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COUNCIL OF THE CITY OF PHILADELPHIA

4

PUBLIC HEARING - COMMITTEE ON LAW AND GOVERNMENT

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Room 400, City Hall

7

Philadelphia, Pennsylvania

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Thursday, May 19, 2005, 10:48 a.m.

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10 RES. 050428 - Resolution proposing an amendment to
11 the Philadelphia Home Ruler Charter
12 relating to City leases, contracts,
13 concessions and the provision of
financial assistance, and providing
for the submission of the amendment
to the electors of Philadelphia.

14

PRESENT:

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COUNCILMAN DAVID COHEN, Chair
COUNCILMAN W. WILSON GOODE, JR.
17 COUNCILMAN JACK KELLY
COUNCILMAN JAMES F. KENNEY
18 COUNCILMAN RICHARD T. MARIANO
COUNCILMAN MICHAEL A. NUTTER
19 COUNCILMAN FRANK RIZZO

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V A R A L L O Incorporated
Litigation Support Services
24 1835 Market Street, Suite 600
Philadelphia, Pennsylvania 19103
25 215.561.2220 215.567.2670

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5 COUNCILMAN COHEN: This session is
6 for the purpose of conducting a hearing and
7 possible meeting on a matter that's already
8 been before the committee.

9 And I will ask Councilman Nutter to
10 introduce the subject. There will be no
11 testimony needed.

12 COUNCILMAN NUTTER: Thank you, Mr.
13 Chair. Thank you, Mr. Chairman.

14 You are correct. The resolution
15 that I introduced in City Council last week,
16 Resolution Number 050428, is a virtually
17 identical copy of a previous resolution which
18 is a Charter change provision, related to the
19 issue of contract reform.

20 That resolution had been voted on a
21 few weeks back. And the vote in that matter
22 was 11 to 5. Charter resolutions need at
23 least 12 votes.

24 After discussions with Council
25 members on a variety of matters, including

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2 this resolution, it needed to be reintroduced
3 in order for Council to take action on it, to
4 give us the authority, upon the approval of
5 the voters, hopefully in November, to
6 legislate in the area of campaign -- in the
7 area of contract reform, as well as other
8 matters.

9 I would only note for the record,
10 Mr. Chairman, one technical change that was
11 made in Section 8-200 in contracts.

12 Upon the advice of the Law
13 Department and continued discussions with our
14 own legal staff, provisions were added to
15 ensure that our legislative authority does
16 extend to what are often known as
17 city-related agencies.

18 And that terminology makes it
19 crystal clear that Council would have the
20 legislative authority to include those
21 agencies in any contract reform measures that
22 we put forward.

23 With the Chairman's permission, I
24 would ask that the transcripts of the
25 hearings that took place previously on Bill

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2 040... I'll come back to you with the
3 resolution number.

4 There were hearings on the previous
5 resolution on November 10, 2004; November 16,
6 2004; November 30, 2004; December 14, 2004;
7 February 28, 2005; and March 1, 2005.

8 I would ask, with the Chairman's
9 permission, that the notes of testimony from
10 those hearings, which were on the same
11 subject matter, be incorporated into this
12 transcript and would then serve as the
13 testimony and the record for this particular
14 Resolution Number 050428.

15 COUNCILMAN MARIANO: Second.

16 COUNCILMAN COHEN: Without
17 objection, the motion will be granted.

18 COUNCILMAN NUTTER: Mr. Chairman,
19 with the action that you've just approved, I
20 have no more comments or statements, with
21 regard to Resolution 050428, and would ask if
22 there's no other business in the public
23 hearing, that we move to the public meeting
24 in order to report this resolution out.

25 COUNCILMAN COHEN: Agreeable.

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2 (Public hearing recessed at 10:50
3 a.m.)
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5 The public hearing is now in recess
6 and the Law and Government Committee will
7 have a public meeting on the matter referred
8 to by Councilman Nutter.

9 COUNCILMAN NUTTER: Mr. Chairman, if
10 it's in order, I would make a motion with
11 regard to the resolution.

12 COUNCILMAN COHEN: Go ahead.

13 COUNCILMAN NUTTER: Thank you, Mr.
14 Chairman.

15 Mr. Chairman, I move that Resolution
16 Number 050428 be reported out of this
17 committee with a favorable recommendation.

18 COUNCILMAN MARIANO: Second.

19 COUNCILMAN COHEN: Any discussion?
20 (No response.)

21 COUNCILMAN COHEN: If not, all in
22 favor please say aye.

23 (Chorus of "ayes.")

24 COUNCILMAN COHEN: Any opposed?
25 (No response.)

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2 COUNCILMAN COHEN: The ayes have it,
3 and so ordered.

4 COUNCILMAN NUTTER: Thank you, Mr.
5 Chairman.

6 COUNCILMAN COHEN: That completes
7 the minutes of the committee. We're now in
8 recess.

9 (Public meeting concluded at 10:52
10 a.m.)

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CERTIFICATE

I HEREBY CERTIFY that the proceedings and evidence are contained fully and accurately in the stenographic notes taken by me upon the public hearing and meeting of The Philadelphia City Council, taken on May 19, 2005, and that this is a true and correct transcript of same.

DAVID A. DEIK, RPR and
Commissioner of Deeds

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