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COUNCIL OF THE CITY OF PHILADELPHIA

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COMMITTEE OF THE WHOLE

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Room 400, City Hall
Philadelphia, Pennsylvania
Thursday, September 14, 2006
9:25 a.m.

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PRESENT:

9

COUNCIL PRESIDENT ANNA C. VERNA

COUNCILWOMAN JANNIE BLACKWELL

10

COUNCILMAN DARRELL L. CLARKE

COUNCILMAN FRANK DiCICCO

11

COUNCILMAN W. WILSON GOODE, JR.

COUNCILMAN JACK KELLY

12

COUNCILWOMAN JOAN L. KRAJEWSKI

COUNCILWOMAN DONNA REED MILLER

13

COUNCILMAN JUAN RAMOS

COUNCILWOMAN BLONDELL REYNOLDS BROWN

14

COUNCILMAN FRANK RIZZO

COUNCILWOMAN MARIAN B. TASCO

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BILL 060474 - An Ordinance providing for the
submission to the qualified electors of the
City of Philadelphia of the proposal set forth
in a Resolution approved by the Council
proposing an amendment of the Philadelphia
Home Rule Charter relating to the appointment
of the members of the Fairmount Park
Commission...

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RESOLUTION 060485 - Resolution proposing an
amendment to the Philadelphia Home Rule
Charter relating to the appointment of the
members of the Fairmount Park Commission...

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2 COUNCIL PRESIDENT VERNA: Good
3 morning, everyone. Can I have your
4 attention, please. I regret the delay.
5 This is a public hearing of the Committee
6 of the Whole regarding Bill No. 060474
7 and Resolution No. 060485.

8 I would ask Mr. McPherson to
9 please read the title of the ordinance
10 and the resolution.

11 MR. MCPHERSON: Bill No.
12 060474, an ordinance providing for the
13 submission to the qualified electors of
14 the City of Philadelphia of the proposal
15 set forth in a resolution approved by
16 Council proposing an amendment of the
17 Philadelphia Home Rule Charter relating
18 to the appointment of the members of the
19 Fairmount Park Commission, and
20 authorizing the appropriate officers to
21 publish notice and to make arrangements
22 for the special election.

23 Resolution 060485, resolution
24 proposing an amendment to the
25 Philadelphia Home Rule Charter relating

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2 to the appointment of the members of the
3 Fairmount Park Commission, and providing
4 for the submission of the amendment of
5 the electors of Philadelphia.

6 COUNCIL PRESIDENT Verna: Thank
7 you very much. I would ask Mr. McPherson
8 to please call the first witness.

9 MR. McPherson: The first
10 witness is Graham Finney.

11 COUNCIL PRESIDENT Verna: Good
12 morning. Please identify yourself for
13 the record and proceed with your
14 testimony.

15 MR. Finney: Good morning,
16 Madam President and members of Council.
17 I am Graham Finney and I'm here
18 representing --

19 COUNCIL PRESIDENT Verna:
20 Mr. Finney, just a moment, please.

21 The noise level is much too
22 high.

23 Thank you.

24 MR. Finney: Good morning
25 again. My name is Graham Finney and I'm

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2 here representing a 12-person task force
3 called the Philadelphia Park Reform Task
4 Force, and we are here to testify on the
5 ordinance and resolution that is before
6 this Council.

7 We give special thanks to the
8 Council for the time that it's giving to
9 this very important issue and special
10 thanks to Councilmembers Clarke and
11 Reynolds Brown for focusing on the
12 importance of the parks and its future.

13 The Park Reform Task Force is a
14 coalition of civic advocates that has
15 spent the last several months looking
16 very carefully at a basic question: What
17 package of legislation and financial
18 reforms are good enough to secure
19 Philadelphia's park's bright future?

20 After that study, we have
21 concluded that our parks require two
22 things: Clearly accountable leadership
23 with the capacity and the incentive to
24 make system-wide improvements, and
25 financial resources that are adequate and

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2 secure to do it over the long run.

3 Considering the park's present
4 situation, this is no small task. It has
5 a backlog of \$50 million in needed
6 capital improvements to trails,
7 facilities, structures. It depends
8 heavily now on volunteers and friends
9 groups to maintain many parks. Its
10 overburdened staff has almost no time to
11 write or administer grants. Its
12 financial structure gives it no incentive
13 to provide income-earning amenities,
14 programs and events.

15 We can say with confidence, we
16 think, that millions of public and
17 private dollars could go unraised or
18 unearned every year because of this lack
19 of capacity. For every project that is
20 tackled -- and we applaud the ones that
21 are -- a dozen more are left undone.

22 Given this, the Task Force
23 concludes that both governance and
24 financial improvements must be
25 implemented if either is to have the

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2 desired effect. Governance reform, which
3 is the topic today, alone is not enough.
4 New leaders can't be asked to fix a
5 system that is now grievously
6 underfunded, nor is new funding alone
7 enough, not when existing governance
8 structure lacks the credibility and
9 accountability needed to plan and
10 implement improvements on a city-wide
11 scale.

12 Because the bill presented
13 today addresses only governance issues,
14 we deeply regret that we cannot fully
15 support it. Our Task Force has, however,
16 developed a plan which we believe will
17 comprehensively address the park's needs
18 and fulfill the park's promise in
19 increasing the quality of life for
20 Philadelphians and spur its future
21 development.

22 Under governance reform, we
23 argue that the park must be stewarded by
24 an independent commission whose members
25 are appointed in a transparent manner and

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2 whose duties and responsibilities are
3 clearly delineated. We propose,
4 therefore, that an independent panel of
5 community leaders deliver a slate of
6 Commissioner candidates for the Mayor's
7 approval. The resulting transparency
8 will allow the public to see clearly who
9 is responsible for the state of the parks
10 and hold them accountable.

11 We also call for a budget
12 increase. Fairmount Park's current
13 operating budget is too low to allow even
14 a reformed commission to implement the
15 kind of changes that the public deserves.
16 Currently, about 13 million is what is in
17 the budget. It needs to be more like 30
18 million. While we don't expect to close
19 that gap overnight, we believe that the
20 City will commit to an increase of 3 to 5
21 per year. Equally significant amounts
22 can be leveraged each year from private
23 and other public sources.

24 We call for an income retention
25 agreement and a revenue management team

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2 to take these improvements on their way.
3 Opportunities for Fairmount Park to earn
4 income, whether through vending
5 contracts, special events, facility
6 rentals, permit fees, whatever, simply go
7 begging now for lack of an incentive.
8 Currently, any money the park earns goes
9 directly back into the General Fund,
10 leaving the park budgets unchanged and
11 its leadership with little incentive to
12 be entrepreneurial. We believe that the
13 park must have a working agreement with
14 the City under which income it earns is
15 used to bolster the park's budget. With
16 such an agreement in hand, staff
17 dedicated to planning and income
18 management can focus on providing the
19 public with the exciting programs, events
20 and amenities that could earn the park
21 from other sources 3 million or more per
22 year.

23 The fourth point is long-term
24 dedicated funding, a source to make sure
25 that that is the case. This is the most

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2 complicated part of the package we offer,
3 but it is essential. The needed backlog
4 of capital improvements is so enormous,
5 at least 50 million, that the park must
6 secure a funding stream with which to
7 address it. Over the summer, we have
8 done significant work to assess dedicated
9 funding options. We propose that the
10 City, the Administration and Council
11 explore these options and commit to a
12 solution.

13 We honestly began our work with
14 the hope that we could add our names to
15 the amendments before you today and
16 present the voters with a Charter change
17 question on the November ballot. It is
18 with deep regret that we conclude that is
19 impossible. The finance questions are
20 simply too complex for a responsible and
21 feasible proposal to be created in time.
22 All potential financial improvements for
23 these parks involve multiple
24 stakeholders, and these parties need to
25 be given the time to carefully consider

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2 them. An incomplete proposal, we worry,
3 stands much too great a chance to fail
4 here in City Council and at the polls in
5 November. Instead, we are supporting a
6 complete package of changes to be
7 addressed according to the following
8 schedule:

9 A May 2007 ballot initiative.
10 This spring, this coming spring, voters
11 would be asked to vote yes or no on a
12 ballot question proposing a new system of
13 Commissioner appointments. Accompanying
14 that legislation would be a clarification
15 of the legal authorities and
16 responsibilities of those Commissioners,
17 as well as a solution to the park
18 retention of its income capacity.

19 A budget increase for Fiscal
20 Year 2008. We urge the Mayor and Council
21 to provide the park with a budget boosted
22 by 3 to 5 million.

23 And, thirdly, launch a process
24 now to address long-term funding needs.
25 We urge the Task Force's initial work be

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2 a basis for that and we ask that the
3 Mayor and Council commit to a long-term
4 funding plan that will allow the park to
5 undertake a system-wide capital
6 improvement program.

7 Again, we've reached these
8 conclusions only after a lot of hard work
9 over the summer. The group I represent
10 consists of a diverse group of park
11 supporters, independent park
12 commissioners and civic advocates that
13 have considered questions around
14 everything from Commissioner appointments
15 to long-term funding mechanisms. It has
16 retained outside sources, experts, who
17 have in turn consulted with key
18 Philadelphians from both the public and
19 private sectors. It has considered the
20 recommendations earlier sponsored by the
21 Parks Alliance, the Philadelphia
22 Horticultural Society, the Fairmount Park
23 President, Robert Nix's, report and the
24 strategic plan paid for by the City and
25 the William Penn Foundation in 2004 and

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2 5.

3 We recognize that this is an
4 ambitious, complicated proposal, but the
5 decisions we make at this pivotal moment
6 will have a profound and long-lasting
7 effect on our City and its parks. Our
8 incomparable system is one of the
9 greatest assets we have. It serves every
10 citizen of every age, race, class and
11 interest. It elevates the quality of
12 life in every neighborhood. With its
13 wild spaces, its facilities for fun and
14 relaxation, its history and its beauty,
15 its critical role in protecting our water
16 supply and our waterways, Fairmount Park
17 should be the jewel in our civic crown,
18 helping to attract and retain residents
19 and businesses and visitors for years to
20 come.

21 So in conclusion, Madam
22 President, may I thank you and members of
23 Council again for the work that you have
24 undertaken thus far on this vital issue,
25 and urge that you consider the package of

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2 proposals that I have just presented for
3 the Task Force.

4 We can assure you that we stand
5 ready to work with you over time to make
6 sure that this package takes full impact.
7 We want to work with you in achieving
8 that goal, and in doing so, we will have
9 greatly increased the importance and the
10 beauty and the role that in everyday life
11 the park system plays in this City.

12 Thank you very much.

13 COUNCIL PRESIDENT Verna: Thank
14 you, Mr. Finney. We appreciate your
15 coming in to testify.

16 Are there any questions or
17 comments from members of the Committee of
18 Mr. Finney?

19 Councilwoman Brown.

20 COUNCILWOMAN BROWN: Thank you,
21 Madam President.

22 Mr. Finney, would you concur
23 that the amendments that Councilman
24 Clarke and I have put forth were indeed
25 reflective of a number of concerns and

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2 legitimate issues raised by you and
3 members of the Task Force, that the
4 amendments were reflective of concerns
5 raised by your group?

6 MR. FINNEY: I am more than
7 happy to concur, and when I pointed you
8 and Councilman Clarke out for special
9 attention, it was with that reminder in
10 my mind, and I think all members of the
11 Task Force fully appreciate the job that
12 you've done in putting this before the
13 public's attention. You may have,
14 however, opened a bigger box than you
15 thought you were doing, because the
16 funding part of this strikes us as being
17 the twin, the other side that has to be
18 dealt with before real success and
19 forward movement can occur.

20 COUNCILWOMAN BROWN: Would you
21 also concur that to the funding issue,
22 Councilman Clarke and I heard that and in
23 June of '06 of this year, Councilman
24 Clarke, along with Councilman Nutter and
25 myself, introduced legislation calling

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2 upon the Mayor to appoint a Parks and
3 Recreation Funding Task Force?

4 MR. FINNEY: Yes. We're very
5 aware of that, and I think we have said
6 to you very directly that the work we did
7 over the summer with the aid of our own
8 experts would be clearly made available
9 to you as that task force begins its
10 work.

11 From the nature of my
12 testimony, our point would be that we
13 urge you to do that as quickly and to
14 think as big as you possibly can and
15 still be responsible about how the future
16 of the parks might be funded.

17 COUNCILWOMAN BROWN: Is it fair
18 to say that a year ago when Councilman
19 Clarke and I sat down with you and
20 members of your team, we made it clear
21 that our preferred date to act on this
22 was May and at the request of the group,
23 we then delayed it to today, September?
24 Is that accurate?

25 MR. FINNEY: That is accurate.

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2 COUNCILWOMAN BROWN: Thank you
3 very much for your testimony.

4 Thank you, Madam President.

5 COUNCIL PRESIDENT Verna: Thank
6 you.

7 Are there any other questions
8 or comments?

9 The Chair recognizes Councilman
10 Clarke.

11 COUNCILMAN CLARKE: Thank you,
12 Madam President.

13 Good morning.

14 MR. FINNEY: Hi.

15 COUNCILMAN CLARKE: First I
16 would like to thank you for participating
17 in this long process, that we're being
18 asked today to extend the process, which
19 I'm personally willing to do as it
20 relates to the funding aspect of the
21 bill, but there is a certain time line
22 associated with one of the things that
23 was requested by all members, and that
24 deals with the selection of commission
25 members.

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2 Am I correct in my
3 understanding that the current term of
4 members expires in '07?

5 MR. FINNEY: My belief is that
6 you are correct.

7 COUNCILMAN CLARKE: So if the
8 members' term expires in '07 prior to the
9 passage of this bill, am I correct in my
10 assumption that the Board of Judges will
11 elect the new Commissioners and for the
12 next term?

13 MR. FINNEY: I don't pretend to
14 be the legal expert on this. I think
15 that is correct, that absent an
16 alternative process, the judges would
17 still be in the process. Whether they
18 chose to extend the terms of existing
19 Commissioners, which would be one option
20 I would think, or make other appointments
21 is beyond my ability to comment.

22 COUNCILMAN CLARKE: So by you
23 not having the legal expertise, can you
24 acknowledge that during the course of
25 this discussion -- and, frankly speaking,

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2 beyond maybe a judge or two -- everyone
3 has indicated that they would prefer to
4 have an extremely transparent process,
5 unlike the current process? And I'm not
6 implying that anybody is doing anything
7 wrong, but it is not a transparent
8 process. The Board of Judges solicit
9 names, they make a decision outside of
10 the public purview. My understanding
11 during all this discussion is that
12 everybody thinks that process should
13 change.

14 MR. FINNEY: That is certainly
15 incorporated in the testimony that I just
16 made, that a more transparent process
17 that would reach out and encourage people
18 deeply interested in the park system to
19 want to be and even compete to be a
20 member of this body.

21 COUNCILMAN CLARKE: So can you
22 acknowledge that if we allow the Board of
23 Judges to select the next term and the
24 next commission members, that it would be
25 problematic in terms of our ability to

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2 undo that, as opposed to simply
3 instituting a process that allows us to
4 have a new transparent process at the
5 time of the expiration of their term?

6 MR. FINNEY: I think I am
7 unable really to speak for the entire
8 Task Force on that particular point. I
9 do think that the gist of what we have
10 said is really more to the point, that to
11 put a new commission into office without
12 giving them more financial resources to
13 do the job would be both to discourage
14 the selection of those people who would
15 want to do it and, B, would tie their
16 hands upon taking office. I think,
17 therefore, the persuasive point to us has
18 been that movement on both sides must
19 take place at the same time.

20 COUNCILMAN CLARKE: Well,
21 unfortunately, Mr. Finney, there are
22 certain --

23 MR. FINNEY: Which is the basis
24 for our saying quite politely and with
25 due respect to both of you as sponsors of

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2 this legislation that we would be better
3 off to wait until May of next year.

4 COUNCILMAN CLARKE: But you
5 seem to not understand -- or I don't know
6 if you don't understand or if you just
7 disagree. There's a process in place
8 that will allow the selection process to
9 be transparent, which we all agree that
10 it should be, and that process would not
11 take place until the spring, the
12 expiration of the current term of the
13 members. We have a budget process that
14 traditionally starts in around February
15 when the Mayor submits his budget,
16 actually in January, the Mayor submits
17 his budget, and then we start
18 deliberations as it relates to funding
19 for departments, that the likelihood that
20 that discussion could be had in that
21 budget process -- and sometimes we tend
22 to have some resolution to the budget by
23 the end of May -- that will coincide with
24 the selection of new members.

25 So given the prior commitment

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2 by a couple of members -- and I'm sure
3 that all Councilmembers are interested in
4 making sure that we have a first-class
5 park -- if you have a budget process that
6 runs concurrent to the selection process,
7 that we could probably end up in a place,
8 although it may not be the dollar figure
9 that people are interested in, it may be
10 more, it may be less, but if you have a
11 concurrent process, a budget process and
12 a process of soliciting members, that if
13 that ended in the spring of '07, that
14 would be the best process, as opposed to
15 allowing the Board of Judges to select
16 members to a new five-year term. I don't
17 know how legally high we would be able to
18 undo that particular selection process.

19 MR. FINNEY: I don't mean to be
20 off target in responding, but, clearly, I
21 think our group would also say that the
22 chances of having favorable passage by
23 the voters of the proposed legislation
24 would be greater given the time to build
25 the movement to get the support publicly

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2 across the City where there are very many
3 different views about the future of the
4 parks.

5 COUNCILMAN CLARKE: Mr. Finney,
6 with all due respect --

7 MR. FINNEY: Which is why that
8 we are saying that May 2007 makes more
9 sense.

10 COUNCILMAN CLARKE: Mr. Finney,
11 do you understand what I just said?

12 MR. FINNEY: I do.

13 COUNCILMAN CLARKE: In the
14 spring of '07, the Board of Judges will
15 select new commission members for a
16 five-year term. That's it. You don't
17 have an opportunity to now say, We're
18 going to disregard that selection process
19 and we're going to create a new one. I
20 mean, you understand the time line and
21 all?

22 MR. FINNEY: I do understand
23 the time line, and I'm presenting an
24 alternative time line.

25 COUNCILMAN CLARKE: But you

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2 can't do that. You can't dictate to the
3 Board of Judges how they're going to --
4 that's a part of the problem, that the
5 Board of Judges don't have to answer to
6 you, to me or any other members in this
7 body.

8 MR. FINNEY: We understand
9 that. We understand, however, that the
10 Board of Judges needs to be a party to
11 the solution to this problem and that
12 should be forthcoming.

13 COUNCILMAN CLARKE: Okay. I'm
14 not going to belabor the point. Thank
15 you.

16 MR. FINNEY: Thank you.

17 COUNCIL PRESIDENT VERNA: Thank
18 you.

19 Are there any other questions
20 or comments by members of the Committee?

21 (No response.)

22 COUNCIL PRESIDENT VERNA:
23 Seeing none, Mr. Finney, I thank you for
24 coming in to testify.

25 MR. FINNEY: Thank you, Madam

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2 President.

3 COUNCIL PRESIDENT VERNA: Thank
4 you.

5 Our next witness?

6 MR. MCPHERSON: Is there anyone
7 else to testify?

8 COUNCIL PRESIDENT VERNA: We
9 had another witness, who left. Are there
10 any other witnesses to testify?

11 (No response.)

12 COUNCIL PRESIDENT VERNA: The
13 Chair recognizes Councilwoman Brown.

14 COUNCILWOMAN BROWN: Thank you,
15 Madam President. I'd like to put several
16 remarks on the record prior to us taking
17 action on this measure and to put why we
18 are here today into context.

19 The record should reflect that
20 it was spring '01, my second year here in
21 the Philadelphia City Council, when the
22 Daily News, I believe, shined a very
23 objective, insightful, yet informative
24 spotlight on this quality of life issue,
25 our parks. It was because of the "Acres

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2 of Neglect" series by the Daily News that
3 Councilman Clarke, Nutter and myself
4 introduced a resolution authorizing
5 hearings in June '01.

6 That was followed by the
7 Philadelphia William Penn Foundation and
8 our City putting up dollars, matching
9 funds, to fund a strategic plan.

10 December '02, the City hired
11 Leon Younger, who has a distinguished
12 consultant operation out of Ohio, which
13 has a distinguished record in evaluating
14 parks around our City.

15 From December '02 to June '04,
16 18 months, our City was involved in the
17 strategic plan process where stakeholders
18 of all types and stripes were interviewed
19 about what we needed to do differently
20 and better to improve our parks. As a
21 result of the strategic plan, in June
22 '05, again Councilmembers Clarke and
23 myself introduced a Charter change to
24 adopt the strategic plan and a
25 recommendation to merge Fairmount Park

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2 and the Department of Recreation.

3 In September '05, we listened
4 to the park advocates, their legitimate
5 concerns raised about the merger, and
6 introduced legislation extending the
7 implementation date. So the first
8 request to extend the implementation date
9 happened September '05, a year ago.

10 In December of this year,
11 Councilman Clarke and I then did a public
12 forum at the Philadelphia Free Library
13 where we invited the public to come and
14 hear directly from us the outcome of the
15 strategic plan and our recommendations.

16 In December of '05, we held
17 hearings on the Charter change
18 legislation. Again, we listened to the
19 issues raised by the park advocates and
20 amended the legislation in March of this
21 year based on language offered to us by
22 our park advocates.

23 In May of this year, we took
24 the issue of merger off the table. We
25 heard and listened to the legitimate

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2 concerns raised by park advocates and
3 members of the commission, and we took
4 the issue of merger off the table and
5 opted to focus on creating a more and
6 fair process of selecting Commissioners.

7 In June of this year, we
8 introduced amendments to that order, as
9 well as again listening to legitimate
10 concerns raised by park advocates and a
11 recommendation in the strategic plan that
12 we needed to look at and address the
13 issue of funding. Thus, introducing a
14 resolution asking the Mayor to appoint a
15 Parks and Recreation Task Force.

16 As the previous witness has
17 mentioned, there were a number of
18 meetings this summer, all in an effort to
19 move us to greater and broader
20 compromise.

21 So we want to thank the park
22 advocates for their input. We need to
23 acknowledge the valuable perspectives
24 that came from members of the Fairmount
25 Park Commission. All of us have worked

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2 very, very hard. However, the
3 legislative process requires give and
4 take compromise, but eventually we have
5 to act. And today's Daily News said it
6 best. I quote, "Reform legislation is
7 too important to delay again," end quote.

8 So with that, we're asking our
9 Council colleagues to consider the
10 amendments before us and let's now give
11 the voters a chance to tell us what they
12 would like to see happen with our parks
13 come this November.

14 Thank you, Madam President.

15 COUNCIL PRESIDENT VERNA:

16 You're welcome.

17 The Chair recognizes Councilman
18 Clarke.

19 COUNCILMAN CLARKE: Thank you,
20 Madam President.

21 Madam President, real briefly,
22 I just want to go over the amendment to
23 make sure there's no confusion and
24 clarify as best as possible.

25 Earlier this year, I think next

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2 to our last session, there were some
3 amendments that essentially set up a
4 nominating panel. The nominating panel
5 would be a diverse nominating panel
6 recognizing the demographics of the City
7 of Philadelphia. The nominating panel
8 would be an independent body that would
9 essentially recommend members based on a
10 set of criteria for Commissioners, though
11 Commissioners must have something that
12 could benefit their tenure as a
13 commission member; i.e., understanding of
14 the park, understanding of financing,
15 understand park lands and things of that
16 nature that's been spelled out in the
17 resolution.

18 Additionally, then the process
19 would be that the nominating panel would
20 forward those recommendations to the
21 Mayor. The Mayor would then, after
22 review, forward those recommendations to
23 the City Council of Philadelphia.

24 There is a change in the
25 amendment today based on the suggestion

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2 of two of the members that as opposed to
3 simply having a non-vote majority, that
4 we should have a super majority; i.e.,
5 two-thirds Councilmembers voting for the
6 recommended body. Each individual
7 nominee would have a public hearing
8 similar to the public hearings that we
9 have for other boards and commissions.
10 It would be an extremely, extremely
11 transparent process. We would make sure
12 that the nominating panel understands
13 that their recommendations should reflect
14 the diversity of the City, because we
15 want to make sure that we have people on
16 all walks of life on that commission.

17 We think that this is a process
18 that will work. As earlier indicated in
19 the testimony, we have made a commitment,
20 Councilwoman and myself, have made a
21 commitment to work on helping to get some
22 additional funding, because we clearly
23 understand that Fairmount Park is
24 underfunded, as are most departments in
25 the City of Philadelphia, but if we do

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2 not take this step today, the reality is
3 that we will simply accept the status quo
4 and things will never change and we'll
5 continue to have this discussion on
6 through the next Administration. So I'm
7 asking for the support of our colleagues
8 today to ask to support the amendments so
9 we can move this process forward.

10 Thank you, Madam President.

11 COUNCIL PRESIDENT VERNA: Thank
12 you.

13 Are there any other comments
14 from members of the Committee?

15 (No response.)

16 COUNCIL PRESIDENT VERNA:

17 Seeing none, this will conclude the
18 public hearing. We will now go into the
19 public meeting, and the Chair recognizes
20 Councilman Clarke for a motion on Bill
21 No. 060474.

22 COUNCILMAN CLARKE: Madam
23 President, I move for the adoption of the
24 amendment to Bill No. 060474.

25 (Duly seconded.)

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2 COUNCIL PRESIDENT VERNA: It
3 has been moved and seconded that the
4 amendments as circulated will be
5 approved.

6 All in favor will say aye.
7 (Aye.)

8 COUNCIL PRESIDENT VERNA: Those
9 opposed?

10 (No response.)

11 COUNCIL PRESIDENT VERNA: The
12 ayes have it and the amendments are
13 adopted.

14 The Chair again recognizes
15 Councilman Clarke.

16 COUNCILMAN CLARKE: Madam
17 President, I move that Bill No. 060474 as
18 amended be reported out of Committee with
19 a favorable recommendation.

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

22 (Duly seconded.)

23 COUNCIL PRESIDENT VERNA: It
24 has been moved and seconded that Bill No.
25 060474 be reported out of Committee with

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2 a favorable recommendation as amended.

3 COUNCILWOMAN BROWN: Council
4 President?

5 Councilman Clarke, suspension
6 of the rules?

7 COUNCILMAN CLARKE: I'm sorry.
8 I ask for a rules suspension, Madam
9 President.

10 Thank you, Councilwoman.

11 COUNCIL PRESIDENT Verna:
12 You're welcome.

13 It has been moved and seconded
14 that Bill No. 060474 be reported out of
15 Committee as amended. Further, that the
16 rules of Council be suspended so as to
17 permit consideration of the ordinance at
18 our next session of Council.

19 All in favor will say aye.

20 (Aye.)

21 COUNCIL PRESIDENT Verna: Those
22 opposed?

23 (No response.)

24 COUNCIL PRESIDENT Verna: The
25 ayes have it and the motion carries.

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2 The Chair recognizes
3 Councilwoman Brown for a motion on
4 Resolution 060485.

5 COUNCILWOMAN BROWN: Thank you,
6 Madam President. I move that Resolution
7 No. 060485 be moved out of Committee with
8 a favorable recommendation, suspension of
9 the rules, amendment.

10 COUNCIL PRESIDENT Verna: No
11 suspension.

12 COUNCILMAN CLARKE: There's
13 also an amendment to the resolution. The
14 two-thirds majority language is in the
15 actual resolution.

16 COUNCILWOMAN BROWN: Thank you,
17 Councilman Clarke.

18 I move that Resolution No.
19 060485 be amended.

20 COUNCIL PRESIDENT Verna: No.
21 Offer approval for the adoption of the
22 amendments.

23 COUNCILWOMAN BROWN: Be adopted
24 as amended and with the suspension of the
25 rules so that it could be considered at

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2 the next session of City Council.

3 COUNCIL PRESIDENT VERNA: Move
4 for the approval of the adoption of the
5 amendments first, please.

6 COUNCILWOMAN BROWN: Approval
7 for the adoption of the amendment.

8 (Duly seconded.)

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

12 All in favor will say aye.

13 (Aye.)

14 COUNCIL PRESIDENT VERNA: Those
15 opposed?

16 (No response.)

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

19 Councilwoman Brown.

20 COUNCILWOMAN BROWN: Thank you,
21 Madam President. I move that Resolution
22 No. 060485 be reported out of Committee
23 with a favorable recommendation and with
24 the suspension of the rules.

25 (Duly seconded.)

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2 COUNCIL PRESIDENT VERNA: I

3 don't think we need a suspension.

4 It has been moved and seconded

5 that Resolution No. 060485 be reported

6 out of Committee with a favorable

7 recommendation as amended. I don't

8 believe we have to suspend the rules on

9 that.

10 All in favor will say aye.

11 (Aye.)

12 COUNCIL PRESIDENT VERNA: Those

13 opposed?

14 (No response.)

15 COUNCIL PRESIDENT VERNA: The

16 ayes have it, the motion carries, and

17 this concludes our public meeting. I

18 thank you all very much.

19 (Committee of the Whole

20 adjourned at 10:15 a.m.)

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CERTIFICATE

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I HEREBY CERTIFY that the

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proceedings, evidence and objections are

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contained fully and accurately in the

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stenographic notes taken by me upon the

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foregoing matter on September 14, 2006, and

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that this is a true and correct transcript of

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same.

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MICHELE L. MURPHY

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RPR-Notary Public

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