Councilwoman Miller.

6 COUNCILWOMAN MILLER: Thank you,
7 Madam President.

8 Excuse me. Did that say 23rd or
9 22nd?

10 CHIEF CLERK: 23rd ward.

11 COUNCILWOMAN MILLER: That is...

12 COUNCIL PRESIDENT VERNA: That is
13 not yours?

14 COUNCILWOMAN MILLER: No, that's not
15 mine.

16 COUNCIL PRESIDENT VERNA: I believe
17 the backer indicated it was the
18 Councilwoman's district. Maybe she can look
19 at it.

20 CHIEF CLERK: Councilwoman.

21 COUNCIL PRESIDENT VERNA: That
22 resolution will be held for at least a week.

23 I would ask the Clerk to please read
24 the title of the second resolution.

25 CHIEF CLERK: A resolution

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2 recognizing April 10th to the 16th, 2005, as
3 National Victims' Rights Week, honoring crime
4 victims and survivors.

5 COUNCIL PRESIDENT VERNA: The Chair
6 recognizes Councilwoman Miller.

7 COUNCILWOMAN MILLER: I move for the
8 adoption of the resolution.

9 UNIDENTIFIED COUNCIL PERSON:
10 Second.

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

14 All in favor will say aye.

15 (Chorus of "ayes.")

16 COUNCIL PRESIDENT VERNA: Those
17 opposed?

18 (No response.)

19 COUNCIL PRESIDENT VERNA: The ayes
20 have it, and the resolution is adopted.

21 CHIEF CLERK: And a resolution
22 recognizing April 15th to the 17th as
23 National Youth Service Day.

24 COUNCIL PRESIDENT VERNA: The Chair
25 again recognizes Councilwoman Miller.

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2 COUNCILWOMAN MILLER: I move for the
3 adoption of the resolution.

4 COUNCILMAN NUTTER: Second.

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

8 All in favor will indicate by saying
9 aye.

10 (Chorus of "ayes.")

11 COUNCIL PRESIDENT Verna: Those
12 opposed?

13 (No response.)

14 COUNCIL PRESIDENT Verna: The ayes
15 have it, and the resolution is adopted.

16 COUNCIL PRESIDENT Verna: The Chair
17 recognizes Councilman Nutter.

18 COUNCILMAN NUTTER: Thank you, Madam
19 President.

20 I have no bills or resolutions
21 today.

22 COUNCIL PRESIDENT Verna: The Chair
23 thanks the gentleman.

24 The Chair recognizes Councilwoman
25 Brown.

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2 COUNCILWOMAN BROWN: Thank you,
3 Madam President.

4 I offer one resolution.

5 COUNCIL PRESIDENT Verna: Thank you.

6 The Chief Clerk will please read the
7 title of the resolution.

8 CHIEF CLERK: A resolution calling
9 on the Pennsylvania delegation of the United
10 States Congress to reject any joint budget
11 resolution that cuts public services and
12 defeats any quality in our nation, by
13 increasing the tax breaks that primarily
14 benefit the highest income households, and to
15 vote against any future tax breaks that
16 solely or substantially only benefit wealthy
17 Americans and/or large corporations which
18 erode the funding availability for critical
19 domestic priorities.

20 COUNCIL PRESIDENT Verna: The Chair
21 again recognizes Councilwoman Brown.

22 COUNCILWOMAN BROWN: Thank you,
23 Madam President.

24 I move for the adoption.

25 UNIDENTIFIED COUNCIL PERSON: Second.

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2 COUNCIL PRESIDENT VERNA: It has
3 been moved and properly seconded that the
4 resolution be adopted.

5 All in favor will say aye.

6 (Chorus of "ayes.")

7 COUNCIL PRESIDENT VERNA: Those
8 opposed?

9 (No response.)

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

12 The Chair recognizes Councilman
13 Goode.

14 COUNCILMAN GOODE: Thank you, Madam
15 President.

16 I have no bills or resolutions.

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

19 The Chair recognizes Councilman
20 DiCicco.

21 COUNCILMAN DiCICCO: Thank you,
22 Madam President.

23 I have three resolutions, and I will
24 be asking to speak briefly on one of the
25 resolutions.

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

5 CHIEF CLERK: A resolution
6 authorizing the Commissioner of Public
7 Property to execute and deliver to the
8 Redevelopment Authority deeds located in the
9 1st, 25th and 31st wards of the City of
10 Philadelphia.

11 COUNCIL PRESIDENT VERNA: The Chair
12 recognizes Councilman DiCicco.

13 COUNCILMAN DiCICCO: Thank you,
14 Madam President.

15 Move for the adoption of the
16 resolution.

17 UNIDENTIFIED COUNCIL PERSON:
18 Second.

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

22 All in favor will signify by saying
23 aye.

24 (Chorus of "ayes.")

25 COUNCIL PRESIDENT VERNA: Those

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2 opposed?

3 (No response.)

4 COUNCIL PRESIDENT VERNA: The ayes
5 have it, and the resolution is adopted.

6 CHIEF CLERK: And a resolution
7 authorizing the Commissioner of Public
8 Property to execute and deliver to the
9 Redevelopment Authority deeds located in the
10 1st, 2nd, 25th, 31st and 45th wards of the
11 City of Philadelphia.

12 COUNCIL PRESIDENT VERNA: The Chair
13 recognizes Councilman DiCicco.

14 COUNCILMAN DiCICCO: Thank you,
15 Madam President.

16 Move for the adoption of the
17 resolution.

18 UNIDENTIFIED COUNCIL PERSON:
19 Second.

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

23 All in favor will signify by saying
24 aye.

25 (Chorus of "ayes.")

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2 COUNCIL PRESIDENT VERNA: Those
3 opposed?

4 (No response.)

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

7 CHIEF CLERK: And a resolution
8 urging the Mayor not to proceed with the
9 borrowing of funds for the purpose of the
10 central library expansion, as authorized by
11 Bill Number 041041, until Council has held
12 hearings to determine whether financing will
13 unduly impact the operation of the remaining
14 of the Free Library system.

15 COUNCIL PRESIDENT VERNA: The Chair
16 recognizes Councilman DiCicco.

17 COUNCILMAN DiCICCO: Thank you,
18 Madam President.

19 This is the resolution I wish to
20 speak briefly on, and I will be requesting a
21 suspension of rules, since the resolution was
22 not circulated within the Council rules
23 within 24 hours.

24 COUNCIL PRESIDENT VERNA: Very well.

25 UNIDENTIFIED COUNCIL PERSON:

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2 Second.

3 COUNCILMAN DiCICCO: Thank you.

4 Thank you, Madam President.

5 Last week I introduced legislation
6 that would repeal the financing for the
7 expansion of the central library.

8 On the floor and in the press, I
9 think I've been clear about the motivation of
10 that legislation. I cannot tell my
11 constituents that I support a \$30 million
12 bond deal for the central library and
13 simultaneously ask them to accept the
14 administration's plan to fire librarians and
15 curtail neighborhood branch hours.

16 At the same time, I promise to kill
17 that legislation if the administration
18 presented a plan, a new plan. I asked the
19 Mayor to listen to the wishes of this City
20 Council and the wants of our constituents.
21 In the last week, I received his answer.

22 It has come to my attention that as
23 recent as yesterday the administration is
24 moving forward with this bond deal at what
25 appears to be an increased pace. He and his

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2 staff are scurrying to craft a \$10 million
3 bond deal as soon as possible.

4 Despite the fact that this body may
5 revoke the original bill, I guess the Mayor
6 didn't get the message.

7 So, today I hope the administration
8 is listening. I hope my colleagues will join
9 me in sending a very clear message.

10 Mr. Mayor, please do not borrow
11 money at the expense of our libraries, our
12 neighborhoods and our constituents. Do not
13 borrow money using the rest of the Free
14 Library system as collateral.

15 Allow us to have a hearing on this
16 legislation before moving forward. I implore
17 you, show us that respect and I will keep my
18 word.

19 Madam President, I move for passage
20 of this resolution.

21 UNIDENTIFIED COUNCIL PERSON:

22 Second.

23 COUNCILMAN DiCICCO: I also move for
24 a suspension of the rules.

25 COUNCIL PRESIDENT VERNA: And before

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2 you do, I see that Councilman Goode wants to
3 be acknowledged.

4 COUNCILMAN GOODE: Thank you, Madam
5 President.

6 I've talked to Councilman DiCicco
7 about this issue many times. And I support
8 what he's trying to do for his constituents
9 and people who use the Free Library around
10 the City. And I support looking at those
11 cuts again.

12 I do not see a connection between
13 those cuts and the expansion of the central
14 library. In fact, the hearings that are
15 being called for, it's just an examination to
16 see whether it is actually a connection.

17 I don't believe there is a
18 connection. And so, if there's no
19 connection, this amounts to political
20 extortion.

21 And I'm not necessarily against
22 political extortion, but essentially --

23 (Laughter.)

24 COUNCILMAN DiCICCO: You've come to
25 the right place.

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2 (Laughter.)

3 COUNCILMAN GOODE: This is not even
4 political extortion that works. I mean, in
5 the end this would be holding back a project
6 that needs to happen for the growth of the
7 City. And we should not hold back that
8 project.

9 And there's no suggestion here that
10 if we hold back this project that should go
11 forward, that those cuts are going to be
12 restored. So this is not even effective
13 political extortion.

14 Thank you.

15 COUNCIL PRESIDENT Verna: Thank you.

16 The Chair recognizes Councilwoman
17 Tasco.

18 COUNCILWOMAN TASC0: Thank you,
19 Madam President.

20 Someone who had said earlier and
21 very quietly we ought to try and intervene --

22 COUNCIL PRESIDENT Verna:
23 Councilwoman, your microphone.

24 COUNCILWOMAN TASC0: I think that
25 there is a connection because we're going to

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2 spend three to three and a half million
3 dollars a year on debt service for the
4 project.

5 When we voted on the library
6 project, I questioned it at that time, maybe
7 not publicly, but with some of my colleagues,
8 as to why we were doing it, when we were
9 cutting back on the libraries.

10 It seems that the \$3 million each
11 year... They need \$5 million. We are on the
12 road to finding money to keep the local
13 libraries open. So, I support what
14 Councilman DiCicco is trying to do, send a
15 message, because priorities are set. The
16 priorities are set on the second floor, not
17 necessarily the priorities we see for the
18 constituents in our district who use these
19 libraries. So, I think that we ought to kind
20 of take a look at this before we move
21 forward.

22 COUNCIL PRESIDENT VERNA: The Chair
23 recognizes Councilman O'Neill.

24 COUNCILMAN O'NEILL: Yes, Madam
25 President.

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2 I appreciate my colleague,
3 Councilman Goode's bluntness in using the E
4 word, but extortion is in the eyes of the
5 beholder. When you're against something it's
6 extortion, and when you're for it it's
7 leverage.

8 I see this as leverage. And there's
9 a big components here that I don't want us to
10 lose sight of. That is, that as devastating
11 as the cuts have been from the second floor,
12 the cuts from Governor Rendell in his first
13 two budgets have been more devastating, from
14 a much bigger pocketbook, in Harrisburg.

15 The libraries have been devastated
16 by cuts coming out of the Commonwealth. And
17 this expansion is depending a lot more on
18 state funding to contribute the public end of
19 this than it is the City \$30 million.

20 So I think it's actually an
21 excellent time to put the state on notice.
22 As we're going through our budget, they're
23 going through theirs.

24 We're trying to get some kind of
25 agreement that the state will put up, we'll

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2 put up and restore what we had just two and a
3 half years ago, full service six days a week.

4 And the state might as well know now
5 that there's this wonderful addition being
6 planned on the Parkway and that there's this
7 bigger issue that affects a whole lot of
8 people, many of whom are never going to see
9 that addition, but use their neighborhood
10 library on a regular basis.

11 So, I call it leverage, but if I
12 were against it, I would probably be using
13 the E word. And I hope we can vote both to
14 pass this and eventually come up with an
15 agreement that puts the library back where it
16 should be.

17 Thank you.

18 COUNCIL PRESIDENT VERNA: You're
19 welcome.

20 The Chair again recognizes
21 Councilman Goode.

22 COUNCILMAN GOODE: At the suggestion
23 of my colleague, I will take back the use of
24 the word extortion and use the word leverage.
25 It is, in fact, leverage; but it's not

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2 positive leverage. It's negative leverage.

3 In fact, what it's doing is not
4 allowing us to leverage public funds and
5 raise private funds for this project. It is,
6 in fact, killing the fund raising for a \$30
7 million project that's very needed for the
8 City to grow.

9 COUNCIL PRESIDENT VERNA: The Chair
10 again recognizes Councilman DiCicco.

11 COUNCILMAN DiCICCO: Thank you,
12 Madam President.

13 I do appreciate the comments by all
14 of my colleagues, and both Councilwoman Tasco
15 and Councilman O'Neill expressed some of the
16 comments I would have made.

17 I just want to make one final
18 comment before I move on the resolution, as
19 concerning the editorial today in today's
20 Daily News.

21 While I totally disagree with mostly
22 everything they've said, I do take into
23 consideration that one of the paragraphs,
24 when they're talking about painfulness of the
25 crisis in our budget today, they say, well,

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2 after all, our budget is created with two
3 things: Available cash and priorities for
4 spending it.

5 And I think priorities for spending
6 it goes to the heart of why I'm doing this
7 and using this leverage because the majority
8 of the people throughout the City of
9 Philadelphia, as Councilman O'Neill
10 suggested, are people who are from the
11 neighborhoods. They are constituents, people
12 who want these libraries open, people who
13 deserve to have these libraries open.

14 And ultimately they are the same
15 people who would be asked to flip the bill
16 for \$3.5 million annually to pay for the
17 expansion of the central library, a library
18 which most of them will probably never use.

19 With that, I will end my comments
20 and ask for the suspension of rules on this
21 resolution.

22 COUNCIL PRESIDENT VERNA: Is there a
23 second?

24 COUNCILMAN KENNEY: Second.

25 COUNCIL PRESIDENT VERNA: It has

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2 been moved and seconded that the rules of
3 Council be suspended.
4 All in favor will say aye.
5 (Chorus of "ayes.")
6 COUNCIL PRESIDENT VERNA: Those
7 opposed?
8 (No response.)
9 COUNCIL PRESIDENT VERNA: The ayes
10 have it. The rules have been suspended.
11 COUNCILMAN DiCICCO: Move for the
12 adoption of the resolution.
13 COUNCILMAN KENNEY: Second.
14 COUNCIL PRESIDENT VERNA: It has
15 been moved and properly seconded that the
16 resolution be adopted.
17 All in favor will say aye.
18 (Chorus of "ayes.")
19 COUNCIL PRESIDENT VERNA: Those
20 opposed?
21 COUNCILMAN GOODE: Nay.
22 COUNCIL PRESIDENT VERNA: The record
23 will reflect that Councilman Goode voted no,
24 and all of the others have voted in the
25 affirmative. So, the resolution is adopted.

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2 The Chair at this time recognizes --
3 I'm sorry. Is there another resolution? No.
4 We finished the three for Councilman DiCicco;
5 did we not?

6 COUNCILMAN DiCICCO: Yes.

7 COUNCIL PRESIDENT Verna: Thank you.

8 The Chair recognizes Councilman
9 O'Neill.

10 COUNCILMAN O'NEILL: Madam

11 President, I offer one bill co-sponsored by
12 you and myself.

13 COUNCIL PRESIDENT Verna: Thank you.

14 The Chief Clerk will please read the
15 title of the bill.

16 CHIEF CLERK: An ordinance amending
17 Title 14 of The Philadelphia Code, related to
18 zoning and planning, by amending Chapter
19 14-500, entitled Industrial Districts, by
20 amending 14-405, entitled L-2 limited
21 industrial districts.

22 COUNCIL PRESIDENT Verna: This bill
23 will be referred to the appropriate
24 committee.

25 The Chair recognizes Councilman

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2 Clarke.

3 COUNCILMAN CLARKE: Thank you, Madam
4 President.

5 I have two resolutions and one bill.
6 One resolution I'm introducing on behalf of
7 Councilman Juan Ramos.

8 COUNCIL PRESIDENT VERNA: Thank you.
9 The Chief Clerk will please read the
10 title of the bill.

11 CHIEF CLERK: An ordinance granting
12 permission to Moore College of Art to operate
13 and maintain a vending stand and sidewalk
14 seating alongside its property, 1916 to 1934
15 Race Street.

16 COUNCIL PRESIDENT VERNA: The bill
17 will be referred to the appropriate
18 committee.

19 CHIEF CLERK: And a resolution
20 authorizing the Commissioner of Public
21 Property to execute and deliver to the
22 Redevelopment Authority deeds located in the
23 18th, 20th, 32nd and 37th wards of the City
24 of Philadelphia.

25 COUNCIL PRESIDENT VERNA: The Chair

1 Stated - 4/7/05

2 recognizes Councilman Clarke.

3 COUNCILMAN CLARKE: Move for the
4 adoption.

5 COUNCILMAN DiCICCO: Second.

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

9 All in favor will signify by saying
10 aye.

11 (Chorus of "ayes.")

12 COUNCIL PRESIDENT VERNA: Those
13 opposed?

14 (No response.)

15 COUNCIL PRESIDENT VERNA: The ayes
16 have it, and the resolution is adopted.

17 CHIEF CLERK: And a resolution
18 recognizing the achievements of the Hispanic
19 Bar Association and Pennsylvania Legal
20 Education Fund, as it celebrates its 17th
21 annual scholarship banquet on May 12, 2005;
22 and further recognizing and honoring Pedro A.
23 Ramos, Esquire, on being this year's honoree.

24 COUNCIL PRESIDENT VERNA: The Chair
25 again recognizes Councilman Clarke.

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2 COUNCILMAN CLARKE: Move for the
3 adoption.

4 UNIDENTIFIED COUNCIL PERSON:
5 Second.

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

9 All in favor will say aye.

10 (Chorus of "ayes.")

11 COUNCIL PRESIDENT VERNA: Those
12 opposed?

13 (No response.)

14 COUNCIL PRESIDENT VERNA: The ayes
15 have it, and the resolution is adopted.

16 COUNCIL PRESIDENT VERNA: The Chair
17 recognizes Councilman Kelly.

18 COUNCILMAN KELLY: Yes. Madam
19 president, I offer one privileged resolution
20 on behalf of Councilwoman Krajewski.

21 COUNCIL PRESIDENT VERNA: I'm sorry.
22 All I heard was "on behalf of."

23 COUNCILMAN KELLY: Oh. I'm sorry.

24 Madam President, I'd like to offer
25 one privileged resolution on behalf of

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2 Councilwoman Krajewski.
3 COUNCIL PRESIDENT VERNA: Thank you.
4 The Chief Clerk will please read the
5 title of the resolution.
6 CHIEF CLERK: A resolution declaring
7 April 2005 as Autism Awareness Month.
8 COUNCIL PRESIDENT VERNA: The Chair
9 again recognizes Councilman Kelly.
10 COUNCILMAN KELLY: I move for the
11 adoption.
12 UNIDENTIFIED COUNCIL PERSON:
13 Second.
14 COUNCIL PRESIDENT VERNA: It has
15 been moved and properly seconded that the
16 resolution be adopted.
17 All in favor will say aye.
18 (Chorus of "ayes.")
19 (Chorus of "ayes.")
20 COUNCIL PRESIDENT VERNA: Those
21 opposed?
22 (No response.)
23 COUNCIL PRESIDENT VERNA: The ayes
24 have it, and the resolution is adopted.
25 The Chair recognizes Councilman

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2 Rizzo.

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

5 COUNCIL PRESIDENT VERNA: The Chair
6 thanks the gentleman.

7 The next order of business is
8 reports from committees, and the Chair
9 recognizes Councilman Clarke for a report
10 from the Committee on Rules.

11 COUNCILMAN CLARKE: Thank you, Madam
12 President.

13 Madam President, the Committee on
14 Rules reports one bill with a favorable
15 recommendation.

16 COUNCIL PRESIDENT VERNA: Thank you.

17 The Chief Clerk will please read the
18 report.

19 CHIEF CLERK: To the President and
20 the members of the Council of the City of
21 Philadelphia: The Committee on Rules to
22 which was referred Bill Number 050058
23 entitled, an ordinance to amend the
24 Philadelphia zoning maps by changing the
25 zoning designations of certain areas of land

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2 aye.

3 (Chorus of "ayes.")

4 COUNCIL PRESIDENT VERNA: Those
5 opposed?

6 (No response.)

7 COUNCIL PRESIDENT VERNA: The ayes
8 have it, and the bill just read will be
9 placed on today's first reading calendar.

10 The Chair again recognizes
11 Councilman Clarke for a report from the
12 Committee on Public Property and Public
13 Works.

14 COUNCILMAN CLARKE: Madam President,
15 the Committee on Public Property and Public
16 Works reports 10 bills and one resolution
17 with a favorable recommendation.

18 COUNCIL PRESIDENT VERNA: Thank you.

19 The Chief Clerk will please read the
20 report.

21 CHIEF CLERK: To the President and
22 members of the Council of the Philadelphia:
23 The Committee on Public Property and Public
24 Works to which was referred Bill Number
25 041080 entitled, an ordinance authorizing the

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2 Commissioner of Public Property to execute

3 and deliver to the Philadelphia Authority for

4 Industrial Development a deed located at the

5 intersection of Wheatsheaf Lane and Sepviva

6 Street; and Bill Number 041082 entitled, an

7 ordinance authorizing the Commissioner of

8 Public Property to execute and deliver to the

9 Philadelphia Authority for Industrial

10 Development a deed located 837 to 39 Montrose

11 Street; and Bill Number 041083 entitled, an

12 ordinance authorizing the Commissioner of

13 Public Property to execute and deliver to the

14 Philadelphia Authority for Industrial

15 Development a deed conveying for nominal

16 consideration located at 626-36 North

17 Delaware Avenue; and Bill Number 041084, a

18 deed bounded by Ruth Street on the northwest,

19 Clearfield Street on the northeast, Emerald

20 Street on the southeast, and Orleans Street

21 on the southwest; and Bill Number 041085

22 entitled, an ordinance authorizing the

23 Commissioner of Public Property to execute

24 and deliver to the Philadelphia Authority for

25 Industrial Development a deed located at 1002

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2 to 1010 Lemon Street; and Bill Number 050061
3 entitled, an ordinance authorizing the
4 Commissioner of Public Property to execute
5 and deliver to the Philadelphia Authority for
6 Industrial Development a deed located 3300 to
7 22 North Front Street; and Bill Number
8 050066, an ordinance authorizing the
9 Commissioner of Public Property to execute
10 and deliver to the Philadelphia Authority for
11 Industrial Development a deed located 1826 to
12 34 South 10th Street; and Bill Number 050105
13 entitled, an ordinance approving a lease
14 agreement between Philadelphia Gas Works and
15 Greater Germantown Housing Development, for
16 certain premises located 212 to 214 West
17 Cheltenham Avenue; and Bill Number 050106
18 entitled, an ordinance authorizing the
19 Commissioner of Public Property on behalf of
20 the City of Philadelphia to enter into a
21 sublease agreement to lease from the
22 Philadelphia Municipal Authority portions of
23 the building located at 701 Market Street;
24 and Bill Number 050132 entitled, an ordinance
25 authorizing the Commissioner of Public

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2 Property on behalf of the City of
3 Philadelphia to acquire by condemnation a
4 certain underground easement through 3111
5 West Allegheny Avenue; and Resolution Number
6 050183 entitled, a resolution approving the
7 City of Philadelphia amended 9-1-1 plan and
8 authorizing the Commissioner of Public
9 Property on behalf of the City of
10 Philadelphia to submit the amended 9-1-1 plan
11 to the Pennsylvania Emergency Management
12 Agency for review and approval, as required
13 by the Pennsylvania Public Safety Emergency
14 Telephone Act, respectfully reports it has
15 considered the same and returns the attached
16 bills and resolutions to Council with a
17 favorable recommendation.

18 COUNCIL PRESIDENT Verna: Thank you.

19 The Chair recognizes Councilman
20 Clarke.

21 COUNCILMAN CLARKE: Madam President,
22 I move that the rules of Council be suspended
23 so as to permit first reading this day of
24 Bills Number 041080, 041082, 041083, 041084,
25 041085, 050061, 050066, 050105, 050106, and

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2 050132.

3 COUNCILMAN DiCICCO: Second.

4 COUNCIL PRESIDENT VERNA: It has

5 been moved and properly seconded that the

6 rules of Council be suspended so as to permit

7 first reading this day of Bills Number

8 041080, 041082, 041083, 041084, 041085,

9 050061, 050066, 050105, 050106, and 050132.

10 All in favor will indicate by saying

11 aye.

12 (Chorus of "ayes.")

13 COUNCIL PRESIDENT VERNA: Those

14 opposed?

15 (No response.)

16 COUNCIL PRESIDENT VERNA: The ayes

17 have it. The bills just read will be placed

18 on today's first reading calendar, and

19 Resolution Number 050183 will also be

20 considered at the end of today's calendar.

21 The next order of business is the

22 consideration of the calendar. The Chief

23 Clerk will please read the bills on the first

24 reading calendar.

25 CHIEF CLERK: Bill Number 050058, an

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2 ordinance to amend the Philadelphia zoning
3 maps, by changing the zoning designations of
4 certain areas of land located within an area
5 bounded by the Delaware River and lands
6 belonging to the Pier Hayes Terminal and the
7 Schuylkill River, this land also being known
8 as the Philadelphia Naval Base.

9 COUNCIL PRESIDENT VERNA: The Chair
10 agrees.

11 CHIEF CLERK: And Bill Number
12 041080, an ordinance authorizing the
13 Commissioner of Public Property to execute
14 and deliver to the Philadelphia Authority for
15 Industrial Development a deed located at the
16 intersection of Wheatsheaf Lane and Sepviva
17 Street.

18 COUNCIL PRESIDENT VERNA: The Chair
19 agrees.

20 CHIEF CLERK: And Bill Number
21 041082, an ordinance authorizing the
22 Commissioner of Public Property to execute
23 and deliver to the Philadelphia Authority for
24 Industrial Development a deed located at
25 837-839 Montrose Street.

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2 COUNCIL PRESIDENT VERNA: The Chair
3 agrees.

4 CHIEF CLERK: And Bill Number
5 041083, an ordinance authorizing the
6 Commissioner of Public Property to execute
7 and deliver to the Philadelphia Authority for
8 Industrial Development a deed located 626-36
9 North Delaware Avenue.

10 COUNCIL PRESIDENT VERNA: The Chair
11 agrees.

12 CHIEF CLERK: And Bill Number
13 041084, an ordinance authorizing the
14 Commissioner of Public Property to execute
15 and deliver to the Philadelphia Authority for
16 Industrial Development a deed bounded by Ruth
17 Street on the northwest, Clearfield Street on
18 the northeast, Emerald Street on the
19 southeast and Orleans Street on the
20 southwest.

21 COUNCIL PRESIDENT VERNA: The Chair
22 agrees.

23 CHIEF CLERK: And Bill 041085, an
24 ordinance authorizing the Commissioner of
25 Public Property to execute and deliver to the

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2 Philadelphia Authority for Industrial
3 Development a deed located 1002 to 1010 Lemon
4 Street.
5 COUNCIL PRESIDENT VERNA: The Chair
6 agrees.
7 CHIEF CLERK: Bill Number 050061, an
8 ordinance authorizing the Commissioner of
9 Public Property to execute and deliver to the
10 Philadelphia Authority for Industrial
11 Development a deed located 3300 to 22 North
12 Front Street.
13 COUNCIL PRESIDENT VERNA: The Chair
14 agrees.
15 CHIEF CLERK: And Bill Number
16 050066, an ordinance authorizing the
17 Commissioner of Public Property to execute
18 and deliver to the Philadelphia Authority for
19 Industrial Development a deed located 1826 to
20 34 South 10th Street.
21 COUNCIL PRESIDENT VERNA: The Chair
22 agrees.
23 CHIEF CLERK: And Bill Number
24 050105, an ordinance approving a lease
25 agreement between Philadelphia Gas Works by

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2 calendar for today.

3 The Chair now recognizes
4 Councilwoman Blackwell for the purpose of
5 calling up bills on the second reading and
6 final passage calendar to be called for
7 consideration.

8 COUNCILWOMAN BLACKWELL: Thank you,
9 Madam President.

10 Today Bill Numbers 050164, 050214
11 and 050065 are being called up for second
12 reading and final passage. All other bills
13 are being held.

14 COUNCIL PRESIDENT Verna: The Chair
15 thanks the Councilwoman.

16 The Chief Clerk will please read the
17 title of Bill Number 050164.

18 CHIEF CLERK: An ordinance approving
19 the redevelopment proposal of the
20 Redevelopment Authority of the City of
21 Philadelphia for the redevelopment of the
22 West Fairhill, East Tioga, Hunting Park Urban
23 Renewal Area, being the area generally
24 bounded by Wingohocking Street and Roosevelt
25 Boulevard on the north, North 5th Street and

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2 North 6th Street on the east, Lehigh Avenue
3 on the south and Broad Street and Venango
4 Street on the west.

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

8 The Chief Clerk will please call the
9 roll.

10 The Chief Clerk will please call the
11 roll.

12 CHIEF CLERK: Councilwoman
13 Blackwell.

14 COUNCILWOMAN BLACKWELL: Aye.

15 CHIEF CLERK: Councilman Clarke.

16 COUNCILMAN CLARKE: Aye.

17 CHIEF CLERK: Councilman Cohen.

18 COUNCILMAN COHEN: Aye.

19 CHIEF CLERK: Councilman DiCicco.

20 COUNCILMAN DiCICCO: Aye.

21 CHIEF CLERK: Councilman Goode.

22 COUNCILMAN GOODE: Aye.

23 CHIEF CLERK: Councilman Kelly.

24 COUNCILMAN KELLY: Aye.

25 CHIEF CLERK: Councilman Kenney.

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2 COUNCILMAN KENNEY: Aye.

3 CHIEF CLERK: Councilman Mariano.

4 COUNCILMAN MARIANO: Aye.

5 CHIEF CLERK: Councilwoman Miller.

6 COUNCILWOMAN MILLER: Aye.

7 CHIEF CLERK: Councilman Nutter.

8 COUNCILMAN NUTTER: Aye.

9 CHIEF CLERK: Councilman O'Neill.

10 COUNCILMAN O'NEILL: Aye.

11 CHIEF CLERK: Councilwoman Reynolds

12 Brown.

13 COUNCILWOMAN REYNOLDS BROWN: Aye.

14 CHIEF CLERK: Councilman Rizzo.

15 COUNCILMAN RIZZO: Aye.

16 CHIEF CLERK: Councilwoman Tasco.

17 COUNCILWOMAN TASCO: Aye.

18 CHIEF CLERK: Council President

19 Verna.

20 COUNCIL PRESIDENT VERNA: Aye.

21 The ayes are 15. The nays are zero.

22 A majority of all members having

23 voted in the affirmative, the bill passes.

24 The Chief clerk will please read the

25 title of Bill Number 050214.

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2 CHIEF CLERK: An ordinance
3 constituting the Sixth Supplemental Ordinance
4 to the Amended and Restated General Airport
5 Revenue Bond Ordinance, and authorizing the
6 Mayor, the City Controller, and the City
7 Solicitor or a majority of them to issue
8 airport revenue bonds of the City of
9 Philadelphia in a maximum aggregate principal
10 amount not to exceed \$230 million.

11 COUNCIL PRESIDENT VERNA: The Chair
12 recognizes Councilman Nutter.

13 COUNCILMAN NUTTER: Thank you, Madam
14 Chair.

15 I wish to speak on this bill prior
16 to the vote. This particular bill involving
17 our airport and a SWAP transaction and some
18 additional new money for airport needs is the
19 first bill that's come to us subsequent to
20 the time that this Council has taken up the
21 issue of contract reform.

22 This is a financing transaction. A
23 team has been assembled. I make no comment
24 at all with regard to those professionals.

25 My concern is with regard to the

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2 process. Many members of this Council have
3 raised issues about the contracting process.
4 The 21st Century Review Forum has raised
5 concerns about our contracting process.

6 And given the nature of this
7 transaction, the issues that have been raised
8 here in this Council and in other places, I
9 would only raise a concern that the
10 administration has indicated that there is at
11 the moment no interest in changing the
12 process. There may not even be a need, from
13 their perspective, to have any changes to the
14 process.

15 I feel somewhat differently about
16 this particular issue. And while this
17 transaction may or may not go forward, it
18 involves primarily a SWAP that appears to be
19 a fait accompli, executed already without
20 this Council's prior approval because of
21 technical issues in another bill.

22 There is a bill still stuck in
23 committee. This Council has raised concerns
24 about the ability of the Finance Director,
25 without Council approval, to engage in

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2 subsequent SWAP transactions. That may be
3 one of the reasons that bill is still stuck
4 in committee.

5 Having said all of that, I think the
6 only way to give further indication to the
7 commitment to try to change the contracting
8 process is when bills of this type come to
9 us, when they are on the calendar for a vote,
10 if they make it through the committee
11 process, that we express ourselves in voting
12 against these particular measures, in an
13 effort to change the process.

14 The airport certainly has its needs.
15 I don't know what will happen with this bill.
16 I know what I'm going to do with my vote on
17 this particular matter.

18 But a very strong message needs to
19 be sent, I think continuously from this
20 Council, that the need to change is great.
21 It is serious. It is important. And that
22 the least we can do by our votes is to vote
23 in the right fashion.

24 So I'll be voting against this
25 particular measure, for the reasons that I've

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2 indicated.

3 And I thank you, Madam President,
4 for the time.

5 COUNCIL PRESIDENT VERNA: You're
6 welcome.

7 The Chair recognizes Councilman
8 O'Neill.

9 COUNCILMAN O'NEILL: Yes, Madam
10 Chair.

11 I'd like to join in my colleague's
12 comments. Just a few weeks ago the pay to
13 play legislation failed, but it didn't fail
14 for the reason that people were opposed to
15 the bond fees being negotiated, being bid,
16 being pushed down to their lowest possible
17 number, as is being done in counties around
18 Philadelphia and cities around this country,
19 with millions of dollars in savings to the
20 taxpayer.

21 This City has to get on this track.
22 And we don't have to wait for legislation to
23 pass, if we insist that no issues, bond
24 issues, come to us that haven't been bid and
25 that haven't gotten the lowest cost factor.

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2 So, I vote, one, to protest this
3 practice; but, two, to ask others to join.
4 And this bill could be reintroduced today,
5 and we could be back here in a very short
6 period of time to do it right.

7 And if it passes over my protest and
8 others, we do have other bills coming. And I
9 think it's appropriate that we begin to take
10 a stand on this.

11 Thank you.

12 COUNCIL PRESIDENT VERNA: You're
13 welcome.

14 The Chair recognizes Councilman
15 Kelly.

16 COUNCILMAN KELLY: Yes. Thank you,
17 Madam President.

18 I want to agree with Councilman
19 O'Neill and Councilman Nutter.

20 I would think I would be more
21 comfortable with this bill and probably
22 subsequent bills that we receive from this
23 Council regarding bond issues had we had an
24 ethics bill passed a few weeks ago.

25 And I just think that somewhere

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2 along the line we have a responsibility to
3 make sure that all of these bills, such as
4 the amount of these bills, is quite
5 significant.

6 And I think that what we would like
7 to do is just hold up... at least bring more
8 disclosure into these bills. So, therefore,
9 I will be joining Councilman Nutter and
10 Councilman O'Neill in voting no on this
11 particular bill.

12 Thank you.

13 COUNCIL PRESIDENT VERNA: Thank you.

14 The Chair recognizes Councilman
15 Clarke.

16 COUNCILMAN CLARKE: Thank you, Madam
17 President.

18 Madam President, as a Council member
19 who voted not to move the prior contracts
20 legislation because I was told that it was
21 not ethics reform legislation, and in
22 subsequent discussions with you and other
23 members it's understood that we need to pass
24 some sort of reform, as it relates to
25 contracts, I would like to ask the sponsor to

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2 hold this bill until we can get as best
3 possible some information on this particular
4 bill, some disclosure as it relates to the
5 process associated with the selection.

6 Obviously, we will not be in a
7 position to pass an ordinance or have a
8 Charter change to do that. But I think that
9 it's appropriate, and I think that it's
10 doable, for the administration to brief
11 members or submit some information, as it
12 related to both the process on this
13 particular bill; additionally, the
14 individuals or entities that are involved in
15 this particular bond deal.

16 So, I would like to ask the sponsor
17 to hold the bill for the minimum of a week
18 until we can get that pertinent information.

19 COUNCIL PRESIDENT Verna: The Chair
20 recognizes Councilwoman Blackwell.

21 COUNCILWOMAN BLACKWELL: Thank you,
22 Madam President.

23 In lieu of the request, we are happy
24 to do that. So, we will delay the bill at
25 least for a week.

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2 COUNCIL PRESIDENT VERNA: Thank you.

3 COUNCILWOMAN BLACKWELL: Thank you.

4 COUNCILMAN NUTTER: Point of order.

5 COUNCIL PRESIDENT VERNA: Point of

6 order. Councilman Nutter.

7 COUNCILMAN NUTTER: Thank you, Madam

8 Chair.

9 Madam Chair, one, I appreciate the
10 comments of many of my colleagues with regard
11 to this piece of legislation.

12 I would, in a somewhat unusual
13 fashion, Madam Chair, I would like to put my
14 vote at the moment on the record with regard
15 to Bill 050214, such that whenever it would
16 be called up, my vote would be no.

17 COUNCIL PRESIDENT VERNA: Thank you.

18 COUNCILMAN O'NEILL: Madam Chair, I
19 join in that.

20 COUNCIL PRESIDENT VERNA: Very well.

21 I was distracted. I didn't hear
22 what the request was.

23 COUNCILMAN NUTTER: I'm sorry.

24 Madam President, my request was --

25 COUNCIL PRESIDENT VERNA: I was just

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2 told that whenever the bill does come up for
3 a vote, you will be voting no.

4 COUNCILMAN NUTTER: Yes, whenever
5 that may occur, whether I'm in the chamber or
6 not.

7 COUNCIL PRESIDENT VERNA: Very well.

8 COUNCILMAN NUTTER: Thank you.

9 COUNCIL PRESIDENT VERNA: And
10 they're the sentiments of Councilman O'Neill.

11 COUNCIL PRESIDENT VERNA: The Chair
12 recognizes Councilman Kelly.

13 COUNCILMAN KELLY: Madam President,
14 they are my sentiments also. I would like to
15 join Councilman Nutter and Councilman O'Neill
16 in voting no on this bill.

17 COUNCIL PRESIDENT VERNA: Thank you.

18 The Chair recognizes Councilman
19 DiCicco.

20 COUNCILMAN DiCICCO: Thank you,
21 Madam President.

22 I would join with my colleagues in
23 requesting the no vote as well.

24 COUNCIL PRESIDENT VERNA: You could
25 have just voted for it today.

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2 The Chair recognizes Councilman
3 Clarke.

4 COUNCILMAN CLARKE: Madam President,
5 I just had a question about procedure. For
6 future Council sessions, am I to understand
7 that you can leave a vote in a Council
8 session for some future --

9 COUNCIL PRESIDENT VERNA: No, you
10 absolutely cannot do that.

11 COUNCILMAN CLARKE: Okay.

12 COUNCIL PRESIDENT VERNA: But I
13 think they're asking the record reflect that
14 the next time it comes up for a vote they'll
15 be voting no.

16 COUNCILMAN CLARKE: I just want to
17 get some clarification.

18 COUNCIL PRESIDENT VERNA: They
19 certainly cannot be absent and have their
20 vote as being recorded as a no.

21 COUNCILMAN CLARKE: Just checking.

22 COUNCIL PRESIDENT VERNA: Symbolic.

23 Okay. All right. Any other
24 comments or questions regarding this issue?

25 (No response.)

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2 COUNCIL PRESIDENT VERNA: Seeing
3 none.

4 COUNCILMAN O'NEILL: Madam
5 President, one comment.

6 COUNCIL PRESIDENT VERNA: Yes.

7 COUNCILMAN O'NEILL: I don't think
8 I've ever said on a bill, if it comes up
9 again I'm going to vote no, knowing that
10 things could happen differently. But I don't
11 see how this bill --

12 COUNCIL PRESIDENT VERNA: In its
13 present form.

14 COUNCILMAN O'NEILL: -- can be
15 amended when the issue at hand is not in the
16 bill. It's off. It's on another piece of
17 paper. And that is, I assume that all these
18 firms are qualified. I don't have a question
19 about that.

20 The administration has, I don't
21 think, been lax at all in picking firms that
22 are capable. There are many, many out there
23 that are.

24 It is a question of getting the
25 lowest possible fee and joining a practice of

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2 bidding these fees out and pushing these fees
3 down on behalf of the taxpayers.

4 And it is an area within the
5 legislation that we've been dealing with,
6 that I don't think there's been any
7 difference on.

8 I think the difference is with those
9 that were opposed to Councilman Nutter's
10 legislation and those that did not deal with
11 this area.

12 This is a clear area where I believe
13 Council and the administration disagree. So,
14 that's why I'm going to keep voting no.

15 Thank you.

16 COUNCIL PRESIDENT VERNA: Thank you.

17 Again, I will repeat. Bill Number
18 050214 will be held.

19 The Chief Clerk will please read the
20 title of Bill Number 050065.

21 CHIEF CLERK: An ordinance amending
22 Chapter 9-300 of The Philadelphia Code
23 entitled Communication, and amending Title 11
24 of The Philadelphia Code entitled Streets,
25 and adding a new Chapter 11-700 to The

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2 Philadelphia Code entitled, right of way
3 management, all under certain terms and
4 conditions.

5 COUNCIL PRESIDENT VERNA: This bill
6 having been read on two different days, the
7 question now is, shall the bill pass finally.
8 The Chief Clerk will please call the roll.

9 The Chief Clerk will please call the
10 roll.

11 CHIEF CLERK: Councilwoman
12 Blackwell.

13 COUNCILWOMAN BLACKWELL: Aye.

14 CHIEF CLERK: Councilman Clarke.

15 COUNCILMAN CLARKE: Aye.

16 CHIEF CLERK: Councilman Cohen.

17 COUNCILMAN COHEN: Aye.

18 CHIEF CLERK: Councilman 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 Kenney.

25 COUNCILMAN KENNEY: Aye.

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2 CHIEF CLERK: Councilman Mariano.

3 COUNCILMAN MARIANO: Aye.

4 CHIEF CLERK: Councilwoman Miller.

5 COUNCILWOMAN MILLER: Aye.

6 CHIEF CLERK: Councilman Nutter.

7 COUNCILMAN NUTTER: Aye.

8 CHIEF CLERK: Councilman O'Neill.

9 COUNCILMAN O'NEILL: Aye.

10 CHIEF CLERK: Councilwoman Reynolds

11 Brown.

12 COUNCILWOMAN REYNOLDS BROWN: Aye.

13 CHIEF CLERK: Councilman Rizzo.

14 COUNCILMAN RIZZ0: Aye.

15 CHIEF CLERK: Councilwoman Tasco.

16 COUNCILWOMAN TASCO: Aye.

17 CHIEF CLERK: Council President

18 Verna.

19 COUNCIL PRESIDENT VERNA: Aye.

20 The ayes are 15. The nays are zero.

21 A majority of all members having voted in the

22 affirmative, the bill passes.

23 The Chief Clerk will please read the

24 title of Resolution Number 050183.

25 CHIEF CLERK: A resolution approving

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2 the City of Philadelphia amended 9-1-1 plan,

3 and authorizing the Commissioner of Public

4 Property, on behalf of the City of

5 Philadelphia, to submit the amended 9-1-1

6 plan to the Pennsylvania Emergency Management

7 Agency for review and approval, as required

8 by the Pennsylvania Public Safety Emergency

9 Telephone Act.

10 COUNCIL PRESIDENT Verna: Thank you.

11 The Chair recognizes Councilman

12 Clarke.

13 COUNCILMAN CLARKE: Move the

14 adoption.

15 UNIDENTIFIED COUNCIL PERSON:

16 Second.

17 COUNCIL PRESIDENT Verna: It has

18 been moved and properly seconded that

19 Resolution Number 050183 be adopted.

20 All in favor will indicate by saying

21 aye.

22 (Chorus of "ayes.")

23 COUNCIL PRESIDENT Verna: Those

24 opposed?

25 (No response.)

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2 COUNCIL PRESIDENT Verna: The ayes
3 have it, and Resolution Number 050183 has
4 been adopted.

5 That concludes our calendar for
6 today.

7 Are there speeches on the part of
8 the minority?

9 (No response.)

10 COUNCIL PRESIDENT Verna: Are there
11 speeches on the part of the majority?

12 (No response.)

13 COUNCIL PRESIDENT Verna: Seeing
14 none, the Chair recognizes Councilwoman Tasco
15 for a motion to adjourn.

16 COUNCILWOMAN TESCO: Madam
17 President, I move Council stand adjourned
18 until Thursday, April 14, 2005, at 10:00 a.m.

19 COUNCIL PRESIDENT Verna: All in
20 favor say aye.

21 (Chorus of "ayes.")

22 COUNCIL PRESIDENT Verna: Those
23 opposed?

24 (No response.)

25 COUNCIL PRESIDENT Verna: The ayes

1 Stated - 4/7/05
2 have it. Council stands adjourned until
3 Thursday, April 14th at 10:00 a.m.
4 (Public hearing concluded at 11:11
5 a.m.)
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CERTIFICATE

I HEREBY CERTIFY that the proceedings and evidence are contained fully and accurately in the stenographic notes taken by me upon the public hearing of The Philadelphia City Council, taken on April 7, 2005, and that this is a true and correct transcript of same.

DAVID A. DEIK, RPR and
Commissioner of Deeds

(The foregoing certification of this transcript does not apply to any reproduction of the same by any means, unless under the direct control and/or supervision of the certifying reporter.)