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COUNCIL OF THE CITY OF PHILADELPHIA

3

STATED MEETING

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Room 400, City Hall
Philadelphia, Pennsylvania
Thursday, November 18, 2004
10:35 a.m.

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PRESENT:

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COUNCIL PRESIDENT ANNA C. VERNA
COUNCILWOMAN JANNIE BLACKWELL
COUNCILMAN DARRELL L. CLARKE
COUNCILMAN DAVID COHEN
COUNCILMAN FRANK J. DICICCO
COUNCILMAN W. WILSON GOODE, JR.
COUNCILMAN JACK KELLY
COUNCILMAN JAMES F. KENNEY
COUNCILWOMAN JOAN L. KRAJEWSKI
COUNCILMAN RICHARD T. MARIANO
COUNCILWOMAN DONNA REED MILLER
COUNCILMAN MICHAEL A. NUTTER
COUNCILMAN BRIAN J. O'NEILL
COUNCILMAN JUAN RAMOS
COUNCILWOMAN BLONDELL REYNOLDS BROWN
COUNCILMAN FRANK RIZZO
COUNCILWOMAN MARIAN B. TASCO

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PATRICIA RAFFERTY, CHIEF CLERK

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1 11/18/04 - STATED - INVOCATION

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

8 To give our invocation this morning,
9 the Chair welcomes Reverend Maxine Maddox
10 Dornman from the Episcopal Diocese of
11 Philadelphia. She is here today as the guest
12 of Councilwoman Miller.

13 I would ask all guests to please
14 rise.

15 REVEREND DORNMAN: Thank you very
16 much. It is an honor to be with you this
17 morning, and I thank Councilwoman Miller.

18 I'm sure that you have heard many
19 prayers that are very eloquent and are very
20 beautiful. But as I listened to the news this
21 morning of a young boy who died in a home
22 fire, of people who are afraid in our City, I
23 offer to you this morning a prayer that I
24 think is a little more simple. So I ask you
25 to pray with me.

1 11/18/04 - STATED - INVOCATION

2 Creator God, we come to you with
3 grateful hearts and ask that you be especially
4 present on this day as the members of this
5 City Council wrestle with decisions that will
6 affect so many and will set the course for so
7 much that is to come. There are people in our
8 City who are in pain, people who are waiting
9 for help. And, Lord, we know that with your
10 help, the decisions made in this room on this
11 day can improve and change the lives of so
12 many.

13 We ask especially for patience and
14 wisdom as we listen to each other, as we
15 really strive to listen. As we share
16 different experiences and different points of
17 view, help us to understand each other as we
18 live into the mystery of this life and the
19 mystery of the sacred.

20 And now, before we close, we pause
21 to give you thanks. We are grateful in this
22 prayer for those persons who, through their
23 gifts of excitement and adventure, have taught
24 us not to fear change, not to resist that that
25 is new. We are grateful for the possibilities

1 11/18/04 - STATED - INVOCATION

2 that this day brings, and we are grateful for
3 the opportunity of leadership. We are
4 grateful for that long list of holy people who
5 since ancient times have inspired others by
6 that faithfulness to their own special
7 destinies. May our hearts be ever changing,
8 ever in growth, as we journey through this
9 life with all of its opportunities.

10 Blessed are you, Lord, our God, who
11 has given to each of us a personal destiny and
12 purpose in life. And, Lord, help us to be
13 ever mindful that life is short. We do not
14 have much time to gladden the hearts of those
15 who travel this journey with us. So let us be
16 swift to love and make haste to be kind as we
17 continue this day in partnership with the Lord
18 of compassion. In your name we pray. Amen.

19 COUNCIL PRESIDENT VERNA: The Chair
20 thanks Reverend Dornman for her very inspiring
21 invocation.

22 Council will be at ease.

23 (Council at ease.)

24 COUNCIL PRESIDENT VERNA: The next
25 order of business is the approval of the

1 11/18/04 - STATED - APPROVAL OF JOURNAL
2 Journal of the meeting of Thursday, November
3 4, 2004.

4 And the Chair recognizes
5 Councilwoman Blackwell.

6 COUNCILWOMAN BLACKWELL: Thank you,
7 Madam President. I move that the Journal of
8 the meeting of Thursday, November 4, 2004,
9 stand approved.

10 (Duly seconded.)

11 COUNCIL PRESIDENT Verna: It has
12 been moved and properly seconded that the
13 Journal of the meeting of Thursday, November
14 4, 2004, stand approved.

15 All in favor will indicate by saying
16 aye.

17 (Aye.)

18 COUNCIL PRESIDENT Verna: Those
19 opposed?

20 (No response.)

21 COUNCIL PRESIDENT Verna: The ayes
22 have it. The motion carries and the Journal
23 of the meeting of Thursday, November 4, 2004,
24 is approved.

25 The next order of business is

1 11/18/04 - STATED - PRESENTATIONS

2 request for leave of absence.

3 And the Chair recognizes

4 Councilwoman Blackwell.

5 COUNCILWOMAN BLACKWELL: Thank you,

6 Madam President. There are no requests for

7 leaves of absence on the part of the Majority.

8 COUNCIL PRESIDENT VERA: The Chair

9 thanks the Councilwoman.

10 The Chair recognizes Councilman

11 O'Neill.

12 COUNCILMAN O'NEILL: Madam

13 President, on behalf of the Republicans, there

14 are no requests for leaves of absence.

15 COUNCIL PRESIDENT VERA: Thank you.

16 The Chair will dispense with the

17 regular order of business to recognize the

18 guests and visitors joining us in Chambers

19 this morning.

20 On behalf of all Members of City

21 Council, I welcome you to our Council Session.

22 We appreciate you taking the time to join us

23 as we attend to the legislative affairs of our

24 City. We certainly invite you to come again.

25 At this time the Chair recognizes

1 11/18/04 - STATED - PRESENTATIONS

2 Councilman Mariano who will present a
3 resolution honoring the Neighborhood
4 Transformation Initiative and Hill
5 International, Inc.

6 Would Ms. Pat Smith and those
7 accompanying her please join the Councilman at
8 the podium?

9 Councilman Ramos will be joining
10 Councilman Mariano.

11 The Chair recognizes Councilman
12 Mariano.

13 COUNCILMAN MARIANO: Thank you,
14 Madam President.

15 Honoring the Neighborhood
16 Transformation Initiative, NTI, and Hill
17 International, Inc., for meeting and exceeding
18 disadvantaged business and minority and female
19 employment goals for construction and
20 demolition workers.

21 Whereas, the NTI Program is a
22 strategy to rebuild Philadelphia's
23 neighborhoods as thriving communities with
24 clean and secure streets, recreational and
25 cultural outlets, and quality housing; and

1 11/18/04 - STATED - PRESENTATIONS

2 Whereas, the NTI Program has
3 retained Hill International, Inc., as its
4 construction consultant; and

5 Whereas, the NTI-established goals
6 for hiring disadvantaged business aimed to
7 subcontract 35 to 40 percent of the work to
8 minority-own businesses and 12 percent to 15
9 percent of the work to women-owned businesses;
10 and

11 Whereas, the City of Philadelphia
12 released a report dated February 2004 stating
13 the NTI program has significantly exceeded the
14 amount of work subcontracted to minority
15 businesses to date, specifically stating an
16 actual percentage of work subcontracted to
17 minority business of 49.65 percent and
18 women-owned businesses of 13.43 percent; and

19 Whereas, the program also has
20 minority worker participation employment goals
21 of 75 percent; and

22 Whereas, a report issued by the
23 Greater Philadelphia Urban Affairs Council
24 states that the NTI Program has also exceeded
25 its employment goal by achieving 78 percent

1 11/18/04 - STATED - PRESENTATIONS

2 minority worker participation;

3 COUNCILMAN RAMOS: Whereas, the NTI

4 Program has a local employment goal of 80

5 percent City of Philadelphia residents; and

6 Whereas, to date, the actual

7 employment level for Philadelphia residents on

8 the NTI demolition program is 79 percent; and

9 Whereas, the NTI program deserves to

10 be recognized as a prime example of the City's

11 commitment to ensuring that all businesses are

12 given a fair opportunity to work on municipal

13 projects;

14 Now, therefore, be it resolved by

15 the City Council of Philadelphia that we honor

16 the NTI Program and Hill International, Inc.,

17 on their successful inclusion of minority and

18 women-owned businesses;

19 And be it further resolved that an

20 engrossed copy of this resolution be presented

21 Patricia L Smith, NTI Program Director, Jay

22 McCalla, Deputy Managing Director and Michael

23 V. Griffin, P.E., Senior VP of Hill

24 International, Inc., as evidence of the

25 sincere respect and admiration of this

1 11/18/04 - STATED - PRESENTATIONS

2 legislative body.

3 Signed by Anna C. Verna, President
4 of City Council, and all the members of this
5 body.

6 Congratulations.

7 (Applause.)

8 COUNCIL PRESIDENT VERNA: The Chair
9 recognizes Ms. Smith for remarks.

10 MS. SMITH: On behalf of the
11 Neighborhood Transformation Initiative and our
12 various partners, I just want to stress that
13 our ability to achieve the goals set forth on
14 our economic opportunity goals for our
15 demolition work could not be possible without
16 an array of partners. We were committed and
17 felt that an important part of rebuilding and
18 strengthening Philadelphia neighborhoods
19 including, to the fullest extent possible,
20 creating economic opportunities.

21 To give you some context, the number
22 of individuals working on demolition projects
23 through the end of September is now 599
24 individuals. So in addition to eliminating
25 dangerous and blighted conditions in our

1 11/18/04 - STATED - PRESENTATIONS

2 neighborhoods, we are also employing residents
3 of Philadelphia on those projects.

4 And, again, thank you to the Council
5 for your commendation and thank you to all my
6 partners.

7 COUNCIL PRESIDENT VERNA: Thank you
8 very much.

9 (Applause.)

10 COUNCIL PRESIDENT VERNA: Council
11 will be at ease.

12 (Council at ease.)

13 COUNCIL PRESIDENT VERNA: The Chair
14 now recognizes Councilwoman Brown who will
15 present a resolution honoring PHILADANCO.

16 Will Ms. Joan Meyers Brown and those
17 accompanying her please join the Councilwoman
18 at the podium?

19 I would ask that Councilwoman
20 Blackwell and Councilman Kenney please join
21 the Councilwoman at the podium.

22 COUNCILWOMAN BROWN: In addition to
23 the founder and Executive Artistic Director of
24 PHILADANCO joining us here at the podium,
25 we're also pleased to have with us Beverly A.

1 11/18/04 - STATED - PRESENTATIONS

2 Harper, the President of the Board; Board
3 Members Jerry Packman and Barbary Catz Cohort.
4 A number of the dancers are with us: Hollie
5 Wright, Mora-Amina Parker, and Elizabeth Bell
6 and Vanessa Thomas who I actually stood behind
7 at the ballet bar when we were at PHILADANCO
8 many, many years ago.

9 And I've asked my colleagues --
10 there are a number of us in here who love of
11 the arts. I've asked Councilman Jim Kenney
12 who I know adores the arts and Councilwoman
13 Jannie Blackwell where the Philadelphia Dance
14 Company is housed in her councilmanic
15 district.

16 I'd be remiss not to call to your
17 attention, as well, the PHILADANCO packet.
18 This is the 35th year, and we don't want you
19 to miss the opportunity to see this dazzling
20 company.

21 And since I know that I'll never get
22 another chance to add my own personal
23 commentary, I am going to seize the moment and
24 do it this morning.

25 I spent 30 of my 35 years with the

1 11/18/04 - STATED - PRESENTATIONS

2 Philadelphia Dance Company, and there are
3 three things that I learned from my mentor and
4 the leadership of Joan Meyers Brown. Here is
5 what I have to say about teachers. An
6 mediocre teacher tells. A good teacher
7 explains. A superior teacher demonstrates.
8 However, a great teacher inspires. And such
9 is the case of the teacher, choreographer and
10 leader Joan Meyers Brown.

11 At Danco, you learn that hard work
12 and commitment is the norm in the perfection
13 of your craft. Practice there we did with a
14 capital P. That was the expectation. And
15 above all, excellence in the presentation of
16 your craft was absolutely non-negotiable for
17 Joan Meyers Brown. You learned finally that
18 dance is the only art wherein we ourselves are
19 the stuff of which it is made.

20 I've come full circle, starting out
21 there as a student, going on being invited by
22 Joan Meyers Brown to dance with the company,
23 served as a member of the board and a member
24 of the staff, and now Councilman Nutter and I
25 are watching our little girls grow and learn

1 11/18/04 - STATED - PRESENTATIONS

2 the art form as well.

3 So I am delighted and it's an honor
4 to present this to Joan Meyers Brown.

5 COUNCILMAN KENNEY: This a
6 resolution honoring the Philadelphia Dance
7 Company for 35 years of producing thousands of
8 extraordinary dancers, remarkable sold-out
9 shows and service to the City of Philadelphia.

10 Whereas the Philadelphia Dance
11 Company, PHILADANCO, has a longstanding
12 history of training thousands of dancers in
13 ballet, jazz, modern and distinct dancing art
14 forms; and

15 Whereas, the impact of the caliber
16 of training the dancers reach far beyond the
17 local dance community; and

18 COUNCILWOMAN BLACKWELL: Whereas,
19 PHILADANCO for the past 35 years has traveled
20 the country and the world performing before
21 sold-out audience of diverse people of all
22 ages, creeds, ethnicity and cultural
23 traditions; and

24 Whereas, the Howard University
25 trained Joan Meyers Brown remains a tireless

1 11/18/04 - STATED - PRESENTATIONS

2 advocate and spokesperson and is a model of
3 tenacity, hope and discipline through her
4 efforts and expertise has made PHILADANCO a
5 modern contemporary dance company that tours
6 nationally and internationally; and

7 Whereas, PHILADANCO presents the
8 highest quality of professional dance
9 performances and improves the skills of
10 emerging professional dancers and
11 choreographers in an nurturing environment
12 while increasing the appreciation of dance
13 among its communities; and

14 COUNCILWOMAN BROWN: Whereas,
15 PHILADANCO is now one of seven cultural
16 organizations that was awarded permanent
17 residency at the Kimmel Center for the
18 Performing Arts; and

19 Whereas, PHILADANCO not only impacts
20 the world of dance, this institution is a safe
21 haven for young people from the community.
22 Youth that might otherwise turn to the streets
23 have a place to meet, learn, and participate
24 in a structured culturally rich professional
25 program.

1 11/18/04 - STATED - PRESENTATIONS

2 Now, therefore, be it resolved by
3 the City Council of Philadelphia that we
4 hereby honor the Philadelphia Dance Company,
5 affectionately known as PHILADANCO, a cultural
6 treasure for 35 years of producing thousands
7 of extraordinary dancers, remarkable sold-out
8 shows and service to our City.

9 And resolved further that an
10 engrossed copy of this resolution be presented
11 to its founder, Joan Meyers Brown, for her
12 efforts to improve the foundation of modern
13 dance as evidence of the sincere sentiments of
14 this legislative body.

15 Introduced by Blondell Reynolds
16 Brown and sponsored by the all the Members of
17 the Philadelphia City Council.

18 (Applause.)

19 COUNCIL PRESIDENT VERA: The Chair
20 recognizes Ms. Meyers Brown for remarks.

21 MS. MYERS BROWN: Good morning.
22 This is indeed a great honor. When I started
23 the company 35 years ago, I didn't want to
24 call it Joan Meyers Dancers. I thought it
25 would be appropriate to call it the

1 11/18/04 - STATED - PRESENTATIONS

2 Philadelphia Dance Company. And I'm proud to
3 have taken this company as a representative of
4 the City of Philadelphia all across the world.
5 And here we are 35 years later with your
6 support. It started with Lucien Blackwell
7 when I first went to him I said, "I need
8 help." And we're here to say thank you for
9 continued support of all the people here with
10 me and all the people in City Council. I
11 thank you.

12 (Applause.)

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

15 (Council at ease.)

16 COUNCIL PRESIDENT VERNA: At this
17 time the Chair recognizes Councilwoman Miller
18 to present a resolution recognizing Mr. Rodney
19 Moore.

20 Will Mr. Moore and those
21 accompanying him please join the Councilwoman
22 at the podium?

23 And Councilman Clarke will be
24 joining Councilwoman Miller.

25 The Chair recognizes Councilwoman

1 11/18/04 - STATED - PRESENTATIONS

2 Miller.

3 COUNCILWOMAN MILLER: Thank you,
4 Madam Chair.

5 It's my pleasure this morning to
6 present a City Council resolution recognizing
7 and honoring Rodney Moore, former professional
8 welterweight boxing champion on the occasion
9 of his induction into the prestigious New
10 Jersey Boxing Hall of Fame.

11 COUNCILMAN CLARKE: Whereas, Rodney
12 Moore, known as Rockin Rodney Moore began
13 boxing at the Philadelphia Athletic League in
14 1983 and had 45 bouts with an amateur record
15 of 43 wins and 22 knockouts; and

16 Whereas, Rockin Rodney Moore as an
17 amateur won a Pennsylvania State Golden Gloves
18 Championship as well a Sugar Ray Leonard
19 Golden Gloves Championship; and

20 Whereas, Rodney Moore turned
21 professional in 1986 and was a world class
22 contender for seven years before retiring with
23 a record of 52 professional fights, 42 wins, 2
24 draws, and 25 knockouts; and

25 COUNCILWOMAN MILLER: Whereas,

1 11/18/04 - STATED - PRESENTATIONS

2 Rockin Rodney Moore, upon his retirement from
3 the ring, founded a non-profit organization
4 "Fight to Learn Program" which is an after
5 school and summer program for youth in the
6 City of Philadelphia.

7 Resolved by the Council of the City
8 of Philadelphia that Rockin Rodney Moore is
9 recognized for his an accomplishments as a
10 boxer and honored on the occasion of his
11 induction into the prestigious New Jersey Hall
12 of Fame.

13 Further resolved that an engrossed
14 copy of this resolution is presented to Rockin
15 Rodney Moore as evidence of the sincere
16 sentiments and appreciation of this
17 legislative body.

18 Certified that this is a true and
19 correct copy of the original resolution
20 adopted by the Council of the City of
21 Philadelphia on the 28th day of October 2004.

22 Signed by Anna C. Verna, President
23 of City Council, introduced by Donna Reed
24 Miller and Darrell L. Clarke and cosponsored
25 by all Members of City Council.

1 11/18/04 - STATED - PRESENTATIONS

2 (Applause.)

3 COUNCIL PRESIDENT Verna: The Chair
4 recognizes Mr. Moore for remarks.

5 MR. MOORE: First, I'd like to thank
6 Almighty for giving me such a great career
7 inside the ring and outside of the ring. I'd
8 like to thank my family for always being in
9 support of me no matter what I've done. I'd
10 like to give Council President Anna Verna a
11 thank-you for allowing this to happen, and the
12 two sponsors Councilwoman Donna Reed Miller
13 just as well Councilman Darrell Clarke and all
14 City Council for making this whole day
15 possible. I'd like to thank you a lot.

16 My family which stands behind me
17 right along with two of my board members to
18 the after school program is here. And I'm
19 just blessingful to say that the good Lord has
20 gave me such a great career inside the ring.
21 Yes, I do get inducted into the prestigious
22 and second biggest Boxing Hall of Fame in the
23 world, New Jersey. That's tonight in
24 Garfield. And what a great honor that's going
25 to be. I guess the next time I'll see you

1 11/18/04 - STATED - COMMUNICATIONS

2 guys, I'll be an actual Hall of Famer.

3 Hopefully, one day I'll get a chance to come
4 back to City Hall and do some things.

5 A lot of you Councilpeople out there
6 have been very supportive of my after school
7 program. I'd like to thank you for that, and
8 I'm looking for more support from as many as
9 possible, as my program does run out of the
10 Councilwoman's Councilmanic District at the
11 Lonnie Young Rec Center called the Fight to
12 Learn Program.

13 I'd like to thank everybody for
14 making this day possible for me. I'm going to
15 do what I can to help fight for these
16 children. And one day I'll come here with a
17 Hall of Fame belt and say, "Guys, I'm now an
18 official Hall of Famer."

19 Thank you.

20 (Applause.)

21 COUNCIL PRESIDENT VERA: Thank you.
22 Congratulations, Mr. Moore.

23 Council will be at ease.

24 (Council at ease.)

25 COUNCIL PRESIDENT VERA: The next

1 11/18/04 - STATED - COMMUNICATIONS

2 order of business is communications.

3 The Chair requests that the
4 Sergeant-at-Arms deliver the messages from the
5 Mayor to the Chief Clerk.

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

8 THE CHIEF CLERK: To the President
9 and Members of the Council of the City of
10 Philadelphia, I am pleased to advise you that
11 on November 18, 2004, I signed the following
12 bills that were passed by Council at its
13 session on October 28, 2004: Bill No. 040613
14 and Bill No. 040765.

15 And I signed the following bills
16 that were passed by Council at its session on
17 November 4, 2004: Bill No. 040640-AA, 040467
18 and 040873.

19 And I am returning herewith as
20 unsigned Bill No. 040785, 040786, and Bill No.
21 040184.

22 And I am returning herewith as
23 disapproved Bill 040779, passed by Council at
24 its session on October 28, 2004.

25 And I am transmitting for the

1 11/18/04 - STATED - COMMUNICATIONS

2 consideration of your honorable body a
3 resolution for the redevelopment and urban
4 renewal of the portion of the Model Cities
5 Urban Renewal Area.

6 And the resolution for the
7 redevelopment and urban renewal of a portion
8 of the 44th and Aspen Urban Renewal Area.

9 And a resolution for the
10 redevelopment and urban renewal of a portion
11 of the New Kensington/Fishtown Urban Renewal
12 Area.

13 And I am transmitting an ordinance
14 authorizing the revision of lines of grades on
15 a portion of City Plan No. 121 within an area
16 bounded by Jefferson Street, 20th Street,
17 Oxford Street and 19th Street.

18 And an ordinance authorizing
19 revision of lines and grades on a portion of
20 City Plan No. 299 by striking from the City
21 plan to Domino Lane and Henry Avenue to Hagert
22 Street.

23 And an ordinance amending Title 4
24 entitled "Code Violation Notices" by providing
25 for a new amount to be remitted in response to

1 11/18/04 - STATED - COMMUNICATIONS

2 a code violation notice with respect to
3 violations of the Philadelphia Building
4 Construction and Occupancy Code.

5 And an ordinance authorizing the
6 Commissioner of Public Property to execute and
7 deliver to the Philadelphia Authority for
8 Industrial Development a deed located in an
9 area generally bounded by Casper, Carbon,
10 Ontario and Tioga Streets.

11 And an ordinance amending Title 14
12 of the Philadelphia Code entitled "Zoning and
13 Planning" by adding a new Section 14-1628
14 entitled "Keystone Opportunity Zone Special
15 District Controls."

16 And an ordinance authorizing
17 transfers in appropriation for Fiscal Year
18 2004 within the General Fund from certain or
19 all City offices, departments, boards and
20 commissions to certain City offices,
21 departments, boards and commissions.

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

24 I would simply ask the Chief Clerk,
25 has the Mayor's disapproval letter been

1 11/18/04 - STATED - INTRO. OF BILLS

2 circulated to all the Councilmembers?

3 THE CHIEF CLERK: Yes, it has, Madam
4 President.

5 COUNCIL PRESIDENT VERNA: Thank you.

6 The Chief Clerk will please read any
7 other communications in her possession.

8 THE CHIEF CLERK: That's all I have,
9 Madam President.

10 COUNCIL PRESIDENT VERNA: Thank you.

11 The next order of business is the
12 introduction of bills and resolutions.

13 The Chair recognizes Councilwoman
14 Blackwell for a motion.

15 COUNCILWOMAN BLACKWELL: Thank you,
16 Madam President. I move that the Rules of
17 Council be suspended so as to permit the
18 immediate consideration of resolutions at
19 their time of introduction.

20 (Duly seconded.)

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.

1 11/18/04 - STATED - INTRO. OF BILLS

2 All in favor will indicate by saying
3 aye.

4 (Aye.)

5 COUNCIL PRESIDENT Verna: Those
6 opposed?

7 (No response.)

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

10 At this time I recognize
11 Councilwoman Brown.

12 COUNCILWOMAN BROWN: Thank you,
13 Madam President. We have with us today
14 students from George Washington Carver School.
15 They are shadowing District Council 47. So
16 I'd like us, if we could, recognize the young
17 people from George Washington Carver School.

18 COUNCIL PRESIDENT Verna: If they
19 would stand, we'd be happy to recognize them.
20 Welcome.

21 (Applause.)

22 COUNCILWOMAN BROWN: Thank you,
23 Madam President.

24 COUNCIL PRESIDENT Verna: At this
25 time, the Chair recognizes Councilman Kenney

1 11/18/04 - STATED - INTRO. OF BILLS

2 for the introduction of bills and/or
3 resolutions.

4 COUNCILMAN KENNEY: Thank you, Madam
5 President. I offer one bill and on behalf of
6 yourself, Councilman DiCicco and myself, I
7 over one resolution.

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

11 THE CHIEF CLERK: An ordinance
12 amending Section 17-109 of the Philadelphia
13 Code to create a bid preference for local
14 towing companies when the City contract for
15 towing services, all under certain terms and
16 conditions.

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

19 The Clerk will please read the title
20 of the resolution.

21 THE CHIEF CLERK: A resolution
22 authorizing City Council's Committee on
23 Transportation and Public Utilities to hold
24 public hearings to address the South
25 Philadelphia waterfront's critical

1 11/18/04 - STATED - INTRO. OF BILLS
2 infrastructure needs and traffic congestion as
3 a result of current and proposed development
4 activity.

5 COUNCIL PRESIDENT Verna: The Chair
6 recognizes Councilman Kenney.

7 COUNCILMAN KENNEY: I move the
8 adoption of the resolution.

9 (Duly seconded.)

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

13 All in favor will signify by saying
14 aye.

15 (Aye.)

16 COUNCIL PRESIDENT Verna: Those
17 opposed?

18 (No response.)

19 COUNCIL PRESIDENT Verna: The ayes
20 have it, and the resolution will be referred
21 to the Committee on Transportation and Public
22 Utilities.

23 The Chair recognizes Councilwoman
24 Blackwell.

25 COUNCILWOMAN BLACKWELL: Thank you,

1 11/18/04 - STATED - INTRO. OF BILLS

2 Madam President. Today, I introduce four
3 resolutions, one of which is on your behalf.

4 COUNCIL PRESIDENT VERNA: Thank you.

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

7 THE CHIEF CLERK: A resolution
8 authorizing Council's Committee on Licenses
9 and Inspections to hold public hearings to
10 investigate compliance with Chapter 19-3000 of
11 the Philadelphia Code which requires City
12 office, department, board and commission that
13 issue any permit, license, or other document
14 for which a fee is charged in accordance with
15 the City ordinance to file an annual report
16 with Council with respect to such fees.

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

19 COUNCILWOMAN BLACKWELL: Thank you,
20 Madam President. I move for the adoption.

21 (Duly seconded.)

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

25 All in favor will signify by saying

1 11/18/04 - STATED - INTRO. OF BILLS

2 aye.

3 (Aye.)

4 COUNCIL PRESIDENT Verna: Those
5 opposed?

6 (No response.)

7 COUNCIL PRESIDENT Verna: The ayes
8 have it, the resolution is adopted and will be
9 referred to the Committee on Licenses and
10 Inspections.

11 THE CHIEF CLERK: And a resolution
12 authorizing the Committee on Finance to hold
13 hearings on the City's tax delinquency
14 collection program.

15 COUNCIL PRESIDENT Verna: The Chair
16 recognizes Councilwoman Blackwell.

17 COUNCILWOMAN BLACKWELL: Thank you,
18 Madam President. I note that this has been
19 signed by all Members of Council and ask for
20 the adoption of the resolution.

21 (Duly seconded.)

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

25 All in favor will say aye.

1 11/18/04 - STATED - INTRO. OF BILLS

2 (Aye.)

3 COUNCIL PRESIDENT VERNA: Those
4 opposed?

5 (No response.)

6 COUNCIL PRESIDENT VERNA: The ayes
7 have it, and the resolution is adopted and
8 will be referred to the Committee on Finance.

9 THE CHIEF CLERK: And a resolution
10 approving the redevelopment contract and
11 disposition supplement of the Redevelopment
12 Authority of the City of Philadelphia for the
13 redevelopment and urban renewal of a portion
14 of the 44th and Aspen Urban Renewal Area.

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

17 COUNCILWOMAN BLACKWELL: Thank you,
18 Madam President. I move for the adoption.

19 (Duly seconded.)

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

23 All in favor will say aye.

24 (Aye.)

25 COUNCIL PRESIDENT VERNA: Those

1 11/18/04 - STATED - INTRO. OF BILLS

2 opposed?

3 (No response.)

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

6 THE CHIEF CLERK: And a resolution
7 approving the redevelopment contract and
8 disposition supplement of the Redevelopment
9 Authority of the City of Philadelphia for the
10 redevelopment and urban renewal of a portion
11 of the West Philadelphia Redevelopment Area.

12 COUNCIL PRESIDENT Verna: The Chair,
13 again, recognizes Councilwoman Blackwell.

14 COUNCILWOMAN BLACKWELL: Thank you,
15 Madam President. I move for the adoption.

16 (Duly seconded.)

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

20 All in favor will signify by saying
21 aye.

22 (Aye.)

23 COUNCIL PRESIDENT Verna: Those
24 opposed?

25 (No response.)

1 11/18/04 - STATED - INTRO. OF BILLS

2 COUNCIL PRESIDENT Verna: The ayes
3 have it, and the resolution is adopted.

4 The Chair at this time recognizes
5 Councilman Cohen.

6 COUNCILMAN COHEN: Madam President,
7 I have no bills or resolutions.

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

10 The Chair recognizes Councilwoman
11 Krajewski.

12 COUNCILWOMAN KRAJEWSKI: Madam
13 President, I offer two bills.

14 COUNCIL PRESIDENT Verna: The Chief
15 Clerk will please read the title of the first
16 bill.

17 THE CHIEF CLERK: An ordinance
18 authorizing transfers in appropriation for
19 Fiscal Year 2004 within the General Fund from
20 certain or all City offices, departments,
21 boards and commission to certain or all City
22 offices, departments, boards and commissions.

23 COUNCIL PRESIDENT Verna: The bill
24 will be referred to the appropriate Committee.

25 THE CHIEF CLERK: And an ordinance

1 11/18/04 - STATED - INTRO. OF BILLS

2 authorizing the Commissioner of Public
3 Property to execute and deliver to the
4 Philadelphia Authority for Industrial
5 Development a deed located in the general area
6 bounded by Casper, Carbon, Ontario and Tioga
7 Streets.

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

10 The Chair recognizes Councilman
11 Mariano.

12 COUNCILMAN MARIANO: Madam
13 President, I have three ordinances.

14 COUNCIL PRESIDENT Verna: Do you
15 also a resolution?

16 COUNCILMAN MARIANO: I changed that.
17 I'm sorry.

18 COUNCIL PRESIDENT Verna: The Clerk
19 will please read the title of the first bill.

20 THE CHIEF CLERK: An ordinance
21 repealing Chapter 10-1200 of the Philadelphia
22 Code entitled "Posting of Temporary Signs" and
23 adopting a new Chapter 10-1200 entitled
24 "Posting of Signs."

25 COUNCIL PRESIDENT Verna: The bill

1 11/18/04 - STATED - INTRO. OF BILLS
2 will be referred to the appropriate committee.

3 THE CHIEF CLERK: And an ordinance
4 amending Title 4 Subcode A, Section A-506
5 entitled "Code Violation Notices," by
6 providing for new amount to be remitted in
7 response to a code violation notice with
8 respect to violations of the Philadelphia
9 Building Construction and Occupancy Code.

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

12 THE CHIEF CLERK: And an ordinance
13 authorizing the revision of lines and grades
14 on a portion of City Plan No. 222 in the
15 vicinity of Hunting Park Avenue and Frankford
16 Avenue.

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

19 The Chair recognizes Councilwoman
20 Tasco.

21 COUNCILWOMAN TASCO: Madam
22 President, I offer three resolutions.

23 COUNCIL PRESIDENT VERNA: The Clerk
24 will please read the title of the first
25 resolution.

1 11/18/04 - STATED - INTRO. OF BILLS

2 THE CHIEF CLERK: A resolution
3 honoring the 28th anniversary of the National
4 Black Caucus of State Legislators.

5 COUNCIL PRESIDENT Verna: The Chair
6 recognizes Councilwoman Tasco.

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

9 (Duly seconded.)

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

13 All in favor will signify by saying
14 aye.

15 (Aye.)

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 THE CHIEF CLERK: And a resolution
22 authorizing the Committee on Commerce and
23 Economic Development to hold hearings to
24 examine and investigate the City's provision
25 of assistance in services to businesses

1 11/18/04 - STATED - INTRO. OF BILLS

2 through the Commerce Department and the
3 Mayor's Business Action Team.

4 COUNCIL PRESIDENT VERNA: Again, the
5 Chair recognizes Councilwoman Tasco.

6 COUNCILWOMAN TASCO: I move for the
7 adoption of the resolution.

8 (Duly seconded.)

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

12 All in favor will signify by saying
13 aye.

14 (Aye.)

15 COUNCIL PRESIDENT VERNA: Those
16 opposed?

17 (No response.)

18 COUNCIL PRESIDENT VERNA: The ayes
19 have it, and the resolution will be referred
20 to the Committee on Commerce and Economic
21 Development.

22 THE CHIEF CLERK: And a resolution
23 calling upon the Mayor to submit to Council a
24 proposed ordinance setting forth Council's
25 approval of the waiver of the 18 million due

1 11/18/04 - STATED - INTRO. OF BILLS

2 to the City from the Philadelphia Gas Works
3 for Fiscal Year 2004 if the Mayor wishes to
4 waive that payment, further calling upon the
5 Mayor to provide Council with assurances that
6 no future payments due the City from PGW will
7 be waived or reduced without Council approval
8 by ordinance, and if the Mayor refuses to take
9 such action authorizing Council to retain
10 counsel to file suit to challenge the Mayor's
11 unilateral waiver of payments due the City
12 from PGW without Council's approval by
13 ordinance.

14 COUNCIL PRESIDENT Verna: Again the
15 Chair recognizes Councilwoman Tasco.

16 COUNCILWOMAN TESCO: I move for the
17 adoption of the resolution.

18 (Duly seconded.)

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 (Aye.)

25 COUNCIL PRESIDENT Verna: Those

1 11/18/04 - STATED - INTRO. OF BILLS

2 opposed?

3 (No response.)

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

6 The Chair recognizes Councilwoman
7 Miller.

8 COUNCILWOMAN MILLER: Thank you,
9 Madam President. Today, I have one bill.

10 COUNCIL PRESIDENT VERNA: Thank you.

11 The Chief Clerk will please read the
12 title of the bill.

13 THE CHIEF CLERK: An ordinance
14 amending Title 14 of the Philadelphia Code
15 entitled "Zoning and Planning" by deleting and
16 no longer permitting the preparation and
17 retail sale of food for consumption off
18 premises as an accessory use in C-2 Commercial
19 District.

20 COUNCIL PRESIDENT VERNA: The bill
21 will be referred to the appropriate committee.

22 The Chair recognizes Councilman
23 Nutter.

24 COUNCILMAN NUTTER: Thank you, Madam
25 President. I offer one bill.

1 11/18/04 - STATED - INTRO. OF BILLS

2 COUNCIL PRESIDENT Verna: The Clerk
3 will please read the title of the bill.

4 THE CHIEF CLERK: An ordinance
5 authorizing the Commissioner on Public
6 Property on behalf of the City of Philadelphia
7 to grant to the Southeastern Pennsylvania
8 Transportation Authority an easement across a
9 portion of a certain parcel of land in the
10 vicinity of the intersection of Ridge Avenue
11 and Main Street.

12 COUNCIL PRESIDENT Verna: The bill
13 will be referred to the appropriate committee.

14 The Chair recognizes Councilwoman
15 Brown.

16 COUNCILWOMAN BROWN: Thank you,
17 Madam President. I have no bills or
18 resolutions.

19 COUNCIL PRESIDENT Verna: The Chair
20 thanks the Councilwoman.

21 The Chair recognizes Councilman
22 Goode.

23 COUNCILMAN GOODE: Thank you, Madam
24 President. I have no bills or resolutions.

25 COUNCIL PRESIDENT Verna: Thank you.

1 11/18/04 - STATED - INTRO. OF BILLS

2 The Chair recognizes Councilman
3 Ramos.

4 COUNCILMAN RAMOS: Thank you, Madam
5 President. I offer one bill.

6 COUNCIL PRESIDENT Verna: The Clerk
7 will please read the title of the bill.

8 THE CHIEF CLERK: An ordinance
9 amending Section 19-203 of the Philadelphia
10 Code entitled "Payroll Deductions" by
11 permitting employees to authorize payroll
12 deductions to purchase long-term care and
13 voluntary insurance benefits through financial
14 integrity resources management, under certain
15 terms and conditions.

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

18 The Chair recognizes Councilman
19 DiCicco.

20 COUNCILMAN DICICCO: Thank you,
21 Madam President. I offer three bills, six
22 resolutions; one resolution on your behalf
23 cosponsored by myself and Councilman Kenney
24 and signed by all Members of City Council.

25 COUNCIL PRESIDENT Verna: Thank you.

1 11/18/04 - STATED - INTRO. OF BILLS

2 The Chief Clerk will please read the
3 title of the first bill.

4 THE CHIEF CLERK: An ordinance
5 amending Title 12 of the Philadelphia Code
6 entitled "Traffic Code" by adding a new
7 chapter regulating the use and operation of
8 Electric Personal Assistant Mobility Devices
9 by making conforming amendments to other
10 sectors of the Title.

11 COUNCIL PRESIDENT Verna: The bill
12 will be referred to the appropriate committee.

13 THE CHIEF CLERK: And an ordinance
14 authorizing Vesuvio Restaurant and Bar, 736-38
15 South Eighth Street, to construct, own, and
16 maintain building encroachments consisting of
17 vestibule, rigid frame canopy, masonry fence
18 wall, and an open-air sidewalk cafe.

19 COUNCIL PRESIDENT Verna: The bill
20 will be referred to the appropriate committee.

21 THE CHIEF CLERK: And an ordinance
22 amending Section 9-204 of the Philadelphia
23 Code by prohibiting vending on both sides of
24 12th Street from Chancellor Street to Walnut
25 Street.

1 11/18/04 - STATED - INTRO. OF BILLS

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

5 THE CHIEF CLERK: And a resolution
6 authorizing the Commissioner of Public
7 Property to execute and deliver to the
8 Redevelopment Authority deeds located in the
9 31st Ward of the City of Philadelphia.

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

12 COUNCILMAN DICICCO: Move for the
13 adoption of the resolution.

14 (Duly seconded.)

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

18 All in favor will say aye.

19 (Aye.)

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 CHIEF CLERK: And a resolution

1 11/18/04 - STATED - INTRO. OF BILLS
2 authorizing the Philadelphia's City Council
3 Committee on Commerce and Economic Development
4 to hold public hearings to investigate
5 residential and commercial development in
6 Philadelphia, including waterfront development
7 and the building industry association of
8 Philadelphia recommendations to encourage new
9 construction in Philadelphia.

10 COUNCIL PRESIDENT Verna: The Chair,
11 again, recognizes Councilman DiCicco.

12 COUNCILMAN DICICCO: Thank you,
13 Madam President. Move for the adoption of the
14 resolution.

15 (Duly seconded.)

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

19 All in favor will say aye.

20 (Aye.)

21 COUNCIL PRESIDENT Verna: Those
22 opposed?

23 (No response.)

24 COUNCIL PRESIDENT Verna: The ayes
25 have it, and the resolution will be referred

1 11/18/04 - STATED - INTRO. OF BILLS
2 to the Committee on Commerce and Economic
3 Development.

4 THE CHIEF CLERK: And a resolution
5 authorizing the Commissioner of Public
6 Property to execute and deliver to the
7 Philadelphia Authority deeds located in the
8 31st Ward of the City of Philadelphia.

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

11 COUNCILMAN DICICCO: Thank you,
12 Madam President. Move for the adoption of the
13 resolution.

14 (Duly seconded.)

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

18 All in favor will indicate by saying
19 aye.

20 (Aye.)

21 COUNCIL PRESIDENT Verna: Those
22 opposed?

23 (No response.)

24 COUNCIL PRESIDENT Verna: The ayes
25 have it, and the resolution is adopted.

1 11/18/04 - STATED - INTRO. OF BILLS

2 THE CHIEF CLERK: And a resolution
3 approving the redevelopment contract and
4 disposition supplement of the Philadelphia
5 Authority of the City of Philadelphia for the
6 redevelopment and urban renewal of a portion
7 of the New Kensington/Fishtown Urban Renewal
8 Area.

9 COUNCIL PRESIDENT Verna: The Chair
10 recognizes Councilman DiCicco.

11 COUNCILMAN DICICCO: Thank you,
12 Madam President. Move for the adoption of the
13 resolution.

14 (Duly seconded.)

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

18 All in favor will signify by saying
19 aye.

20 (Aye.)

21 COUNCIL PRESIDENT Verna: Those
22 opposed?

23 (No response.)

24 COUNCIL PRESIDENT Verna: The ayes
25 have it, and the resolution is adopted.

1 11/18/04 - STATED - INTRO. OF BILLS

2 THE CHIEF CLERK: And a resolution
3 approving the redevelopment contract and
4 disposition supplement of the Redevelopment
5 Authority of the City of Philadelphia for the
6 redevelopment and urban renewal of a portion
7 of the Model Cities Urban Renewal Area.

8 COUNCIL PRESIDENT Verna: The Chair
9 recognizes Councilman DiCicco.

10 COUNCILMAN DICICCO: Thank you,
11 Madam President. Move for the adoption of the
12 resolution.

13 (Duly seconded.)

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 (Aye.)

19 COUNCIL PRESIDENT Verna: Those
20 opposed?

21 (No response.)

22 COUNCIL PRESIDENT Verna: The ayes
23 have it, and the resolution is adopted.

24 THE CHIEF CLERK: And a resolution
25 honoring the memory and celebrating the life

1 11/18/04 - STATED - INTRO. OF BILLS

2 of Ambassador Thomas Foglietta.

3 COUNCIL PRESIDENT Verna: The Chair
4 recognizes Councilman DiCicco.

5 COUNCILMAN DICICCO: Thank you,
6 Madam President. Move for the adoption of the
7 resolution.

8 COUNCIL PRESIDENT Verna: I believe
9 we should do this standing vote.

10 All those standing will be voting in
11 favor of the resolution.

12 (Standing vote.)

13 COUNCIL PRESIDENT Verna: The
14 resolution is adopted.

15 At this time the Chair recognizes
16 Councilman O'Neill.

17 COUNCILMAN O'NEILL: Madam
18 President, I offer one bill on behalf of
19 myself and Councilwoman Donna Miller and it's
20 cosponsored by all Members of Council.

21 COUNCIL PRESIDENT Verna: Thank you.

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

24 THE CHIEF CLERK: An ordinance
25 amending Title 22 of the Philadelphia Code

1 11/18/04 - STATED - INTRO. OF BILLS
2 entitled "Public Employees Retirement Code,"
3 including sections 22-701 and 22-702, to allow
4 for benefits to be paid to trusts for disabled
5 children and disabled adopted children of
6 members, under certain terms and conditions.

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

9 The Chair recognizes Councilman
10 Clarke.

11 COUNCILMAN CLARKE: Thank you, Madam
12 President. I offer two bills.

13 COUNCIL PRESIDENT VERNA: Thank you.

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

16 THE CHIEF CLERK: An ordinance
17 regulating the direction of movement of
18 traffic on Morse Street from Uber Street to
19 19th Street, eastbound.

20 COUNCIL PRESIDENT VERNA: The bill
21 will be referred to the appropriate committee.

22 THE CHIEF CLERK: And an ordinance
23 authorizing the revision of lines and grades
24 on a portion City Plan No. 121 within an area
25 bounded by Jefferson Street, 20th Street,

1 11/18/04 - STATED - SPECIAL BUSINESS

2 Oxford Street and 19th Street.

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

6 The Chair recognizes Councilman
7 Kelly.

8 COUNCILMAN KELLY: Madam President,
9 I have no bills or resolutions today.

10 COUNCIL PRESIDENT Verna: The Chair
11 thanks the gentleman.

12 The Chair recognizes Councilman
13 Rizzo.

14 COUNCILMAN RIZZO: No bills or
15 resolutions, Madam President.

16 COUNCIL PRESIDENT Verna: Thank you.

17 Since there are no reports from
18 committees, Council will now proceed under a
19 special order of business to the
20 reconsideration of Bill No. 040779.

21 The bill was passed by the Council
22 at its October 28, 2004 Session and was
23 returned disapproved by the Mayor at today's
24 Session of Council.

25 At this time, the Chair recognizes

1 11/18/04 - STATED - SPECIAL BUSINESS

2 Councilman DiCicco.

3 COUNCILMAN DICICCO: Thank you,
4 Madam President. I would like to make a brief
5 remark before we get into the actual process.

6 As everyone in Council knows, it's
7 been several months now that the Fire
8 Department, many of the Council people in this
9 room and others have been engaged in this
10 discussion, this issue about the restructuring
11 of the Philadelphia Fire Department. And I'm
12 not going to belabor the record by repeating
13 some of the comments I made during the public
14 hearings and some of the testimony I provided
15 in the court proceedings. But I just want
16 everyone to understand that although the 11 of
17 the 15 cuts that are being proposed, although
18 11 of those 15 cuts are in the first
19 Councilmanic District, obviously, I am
20 extremely involved in this process, the fact
21 of the matter remains that all of the City,
22 the entire City of Philadelphia will be
23 affected by these cuts. It's not just that
24 the first Councilmanic District will have less
25 apparatus to fight fires. It will be a ripple

1 11/18/04 - STATED - SPECIAL BUSINESS

2 effect across this City. And in particular,
3 to those Councilmanic districts that abut the
4 first Councilmanic District.

5 Example: They are eliminating both
6 the engine and ladder in Old City at Fourth
7 and Arch under their proposal. When we had a
8 briefing with the Fire Department under the
9 former fire Commissioner, they indicated that
10 they would still be able to fight fires in old
11 City by using equipment that would come from
12 20th and Market, which I believe is in
13 Councilman Clarke's district. And not getting
14 into all the details of the distance that fire
15 apparatus would have to travel to get down to
16 Third and Race, as an example, the traffic
17 pattern that they did describe in their
18 briefings. I literally had a straight line
19 going from 20th and Market to Fourth and Arch
20 which means that that fire truck would
21 literally be going right through the courtyard
22 of City Hall, it wouldn't have to make any
23 left turns or right turns, wouldn't be
24 stopping for any signals. So what I'm asking
25 for in this override is that everyone

1 11/18/04 - STATED - SPECIAL BUSINESS

2 understands that the impact of these proposed
3 cuts will be felt citywide. And I had a lot
4 of points I was going to talk about, but I'm
5 just going to cut it down to two. The
6 Reverend who was here this morning just talked
7 about a young boy who lost life in his fire.
8 And I certainly don't want to make the loss of
9 his life a political hammer in this case.
10 But, you know, how many lives would have been
11 lost in that fire and all the other fires that
12 have taken place in this City over the years
13 if we reduce the amount of equipment that we
14 have to fight those fires? No one knows. But
15 I think it's reasonable to say that you would
16 have additional loss of property at a minimum
17 and possibly a potential for additional loss
18 of life because the longer it takes fire
19 apparatus to get to the scene, the potential
20 for damage, I think, increases about 50 or 80
21 percent for every minute that it takes for that
22 apparatus to get to the scene. So you just do
23 the math.

24 In your district, Council President,
25 if they remove a ladder from 12th and Reed

1 11/18/04 - STATED - SPECIAL BUSINESS

2 which is two blocks away from your district
3 and where you live, that means that the
4 apparatus to fight those fires in that
5 neighborhood will probably have to either come
6 from Broad and Fitzwater or 20th and Federal.
7 And now, if that apparatus does comes to the
8 east side of the Broad Street and a fire
9 occurs on the west side, where does that
10 apparatus come from? It comes from the
11 outlying communities further west. Before you
12 know it, you're into Councilwoman Blackwell's
13 district.

14 And I'll end on this note. If you
15 look at the Mayor's -- if you read the Mayor's
16 veto, in the second paragraph I think he makes
17 the case for our argument today. And I'll
18 quote, "In the 15 years that the Fire
19 Department has received steadily increasing
20 appropriations while other departments have
21 taken cuts, the number of structural fires has
22 dropped dramatically."

23 Well I would suggest then if we
24 reduce the amount of apparatus, that statement
25 would not be in this veto address. The number

1 11/18/04 - STATED - SPECIAL BUSINESS
2 of fires would have actually gone up where
3 damage is or loss of life would actually have
4 increased. So I think he makes the case for
5 us and I'm going to ask this council to
6 support me in the overriding of the mayor's
7 veto.

8 COUNCIL PRESIDENT VERNA: Councilman
9 DiCicco, may I suggest you make a motion
10 reconsider.

11 COUNCILMAN DICICCO: I make a motion
12 we reconsider the Mayor's veto of Bill 040779.
13 (Duly seconded.)

14 COUNCIL PRESIDENT VERNA: It has
15 been moved and seconded. Council will now
16 consider by which Bill No. 040779 was passed.

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

19 THE CHIEF CLERK: An ordinance
20 authorizing transfers in appropriation for
21 Fiscal Year 2005 within the General Fund from
22 all certain or all City offices, departments,
23 boards and commissions to the Fire Department.

24 COUNCIL PRESIDENT VERNA: This bill
25 having be read on two different days was duly

1 11/18/04 - STATED - SPECIAL BUSINESS

2 approved by Council on October 28, 2004, and
3 was returned to Council by the Mayor as
4 disapproved today, November 18, 2004.

5 The question is, shall Bill No.
6 040779 pass notwithstanding the Mayor's
7 disapproval?

8 Please note that a vote of aye, a
9 vote of aye, is a vote to override the Mayor's
10 veto. And a vote of no, I'll repeat, a vote
11 of no is to sustain the Mayor's veto.

12 At this time I would ask the Chief
13 Clerk to please call the roll.

14 THE CHIEF CLERK: Councilwoman
15 Blackwell.

16 COUNCILWOMAN BLACKWELL: Aye.

17 THE CHIEF CLERK: Councilman Clarke.

18 COUNCILMAN CLARKE: Aye.

19 THE CHIEF CLERK: Councilman Cohen.

20 COUNCILMAN COHEN: Aye.

21 THE CHIEF CLERK: Councilman
22 DiCicco.

23 COUNCILMAN DICICCO: Aye.

24 THE CHIEF CLERK: Councilman Goode.

25 COUNCILMAN GOODE: Aye.

1 11/18/04 - STATED - SPECIAL BUSINESS
2 THE CHIEF CLERK: Councilman Kelly.
3 COUNCILMAN KELLY: Aye.
4 THE CHIEF CLERK: Councilman Kenney.
5 COUNCILMAN KENNEY: Aye.
6 THE CHIEF CLERK: Councilwoman
7 Krajewski.
8 COUNCILWOMAN KRAJEWSKI: Aye.
9 THE CHIEF CLERK: Councilman
10 Mariano.
11 COUNCILMAN MARIANO: Aye.
12 THE CHIEF CLERK: Councilwoman
13 Miller.
14 COUNCILWOMAN MILLER: Aye.
15 THE CHIEF CLERK: Councilman Nutter.
16 COUNCILMAN NUTTER: Aye.
17 THE CHIEF CLERK: Councilman
18 O'Neill.
19 COUNCILMAN O'NEILL: Aye.
20 THE CHIEF CLERK: Councilman Ramos.
21 COUNCILMAN RAMOS: Aye.
22 THE CHIEF CLERK: Councilwoman
23 Reynolds Brown.
24 COUNCILWOMAN REYNOLDS BROWN: Aye.
25 THE CHIEF CLERK: Councilman Rizzo.

1 11/18/04 - STATED - 2ND READING

2 COUNCILMAN RIZZO: Aye.

3 THE CHIEF CLERK: Councilwoman

4 Tasco.

5 COUNCILWOMAN TASCO: Aye.

6 THE CHIEF CLERK: Council President

7 Verna.

8 COUNCIL PRESIDENT VERNA: Aye.

9 The ayes are 17, the nays are 0.

10 More than two-thirds of all Members of Council

11 having voted in the affirmative, the Mayor's

12 veto is overridden

13 The next order of the business is

14 the consideration of the Calendar.

15 Since there are no bills on the

16 First Reading Calendar, the Chair now

17 recognizes Councilwoman Blackwell for the

18 purpose of calling up the bills on the Second

19 Reading and Final Passage Calendar to be

20 considered today.

21 COUNCILWOMAN BLACKWELL: Thank you,

22 Madam President. Today, Bill No. 040760 is

23 being called up for second reading and final

24 passage. And two bills are to be amended,

25 Bill No. 040113 and 040788. All other bills

1 11/18/04 - STATED - 2ND READING

2 are being held.

3 COUNCIL PRESIDENT Verna: Thank you.

4 The Chief Clerk will please read the
5 title of Bill No. 040113.

6 THE CHIEF CLERK: An ordinance
7 amending Chapter 10-800 of the Philadelphia
8 Code entitled "Safety" by adding a new Section
9 10-832 entitled "Firearms Tracing" to require
10 that the City of Philadelphia Police
11 Department conduct traces of firearms
12 illegally possessed by anyone under 21 years
13 of age, all under certain terms and
14 conditions.

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

17 COUNCILMAN CLARKE: Thank you, Madam
18 President. Madam President, as earlier
19 indicated, we will be offering an amendment
20 for this particular bill. It has been
21 circulated. Essentially, we are deleting two
22 portions of the bill. In Section A, we're
23 deleting under 21 years of age where the
24 Police Department will be required to trace
25 all weapons involved in crimes regardless of

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2 age. In section 2, we're deleting the
3 language that says upon the enactment by the
4 Pennsylvania General Assembly authorizing
5 legislation. After our investigation, it was
6 found that we do not need authorization by the
7 Pennsylvania General Assembly to enact this
8 bill so we're deleting that also.

9 So I make a motion that the
10 amendments to Bill No. 040113 be approved.

11 (Duly seconded.)

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

15 All in favor will say aye.

16 (Aye.)

17 COUNCIL PRESIDENT VERNA: Those
18 opposed?

19 (No response.)

20 COUNCIL PRESIDENT VERNA: The ayes
21 have it and the amendments have been adopted.

22 The Chief Clerk will please read the
23 title of Bill 040760.

24 THE CHIEF CLERK: An ordinance
25 authorizing transfers in appropriations for

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2 Fiscal Year 2005 within the General Fund from
3 the Department of Public Property City Subsidy
4 for SEPTA to the Director of Finance and
5 authorizing the Director of Finance to convene
6 a panel for the purpose of administering funds
7 to distressed businesses and the community
8 affected by the Market Street Elevated
9 Reconstruction Project, all under certain
10 terms and conditions.

11 COUNCIL PRESIDENT VERNA: This bill
12 having been read on two different days, the
13 question now is shall the bill pass finally.

14 The Clerk will please call the roll.

15 THE CHIEF CLERK: Councilwoman
16 Blackwell.

17 COUNCILWOMAN BLACKWELL: Aye.

18 THE CHIEF CLERK: Councilman Clarke.

19 COUNCILMAN CLARKE: Aye.

20 THE CHIEF CLERK: Councilman Cohen.

21 COUNCILMAN COHEN: Aye.

22 THE CHIEF CLERK: Councilman
23 DiCicco.

24 COUNCILMAN DICICCO: Aye.

25 THE CHIEF CLERK: Councilman Goode.

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2 COUNCILMAN GOODE: Aye.
3 THE CHIEF CLERK: Councilman Kelly.
4 COUNCILMAN KELLY: Aye.
5 THE CHIEF CLERK: Councilman Kenney.
6 COUNCILMAN KENNEY: Aye.
7 THE CHIEF CLERK: Councilwoman
8 Krajewski.
9 COUNCILWOMAN KRAJEWSKI: Aye.
10 THE CHIEF CLERK: Councilman
11 Mariano.
12 COUNCILMAN MARIANO: Aye.
13 THE CHIEF CLERK: Councilwoman
14 Miller.
15 COUNCILWOMAN MILLER: Aye.
16 THE CHIEF CLERK: Councilman Nutter.
17 COUNCILMAN NUTTER: Aye.
18 THE CHIEF CLERK: Councilman
19 O'Neill.
20 COUNCILMAN O'NEILL: Aye.
21 THE CHIEF CLERK: Councilman Ramos.
22 COUNCILMAN RAMOS: Aye.
23 THE CHIEF CLERK: Councilwoman
24 Reynolds Brown.
25 COUNCILWOMAN REYNOLDS BROWN: Aye.

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2 THE CHIEF CLERK: Councilman Rizzo.

3 COUNCILMAN RIZZO: Aye.

4 THE CHIEF CLERK: Councilwoman

5 Tasco.

6 COUNCILWOMAN TASCO: Aye.

7 THE CHIEF CLERK: Council President

8 Verna.

9 COUNCIL PRESIDENT VERNA: Aye.

10 The ayes are 17, the nays are 0. A
11 majority of all Members having voted in the
12 affirmative, the bill passes.

13 The Clerk will please read the title
14 of the Bill No. 040788.

15 THE CHIEF CLERK: An ordinance
16 amending Chapter 9-600 of the Philadelphia
17 Code entitled "Service Businesses" by adding a
18 new section regulating the hours of operation
19 of commercial establishments located on
20 residential blocks and providing for
21 penalties, all under certain terms and
22 conditions.

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

25 COUNCILMAN CLARKE: Thank you, Madam

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2 President.

3 Madam President, I will be offering
4 this amendment. This amendment is based on
5 numerous discussions with operators of stores
6 that had some concern about the prohibition of
7 certain hours of operation on take-out
8 location, numerous discussions with Members of
9 this Council. These amendment, we believe,
10 will address those concerns. But as indicated
11 earlier in the caucus we would be willing to
12 sit down and discuss this further with Members
13 of this Council and any operators will be
14 affect prior to the passage of the ultimate
15 bill. So today I just ask for the approval of
16 these amendments to address those concerns
17 that have been raised so far. So I'd like to
18 make a motion to amend Bill No. 040788.

19 (Duly seconded.)

20 COUNCIL PRESIDENT Verna: It has
21 been moved and seconded that the amendments
22 offered by Councilman Clarke be approved.

23 All in favor will signify by saying
24 aye.

25 (Aye.)

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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 amendment is adopted.

7 That concludes our Calendar for
8 today.

9 Are there speeches on the part of
10 the Minority?

11 (No response.)

12 COUNCIL PRESIDENT VERNA: Are there
13 speeches on the part of the Majority?

14 The Chair recognizes Councilman
15 Nutter.

16 COUNCILMAN NUTTER: Thank you, Madam
17 President. I will be brief.

18 Madam President, there's been a
19 great deal of discussion. I'm sure we can
20 certainly use more with regard to the issue of
21 the various ethics proposals that are moving
22 through the Committee process here in City
23 Council. There has been discussion about how
24 we will be able to continue to move that
25 process forward based on some events that took

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2 place this past Tuesday. The hearing has been
3 continued until Tuesday, November 30th at 11
4 o'clock a.m., and I would certainly encourage
5 as many members of the public to attend who
6 are interested in this particular topic about
7 creating a board of ethics or a new code of
8 ethics or dealing with matters such as
9 pay-to-play and a variety of other issues. We
10 certainly always benefit from participation by
11 the general public.

12 The concern has been recently that
13 because the hearing from last week which was
14 then continued until this past Tuesday and
15 then that hearing somewhat, at least in my own
16 opinion, abruptly recessed and continued, as
17 to the future of this process. Given the
18 amount of attention and time that many
19 Philadelphians, some of whom were participants
20 in the 21st Century Review Forum as created by
21 Mayor Street -- and I commend him for doing
22 that -- bills that were introduced by Mayor
23 Street's Administration on September 23, 2004,
24 bills that I introduced and were cosponsored
25 by a number of Members on that same date

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2 September 23, 2004, the process as it stands
3 now and as I best understand it, there will be
4 a hearing on the date I mentioned, November 30
5 at 11 o'clock a.m. Again, I encourage the
6 public to attend.

7 Upon discussion with many of my
8 colleagues, rather than take actions that are
9 allowed under our Rules to move the process,
10 since it appears to be somewhat stymied, I
11 agreed not to take any action in that regard
12 today. We do have time, with three Council
13 Sessions left, to still take action on such a
14 weighty issue by the end of this calendar
15 year.

16 At the same time, upon discussion
17 with my colleagues, a majority of them have
18 agreed there should be action. We have not
19 discussed the details of what that action will
20 be or any proposed amendments, but that we
21 would allow the process to continue through
22 November 30th, look to see whether the Members
23 of the Committee who have been there for two
24 days of hearings, approximately eight hours of
25 testimony from local, regional, and national

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2 experts to see whether the process is, in
3 fact, allowed to proceed under the normal
4 procedures of this Council.

5 In the event that they are not, a
6 majority of the Members have indicated that
7 they will be prepared to take action on
8 Thursday, December 2nd, in accordance with the
9 procedures of our Rules in order to allow for
10 a full discussion of these matters and move
11 this process forward.

12 These are very serious and important
13 issues, I think, not only to the citizens of
14 this City but more importantly even to all of
15 us as public officials. And we are compelled
16 by our oath of office to take action where
17 action is required.

18 So I look forward to the continued
19 debate and discussion, but I and many others
20 would certainly like to see this process move
21 forward with an appropriate amount of debate
22 and discussion.

23 Conversations and meetings are
24 ongoing, and I am cautiously optimistic that
25 given the similarities in many instances but

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2 important differences between the proposed
3 board of ethics and code of ethics that
4 working with the City Administration we may,
5 in fact, be able to come up with the highest
6 standards for public servants but in an
7 agreeable fashion.

8 So I will continue to work in that
9 regard, but I appreciate the support of the
10 many Members of Council who have indicated
11 that it is time for action. We should try to
12 take that action before the end of this
13 calendar year. And I will await to see how
14 the process turns out on November 30th at the
15 hearing which will take place at 11:00 a.m.
16 here in these Council Chambers.

17 Thank you very much, Madam
18 President.

19 COUNCIL PRESIDENT Verna: You're
20 welcome.

21 The Chair recognizes Councilman
22 Cohen.

23 COUNCILMAN COHEN: Thank you, Madam
24 President. I don't know what the magic date
25 of the end of the year means. The bill and

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2 resolution before the Law and Government
3 Committee deals with Home Rule Charter
4 amendments. The next actual step in the Home
5 Rule Charter amendment process is to place
6 something on the ballot in the spring primary.
7 That primary is May the 16th. This is
8 November. What the rush to judgment is, I
9 don't know. Maybe it's because some members
10 feel they have studied the subject and want to
11 move ahead because they feel knowledgeable
12 about the subject. But most Members of
13 Council don't feel so. It is the duty of the
14 Council Chairman always to be responsible to
15 see that no bill is acted upon until there is
16 full discussion and participation by the
17 public where possible.

18 So I join with Councilman Nutter in
19 urging the public to attend the hearing on
20 November 30th and any other hearing dates that
21 may exist. But the date that's significant is
22 the 46th day before May 16th which is a
23 primary date. In other words, nothing can
24 happen until the beginning at least of March.
25 Council has until March. I don't understand

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2 why Councilman Nutter tries to close off the
3 discussion at the end of November when nothing
4 can happen between November and the beginning
5 of March. It seems to me that we ought to do
6 it, and we ought to do it right rather than
7 fast.

8 Now, I don't want to speculate as to
9 any reasons anybody has for cutting short
10 discussions, but Councilman Nutter obviously
11 has studied this question quite fully, he has
12 reached his decisions. For many of us in City
13 Council, we are beginning the process on a
14 very difficult subject.

15 For example, certain Councilmembers
16 seem to have become targets, perhaps
17 unintentionally, perhaps intentionally -- we
18 don't know yet -- of provisions of the ethics
19 bill. And I think we've got to look into that
20 and we've got to see that the ethics bill
21 provisions are not converted into provisions
22 to get at different Councilmembers, wherever
23 their positions may be on other subjects.
24 That concerns me.

25 The provisions in this bill that

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2 I've seen so far don't contain provisions that
3 many other states contain. That's the waiver
4 provisions. Yet they also contain a lot of
5 emphasis on provisions that I'd like to know
6 why they're needed. For example, this bill
7 has -- and I've made clear my concerns over
8 the years on the anti-nepotism features.
9 There's nothing in any of the testimony to
10 date which indicates that Philadelphia has
11 ever had a nepotism problem.

12 Let me just point out certain
13 things. The leading officials of this City
14 Council, including the President, including
15 the Majority Leader, including my wife and
16 including others, including the clerk of the
17 committee developed from what might be called
18 nepotism pictures. It happens that in
19 Philadelphia, nepotism, to my knowledge --
20 maybe there are other facts; I'd like to hear
21 them. To my knowledge, nepotism has never
22 been a problem. Yet this bill condemns all
23 nepotism as if it's bad from beginning to end
24 and forces us to condemn the actions that
25 resulted in the election of our present

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2 leadership. I resent that. I think if it's
3 to contain any provisions on nepotism, it
4 ought to indicate that these provisions are
5 for the future and that there is nothing that
6 has ever exist in the history of Philadelphia
7 to indicate that nepotism is a problem.

8 Now, they're just some of my
9 concerns in the bill. For many of us in City
10 Council, we're just beginning the serious
11 study of ethical problems. We have to know
12 the relationship between the board of ethics
13 that this bill talks about and the
14 pay-to-play. We also have to know -- and no
15 one has answered the question as to how the
16 conduct of Philadelphia, the conduct that's
17 been determined to, by the press at least,
18 cronyism or Philadelphia's known as a City
19 corrupt but contented. These are phrases that
20 are used to describe Philadelphia. I'm not
21 seeing support for those items, and nothing in
22 the testimony thus far dealt with it. Why are
23 we going through unnecessary procedures then?

24 So I want to know lots of things
25 about this and I think all other members of

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2 the Council want to feel that they're doing
3 their share in working on this. And if a bill
4 is to be achieved, it ought to be right and
5 not speedily, especially when the goal is set
6 not by the Council.

7 Apparently, Councilman Nutter -- he
8 repeated again today his feeling it ought to
9 be done by the end of the year. I don't
10 understand the significance of the end of this
11 year. Nothing happens at the end of this
12 year. The date that's important if there is
13 to be a bill that amends the Home Rule Charter
14 is the date next May in the spring primary.
15 We're all working to that end. We all hope
16 the Administration and Councilman Nutter get
17 together on their version. We all hope, I
18 believe, that the public will have the
19 opportunity for whatever input it chooses to
20 make in this bill. And if there is agreement,
21 then everybody is fully satisfied, then I
22 think, of course, we're working to the end of
23 getting this on the spring ballot in March.
24 But I resent the fact of an artificial
25 deadline being set by a sponsor of the bill

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2 saying he wants it done by the end of year. I
3 don't understand that at all. I don't know
4 what the end of the year has to do with a
5 thing. The next important date is the date
6 that has to be met, and it's 46 days before
7 the Home Rule Charter Council has to have
8 completed its study of this bill in order to
9 make the filing of the Home Rule Charter
10 amendment timely and to get it on the ballot
11 in the springtime.

12 So I'm against artificial dates.
13 And I don't know why Councilman Nutter is
14 pushing it. Maybe he feels satisfied that he
15 knows everything to be known. I think many of
16 us in City Council feel we still have a lot to
17 learn and it's plenty of time to learn it.
18 And I welcome his agreement today to
19 participate as much as possible in bringing
20 the public in.

21 So thank you very much, Madam
22 President for the opportunity to explain.

23 I'm totally baffled by this date
24 that's also appeared in the press, the end of
25 the year. And I don't know what Councilman

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2 Nutter means when he says we should do it by
3 the end of year. That's his view. Every
4 Member of Council is entitled to their view
5 with respect to it. But in no event is that a
6 critical date of any kind whatever.

7 Thank you, Madam President.

8 COUNCIL PRESIDENT Verna: You're
9 welcome, sir.

10 Councilwoman Tasco, did you want to
11 speak?

12 COUNCILWOMAN TESCO: Yes, briefly.

13 COUNCIL PRESIDENT Verna: Please do
14 so.

15 COUNCILWOMAN TESCO: About two years
16 ago, I brought to this Council a resolution
17 regarding how when you triggered in the "N"
18 word on the eBay site, up popped very negative
19 and derogatory figures that related to
20 African-Americans.

21 We took that resolution to the
22 National Black Caucus of Local Elected
23 Officials, which is a constituent group of the
24 National League of Cities of which I am
25 President. We presented that resolution to

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2 the National League of Cities last year in
3 December at its national meeting and at its
4 annual business meeting on that Saturday; 1500
5 delegates voted unanimously to support the
6 resolution.

7 Subsequent to that, eBay met with
8 the members of the National League of Cities,
9 the officers, and with Pat Dando who is Vice
10 Mayor of San Jose where eBay is located, and
11 for several months worked on coming to a
12 resolution.

13 Yesterday, we had a press conference
14 in Washington where eBay has agreed that when
15 selling black Americana, eBay will prohibit
16 sellers from using racially offensive words
17 such as "nigger" and "jap" in the titles or
18 descriptions of the listing for such items.
19 Any listing that contain such descriptions
20 will not be permitted on eBay. When these
21 words are explicitly used in titles within
22 media categories such as books, movies and
23 music, they may be used by the seller only if
24 they are actually part of the title of the
25 listed item. For example, there are a number

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2 of books, including some by African-Americans,
3 that carry these words in their titles.
4 Sellers who attempt to use these words will
5 receive a popup notice that reminds them of
6 these prohibitions and reinforces eBay's
7 policies. It also notes that although
8 historical black Americana items are permitted
9 for sale, reproductions are not. So if you
10 want to sell an item of black Americana or any
11 cultural group on eBay, you cannot use any
12 negative connotation for that group in listing
13 your item.

14 So we're real proud of the National
15 League of Cities and its leadership, Charlie
16 Lyons who is Alderman in Arlington,
17 Massachusetts, and Don Borut, Executive
18 Director of the National League of Cities, and
19 all of the board members and delegates who
20 supported the resolution. And I certainly
21 want to give thanks to my colleagues on
22 Council for taking the lead and passing the
23 resolution when you did, and that as a result
24 of that, action has been taken and eBay has
25 been very helpful and has taken the lead in

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2 this, as we hope all other selling sites on
3 the internet that sell will follow their lead.

4 Thank you very much.

5 COUNCIL PRESIDENT VERNA: Thank you
6 Councilwoman.

7 Councilman O'Neill, did you want to
8 be recognized?

9 COUNCILMAN O'NEILL: Yes. Thank
10 you, Madam President.

11 I'm just following up. Councilwoman
12 Tasco is being very modest. EBay was not that
13 interested initially in this issue.
14 Councilwoman Tasco took it to the National
15 League of Cities, stayed with it, was
16 persistent, developed a national consensus
17 around it to the point where other councils
18 were asking for the same resolution, very
19 similar to the predatory lending issue that
20 started here in Philadelphia with Councilwoman
21 Tasco.

22 So I just want to mention that there
23 are a whole lot of people that recognize her
24 hard work and leadership on issue all over the
25 country.

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2 Thank you.

3 COUNCIL PRESIDENT VERNA: Thank you.

4 (Applause.)

5 COUNCIL PRESIDENT VERNA: This past

6 Saturday our colleague Councilman Cohen

7 celebrated his 90th birthday.

8 (Applause.)

9 COUNCIL PRESIDENT VERNA: We

10 congratulate him on reaching this milestone

11 and we certainly want to wish him continued

12 good health and happiness.

13 And with that, I would like everyone

14 to join me in singing happy birthday.

15 We will not eat the birthday cake in

16 the Chamber, please.

17 (Singing.)

18 COUNCIL PRESIDENT VERNA: Many more

19 David. Congratulations.

20 At this time, the Chair recognizes

21 Councilwoman Tasco for a motion to adjourn.

22 COUNCILWOMAN TASCO: Madam Chair, I

23 move that Council stand adjourn until December

24 2, 2004.

25 And we wish everyone a happy

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2 holiday. Thank you.

3 (Duly seconded.)

4 COUNCIL PRESIDENT Verna: Thank you.

5 It has been moved and seconded that

6 Council stand adjourned until Thursday,

7 December 2, 2004.

8 All in favor will indicate by saying

9 aye.

10 (Aye.)

11 COUNCIL PRESIDENT Verna: Those

12 opposed?

13 (No response.)

14 COUNCIL PRESIDENT Verna: The ayes

15 have it and the motion carries. Council will

16 stand adjourned until Thursday, December 2,

17 2004.

18 Happy Thanksgiving to all of you.

19 (Council adjourned at 11:55 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 Thursday, November 18, 2004,
were reported fully and accurately by me, and
that this is a correct transcript of the same.

RE: STATED MEETING

Lisa C. Bradley, RPR