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COUNCIL OF THE CITY OF PHILADELPHIA

3

STATED MEETING

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Room 401, City Hall
Philadelphia, Pennsylvania
Thursday, October 12, 2000
10:10 a.m.

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10 PRESENT:

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COUNCIL PRESIDENT ANNA C. VERNA

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COUNCILWOMAN JANNIE BLACKWELL
COUNCILWOMAN BLONDELL REYNOLDS BROWN

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COUNCILMAN DARRELL L. CLARKE
COUNCILMAN DAVID COHEN

14

COUNCILMAN FRANK J. DI CICCIO
COUNCILMAN W. WILSON GOODE, JR.

15

COUNCILMAN JAMES F. KENNEY
COUNCILWOMAN JOAN L. KRAJEWSKI

16

COUNCILMAN W. THACHER LONGSTRETH
COUNCILMAN RICHARD T. MARIANO

17

COUNCILMAN MICHAEL A. NUTTER
COUNCILMAN BRIAN J. O'NEILL

18

COUNCILMAN ANGEL L. ORTIZ
COUNCILMAN FRANK RIZZO

19

COUNCILWOMAN MARIAN B. TASCO

20

PATRICIA RAFFERTY, CHIEF CLERK

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1 INVOCATION

2 COUNCIL PRESIDENT Verna: I note that
3 the hour has come and that a quorum of this Council
4 is present. Council will come to order. Members
5 will take their seats, and visitors will retire to
6 the seats outside the rails.

7 To give our invocation this morning, the
8 Chair welcomes Father John Paul, Pastor of Our Lady
9 of Calvary Roman Catholic Church. He is here today
10 as the guest of Councilman O'Neill. All members and
11 guests will please rise.

12 FATHER JOHN PAUL: Good morning. The
13 name is Father John Paul. Paul is family name.
14 Everybody thought I was really important because I
15 got the pope, but I'm not the pope.

16 (Laughter.)

17 FATHER JOHN PAUL: A little levity might
18 be good before I say my prayer. Just to introduce
19 myself, I was first ordained and gave one of my
20 first sermons. I was very nervous. I came back and
21 I asked the pastor how I did. He said, "Well,
22 you're a very warm preacher."

23 I said, "What do you mean by warm?"

24 He said, "Well, there's a dictionary.
25 Go look it up."

1 INVOCATION

2 So I looked it up and found out that the
3 word "warm" means not so hot.

4 So the next Sunday I went out -- of
5 course, this is 30 years ago, 25 years ago when I
6 was first ordained, and I loved Bishop Shean. He
7 was one of the famous TV preachers. And I went out
8 there and I imitated one of his sermons perfectly.
9 I came back afterwards and I saw the pastor and I
10 said, "How did I do?"

11 He said, "Well you're a model preacher."

12 I said, "What do you mean by model?"

13 He said, "Well, look it up in the
14 dictionary."

15 So I went and looked it up in the
16 dictionary, and the word "model" means a small
17 imitation of the real thing.

18 So the next Sunday I was a little more
19 relaxed by that point, and I gave what I thought was
20 a decent sermon. And I came back in the sacristy
21 afterwards and this little second grader came up and
22 said, "Father, my mom and dad like your sermons, but
23 they say you have a mellow voice."

24 I said, "What do you mean by mellow?"

25 The little kid looked up at me and said,

1 INVOCATION

2 "Look it up in the dictionary."

3 So I went over and found out that the
4 word "mellow" means overripe and almost rotten.

5 (Laughter.)

6 FATHER JOHN PAUL: So I present myself
7 as a warm model preacher with a mellow voice.

8 (Laughter.)

9 FATHER JOHN PAUL: Let's bow our heads
10 and ask for God's blessing.11 Dear God, we're many neighborhoods,
12 backgrounds, traditions, and personalities. You
13 form us as Members of City Council to work together
14 for the good our City, the good for all the people
15 in our City. We ask you to help us understand our
16 differences, to respect one another, to be willing
17 to work together for the common good. Expand our
18 minds and enliven our hearts. Give us the gifts of
19 wisdom and understanding. Help us to be able to
20 smile at each other and smile at ourselves to
21 continue to work and move forward for the good of
22 all. We ask you to send forth and send down your
23 holy angel from heaven to watch over, to cherish, to
24 protect, to abide with, and to defend all who dwell
25 here. We ask all of this through our Lord and

1 LEAVES OF ABSENCE

2 for leave of absence, and the Chair recognizes
3 Councilwoman Blackwell.

4 COUNCILWOMAN BLACKWELL: Thank you,
5 Madam President. This morning we request a leave of
6 absence for Councilwoman Miller.

7 COUNCIL PRESIDENT VERNA: Leave will be
8 granted.

9 The Chair recognizes Councilman O'Neill.

10 COUNCILMAN O'NEILL: Madam President, on
11 behalf of the Republicans, there are no requests for
12 leave of absence.

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

15 The Chair will dispense with the regular
16 order of business to recognize the guests and
17 visitors joining us in our Chambers this morning.
18 On behalf of all Members of City Council, I welcome
19 you to our counsel session. We appreciate your
20 taking the time to join us as we attend to the
21 legislative affairs of our City. We certainly
22 invite you to come again.

23 At this time the Chair recognizes
24 Councilman DiCicco who will make a presentation
25 honoring the South Philadelphia High School Alumni

1 PRESENTATIONS

2 Association. Will Mr. Bill Esher and those
3 accompanying him please join Councilman DiCicco at
4 the podium.

5 COUNCILMAN DI CICC0: And I would ask
6 Councilman Kenney to join me also.

7 COUNCIL PRESIDENT VERN A: The Chair
8 recognizes Councilman DiCicco.

9 COUNCILMAN DI CICC0: Thank you, Madam
10 President. It gives me great pleasure to read this
11 resolution, even though I am an alumni of the former
12 Southeast East Catholic and Bishop Newman, which is
13 now St. John Newman. And although we probably beat
14 Southern more times than you'd care to know in the
15 annual Thanksgiving football game, it is my pleasure
16 to be here today. Southern High is really a great
17 institution and we are pleased to recognize you
18 today.

19 A resolution honoring the South
20 Philadelphia High School Alumni Association.

21 Whereas, with the first graduating class
22 of Southern High School of 1910, the Alumni
23 Association was born. In those early days, there
24 were actually two separate entities, since the
25 school itself was divided between the girl and boys.

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By the early 1940s the associations had merged and a strong tradition of history, generosity, and dedication had begun in earnest; and

Whereas, in 1950, a few of the members chipped in money to help a graduating senior with tuition. Thus was born the now well-established scholarship fund. In the ensuing years, awards, trophies, and memorabilia have earned a permanent place in the school, but the heart and soul of the Alumni Association has become its scholarship fund, now valued at over a half million dollars. Since 1990 alone the alumni has granted in excess \$300,000 to various institutions in the name of specific students, and on average over the last 10 years, \$30,000 has been administered to each graduating class; and.

COUNCILMAN KENNEY: Whereas, through the annual awards banquet and mid-week luncheon, general fund-raising efforts and the generosity of alumni and alumnae, the fund has grown and prospered. This year the association's 90th anniversary will also be marked by an all-class reunion 2000, sure to attract members of the Southern family from all over America; now, therefore

1 PRESENTATIONS

2 COUNCILMAN DI CICC0: Resolved that an
3 engrossed copy of this resolution be presented to
4 Mr. Bill Esher, Class of 1946, and president of the
5 South Philadelphia High School Alumni Association as
6 evidence of this respect and sincere admiration of
7 this legislative body.

8 Certification this is a true and correct
9 copy of the original resolution adopted by the
10 Council of the City of Philadelphia on the 28th day
11 of September, the year 2000. Signed by the
12 President of City Council, Anna C. Verna; introduced
13 by myself and the President of City Council; and
14 sponsored by all members of City Council of
15 Philadelphia.

16 Congratulations, and keep up the good
17 work.

18 (Applause.)

19 COUNCIL PRESIDENT VERNA: The Chair
20 recognizes Mr. Esher for remarks.

21 MR. ESHER: Gee, Frank, coming from a
22 guy who went to South Catholic, that wasn't a bad
23 speech.

24 (Laughter.)

25 MR. ESHER: We have to get our digs in

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2 because they get their digs on us on Thanksgiving
3 Day.

4 But the word "Southern," people ask me
5 why do we get the nickname Southern. I have to tell
6 you this because it's so important. When the Board
7 of Education back in those days decided to have a
8 school in South Philadelphia, they called it the
9 Southern Manual Training High School, simply because
10 they didn't think that the immigrants that were
11 coming into South Philly could really be
12 academically minded. Well, after three years with a
13 lot of scholarships being given to the University of
14 Penn and Temple and Drexel by the kids that were
15 there, they decided we have to call it South
16 Philadelphia High School, not Southern Manual
17 Training High School. It was really a trade school
18 in the beginning.

19 It's such a great honor for us to be
20 here and to tell you that this 90th birthday -- we
21 were going to shoot for a hundred, but I'm 72 years
22 old; I ain't going to make it. But anyway, we have
23 people coming from all over the world, Nick
24 Grecco (ph) who is the president of the class of
25 1960. He's flying all the way in from Geneva,

1 PRESENTATIONS

2 Switzerland. Jimmy Paglia (ph) is teaching in South
3 Africa. He's flying in from South Africa. They're
4 coming in from all over. And hopefully, some of our
5 show business personalities will be there, too.

6 So, again, thank you for honoring us.

7 And if you have any extra money, we could use it in
8 the scholarship fund. Thank you very much.

9 (Applause.)

10 COUNCILMAN DI CICCIO: Thank you, Mr.
11 Esher. I think we have to get those funds in before
12 we do campaign finance reform.

13 (Laughter.)

14 COUNCILMAN DI CICCIO: South Philadelphia
15 High is very proud to have many graduates who have
16 succeeded in all various forms of life, doctors
17 lawyers. Many of these folks were children of
18 immigrants, many of them came from Italy, Ireland,
19 Poland, et cetera. And we have with us day one of
20 the alumni, a very prominent judge in the City of
21 Philadelphia. I think he's now a retired judge,
22 maybe sitting in senior status, but he's with us
23 today and he would like to say a few words, the
24 Honorable Charles Mirarchi.

25 MR. MIARARCHI: I'd like to commend City

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2 Council for recognizing South Philadelphia High
3 School. Of course, at the time when I went, it was
4 South Philadelphia High School for Boys, and the
5 girls had an indivisible dividing line on the other
6 side of the hallway. But now it's all one. It's
7 great. The education that we received was far
8 superior than what we could have gotten any other
9 place in any other private school. The public
10 school -- we're a testament to that fact and we want
11 to give credit where credit is due, South
12 Philadelphia High School. Thank you.

13 (Applause.)

14 COUNCIL PRESIDENT VERNA: Council will
15 be at ease.

16 (Council at ease.)

17 COUNCIL PRESIDENT VERNA: The Chair
18 recognizes Councilwoman Reynolds-Brown who will make
19 a presentation honoring the d'Zert Club.

20 Will Helen Giddiens, Esquire, and those
21 accompanying her please come and join the
22 Councilwoman at the podium.

23 COUNCILWOMAN REYNOLDS-BROWN: While we
24 are waiting for our young people to join us, I'd
25 like to call to the attention of my colleagues a

1 PRESENTATIONS

2 yellow folder that is at your desk which gives you
3 some background information on this wonderful,
4 wonderful program for young people. And pay
5 particular attention to the breakdown of young
6 people from your particular councilmatic district
7 that have been served well by this program.

8 I would be remiss not to mention that
9 Councilwoman Donna Reed-Miller is the co-sponsor of
10 this. And in her absence, my colleague co-chair of
11 the Freshman Caucus, Councilman W. Wilson Goode,
12 will join us in saluting this wonderful program.

13 Today we are honoring and commending
14 d'Zert Club for their work with youth through Team
15 Summit 1000. And d'Zert is spelled small D hyphen
16 Z-E-R-T.

17 Whereas, d'Zert Club was founded in 1992
18 by entertainment attorney Helen McCrary Giddiens
19 with the help of Philip A. Sudiman (ph) and DJ Jazzy
20 Jeff Townes; and

21 Whereas, during its history, the d'Zert
22 Club has specialized in producing positive
23 entertainment and cultural events for elementary,
24 middle, and high school students; and

25 Whereas, through the hard work of

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2 Attorney McCrary Giddiens and General Manager Salu
3 Hodin (ph), d'Zert has grown to over 25,000 members,
4 making it the world's largest and fastest growing
5 African-American youth organization of its kind; and
6
7 Whereas, in 1997 d'Zert Club launched
8 Teen Summit 1000, a two-year educational and
9 cultural program for African-American youth which
10 helps them develop an understanding and awareness of
11 the African experience in America; and

12
13 Whereas, after completing two full years
14 of learning through classes, seminars, and field
15 trips and provided that they maintain at least a C
16 average in school, the students are rewarded with an
17 all expense paid trip to the motherland of Africa.

18 (Applause.)

19 COUNCILMAN GOODE: And; whereas,
20 students have traveled to Senegal, Gambia, Ghana,
21 and Egypt due their participation in Teen Summit
22 1000; and

23
24 Whereas, most of the youth who
25 participated in the program would never have the
26 opportunity to visit these historic countries and
27 immerse themselves in a culture of their ancestors
28 if the Teen Summit 1000 program did not exist; and

1 PRESENTATIONS

2 Whereas, d'Zert club through the Teen
3 Summit 1000 program truly lives up to its motto: It
4 is better to build a child than to repair an adult.

5 Now, therefore, be it resolved by the
6 Council of the City of Philadelphia we hereby honor
7 and commend d'Zert Club for their work with youth
8 through Teen Summit 1000.

9 Further resolved that an engrossed copy
10 of this resolution be presented to representatives
11 of d'Zert Club as evidence of the sincere admiration
12 of this legislative body.

13 COUNCILWOMAN REYNOLDS-BROWN: Certified,
14 of course, signed by the President of City Council,
15 Anna C. Verna, and supported by every member of this
16 legislative body.

17 (Applause.)

18 COUNCIL PRESIDENT VERNA: The Chair
19 recognizes Ms. Giddiens for remarks.

20 MS. GIDDIENS: Thank you, and good
21 morning. Recently I had the opportunity to sit at
22 the feet of the great afriologist and historian Dr.
23 Ivan Van Sertima (ph). He lectured on debunking the
24 Columbus myth. But he also said that the point of
25 his works were to merely advise the world that no

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2 one people created everything, that no one people
3 discovered everything, but that we have all
4 participated in the creation and development of
5 mankind. That, too, is our mission or our mandate
6 to teach our children, if you will. We at the
7 d'Zert Club through our Teen Summit 1000 program
8 merely want to let our youth know that they, too,
9 have participated in the development of mankind,
10 that they come from a mighty race of people whose
11 achievements have molded and shaped the fabric of
12 mankind for thousands of centuries. How? By
13 providing them with 24 months of curriculum that
14 teaches them their history by taking them on field
15 trips throughout the United States to teach them
16 their history, and finally, free of charge, we take
17 them to Africa where they can see it for themselves.
18 Some of these young people have stood at the
19 greatest monuments the world has ever seen: The
20 pyramids, the sphinx. They have danced on the sands
21 at the shores of the Nile, while others have sat
22 with the kings of the Asante nations and stood
23 within the walls of the dungeons that held our
24 ancestors before passing them through the door of no
25 return into the diaspora. All have experienced the

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greatness and splendor of their people and,
therefore, they have been changed forever.

We'd like to thank you, City Council,
for recognizing this great achievement. We'd like
to thank Councilpersons Donna Reed-Miller and
Blondell Reynolds-Brown for supporting this effort.
Let this not be the end, but hopefully the
beginning.

And before I close, I would like to read
a poem written by Amay Cesare (ph).

It is not out of envy or hatred of any
race that we seek to proclaim the great achievements
of our own. We do this because we know that no race
has a monopoly of invention, enterprise, or genius.
Because we know that the race of man is far from
finished. There is a great deal left to be done in
the world. The race of man is only just beginning,
and there is room for all of us at the rendezvous of
history.

Thank you.
(Applause.)

COUNCIL PRESIDENT VERNA: Thank you.
Council will be at ease.
(Council at ease.)

1 COMMUNICATIONS

2 COUNCIL PRESIDENT Verna: The next
3 order of business is communications. The Chair
4 requests that the Sergeant-at-Arms deliver the
5 messages from the Mayor to the Clerk.

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

8 THE CLERK: To the President and Members
9 of the Council of the City of Philadelphia, I am
10 pleased to advise you that I have signed Bill
11 No. 000535 that was passed by Council at its session
12 on October 5, 2000.

13 COUNCIL PRESIDENT Verna: The message
14 will be printed in the Journal.

15 The Clerk will read any other
16 communications in her possession.

17 THE CLERK: That's all I have, Madam
18 President.

19 COUNCIL PRESIDENT Verna: Thank you.

20 The next order of business is the
21 introduction of bills and resolutions. The Chair
22 recognizes Councilwoman Blackwell for a motion.

23 COUNCILWOMAN BLACKWELL: Thank you,
24 Madam President. I move that the rules of Council
25 be suspended so as to permit immediate consideration

1 INTRODUCTION OF BILLS AND RESOLUTIONS

2 of resolutions at their time of introduction.

3 (Duly seconded.)

4 COUNCIL PRESIDENT VERNA: It has been
5 moved and properly seconded that the rules of
6 Council be suspended so as to permit immediate
7 consideration of resolutions at the time of
8 introduction.

9 All in favor will signify by saying aye.
10 Those opposed, nay.

11 The ayes have it and the motion carries.

12 The Chair recognizes Councilman Kenney.

13 COUNCILMAN KENNEY: Thank you, Madam
14 President. On behalf of a number of members of
15 Council in a bipartisan fashion, I offer one bill.

16 COUNCIL PRESIDENT VERNA: The Clerk will
17 please read the title of the bill.

18 THE CLERK: An ordinance amending Title
19 22 of the Philadelphia Code entitled "Public
20 Employees Retirement Code" by adding new provisions
21 to restrict the ability of civilian members of
22 Plan J and Plan Y to transfer to police Plans B or D
23 and retire immediately, all under certain terms and
24 conditions.

25 COUNCIL PRESIDENT VERNA: This bill

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2 will be referred to the appropriate committee.

3 The Chair recognizes Councilwoman
4 Blackwell.

5 COUNCILWOMAN BLACKWELL: Thank you,
6 Madam President. This morning I offer two
7 resolutions.

8 COUNCIL PRESIDENT VERNA: The Clerk will
9 please read the title of the first resolution.

10 THE CLERK: A resolution honoring the
11 Philadelphia Fraternal Order of Police, whereas, the
12 Fraternal Order of Police sponsor the Bentley
13 Brothers Circus each year to provide quality
14 entertainment for underprivileged children in
15 Philadelphia.

16 COUNCIL PRESIDENT VERNA: The Chair
17 recognizes Councilwoman Blackwell.

18 COUNCILWOMAN BLACKWELL: Madam
19 President, I move the adoption of the resolution.
20 And may I correct myself, the other is a bill.

21 (Duly seconded.)

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

24 All in favor will signify by saying aye.

25 Those opposed, nay.

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2 The ayes have it. The resolution has
3 been adopted.

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

6 THE CLERK: An ordinance to amend the
7 Philadelphia Zoning Maps by changing the zoning
8 designations of certain areas of land located within
9 an area bonded by Market Street, 46th Street, Locust
10 Street, 40th Street, Walnut Street, and 38th Street.

11 COUNCIL PRESIDENT VERNA: This bill will
12 be referred to the appropriate committee.

13 The Chair recognizes Councilman Cohen.

14 COUNCILMAN COHEN: Madam President, I
15 offer one resolution.

16 COUNCIL PRESIDENT VERNA: The Clerk will
17 please read the title of the resolution.

18 THE CLERK: A resolution urging the
19 Mayor of Philadelphia to direct the School Board to
20 repeal its imposition of a contract, return to the
21 bargaining table to actively negotiate a new
22 contract between the School District and the PFT,
23 and until the commencement date of such new contract
24 adhere to the terms of the previously negotiated
25 contract which expired August 31, 2000.

1 INTRODUCTION OF BILLS AND RESOLUTIONS

2 COUNCIL PRESIDENT VERA: The Chair
3 recognizes Councilman Cohen.

4 COUNCILMAN COHEN: Madam President, I
5 rise to speak on this resolution because I think it
6 is probably the most important resolution that I
7 have ever dealt with in my long history in the City
8 Council of Philadelphia. I think very few people
9 understand what the situation is involving the
10 teacher's union. I think that many groups, even in
11 the labor movement, fail to understand it because
12 the action of the Mayor in imposing a condition, a
13 contract on the teachers struck at the very heart of
14 the existence of the labor movement. It will
15 introduce a period of extreme labor strife in the
16 City of Philadelphia involving the teachers union,
17 involving other public unions, involving all of
18 labor because the heart of good faith labor
19 negotiations consists in the parties arriving at an
20 agreement; they have to talk. And what the Mayor of
21 the City of Philadelphia has done has been to hang
22 collective bargaining in the City of Philadelphia.
23 What he has done is to set a new path saying "We
24 will wait until a contract expires and then we as
25 the employer will impose a contract."

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2 Many people in today's generation know
3 very little of the history of the labor movement.
4 They don't know, for example, that a little more
5 than a hundred years ago it was illegal for people
6 to join together in the union, that Pennsylvania was
7 a state where the people went to jail because
8 workers organized. We were then in a very
9 elementary stage of understanding about the right of
10 working people. We were very new at the whole
11 concept of democratic good faith labor bargaining
12 and negotiating.

13 Over the years it has developed the
14 clear legal understanding and the clear policy
15 understanding that the road to labor peace, the road
16 that enables each party to understand the position
17 of the other party and to have confidence in the
18 good faith of the other party to the negotiating
19 process lies in the fact that at the end of the
20 process what will happen will be an agreement. It
21 may be an agreement that neither side really likes,
22 but it will be an agreement both parties agree, that
23 neither party, neither labor nor management, has the
24 right to impose terms upon the other side.

25 Act 46 which is alleged to be a law

1 INTRODUCTION OF BILLS AND RESOLUTIONS

2 which permits an employer in a public union
3 situation to impose its conditions probably created
4 this very terrible situation that exist today. It's
5 a bad law. I believe it's unconstitutional. But
6 whether or not it is unconstitutional, it is bad,
7 immoral, unethical law, and it strikes at the heart
8 of the ability of working people and employers to
9 come to an agreement. And I predict that if the
10 courts were ever to sustain the legality of that
11 law, it would introduce a period of such vehement
12 labor strife in the State of Pennsylvania that it
13 would make whatever occurred, no matter how the
14 strike situation was, look very mild by comparison
15 because workers, workers everywhere will never
16 permit a situation in which the employer has the
17 right to impose conditions.

18 What this law, Act 46 does is to say to
19 every employer -- and apparently Mayor Street in his
20 role as an employer, listen carefully. What it did
21 was to say to every employer, "Just wait out until
22 the term of the contract. And when that contract
23 expires, impose your conditions on the workers."

24 And workers today are never going to
25 accept it. And it's terrible that the City of

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2 Philadelphia should be the lead employer seeking to
3 impose such conditions. That's why it's no surprise
4 that there are not any negotiating taking place
5 currently. Why should the Mayor negotiate? He got
6 what he wants. He has forced the situation upon a
7 group of workers that no group of workers should
8 ever be forced to accept.

9 Incidentally, my resolution talks about
10 all of the concessions the teacher's union made
11 during the negotiations. We're talking about school
12 reform. We're saying education is the No. 1 issue
13 in the country. We're say that we have to do
14 something about our school system. And then to the
15 most important element in the school system, the
16 teachers, we say, "You've got no rights. We're
17 going to force you to work under the terms and
18 conditions we impose."

19 That's the reason I introduce this
20 resolution. I had to wait and see. I couldn't
21 believe when the Mayor did it. And those of us in
22 City Council know that in the briefings session that
23 the Mayor had with City Council just a couple of
24 hours before, many Councilmembers urged upon the
25 Mayor not to take this step. We asked him what his

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2 reason for taking this step. We said the contract
3 has been largely agreed upon; there's just another
4 little piece that has to be developed. What
5 difference does it make if it takes another day, a
6 week, a month, to arrive at a final agreement? We
7 asked the Mayor, "Well, why are you doing it now?
8 Why are you disrupting the negotiations?"

9 He said, "Because I think this is the
10 time to do it."

11 And that, as far as I could tell, was
12 the Mayor's answer. I didn't really believe that he
13 would do it, but he did it. And then he went ahead
14 and there are no negotiations. And workers in the
15 school system, the school system that we're
16 depending upon to educate our youngsters to make
17 them ready for the life ahead, the negotiations have
18 come to an end. Not at all during the last week
19 have there been any negotiations.

20 I don't believe the workers in the
21 schools are working under the new contract imposed
22 by the Board of Education, which is only a hand tool
23 of the Mayor. It has no power. The Mayor says "Do
24 this," school board does it. The Mayor says "Do the
25 other thing," the school board does it.

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2 I believe the original contract is
3 basically still in effect, and I believe the Mayor
4 has a duty to direct the School Board to eliminate
5 the imposition of that contract and to go back to
6 sound, healthful bargaining. That's the road to
7 labor peace. That's the road to progress. That's
8 the real road to education reform in the City.

9 Thank you, Madam Chair.

10 (Applause.)

11 COUNCIL PRESIDENT Verna: Thank you.

12 The Chair recognizes Councilman Cohen --
13 Councilman Ortiz, did you want to be recognized?

14 COUNCILMAN ORTIZ: Yes. Chair, I have a
15 resolution that I will be introducing in a little
16 while when my turn comes, and the title of it is
17 "Urging the Building Operators Labor Relations,
18 Incorporated, and Cowan Services to negotiated with
19 SIU Local 36 and bargain in good faith in order to
20 ensure that janitors, maintenance, mechanics and
21 engineers receive a fair contract that provides for
22 decent wages accompanied with quality health and
23 family benefits."

24 This is a type of resolution that gets
25 the support of this Council almost summarily. The

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2 resolution that Councilman Cohen just spoke about
3 deals with a case that has a greater import, not
4 that this doesn't have, but we have 213,000 kids
5 that go to public schools in the City. I have two
6 of them that go to public school in the City. I
7 talk to their teachers every day. There's a climate
8 that is very disconcerting in the classroom.
9 There's a climate in which the teachers feel abused,
10 insulted, and more or less totally disregarded by
11 the people that they work for. I don't think you
12 can have that climate and be able to create a
13 learning environment.

14 This Council last year when the
15 transport workers were on strike, this Council took
16 a very strong role in bringing a resolution to that
17 issue because negotiations were not taking place and
18 we were urging that the transport workers in SEPTA
19 go back to the negotiating table. In this case,
20 negotiating is not taking place. But it's not only
21 that, the total aspect of labor relations and
22 contract negotiations has been thrown over the side.
23 Thirty-five years of contract labor negotiations has
24 been totally eliminated. Workers have been told
25 that whatever you fought over 35 years of labor

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2 organizing are not worth the paper it's printed on.
3 And they have been told that they have to accept a
4 whole series -- a contract that is imposed.

5 But you cannot have a contract, because
6 a contract implies that two sides agree to the terms
7 and conditions. We don't have that in this
8 situation.

9 Act 46, I think my colleague has
10 explained it better than anyone could in this
11 Council or anywhere else. But Act 46 says that
12 teachers could be decertified if they decide to
13 uphold and stand up for their rights as employees of
14 the school system.

15 Well, I would like to ask Governor Ridge
16 and those individuals that passed Act 46, where are
17 they going to find 12,000 teachers? We have enough
18 problems right now recruiting teachers to come into
19 the system because of the conditions that they have
20 to work under: No books, no materials, no
21 resources. Teachers today in our system work in old
22 schools and dated systems in which they don't even
23 have typewriters or computers for every classroom.

24 We're not talking about reform here
25 because we're not talking about smaller classes. My

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2 kid goes to a class that has 33 students in it. My
3 other one goes to a class that has 30. We're not
4 talking about more librarians. We're not talking
5 about computers and resources. We're not talking
6 about a system that a teacher doesn't have to spend
7 over a thousand dollars out of their own pockets to
8 fill up the classroom with materials. We're not
9 talking reform; we're talking power. And I think
10 power has to be shared between the board and the
11 teachers. I don't think you can impose terms and
12 conditions.

13 This Council has played roles in labor
14 problems before. All that we're asking, all that
15 we're saying is that you go back to the bargaining
16 table, that you go back and negotiate thoroughly,
17 that you go back and find a solution to this in
18 which teachers and the board can come to an
19 agreement. I believe that this is the only way that
20 we can prevent the strike.

21 And let me tell you something, do not
22 underestimate, do not underestimate and do not take
23 the teachers' actions of staying in the classroom,
24 do not underestimate that they have stayed in the
25 classroom and they have stayed there teaching our

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2 kids for weakness. Do not take that for weakness.
3 Do not underestimate that they will take that step.
4 If you force them, they will be forced to strike and
5 the strike will be devastating because, again, you
6 cannot replace 12,000 teachers. They're not
7 hamburger helpers, they're not McDonald workers that
8 you can take and pay them minimum wages. They're
9 professionals that should be treated as such.

10 (Applause.)

11 COUNCILMAN ORTIZ: So what we're asking,
12 what we're asking is that we go back to the table,
13 avoid the ultimate calamity. Take us away from the
14 precipice. Take us away from that borderline and
15 begin negotiating fairly. Begin negotiating with
16 respect. Begin trying to bring the teachers into a
17 form of reform in which they will participate
18 willingly and voluntarily. The way we're going
19 about it is the wrong way, it's not the way. The
20 table when we sit down to speak and bargain is the
21 right way. Let us avoid this incident about to
22 happen. Thank you.

23 (Applause.)

24 COUNCIL PRESIDENT VERNA: Thank you.

25 The Chair recognizes Councilman Cohen.

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2 Councilman Cohen, what is your desire on this
3 resolution?

4 Oh, I'm sorry. Is your light on? The
5 Chair recognizes Councilwoman Tasco. Sorry.

6 COUNCILWOMAN TASCO: Thank you very
7 much, Madam President.

8 I'd just like to say that I understand
9 Councilman Cohen's frustration with what's happening
10 here in the City of Philadelphia. Some of our
11 legislators in Harrisburg, particularly some from
12 Philadelphia, want to govern Philadelphia through
13 legislation. They move to take over the
14 Philadelphia Gas Works by putting the jurisdiction
15 under the PUC. They are talking about privatizing
16 the airport. And through Act 46, which I believe is
17 a very bad bill because it provides no incentive for
18 any local school board to negotiate with the local
19 union, they ride the tide until the time is up and
20 then the local school board can just act and take
21 over. I think that is very bad.

22 While in this resolution David calls on
23 the Mayor and the school board not to function or
24 operate or abide by Act 46 -- I think that's
25 whistling "Dixie" because they're not going to give

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2 up that power. The power rests with the Mayor and
3 the school board. But I think that we ought to call
4 on the legislature to rethink this legislation. It
5 doesn't serve us well because in the end the City
6 will end up in chaos.

7 I also believe that the AFL-CIO must
8 join in the court fight, if they have not already
9 done so, to see that this act is repealed in court.
10 It is a very bad bill. It doesn't serve us well.

11 And I want to say to Councilman Cohen
12 while I don't believe that we have really any impact
13 on it, you know, he always expresses how he feels
14 about something.

15 COUNCIL PRESIDENT VERNA: Thank you.

16 Councilman Kenney, do you want to be
17 recognized?

18 I'm sorry. The sound system isn't
19 perfected yet, so anybody that wants to be
20 recognized, if they would simply put their hand up,
21 I would appreciate it.

22 Councilman Kenney.

23 COUNCILMAN KENNEY: Thank you, Madam
24 President.

25 I will be supporting this resolution. A

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2 few weeks ago we were asked to go to the Franklin
3 Plaza Hotel to meet with the PFT for their side of
4 the negotiation and what was going on and an update.
5 I've known Mr. Kirsh and Mr. Jordon for many years
6 and have great respect for them, and they began to
7 tell us their side of the story. During the course
8 of that discussion, they told us that there was
9 significant movement and concessions made in two
10 areas: One is seniority and how seniority applies
11 to the assignment of teachers at various schools,
12 and the other one was their agreement to enter into
13 a discussion and to participate and cooperate with
14 an issue of merit pay.

15 Now, I believed them. I took them at
16 their word then, but I sat there in my own mind and
17 said "This can't be true." These two issues seem to
18 have been two of the most sacrosanct issues for the
19 PFT in its history. And while I listened and had
20 lunch and enjoyed the conversation, I said to myself
21 "This can't be possible. And now we are to be
22 briefed by the Administration and the Administration
23 is going to tell us what their side is and it's got
24 to be diametrically opposed."

25 So we went to the Mayor's office and we

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2 had a meeting there and a briefing, and the issues
3 of seniority as it relates to school assignments and
4 merit and merit pay plan came up. And I asked the
5 Mayor, the PFT contends that, in fact, they've given
6 on these issues and that there's agreement and
7 basically that these two issues were basically off
8 the table. I had expected the Mayor and the Mayor's
9 advisors there to tell me that was not the case.
10 They in fact said that that was the case, that the
11 union had given concessions, both on seniority
12 relative to assignments and on participation and
13 agreement to participate in a merit pay program,
14 which shocked me because I expected them, again, to
15 be diametrically opposed. They were in agreement.

16 There are two major movements from this
17 union that I haven't seen in the past. I have not
18 been totally supportive of the teachers' union over
19 years on issues that we've discussed relative to
20 sabbaticals and residency issues and other types of
21 issues that have been a thorn in my side and some of
22 the other members of the this Council's side. But
23 in the end, all this issue comes down to, the
24 imposition of the contract, potential of a strike
25 comes down to the issue of one hour versus one-half

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2 hour. It is a 30-minute difference. And the thing
3 that I can't understand is the imposition of the
4 contract. Based on the potentiality of a 30-minute
5 difference, the possibility of sending the City into
6 turmoil, having parents who need to find other
7 arrangements for their kids, who need to find ways
8 for what their kids to do during the day while
9 parents are supposed to be working and the kids are
10 supposed to be in school, to go through all this
11 possibility, all this possible turmoil for 30
12 minutes seems to me to be a bit strange.

13 I understand the need to try to impress
14 the Governor and try to impress members of the
15 legislature relative to getting new money for our
16 schools. I think it's important that the Mayor and
17 his people continue a working relationship with
18 Governor Ridge and with Secretary Hickok and with
19 the leadership in both the House and Senate. But if
20 there's some belief that this tough stance on 30
21 minutes is somehow going to impress them, I find
22 that that's a miscalculation.

23 It's my understanding, and I can't
24 confirm it, that there's been no specific deals with
25 leadership in the legislature about significant new

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2 funding for the schools. The Governor has said that
3 he's impressed with the way the City has proceeded
4 in dealing with this negotiation or this imposition.
5 There is no specific deal. There is no specific
6 commitment from the Governor for additional monies.
7 So all of this, kids, parents, families, the union,
8 and labor issues, the relationship with the City,
9 the relationship with Harrisburg all seems to turn
10 on the issue of 30 minutes. I think that 30-minute
11 issue can be resolved at a bargaining table. I
12 think the Mayor could go to the Governor and say
13 "This is in fact a reform. This is in fact an
14 effort to be made to change significant ways in
15 which we've done business in the past and we're no
16 longer doing business that way. I don't think it's
17 necessary to show the Governor how tough we are over
18 30 minutes.

19 There's another issue, too. I think, in
20 fact, it was alluded to by Councilmember Ortiz. On
21 average, annually we face a 200-teacher vacancy
22 shortage. In the next coming year, 2,000 teachers
23 are eligible for retirement. The attitude of those
24 teachers, the morale, and the attitude of the
25 teaching staff toward the school board and toward

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2 the City could not be characterized as being a good
3 one. I'm sure the people who are in that retirement
4 category who maybe never thought of retiring perhaps
5 are thinking of retiring considering what they're
6 facing with the imposed contract and non-negotiated
7 contract. I don't know where to find the teachers.
8 I don't know where to find the 200 teachers a year
9 that we have. If you have another 500, 700, 1,000
10 teachers leave this system to go into other jobs or
11 to go and teach in other jurisdictions, this system
12 and this district will be in turmoil. It's simply
13 done by getting back to the table and working out
14 this half hour versus an hour. There's no reason
15 why it should be where it is right now, and I would
16 urge my vote for this resolution to get the sides
17 back to the table and avoid this turmoil.

18 Thank you, Madam Chair.

19 (Applause.)

20 COUNCIL PRESIDENT Verna: Thank you.

21 Councilman Goode, do you care to be recognized?

22 COUNCILMAN GOODE: Yes. Thank you,
23 Madam President.

24 COUNCIL PRESIDENT Verna: Councilman,
25 just a moment, please. I don't believe the

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2 councilman's microphone is on.

3 (Pause.)

4 COUNCIL PRESIDENT VERNA: Councilman,
5 can we try again, please?

6 COUNCILMAN GOODE: Thank you, Madam
7 President.

8 As much as this resolution refers to Act
9 46, I'd like to remind my colleagues here that this
10 is really not a matter of state law, but a matter of
11 local law. Members of this Council last year voted
12 to give the Mayor the power to reform the school
13 district. The voters made a decision last fall to
14 give the Mayor the power to reform this school
15 district. The truth of the matter is that members
16 of this Council that voted for that may not have
17 thought that that mayor was going to be Mayor
18 John F. Street, but it is. I will say quite clearly
19 that there is a role for the State to play. It's
20 not related to legislature necessarily, but the
21 Governor has to step in, not to provide the money
22 for the extra half hour, but to provide the money
23 for the contract that has been imposed. And this
24 imposed contract does not take effect until
25 September of next year. We have time to negotiate,

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2 to continue to negotiate; but in that meantime, we
3 still have to find the money for the contract that
4 is on the table now. We have a serious problem
5 here. We put the power in the hands of the Mayor,
6 but people want to take it away because they don't
7 like this Mayor. We have to get over that.

8 I talk about this, not just as the
9 youngest member of City Council or the newest
10 member, but as the son of a former Mayor. If we're
11 going to put the power in the hands of the Mayor,
12 let's let him use it. I think he's done a great job
13 in reforming this school district. I think the
14 changes he's made in management has been great. I
15 think what he's done in terms of having our school
16 children wear uniforms has been great. No Mayor in
17 the history of this City has done more to reform
18 this school district.

19 Thank you very much.

20 (Applause.)

21 COUNCIL PRESIDENT Verna: Thank you.

22 The Chair recognizes Councilman Clarke.

23 COUNCILMAN CLARKE: Thank you, Madam

24 President. Madam President, first I'd like to say I
25 commend the spirit of what my colleagues are

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2 attempting to do today. I'd like to also say that I
3 thank the PFT for their support last year. Given my
4 narrow margin of victory, had they not supported me,
5 I may not be sitting here today. So I want to say
6 thank you very much. But I want to say also that
7 today we sit here and we discuss a particular
8 resolution, and I have some concerns about this
9 particular resolution. While I think most of us
10 here in this Council today are supportive of the PFT
11 and supportive of a fair contract, I'm not sure that
12 this particular resolution gets us there. We as
13 politicians have different styles. I have a
14 particular style that may not necessarily be similar
15 to some of my colleagues. And I want to say with my
16 particular style and in my particular way over the
17 past month, I've been attempting to make sure that
18 the teachers get a fair contract and a fair work
19 environment and ultimately good education for the
20 children of the City of Philadelphia. So I just
21 want to say for this particular resolution on this
22 particular day, I will not be able to support that.
23 But I will continue in my particular style, in my
24 particular way, to attempt to make sure that the PFT
25 gets a fair contract and that they get a fair work

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2 environment and that the children get a fair
3 education.

4 Thank you, Madam.

5 (Applause.)

6 COUNCIL PRESIDENT Verna: Thank you.

7 The Chair recognizes Councilwoman
8 Blackwell.

9 COUNCILWOMAN BLACKWELL: Thank you,
10 Madam President.

11 This morning it seems that we have a
12 controversy on the resolution, not in principle, but
13 certainly with regard to the technical words that
14 are listed. And I am wondering, so that all of the
15 Council could support it unanimously, if my
16 colleague would agree to remove the part that says
17 that we should return to a contract that expired
18 August 31, 2000. I think if that could be done,
19 then everybody can support this resolution which
20 calls for getting back to the negotiating table and
21 certainly resolving this conflict so that we have
22 teachers who are satisfied and our over 200,000
23 children can go to school and not be threatened with
24 a strike and that all parties concerned can get back
25 to doing what we do, and that is having a City with

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2 our kids in school, with our teachers working, and
3 with our unions focussing on other issues that make
4 the difference.

5 COUNCIL PRESIDENT VERNA: Thank you.

6 The Chair recognizes Councilwoman Brown.

7 COUNCILWOMAN REYNOLDS-BROWN: Thank you,
8 Madam Chair.

9 Before we move to consider Councilwoman
10 Blackwell's recommendation, I do need to register
11 where I am. I join all of us who care about 210,000
12 young people that tend our schools. I also care
13 about the rights of unions. But at the end of the
14 day, it's not about us, it's not about the Mayor,
15 it's not about the teachers; it's about 210,000
16 young people that attend the Philadelphia public
17 schools.

18 I've learned in the short time that I've
19 been here that it's incredibly important to pay
20 particular attention to the words in these
21 resolutions. Both resolutions spoke to ensuring or
22 encouraging fair negotiations. Both resolutions
23 spoke to bargaining and good faith. Both
24 resolutions spoke to encouraging both sides to get
25 back to the table. And I join my colleagues in

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2 saluting Councilman Cohen who always clearly
3 articulates law, in this case, Act 46. However,
4 there's a defining difference in these resolutions,
5 and it moves me to my bottom line. I care not to
6 participate. I think it is out of order. I think
7 it is inappropriate to impose terms in a
8 circumstance that indirectly involves me. The
9 parties in this matter are Mayor Street and the PFT.
10 We should encourage good faith negotiations. We
11 should not invoke -- I will not invoke my
12 participation. That's my bottom line on Councilman
13 Cohen's bill.

14 COUNCIL PRESIDENT VERNA: Thank you.

15 The Chair recognizes Councilman DiCicco.

16 COUNCILMAN DI CICC0: Thank you, Madam
17 President. Sitting here listening to the debate,
18 it's similar to the debate that went on last night
19 where both sides agreed with the other person on
20 most of the issues. I, too, agree that something
21 needs to be done. I appreciate the fact that the
22 teachers are still working without a contract and I
23 certainly respect my colleagues Councilman Cohen and
24 Ortiz for introducing this resolution and agree with
25 basically most of the context of it, but I have a

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2 problem because I'm wondering what if the Mayor were
3 to agree to repeal this imposition? And what after
4 a day, a week, a month of negotiations they still
5 have not come to a resolution on the disagreements?
6 My concern is that we may be doing the very thing
7 that we're hoping never really happens, and that is,
8 enacting Act 46. I wonder if we are not putting the
9 teachers' union and the employees at a greater
10 disadvantage by urging the Mayor to repeal the
11 imposition. I think that we can either individually
12 or collectively as a group call for a meeting with
13 the Mayor, talk to him privately or as a group to
14 urge him to do certain things and to at least let us
15 know what is going on and if there's anything that
16 we could do to help the process. But I would
17 certainly not be able to support this resolution
18 which basically is saying to the Mayor, it's an
19 either/or kind of situation, and I will not be able
20 to support the resolution as it stands this morning.

21 Thank you, Madam President.

22 COUNCIL PRESIDENT Verna: Thank you.

23 The Chair recognizes Councilman Mariano.

24 COUNCILMAN MARIANO: Thank you, Madam
25 President.

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2 A lot of good speakers, a lot of good
3 points. I think we made up the 30 minutes in our
4 rhetoric here, and I know it's all very important.
5 But I just have to say -- and Councilman Cohen was
6 the first one to speak, and he certainly knows a lot
7 about labor law and labor negotiations, but anytime
8 there's a resolution that talks about union
9 busting -- and maybe Councilwoman Tasco put it the
10 best, this problem boils down to people who weren't
11 elected to govern the City of Philadelphia wanting
12 to govern the City of Philadelphia. So I rise in
13 favor of this resolution. Anytime there's something
14 about union busting -- I mean, the two councilpeople
15 that are prime sponsors of this resolution surely
16 understand how important all this is and both of
17 them happen to be lawyers. So I think if they were
18 going to try to invoke anything, as the Councilman
19 just talked about, you know, unknowingly I think
20 both of them being lawyers, one if not the other
21 being a labor lawyer, I have to rise for this and I
22 ask all my other fellow Councilpeople to please read
23 it again and understand the intention of this
24 resolution is to support the teachers' union.

25 Thank you.

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2 COUNCIL PRESIDENT Verna: Thank you.

3 (Applause.)

4 COUNCIL PRESIDENT Verna: Are there any
5 other members who would like to be recognized?

6 Councilman Cohen, what is your desire of
7 this resolution?

8 COUNCILWOMAN BLACKWELL: Can you hold up
9 one second? Thank you.

10 (Pause.)

11 COUNCIL PRESIDENT Verna: The Chair
12 recognizes Councilman Cohen.

13 COUNCILMAN COHEN: Madam President, I
14 think the debate --

15 COUNCIL PRESIDENT Verna: I'm sorry.
16 We're having difficulty hearing you.

17 COUNCILMAN COHEN: Maybe we have to go
18 back to the old system.

19 COUNCIL PRESIDENT Verna: I said that
20 yesterday.

21 COUNCILMAN COHEN: Councilman DiCicco
22 can continue to help me with the equipment, but at
23 least it worked.

24 I think it very important that we try to
25 reach as close to unanimity in the City Council as

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2 possible. I think there's a basic unanimity here,
3 and I don't want to define what I think are the
4 unanimous areas for concern that I may leave out
5 some aspects. This is the first time we've had this
6 kind of debate on the issue. I think it is a very
7 urgent issue. I think it's an issue that's going to
8 require a resolution. And rather than have this
9 decided on a split vote based upon general agreement
10 but some specific disagreement, I'm going to ask
11 that this be tabled for one week and to be brought
12 up before the Council the following week.

13 COUNCIL PRESIDENT VERNA: Thank you,
14 Councilman.

15 The Chair recognizes Councilman Ortiz.

16 COUNCILMAN ORTIZ: Chair, I know that
17 for some of my colleagues this may be a difficult
18 situation, but over the history of this Council,
19 over the 16 years that I've been here, this Council
20 has always, always, put itself as an objective and
21 faithful broker in terms of labor issues. We have
22 taken issues on the transport workers. We have
23 taken issues in other labor issues that have come
24 before the City. This is the most important labor
25 issue that we have. And I want my colleagues to

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2 take this week to think about it this. Do not, do
3 not, push labor to a point in which we will have to
4 strike, they will have to go out. I have two kids
5 in the system. I do not want to see them out of
6 school. This is the issue here. If they don't go
7 back to the table -- we can hold it. We can even
8 defeat the resolution next week, but the issue will
9 still be confronting us later on. And let us not
10 say a few weeks from now when the teachers are on
11 the picket line, We should have taken that step and
12 brought them back to the table. Let us not wait
13 until that point to decide to become involved. It
14 will be too late.

15 (Applause.)

16 COUNCIL PRESIDENT VERNA: Thank you.

17 The Chair recognizes Councilman Nutter.

18 COUNCILMAN NUTTER: Thank you, Madam
19 President. My light was on before Councilman Cohen
20 made his announcement and I certainly was prepared
21 to speak on the resolution. I think at this point
22 all I can really say is the obvious great sentiment
23 is that members want to encourage continued
24 discussion and dialog and negotiations between the
25 Mayor and the School Board and the PFT. I'm sure

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2 Councilman Cohen's intention was not to insert City
3 Council in the negotiating process. But he is
4 correct on the point, and Councilman Ortiz raises
5 the same point, in many other situations, and I was
6 reminded -- I guess I tried to forget -- about last
7 summer's situation with the TWU. We spent an
8 enormous amount of time. And the current -- I guess
9 that was two summers ago. The current Mayor Street,
10 then as former Council President, was tremendously
11 actively involved personally in those situations.
12 So I know he knows the gravity of this particular
13 situation. There can be no more important issue.
14 And while there may not be a labor strike today,
15 there is certainly not labor peace today. There is
16 a tremendously unsettled situation, not only for the
17 teachers, but also for parents. Virtually
18 everywhere I go, parents continue to ask the
19 question, is school going to continue rest for the
20 year? What's going to happen with my child? What's
21 going on with these teachers? And what are all of
22 you doing either at City Hall or 21st and the
23 Parkway?

24 So what I take out of today is the
25 consensus sentiment is that we want a sense of

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2 finality to this entire situation and that the
3 Board's action may not have brought to closure and
4 conclusion a final and complete contract the people
5 have actually agreed upon. I think that's what we
6 were trying to get across today. So we'll see what
7 comes in next week, but I thank you, Madam
8 President, for the opportunity.

9 COUNCIL PRESIDENT VERNA: Thank you.

10 The Chair recognizes Councilwoman
11 Blackwell.

12 COUNCILWOMAN BLACKWELL: Thank you,
13 Madam President.

14 I would like to thank my colleague for
15 his willingness to hold this resolution a week.
16 Given the length of this debate, it is obvious that
17 this is the most important issue that we have in our
18 City today and it is obvious the care and concern
19 that is felt in this room by all of us to getting
20 this situation resolved. And let me say that as a
21 Council and a unified Council, it is always better
22 when we can speak with one voice and say that we
23 support a stance than if we are disunited. And
24 certainly, again, I want to thank my colleague and
25 all who are here who have agreed to try to find a

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2 way for all of us to state we want the strike over
3 and we want to state it with one voice and certainly
4 look forward to giving that support next week.

5 Thank you.

6 COUNCIL PRESIDENT Verna: Thank you.

7 The Chair recognizes Councilwoman Brown.

8 COUNCILWOMAN REYNOLDS-BROWN: Thank you,
9 Madam President.

10 Councilwoman Blackwell in effect stated
11 my sentiments. So I want to echo my appreciation
12 for Councilman Cohen consenting to hold the
13 resolution and will state again for the record that
14 I will support language that encourages what we all
15 have agreed to in Councilman Ortiz resolution, that
16 is, bargaining in good faith and encouraging all
17 sides to get back to the table.

18 COUNCIL PRESIDENT Verna: Thank you.

19 Councilman's Cohen's resolution will be
20 tabled until next week.

21 The Chair recognizes Councilwoman
22 Krajewski.

23 COUNCILWOMAN KRAJEWSKI: Madam
24 President, I have no bills or resolutions.

25 COUNCIL PRESIDENT Verna: The Chair

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2 thanks the Councilwoman.

3 The Chair recognizes Councilman Mariano.

4 COUNCILMAN MARIANO: Thank you, Madam
5 President. I have one privileged resolution that
6 I'm co-sponsoring with Councilman Ortiz.

7 COUNCIL PRESIDENT Verna: The Clerk will
8 please read the title of the resolution.

9 THE CLERK: A resolution to provide for
10 the publication in Spanish language newspapers of
11 notices of bills, notices of public hearings on
12 bills, and other legal notices of Council.

13 COUNCIL PRESIDENT Verna: The Chair
14 recognizes Councilman Mariano.

15 COUNCILMAN MARIANO: Thank you, Madam
16 President. May I speak on this resolution?

17 COUNCIL PRESIDENT Verna: Yes.

18 COUNCILMAN MARIANO: Madam President,
19 Councilmember Ortiz and I sponsored this resolution,
20 and the spirit of it is plain. With the population
21 shift and the more Hispanic population, Latino
22 population that we're having in this great City,
23 it's good for the City of Philadelphia. It's time
24 that all the major announcements and all the
25 departments of the City of Philadelphia post all

1 INTRODUCTION OF BILLS AND RESOLUTIONS

2 their notice in one, if not one, all of the spanish
3 newspapers. We're going to be watching this very
4 closely. And I know all departments will fully
5 cooperate. So by the time they come around here in
6 May and need more money for their budgets, it's
7 something that the two of us will be looking at very
8 closely. Thank you.

9 COUNCIL PRESIDENT VERNA: Are you going
10 to move for the adoption?

11 COUNCILMAN MARIANO: Move for the
12 adoption, Madam President.

13 COUNCIL PRESIDENT VERNA: IS there a
14 second?

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 Those opposed, nay.

21 The ayes have it. The resolution has
22 been adopted.

23 The Chair recognizes Councilwoman Tasco.

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

1 INTRODUCTION OF BILLS AND RESOLUTIONS

2 COUNCIL PRESIDENT Verna: The Chair
3 thanks the Councilwoman.

4 The Chair recognizes Councilman Nutter.

5 COUNCILMAN NUTTER: Madam President, I
6 offer one privileged resolution on behalf of
7 Councilwoman Donna Reed-Miller for which I expect no
8 extensive debate.

9 COUNCIL PRESIDENT Verna: Thank you.
10 The Clerk will please read the title of the
11 resolution.

12 THE CLERK: A recollection declaring
13 October 18, 2000, Gear-up Day and commending the
14 efforts of collaborations between schools,
15 institutions of higher learning, and community-based
16 organizations to bring college preparation awareness
17 to students.

18 COUNCIL PRESIDENT Verna: The Chair
19 recognizes Councilman Nutter.

20 COUNCILMAN NUTTER: Madam President, I
21 move the adoption of the resolution.

22 COUNCIL PRESIDENT Verna: Do I hear a
23 second?

24 (Duly seconded.)

25 COUNCIL PRESIDENT Verna: It has been

1 INTRODUCTION OF BILLS AND RESOLUTIONS

2 move and seconded that the resolution be adopted.

3 All in favor will signify by saying aye.

4 Those opposed, nay.

5 The ayes have it. The resolution has
6 been adopted.

7 The Chair recognizes Councilwoman Brown.

8 COUNCILWOMAN REYNOLDS-BROWN: Thank you,
9 Madam Chair. I have one privileged resolution
10 co-sponsored by my colleague Councilman Michael
11 Nutter.

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

14 THE CLERK: A resolution honoring and
15 commending Katherine Cross for her excellent work
16 within the Department of Human Services.

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

19 COUNCILWOMAN REYNOLDS-BROWN: I move
20 the adoption of the resolution.

21 (Duly seconded.)

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

25 All in favor will signify by saying aye.

1 INTRODUCTION OF BILLS AND RESOLUTIONS

2 Those opposed, nay.

3 The ayes have it. The resolution has
4 been adopted.

5 The Chair recognizes Councilman Goode.

6 COUNCILMAN GOODE: Thank you, Madam
7 President. I have no bills or resolutions.

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

10 The Chair recognizes Councilman Ortiz.

11 COUNCILMAN ORTIZ: I have one resolution
12 dealing with a labor issue.

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

15 THE CLERK: A resolution urging the
16 Building Operators Labor Relations, Inc., and Cowan
17 Services to negotiate with SEIU Local 36 in
18 bargaining good faith in order to ensure the
19 janitors, maintenance, mechanics and engineers
20 receive a fair contract that provides for decent
21 wages accompanied with quality health and family
22 benefits.

23 COUNCIL PRESIDENT Verna: The Chair
24 recognizes Councilman Ortiz.

25 COUNCILMAN ORTIZ: Madam Chair, I move

1 INTRODUCTION OF BILLS AND RESOLUTIONS

2 the adoption of the resolution.

3 (Duly seconded.)

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

7 All in favor will signify by say aye.

8 Those opposed?

9 The ayes have it. The resolution has
10 been adopted.

11 (Applause.)

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

14 COUNCILMAN DI CICC0: Thank you, Madam
15 President. I offer one bill.

16 COUNCIL PRESIDENT VERNA: The Clerk will
17 please read the title of the bill.

18 THE CLERK: An ordinance revising
19 parking regulations on Watts Street, east side, from
20 Ritner Street to Porter Street.

21 COUNCIL PRESIDENT VERNA: This bill will
22 be referred to the appropriate committee.

23 The Chair recognizes Councilman O'Neill.

24 COUNCILMAN O'NEILL: Madam President, I
25 have no bills or resolutions.

1 INTRODUCTION OF BILLS AND RESOLUTIONS

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

4 The Chair recognizes Councilman Clarke.

5 COUNCILMAN CLARKE: Thank you, Madam
6 President. I have one privileged resolution.

7 COUNCIL PRESIDENT Verna: The Clerk will
8 please read the title of the resolution.

9 THE CLERK: A resolution honoring and
10 commending Dawn Statley, coach of the Temple Women's
11 Basketball Team for winning a gold medal in the 2000
12 Sydney Summer Olympics.

13 COUNCIL PRESIDENT Verna: The Chair
14 recognizes Councilman Clarke.

15 COUNCILMAN CLARKE: Move for the
16 adoption of the 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 say aye.

22 Those opposed, nay.

23 The ayes have it. The resolution has
24 been adopted.

25 The Chair recognizes Councilman

1 INTRODUCTION OF BILLS AND RESOLUTIONS

2 Longstreth.

3 COUNCILMAN LONGSTRETH: Madam President,
4 I have no resolutions or bills.

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

7 The Chair recognizes Councilman Rizzo.

8 COUNCILMAN RIZZO: Madam President, I
9 have two non-privileged resolutions and one
10 privileged.

11 COUNCIL PRESIDENT VERNA: The Clerk will
12 please read the title of the first resolution.

13 THE CLERK: A resolution authorizing the
14 Committee of the Whole of City Council to
15 investigate the possible alternate uses of the
16 \$30 million NovaCare Philadelphia Eagles practice
17 facility in the event that there are no new stadium
18 deals by November 30, 2000, and the City is forced
19 to buy the facility.

20 COUNCIL PRESIDENT VERNA: This
21 resolution will be referred to the appropriate
22 committee.

23 The Clerk will please read the title of
24 the second resolution.

25 THE CLERK: A resolution authorizing the

1 INTRODUCTION OF BILLS AND RESOLUTIONS

2 City Council Committee of Labor and Civil Service to
3 investigate how to close certain loopholes in the
4 City's Police pension plan that lead to abuses of
5 the retirement system by unethical non-uniformed
6 City employees who transfer to the police
7 department.

8 COUNCIL PRESIDENT Verna: This
9 resolution will be referred to the appropriate
10 committee.

11 THE CLERK: A resolution honoring and
12 commending University of Pennsylvania Professor
13 Alan G. MacDiarmid on the occasion of his winning
14 the Nobel Prize in chemistry.

15 COUNCIL PRESIDENT Verna: The Chair
16 recognizes Councilman Rizzo.

17 COUNCILMAN RIZZO: Madam President, I
18 move for the adoption of this resolution.

19 COUNCIL PRESIDENT Verna: Is there a
20 second?

21 (Duly seconded.)

22 COUNCIL PRESIDENT Verna: It has been
23 moved and properly seconded that the resolution be
24 adopted.

25 All in favor will signify by say aye.

1 SECOND READING AND FINAL PASSAGE

2 Those opposed, nay.

3 The ayes have it. The resolution has
4 been adopted.

5 I believe there are no reports from
6 committees. And we do not have a First Reading
7 Calendar. Therefore, the Chair recognizes
8 Councilwoman Blackwell. Is Councilwoman Blackwell
9 in the room?

10 Councilwoman Tasco, would you call the
11 bills up for Second Reading and Final Passage.

12 COUNCILWOMAN TASCO: Madam President,
13 all bills up for final passage with the exception
14 bills 000314, and I believe there's an amendment on
15 Bill 000103.

16 COUNCIL PRESIDENT VERNA: Thank you.

17 The Clerk will please read the title of
18 the Bill No. 000064.

19 THE CLERK: An ordinance amending
20 section 10-1303(4) of the Philadelphia Code,
21 entitled "Authorization to offer Exemption from Real
22 Estate Taxes on New Construction of Residential
23 Properties," by eliminating the owner-occupied
24 requirement for exemption, under certain terms and
25 conditions.

1 SECOND READING AND FINAL PASSAGE

2 COUNCIL PRESIDENT Verna: This bill
3 having been read on two different days, the question
4 now is shall the bill past 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 DI CICC0: 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: No.

20 THE CLERK: Councilman Longstreth.

21 COUNCIL PRESIDENT Verna: Councilman

22 Longstreth, how are you voting on Bill No. 000064?

23 COUNCILMAN LONGSTRETH: Aye.

24 THE CLERK: Councilman Mariano.

25 COUNCILMAN MARIANO: Aye.

1 SECOND READING AND FINAL PASSAGE

2 THE CLERK: Councilman Nutter.

3 COUNCILMAN NUTTER: Aye.

4 THE CLERK: Councilman O'Neill.

5 COUNCILMAN O'NEILL: No.

6 THE CLERK: Councilman Ortiz.

7 COUNCIL PRESIDENT VERNA: Councilman

8 Ortiz, how are you voting on Bill No. 000064?

9 COUNCILMAN ORTIZ: Nay.

10 THE CLERK: Councilwoman Reynolds-Brown.

11 COUNCILWOMAN REYNOLDS-BROWN: Aye.

12 THE CLERK: Councilman Rizzo.

13 COUNCILMAN RIZZO: No.

14 THE CLERK: Councilwoman Tasco.

15 COUNCILWOMAN TASCO: Aye.

16 THE CLERK: Council President Verna.

17 COUNCILWOMAN VERNA: Aye.

18 The ayes are 12, the nays are 4. A

19 majority of all Members of Council having voted in

20 the affirmative, the bill passes. The vote was 12

21 to 4. Councilwoman Miller is absent.

22 The Clerk will please read the title of

23 Bill 000103.

24 THE CLERK: An ordinance amending

25 Chapter 10-100 of the Philadelphia Code, entitled

1 SECOND READING AND FINAL PASSAGE

2 "Animals," by amending Section 10-105, entitled
3 "Animals Committing Nuisances," by expanding the
4 section to include nuisances committed upon the
5 private property of the owner and animal noises
6 which cause unreasonable annoyance, disturbance or
7 discomfort to a person or persons, all under certain
8 terms and conditions.

9 COUNCIL PRESIDENT VERA: The Chair
10 recognizes Councilman Kenney.

11 COUNCILMAN KENNEY: Thank you, Madam
12 President. I'm offering two resolutions today to
13 this bill. They've been circulated to every member
14 of Council along with an explanation for their being
15 offered. I'd appreciate their support.

16 COUNCILMAN KENNEY: I'm sorry, it's one
17 amendment. There's two portions of the amendment,
18 but it's one amendment.

19 I'm sorry. Did I say "resolution"? I'm
20 offering an amendment.

21 COUNCIL PRESIDENT VERA: My question
22 is, has everybody received copies of the amendment?

23 The Clerk will please read the
24 amendments.

25 THE CLERK: A new subsection of the code

1 SECOND READING AND FINAL PASSAGE

2 regarding removal will remain the same. Any changes
3 offered into are being withdrawn.

4 A new subsection regarding removal from
5 private properties being offered.

6 Subsection 3, Horse Drawn Carriages, now
7 becomes 5. Subsection 4 now becomes 6. Subsection
8 5, Enforcement, now becomes 7. Subsection 6,
9 Penalties, now becomes 8.

10 The removal from private property any
11 person other than the owner operator or driver of
12 horse drawn carriages having possession, custody or
13 control of any dog or other animal which commits a
14 nuisance on the private property owner on the
15 private property of a person having possession,
16 custody or control of such dog or other animal as
17 prohibited in Section 10-102 shall be required to
18 move said feces from such surface within 12 hours
19 and either carry away same for disposal in toilet or
20 placed in a no-leaking container for deposit in a
21 trash or litter receptacle.

22 Number 4, no person have possession,
23 custody or control of any animal shall knowingly or
24 negligently permit any dog or other animal to make
25 noise which causes unreasonable announce,

1 SECOND READING AND FINAL PASSAGE

2 disturbance or discomfort to a person or persons
3 residing within 500 feet of the owner of said
4 animal. The complaints must be willing to sign a
5 complaint against the owner and agree to satisfy in
6 court if required.

7 COUNCIL PRESIDENT Verna: The Chair
8 Councilman Kenney.

9 COUNCILMAN KENNEY: I move for the
10 adoption of the amendment.

11 (Duly seconded.)

12 COUNCIL PRESIDENT Verna: It has been
13 moved and seconded that the amendments be adopted.

14 All in favor will signify by say aye.

15 Those opposed?

16 The ayes have it. The amendments have
17 been adopted. Bill No. 000103 as amended will be
18 placed on the Second Reading and Final Passage
19 Calendar for our next meeting.

20 The Clerk will please read the title of
21 Bill No. 000404.

22 THE CLERK: An ordinance amending
23 Subcode "PM" of Title 4 of the Philadelphia Code,
24 entitled "The Philadelphia Property Maintenance
25 Code," by amending Section PM-306.0, which requires

1 SECOND READING AND FINAL PASSAGE

2 owners of vacant buildings to prevent unauthorized
3 entry to the building by securing or sealing doors,
4 windows, or other entrances and openings to the
5 building, by providing that a separate penalty may
6 be imposed for each such entrance or opening that
7 the owner has failed to secure after notice has been
8 issued; all under certain terms and conditions.

9 COUNCIL PRESIDENT VERNA: This bill
10 having been read on two different days, the question
11 now is shall the bill pass finally?

12 The Clerk will please call the roll.

13 THE CLERK: Councilwoman Blackwell.

14 COUNCILWOMAN BLACKWELL: Aye.

15 THE CLERK: Councilman Clarke.

16 COUNCILMAN CLARKE: Aye.

17 THE CLERK: Councilman Cohen.

18 COUNCILMAN COHEN: Aye.

19 THE CLERK: Councilman DiCicco.

20 COUNCILMAN DI CICC0: Aye.

21 THE CLERK: Councilman Goode.

22 COUNCILMAN GOODE: Aye.

23 THE CLERK: Councilman Kenney.

24 COUNCILMAN KENNEY: Aye.

25 THE CLERK: Councilwoman Krajewski.

1 SECOND READING AND FINAL PASSAGE

2 COUNCILWOMAN KRAJEWSKI: Aye.

3 THE CLERK: Councilman Longstreth.

4 COUNCIL PRESIDENT VERNA: Councilman

5 Longstreth, we're voting on Bill 000404.

6 COUNCILMAN LONGSTRETH: Aye.

7 THE CLERK: Councilman Mariano.

8 COUNCILMAN MARIANO: Aye.

9 THE CLERK: Councilman Nutter.

10 COUNCILMAN NUTTER: Aye.

11 THE CLERK: Councilman O'Neill.

12 COUNCILMAN O'NEILL: Aye.

13 THE CLERK: Councilman Ortiz.

14 COUNCILMAN ORTIZ: Aye.

15 THE CLERK: Councilwoman Reynolds-Brown.

16 COUNCILWOMAN REYNOLDS-BROWN: Aye.

17 THE CLERK: Councilman Rizzo.

18 COUNCILMAN RIZZO: Aye.

19 THE CLERK: Councilwoman Tasco.

20 COUNCILWOMAN TASCO: Aye.

21 THE CLERK: Council President Verna.

22 COUNCIL PRESIDENT VERNA: Aye.

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

24 majority of all Members having voted in the

25 affirmative, the bill passes.

1 ADJOURNMENT

2 That concludes our Calendar for today.

3 Are there any speeches on the part of
4 the minority?

5 (No response.)

6 COUNCIL PRESIDENT Verna: Are there any
7 speeches on the part of the majority?

8 (No response.)

9 COUNCIL PRESIDENT Verna: Seeing none,
10 the Chair recognizes Councilwoman Tasco for a motion
11 to adjourn.

12 COUNCILWOMAN TASC0: Madam President, I
13 move that the Council stand adjourned until
14 Thursday, October 19, 2000, at 10:00 a.m.

15 (Duly seconded.)

16 COUNCIL PRESIDENT Verna: It has been
17 moved and seconded that Council stand adjourned
18 until Thursday, October, 19, 2000.

19 All in favor will signify by saying aye.

20 Those opposed, nay.

21 The ayes have it. Council stands
22 adjourned until next Thursday. Thank you.

23 (Council adjourned at 11:35 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 October 12, 2000, 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