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COUNCIL OF THE CITY OF PHILADELPHIA

3

STATED MEETING

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- - -

Thursday, 9/21/2000

6

10:15 a.m.

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Room 400, City Hall

Philadelphia, Pennsylvania

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

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PATRICIA RAFFERTY, Chief Clerk

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1 GREETING/INVOCATION

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

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

9 To give our invocation this morning,
10 the Chair welcomes the Reverend Vernon E. Simms,
11 Sr., of the Morris Brown AME Church. He is here
12 today as the guest of Councilman Longstreth
13 members.

14 Members and guests will please rise.

15 (All rise.)

16 REVEREND SIMMS: Let us pray.

17 Father, we've come this morning
18 thanking You for this opportunity to call on Your
19 name. We call upon You to bless this City
20 Council, beginning with the President of City
21 Council. Give her the power to lead this City
22 Council in the way that You would have them to go.

23 We pray that You bless the entire City
24 Councilmembers. Lead them as they concern
25 themselves with the cares and concerns of every

1 GREETING/INVOCATION

2 resident of Philadelphia.

3 Finally, we ask You to bless our mayor
4 of this city. Empower him and give him strength
5 that he might lead us.

6 Help us, as citizens, not to just rely
7 upon City Council and the mayor to do all of the
8 work, and we sit by and do nothing. Help us to
9 work together with the Mayor, with this City
10 Council, that we might continue to make
11 Philadelphia the place that You have meant for it
12 to be; that we might work together in spite of
13 race, creed, or color; that we might work together
14 for the good of every citizen in the City of
15 Philadelphia.

16 In Your name, we pray, amen.

17 All: Amen.

18 COUNCIL PRESIDENT VERNA: The Chair
19 thanks the Reverend for his inspiring invocation.

20 Council will stand at ease.

21 (Council stands at ease.)

22 - - -

23 COUNCIL PRESIDENT VERNA: The next
24 order of business is the approval of the Journal
25 of the meeting of September 14, 2000. And the

1 JOURNAL APPROVAL/LEAVES OF ABSENCE

2 Chair recognizes Councilwoman Blackwell.

3 COUNCILWOMAN BLACKWELL: Thank you,
4 Madam President. I move that the Journal of
5 September 14th stand approved.

6 (Duly seconded.)

7 COUNCIL PRESIDENT VERNA: It has been
8 moved and properly seconded that the Journal of
9 the meeting of Thursday, September 14, 2000 stand
10 approved.

11 All those in favor will signify by
12 saying aye.

13 Those opposed?

14 The ayes have it and the motion
15 carries. The Journal of Thursday, September 14,
16 2000 is approved.

17 - - -

18 COUNCIL PRESIDENT VERNA: The next
19 order of business is requests for leaves of
20 absence and the Chair recognizes Councilwoman
21 Blackwell.

22 COUNCILWOMAN BLACKWELL: Thank you,
23 Madam President. This morning, there are no
24 requests for leaves of absence on the part of the
25 Majority.

1 VISITOR RECOGNITION

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

4 At this time, the Chair recognizes
5 Councilman O'Neill.

6 COUNCILMAN O'NEILL: Thank you, Madam
7 President. At this time, there are no requests
8 for leaves of absence on behalf of the
9 Republicans.

10 - - -

11 COUNCIL PRESIDENT Verna: At this time,
12 the Chair will dispense with the regular order of
13 business to recognize guests and visitors.

14 On behalf of all members of City
15 Council, I welcome to you our Council session. We
16 appreciate your taking the time to join us as we
17 attend to the legislative affairs of our city. We
18 certainly invite to you come again.

19 - - -

20 COUNCIL PRESIDENT Verna: The next
21 order of business is communications.

22 The Chair requests that the
23 sergeant-at-arms deliver the messages from the
24 Mayor to the clerk. The clerk will please read
25 the messages from the Mayor.

1 VISITOR RECOGNITION

2 MS. RAFFERTY: To the President and
3 Members of the Council of the City of
4 Philadelphia, I am transmitting herewith for the
5 introduction and consideration of your honorable
6 body a proposed ordinance authorizing the
7 amendment of the Philadelphia Facilities
8 Management Corporation Agreement to provide for a
9 temporary change in the amount of temporary
10 financing that the City may provide to the
11 Philadelphia Gas Works, under certain terms and
12 conditions; and authorizing the temporary advance
13 of up to \$45 million to the Philadelphia Gas
14 Works, pursuant to that agreement, under certain
15 terms and conditions.

16 That's all I have.

17 COUNCIL PRESIDENT Verna: The messages
18 will be printed in the Journal. The clerk will
19 read any other communications in her possession.

20 MS. RAFFERTY: That's all I have, Madam
21 President.

22 COUNCIL PRESIDENT Verna: Thank you.

23 - - -

24 COUNCIL PRESIDENT Verna: The next
25 order of business is the introduction of bills and

1 INTRODUCTION - BILLS, RESOLUTIONS

2 resolutions, and the Chair recognizes Councilwoman
3 Blackwell for a motion.

4 COUNCILWOMAN BLACKWELL: Thank you,
5 Madam President. Madam President, I move that the
6 rules of Council be suspended so as to permit
7 immediate consideration of resolutions at the time
8 of their introduction.

9 (Duly seconded.)

10 COUNCIL PRESIDENT VERNA: It has been
11 moved and seconded that the rules of Council be
12 suspended so as to permit immediate consideration
13 of resolutions at the time of their introduction.

14 All those in favor will signify by
15 saying aye.

16 Those opposed, nay.

17 The ayes have it and the motion
18 carries.

19 The Chair recognizes Councilman Kenney.

20 COUNCILMAN KENNEY: Thank you, Madam
21 President. I offer one resolution and one bill on
22 my behalf and on Councilmember Krajewski's behalf.

23 COUNCIL PRESIDENT VERNA: Thank you.
24 The clerk will please read the title of the
25 resolution.

1 INTRODUCTION - BILLS, RESOLUTIONS

2 MS. RAFFERTY: A resolution declaring
3 October 4, 2000 as "Leukemia and Lymphoma
4 Awareness Day" and honoring the Leukemia Society
5 for its splendid efforts with finding cures for
6 leukemia, lymphoma, Hodgkins disease, and mycloma,
7 and improving the quality of life for patients and
8 their families.

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

11 COUNCILMAN KENNEY: I move for the
12 adoption of the resolution.

13 (Duly seconded.)

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

17 All those in favor will signify by
18 saying aye.

19 Those opposed?

20 The ayes have it, and the motion is
21 carried.

22 The clerk will please read the title of
23 the bill.

24 MS. RAFFERTY: An ordinance amending
25 Section 19-203 of the Philadelphia Code, entitled

1 INTRODUCTION - BILLS, RESOLUTIONS

2 "Payroll Deductions," by adding a new subsection
3 permitting certain City employees to authorize
4 additional payroll deductions under certain terms
5 and conditions.

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

8 The Chair recognizes Councilwoman
9 Blackwell.

10 COUNCILWOMAN BLACKWELL: Thank you,
11 Madam President. This morning, I introduce one
12 bill on your behalf.

13 COUNCIL PRESIDENT VERNA: Thank you.
14 The clerk will please read the title of the bill.

15 MS. RAFFERTY: An ordinance amending
16 Section 2 of an ordinance, approved July 1, 1999,
17 authorizing the striking from City Plan No. 17S
18 and abandoning of a certain right-of-way for gas
19 main purposes and public utility purposes within
20 the lines of former Annin Street, extending for a
21 50 foot wide right-of-way, formerly 28th Street to
22 29th Street, under certain terms and conditions.

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

25 And the Chair recognizes Councilman

1 INTRODUCTION - BILLS, RESOLUTIONS

2 Cohen.

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

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

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

9 COUNCIL PRESIDENT Verna: Thank you.
10 The Chair recognizes Councilman
11 Mariano.

12 COUNCILMAN MARIANO: Madam President, I
13 have three resolutions, and one to be referred to
14 committee.

15 COUNCIL PRESIDENT Verna: The clerk
16 will please read the title of the first
17 resolution.

18 MS. RAFFERTY: A resolution supporting
19 the rights of Jessica Ramirez, a former employee
20 of Loews Hotel, and her coworkers to organize and
21 obtain collective bargaining rights through Local
22 274 of the hotel and restaurant employees union,
23 and condemning the conduct of Loews Hotel in
24 dismissing Jessica Ramirez.

25 COUNCIL PRESIDENT Verna: The Chair

1 INTRODUCTION - BILLS, RESOLUTIONS

2 recognizes Councilman Mariano.

3 COUNCILMAN MARIANO: Council President,
4 on this particular resolution, Councilman Ortiz
5 wants to amend this resolution. So with your
6 pleasure, I'd like to speak on it first, but first
7 I would like him to do his amendment, if that's
8 how we want to do it.

9 COUNCIL PRESIDENT VERA: I'm having
10 difficulty hearing, I'm sorry. We still have not
11 cleared the kinks out of this system.

12 Would you mind repeating it? I'm
13 sorry.

14 COUNCILMAN MARIANO: Councilman Ortiz
15 would like to do a friendly amendment to this
16 resolution, and I would like him to do that, so if
17 we could speak on it after he amends it.

18 COUNCIL PRESIDENT VERA: Councilman
19 Ortiz?

20 COUNCILMAN ORTIZ: Thank you, Madam
21 President.

22 On the third resolved by City Council
23 of Philadelphia, it absolutely resolves that the
24 City Council of Philadelphia is dismayed by the
25 degrading treatment of the resident of the city by

1 INTRODUCTION - BILLS, RESOLUTIONS

2 the Loews Hotel. And be it further resolved --
3 this is the amendment. Be it further resolved
4 that Jessica Ramirez be immediately reinstated to
5 her position and that the Loews management
6 apologize to Miss Ramirez for the treatment that
7 she was subjected to.

8 That's an amendment to the resolution.
9 (Duly seconded.)

10 COUNCIL PRESIDENT VERNA: So you're
11 moving the adoption of the amendment. And it has
12 been seconded.

13 All those in favor will signify by
14 saying aye.

15 Those opposed?

16 The ayes have it and the amendment has
17 been adopted.

18 And the Chair recognizes Councilman
19 Mariano.

20 COUNCILMAN MARIANO: Thank you, Madam
21 President.

22 On the amended resolution, along the
23 lines with Councilman Ortiz just spoke about, you
24 know, there comes a time, and especially cities in
25 the northeastern United States, and someday I hope

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2 it would be the whole United States as a whole, if
3 not the world, when people's right to organize is
4 not jeopardized with and of intrusion.

5 I mean, what happened in this situation
6 at Loews Hotel, which is a hotel that, I think,
7 Councilman DiCicco, we TIFed them, I'm pretty sure
8 we TIFed Loews. So, you know, they go through
9 everything. They build a hotel with building
10 trade members, they do the good thing, we get it
11 built, so we try to organize, 237 tries to
12 organize.

13 And then it's just the mindset of the
14 management types that come to these hotels. I
15 don't know where they come from -- I'm sure
16 they're not Philadelphia people that treat other
17 human beings like that, but maybe so. This is
18 reminiscent of what went down at the Holiday Inn,
19 when a former staffer of mine was beat unconscious
20 and received, you know, a pretty good beating at
21 the hands of just the wrong mindset.

22 Two hundred years ago, these same
23 people were beating up people in mines, you know,
24 upstate Pennsylvania and West Virginia. Then
25 later they were beating up people on picket lines

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2 all over the country for being Teamsters, railroad
3 workers. You know, this has been done over and
4 over in the history of the United States. It's
5 getting old now that we're getting into the new
6 millennium.

7 So I just hope that the Loews
8 management just realizes that the Council of the
9 City of Philadelphia -- I'm pretty sure everyone
10 signed this resolution, I can't see why anyone
11 wouldn't -- realizes that there is --

12 COUNCIL PRESIDENT VERNA: It has not
13 been given to me, but I will sign it.

14 COUNCILMAN MARIANO: You'll sign it,
15 I'm sure you will.

16 I just can't see how they can't
17 realize, and they must realize, that it's time to
18 look around where they are, realize the benefits
19 they get from building in a city the class of
20 Philadelphia, but they got to realize, this will
21 not be tolerated, this kind of behavior will not
22 be tolerated by the union people, it will not be
23 tolerated by elected officials, and it won't be
24 tolerated by the citizens of the City
25 Philadelphia.

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2 And, Councilman Ortiz, I appreciate
3 your friendly amendment to this, it's great. And
4 I think she should be hired back immediately. So
5 thank you very much.

6 I move for the adoption.

7 COUNCIL PRESIDENT VERNA: Is there a
8 second?

9 (Duly seconded.)

10 COUNCILMAN ORTIZ: May I speak on the
11 resolution?

12 COUNCIL PRESIDENT VERNA: Yes, I'm
13 sorry. The Chair recognizes Councilman Ortiz.

14 COUNCILMAN ORTIZ: Madam Chair, the
15 Loews Hotel -- I wrote a letter to them last week
16 on this issue as soon as I found out, and they
17 wrote a response that really was very
18 non-responsive. They wrote a letter back that
19 really said nothing. And as details come out, it
20 seems that they maintain that Miss Jessica Ramirez
21 was fired because after she finished her tour of
22 duty, she went back to the hotel for something,
23 maybe for a cup of coffee, maybe to eat a
24 sandwich. And it seems that employees of this
25 chain cannot go back to the hotel that they work

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2 with and enjoy the services that that hotel
3 provides.

4 Now, I don't know in what country we
5 live in, but I know we're in Philadelphia. And
6 that should not be tolerated, that type of rules
7 and regulations should not be in place upon
8 workers that cannot go back to the one of the
9 hospital hotels that we build with taxpayers'
10 money.

11 And I think every hotel -- I would like
12 to see -- because I think we have built hotels in
13 the city, and each and every one of them -- and I
14 would like to be told differently, but I will
15 maintain that at this point in time, each and
16 every one of them has an incredibly anti-union
17 perspective and union attitude. And Miss Ramirez
18 was not militant; she is just signing a union
19 card, and I think that was the real reason for the
20 firing.

21 But even if you do that, even if you're
22 go into the dismiss someone, you do not dismiss
23 that person by degrading her, by insulting her,
24 and by taking her out into the street and
25 disrobing her. I think she not only should get

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2 her job immediately back, but I think we should
3 have a meeting with the leaders of the Loews Hotel
4 and tell them that the TIFs that this City Council
5 gives to each and every one of these hotels from
6 now on may have -- may have some conditions to
7 them, conditions that will prevent this type of
8 action by the hotel management.

9 I believe it was insulting, degrading,
10 not only to Miss Ramirez but to the union movement
11 and to the City of Philadelphia. And I would like
12 them to offer an apology to her, to the City of
13 Philadelphia, and rehire her back immediately.

14 Thank you.

15 COUNCIL PRESIDENT VERNA: Thank you.

16 (Applause.)

17 COUNCIL PRESIDENT VERNA: The Chair
18 recognizes Councilman Longstreth. Councilman
19 Longstreth, do you wish to be recognized?

20 COUNCILMAN LONGSTRETH: I have a
21 resolution which I'd like to introduce at this
22 time.

23 COUNCIL PRESIDENT VERNA: We haven't
24 gotten that far yet. Thank you.

25 The Chair recognizes Councilwoman

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2 Blackwell.

3 COUNCILWOMAN BLACKWELL: No, my light
4 is not on, Madam President.

5 COUNCIL PRESIDENT VERNA: Thank you.

6 It has been moved and properly seconded
7 that the resolution, as amended, be adopted.

8 All those in favor will signify by
9 saying aye.

10 Those opposed?

11 The ayes have it and the resolution has
12 been adopted.

13 (Applause.)

14 COUNCIL PRESIDENT VERNA: The clerk
15 will please read the title of the second
16 resolution by Councilman Mariano.

17 MS. RAFFERTY: A resolution honoring
18 the participants in the 2000, a journey into our
19 heritage parade, and recognizing the Concilio,
20 approving the lives of the Latino community in
21 Philadelphia.

22 COUNCIL PRESIDENT VERNA: The Chair
23 recognizes Councilman Mariano.

24 COUNCILMAN MARIANO: I move for the
25 adoption.

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2 (Duly seconded.)

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

6 All those in favor will signify by
7 saying aye.

8 Those opposed?

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

11 The clerk will please read the third
12 resolution.

13 MS. RAFFERTY: A resolution directing
14 the City Commissioners to place on the ballot at
15 the primary election of 2001 the following
16 referendum question: Do you favor the issuance of
17 licenses to conduct small games of chance in the
18 City of Philadelphia?

19 COUNCIL PRESIDENT Verna: This
20 resolution will be referred to the appropriate
21 committee.

22 The Chair recognizes Councilwoman
23 Tasco.

24 COUNCILWOMAN TESCO: Madam President, I
25 offer one bill.

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2 COUNCIL PRESIDENT VERNA: The clerk
3 will please read the title of the bill.

4 MS. RAFFERTY: An ordinance recognizing
5 an amendment of the Philadelphia Facilities
6 Management Corporation Agreement to provide for a
7 temporary change in the amount of temporary
8 financing that the City may provide to the
9 Philadelphia Gas Works, under certain terms and
10 conditions; and authorizing a temporary advance of
11 up to \$45 million to the Philadelphia Gas Works,
12 pursuant to that agreement, under certain terms
13 and conditions.

14 COUNCILWOMAN VERNA: This bill will be
15 referred to the appropriate committee.

16 The Chair recognizes Councilwoman
17 Miller.

18 COUNCILWOMAN MILLER: Thank you, Madam
19 President. I offer one resolution.

20 COUNCIL PRESIDENT VERNA: The clerk
21 will please read the title of the resolution.

22 MS. RAFFERTY: A resolution authorizing
23 the Commissioner of Public Property to the
24 Redevelopment Authority of the City of
25 Philadelphia without consideration a deed located

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2 in the 11th, 12th, 17th, and 59th Wards of the
3 City of Philadelphia.

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

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

8 (Duly seconded.)

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

12 All those in favor will signify by
13 saying aye.

14 Those opposed?

15 The ayes have it and the resolution has
16 been adopted.

17 The Chair recognizes Councilman Nutter.

18 COUNCILMAN NUTTER: Thank you, Madam
19 President. I offer one bill and one resolution.

20 COUNCIL PRESIDENT Verna: The clerk
21 will please read the title of the resolution.

22 MS. RAFFERTY: A resolution authorizing
23 requests to the Law Department to represent City
24 Council in appeals from decisions of the
25 Philadelphia Zoning Board of Adjustment, and if

1 INTRODUCTION - BILLS, RESOLUTIONS

2 the Law Department declines to render such
3 services to City Council, authorizing the
4 retention of outside counsel to render such
5 services.

6 COUNCIL PRESIDENT VERNA: The Chair
7 recognizes Councilman Nutter.

8 COUNCILMAN NUTTER: Thank you, Madam
9 President. I move the adoption of the resolution.

10 (Duly seconded.)

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

14 All those in favor will signify by
15 saying aye.

16 Those opposed?

17 The ayes have it and the resolution has
18 been adopted.

19 The clerk will please read the title of
20 the bill.

21 MS. RAFFERTY: An ordinance amending
22 Section 2 of an ordinance (Bill No. 990368)
23 approved July 1, 1999, authorizing the revision of
24 lines and grades on a portion of City Plan No. 266
25 by striking from the City Plan and vacating

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2 Jefferson Street from 50th Street to a dead-end
3 turnaround northwesterly, all under certain terms
4 and conditions.

5 COUNCIL PRESIDENT Verna: The bill will
6 be referred to the appropriate committee.

7 The Chair recognizes Councilwoman
8 Brown.

9 COUNCILWOMAN BROWN: Good morning,
10 Madam President.

11 COUNCIL PRESIDENT Verna: Good morning.

12 COUNCILWOMAN BROWN: I offer no bills
13 or resolutions.

14 COUNCIL PRESIDENT Verna: Thank you.

15 The Chair recognizes Councilman Goode.

16 COUNCILMAN GOODE: Thank you, Madam
17 President. I have one resolution co-introduced by
18 Councilman Nutter and one resolution cosponsored
19 by Councilman Cohen.

20 COUNCIL PRESIDENT Verna: Thank you.

21 The clerk will please read the title of
22 the resolution.

23 MS. RAFFERTY: A resolution authorizing
24 the Committee on Transportation and Public
25 Utilities to conduct comprehensive comparative

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2 research into the state of the City's
3 transportation and public utilities system and
4 operations and hold hearings into the same.

5 COUNCIL PRESIDENT VERNA: The
6 resolution will be referred to the appropriate
7 committee.

8 The clerk will please read the title of
9 the bill.

10 MS. RAFFERTY: An ordinance amending
11 Chapter 16-400 of the Philadelphia Code, entitled
12 "Vacant and Surplus Properties," by amending
13 Section 16-404, entitled "The Vacant Property
14 Review Committee," by adding a subsection on the
15 Department of Commerce.

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

18 And the Chair recognizes Councilman
19 Ortiz.

20 COUNCILMAN ORTIZ: Madam Chair, I have
21 no bills or resolutions.

22 COUNCIL PRESIDENT VERNA: Thank you.

23 The Chair recognizes Councilman
24 DiCicco.

25 COUNCILMAN DICICCO: Thank you, Madam

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2 President. I offer three bills.

3 COUNCIL PRESIDENT VERNA: The clerk
4 will please read the title of the first bill.

5 MS. RAFFERTY: An ordinance revising
6 parking regulations on Ninth Street, both sides,
7 both sides, from Bainbridge Street to Fitzwater
8 Street.

9 COUNCIL PRESIDENT VERNA: The bill will
10 be referred to the appropriate committee.

11 MS. RAFFERTY: And an ordinance
12 revising parking regulations on Fitzwater Street,
13 both sides, from Tenth Street to Eleventh Street.

14 COUNCIL PRESIDENT VERNA: This bill
15 will be referred to the appropriate committee.

16 MS. RAFFERTY: An ordinance revising
17 parking regulations on Fitzwater Street, both
18 sides, from Eighth Street to Ninth Street.

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

21 The Chair recognizes Councilman
22 O'Neill. Councilman O'Neill?

23 COUNCILMAN O'NEILL: Madam Chair, I
24 have no bills or resolutions.

25 COUNCIL PRESIDENT VERNA: Thank you.

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2 The Chair recognizes Councilman Clarke.

3 COUNCILMAN CLARKE: Thank you, Madam
4 Chair. I have one bill and one resolution.

5 COUNCIL PRESIDENT Verna: The clerk
6 will please read the title of the resolution.

7 MS. RAFFERTY: A resolution authorizing
8 the Commissioner of Public Property to execute and
9 deliver to the Redevelopment Authority of the City
10 of Philadelphia without consideration a deed
11 located in the 16th, 20th, 37th, and 47th Wards of
12 the City of Philadelphia.

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

15 COUNCILMAN CLARKE: I move for the
16 adoption.

17 COUNCIL PRESIDENT Verna: Do I hear a
18 second?

19 (Duly seconded.)

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

23 All those in favor will signify by
24 saying aye.

25 Those opposed?

1 INTRODUCTION - BILLS, RESOLUTIONS

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

4 The clerk will please read the title of
5 the bill.

6 MS. RAFFERTY: An ordinance amending
7 Section 1 of an ordinance (Bill No. 374), approved
8 August 11, 2000, authorizing the revision of lines
9 and grades on a portion of City Plan No. 121 by
10 striking from the City Plan and vacating a portion
11 of Chang Street and placing a dead-end turnaround
12 at the terminus of Chang Street, all under certain
13 terms and conditions.

14 COUNCIL PRESIDENT Verna: The bill will
15 be referred to the appropriate committee.

16 The Chair recognizes Councilman
17 Longstreth.

18 COUNCILMAN LONGSTRETH: Madam
19 President, I have one resolution to introduce,
20 which is privileged.

21 COUNCIL PRESIDENT Verna: Thank you.

22 The clerk will please read the title of
23 the resolution.

24 MS. RAFFERTY: A resolution honoring
25 Naomi Klein and the Lively Arts Group.

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2 COUNCIL PRESIDENT Verna: The Chair
3 recognizes Councilman Longstreth.

4 COUNCILMAN LONGSTRETH: I ask that that
5 be endorsed.

6 COUNCIL PRESIDENT Verna: Is there a
7 second?

8 (Duly seconded.)

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

12 All those in favor will signify by
13 saying aye.

14 Those opposed?

15 The ayes have it and the resolution has
16 been adopted.

17 The next order of business is reports
18 from committees, and the Chair -- oh, I'm sorry.
19 The Chair recognizes Councilman Rizzo.

20 COUNCILMAN RIZZO: Madam President, no
21 problem. I have no bills or resolutions today.
22 Thank you.

23 COUNCIL PRESIDENT Verna: Thank you

24 - - -

25

1 COMMITTEE REPORTS

2 COUNCIL PRESIDENT Verna: The next
3 order of business is reports from committee, and
4 the Chair recognizes Councilwoman Blackwell.

5 COUNCILWOMAN BLACKWELL: Thank you,
6 Madam President. The Committee of the Whole
7 reports out one bill, Bill No. 000535.

8 COUNCIL PRESIDENT Verna: The clerk
9 will please read the report.

10 MS. RAFFERTY: To the President and
11 Members of the Council of the City of
12 Philadelphia, the Committee of the Whole Council,
13 to which was referred Bill No. 000535, an
14 ordinance authorizing the creation of a loan or
15 loans to provide funds for and toward various
16 capital municipal purposes, authorizing the Mayor,
17 City Controller, and City Solicitor, or a majority
18 of them, to sell bonds at public or private
19 negotiated sale, setting forth for capital
20 purposes in the amounts for which the proceeds of
21 the loan or loans will be expended; providing for
22 the maturities and for other terms and conditions
23 and for the form of the bonds; providing that
24 certain bonds may be redeemable prior to maturity;
25 providing sinking funds for the bonds and for

1 COMMITTEE REPORTS

2 appropriations to the Sinking Fund Commission for
3 payment thereof; authorizing agreements to provide
4 credit or payment of liquidity sources for the
5 bonds and certain other actions, respectfully
6 reports it has considered the same and returns the
7 attached bill to Council with a favorable
8 recommendation.

9 COUNCIL PRESIDENT VERNA: The Chair
10 recognizes Councilwoman Blackwell.

11 COUNCILWOMAN BLACKWELL: Thank you,
12 Madam President. I move that the rules of Council
13 be suspended so as to permit first reading today
14 of Bill No. 000535.

15 (Duly seconded.)

16 COUNCIL PRESIDENT VERNA: It has been
17 moved and properly seconded that the rules of
18 Council be suspended in order to permit first
19 reading of Bill No. 000535 at today's session.

20 Those in favor, please indicate by
21 saying aye.

22 Those opposed?

23 The ayes have it and Bill No. 000535
24 will be placed on today's first-reading calendar.

25 The Chair recognizes Councilwoman

1 COMMITTEE REPORTS

2 Krajewski for a report from the Appropriations
3 Committee.

4 COUNCILWOMAN KRAJEWSKI: Madam Chair,
5 the Committee on Appropriations reports out one
6 bill out with a favorable recommendation.

7 COUNCIL PRESIDENT Verna: The clerk
8 will please read the report.

9 MS. RAFFERTY: To the President and
10 Members of the Council of the City of
11 Philadelphia, the Committee on Appropriations, to
12 which was referred Bill No. 000539, an ordinance
13 authorizing transfers in appropriations for Fiscal
14 Year 2001 within the Grants Revenue Fund from the
15 Director of Finance - Provision for Other Grants
16 to the Department of Licenses and Inspections,
17 respectfully reports it has considered the same
18 and returns the attached bill to Council with a
19 favorable recommendation.

20 COUNCIL PRESIDENT Verna: The Chair
21 recognizes Councilwoman Krajewski.

22 COUNCILWOMAN KRAJEWSKI: Madam Chair, I
23 move that the rules of Council be suspended so as
24 to permit first reading this day of Bill No.
25 000539.

1 COMMITTEE REPORTS

2 (Duly seconded.)

3 COUNCIL PRESIDENT Verna: It has been
4 properly moved and seconded that the rules of
5 Council be suspended in order to permit first
6 reading of Bill No. 000539 on today's calendar.

7 All those in favor will signify by
8 saying aye.

9 Those opposed, nay.

10 The ayes have it, the motion carries,
11 and Bill No. 000539 will be placed on today's
12 first-reading calendar.

13 Are there any other committee reports?

14 (No response.)

15 - - -

16 COUNCIL PRESIDENT Verna: Seeing none,
17 the next order of business is the consideration of
18 the calendar.

19 The clerk will please read the bills on
20 the first-reading calendar.

21 MS. RAFFERTY: Bill No. 000535, an
22 ordinance authorizing the creation of a loan or
23 loans to provide funds for and toward various
24 capital municipal purposes, authorizing the Mayor,
25 City Controller, and City Solicitor, or a majority

1 BILLS ON FIRST-READING CALENDAR

2 of them, to sell bonds at a public or private
3 negotiated sale, setting forth the capital
4 purposes and the amounts for which the proceeds of
5 the loan or loans will be expended; providing for
6 the maturities and for others terms and conditions
7 and for the form of the bonds; providing that
8 certain bonds may be redeemable prior to maturity;
9 providing sinking funds for the bonds and for
10 appropriations to the Sinking Fund Commission for
11 the payment thereof; authorizing agreements to
12 provide credit for payment or liquidity sources
13 for the bonds and certain other actions; providing
14 for obtaining the consent of the electors to
15 increasing the indebtedness of the City of
16 Philadelphia, fixing a day for holding the
17 election for obtaining such consent, and providing
18 for the arrangements for holding such elections.

19 COUNCIL PRESIDENT Verna: The Chair
20 agrees.

21 MS. RAFFERTY: And Bill No.'s 000539,
22 an ordinance authorizing transfers in
23 appropriations for Fiscal Year 2001 within the
24 Grants Revenue Fund from the Director of Finance -
25 Provision for Other Grants to the Department of

1 SECOND READING - BILL 000088-A

2 Licenses and Inspections.

3 COUNCIL PRESIDENT Verna: The Chair
4 agrees.

5 The bills read by the clerk will be
6 placed on the second-reading and final-passage
7 calendar for our next session.

8 This concludes the first-reading
9 calendar.

10 - - -

11 COUNCIL PRESIDENT Verna: The Chair now
12 recognizes Councilwoman Blackwell for the purpose
13 of calling bills on the second-reading and
14 final-passage calendar.

15 COUNCILWOMAN BLACKWELL: Thank you,
16 Madam President. Today, Bill No.'s 000147 and
17 000088-A are being called up for second reading
18 and final passage. The other bills are being
19 held.

20 COUNCIL PRESIDENT Verna: I'm sorry,
21 did you say that two bills were being considered?

22 COUNCILWOMAN BLACKWELL: Yes, ma'am.

23 COUNCIL PRESIDENT Verna: Okay. The
24 clerk will please read the title of Bill No.
25 000088-A.

1 SECOND READING - BILL 000088-A

2 MS. RAFFERTY: An ordinance amending
3 Title 17 of the Philadelphia Code relating to the
4 contracts and procurement by amending Chapter
5 17-500, entitled "Goals for the Participation of
6 Minority, Female, and Disabled Owned Business and
7 City Contracts," to extend the life of the
8 Minority Business Enterprise Council, grant
9 authority to MBEC to monitor participation of
10 minority, female, and disabled owned business and
11 socially and economically disadvantaged
12 individuals in all City contracts, City agencies,
13 and City quasi-public agencies, and to require
14 regular reporting to City Council, all under
15 certain terms and conditions.

16 COUNCIL PRESIDENT VERNA: This bill
17 having been read on two different days, the
18 question now is, shall the bill pass finally?

19 The clerk will please call the roll.

20 CHIEF MS. RAFFERTY: Councilwoman
21 Blackwell?

22 COUNCILWOMAN BLACKWELL: Aye.

23 MS. RAFFERTY: Councilman Clarke?

24 COUNCILMAN CLARKE: Aye.

25 MS. RAFFERTY: Councilman Cohen?

1 SECOND READING - BILL 000088-A
2 COUNCILMAN COHEN: Aye.
3 MS. RAFFERTY: Councilman DiCicco?
4 COUNCILMAN DICICCO: Aye.
5 CHIEF MS. RAFFERTY: Councilman Goode?
6 COUNCILMAN GOODE: Aye.
7 CHIEF MS. RAFFERTY: Councilman
8 Kenney?
9 COUNCILMAN KENNEY: Aye.
10 CHIEF MS. RAFFERTY: Councilwoman
11 Krajewski?
12 COUNCILWOMAN KRAJEWSKI: Aye.
13 CHIEF MS. RAFFERTY: Councilman
14 Longstreth?
15 COUNCILMAN LONGSTRETH: Aye.
16 MS. RAFFERTY: Councilman Mariano?
17 COUNCILMAN MARIANO: Aye.
18 CHIEF MS. RAFFERTY: Councilwoman
19 Miller?
20 COUNCILWOMAN MILLER: Aye.
21 CHIEF MS. RAFFERTY: Councilman
22 Nutter?
23 COUNCILMAN NUTTER: Aye.
24 CHIEF MS. RAFFERTY: Councilman
25 O'Neill?

1 SECOND READING - BILL 000088-A

2 COUNCILMAN O'NEILL: Aye.

3 CHIEF MS. RAFFERTY: Councilman Ortiz?

4 COUNCILMAN ORTIZ: Aye.

5 CHIEF MS. RAFFERTY: Councilwoman

6 Reynolds Brown?

7 COUNCILWOMAN REYNOLDS BROWN: Aye.

8 CHIEF MS. RAFFERTY: Councilman Rizzo?

9 COUNCILMAN RIZZO: Aye.

10 CHIEF MS. RAFFERTY: Councilwoman

11 Tasco?

12 COUNCILWOMAN TASCO: Aye.

13 CHIEF MS. RAFFERTY: Council President

14 Verna?

15 COUNCIL PRESIDENT VERNA: Aye.

16 The ayes are 17, the nays are 0. A

17 majority of all members of Council having voted in

18 the affirmative, the bill passes.

19 The clerk will please read the title of

20 Bill No. 000147.

21 MS. RAFFERTY: An ordinance amending

22 Title 10 of the Philadelphia Code relating to

23 regulation of individual conduct and activity by

24 amending Section 10-610, entitled "Skateboarding

25 on Public Property," by prohibiting skateboarding

1 SECOND READING - BILL 000088-A

2 on all public property unless otherwise
3 authorized, and by creating additional penalties,
4 all under certain terms and conditions.

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

7 COUNCILWOMAN BLACKWELL: Thank you,
8 Madam President.

9 This is bill is the skateboard bill, as
10 my colleagues know. I would like to thank
11 everyone who came and those who sent staff members
12 to a meeting yesterday on the subject.

13 As you know, we've been concerned
14 because the skateboarders have been willing to
15 work with the City to find a place. I would like
16 to thank my colleagues for expressing their
17 willingness to even contribute funds toward this
18 end and the Managing Director, who is talking
19 about and working on a plan so that in next year's
20 budget process, or when we start that in January,
21 our budget deliberations, we can consider a
22 skateboarding site.

23 I am concerned about this legislation
24 this morning because one of its main features is
25 that it allows for confiscation of skateboard.

1 SECOND READING - BILL 000147

2 One of my colleagues, Councilman Mariano, even
3 expressed his concern about his 15-year-old son,
4 for whom he had just bought a skateboard. I am
5 concerned because this part of the bill could
6 cause it to go from certainly a civil offense to a
7 criminal one in that if a police officer tries to
8 confiscate a skateboard and the child grabs it, a
9 minor or a young adult skateboarding, that could
10 end up in a criminal charge and have really dire
11 consequences for young people and being arrested
12 and getting records.

13 I understand the concerns of my
14 colleagues about the Love Park, and although I
15 personally have other feelings about Love Park and
16 always have, I accept the fact that the Managing
17 Director says he cannot hold up forever in
18 enforcing the law. I'm willing to accept that
19 certainly in regards to skateboarding, but
20 certainly feel that to expand that, to expand this
21 bill, not to even just regulate the laws already
22 on the books that lead to young people being
23 locked up and fined, but to expand that to allow
24 for all public and private places to allow for
25 confiscation just goes too far when we have a

1 SECOND READING - BILL 000147

2 great group of youth and the City administration
3 willing to work to certainly form a skateboarding
4 site, which could take about a year to happen.

5 For those reasons, I would certainly be
6 opposing this legislation. I think locking up
7 young people, as we're doing now, is certainly
8 enough. I think that confiscating their
9 skateboard is overkill. And, again, I will be
10 opposing this bill. And I certainly thank those
11 of you for your support and your willingness to
12 speak on this and hope that you will consider this
13 as you vote for this bill.

14 Thank you, Madam President.

15 COUNCIL PRESIDENT Verna: Thank you.

16 The Chair recognizes Councilman
17 Mariano.

18 COUNCILMAN MARIANO: Thank you, Madam
19 President.

20 Madam President, I too will be opposing
21 this bill, along with Councilwoman Blackwell. And
22 this has been a really tough one. I made a total
23 about-face on Councilman Nutter, who, by the way,
24 needs to be congratulated 'cause this bill is
25 something on the surface has all the great

1 SECOND READING - BILL 000147

2 intentions, and he waited long, he did his
3 homework, as he usually does, and it should be a
4 good bill, but the confiscation of a skateboard
5 becomes a problem.

6 I have a 15-year-old son, Vincent, who
7 will be 16 in March. One of the things that I
8 bonded with Vincent over the summer with is the
9 skateboard, and this is a phenomenon, this is a
10 cultural phenomenon. We can ban people from Love
11 Park; they're still going to go to Love Park.
12 When I asked-- I called Vince from that hearing
13 yesterday, and I said, "Vince, when is the last
14 time you skated at Love Park?" He said, "uh,
15 uh. . ." Now, I know he's been skating at Love
16 Park but, you know, he wants to give me the right
17 answer. And he said, "Well, not in a while." So
18 that's enough.

19 I mean, I know -- I said, "Well, what
20 about FDR Park? I know you been down there. You
21 been up to Carmel in my Council district," 'cause
22 I gave the group there \$2000 in activity fund
23 grant to set up the skateboard ramps. And,
24 believe me, I could never do this; these
25 skateboard ramps are incredible. This is the

1 SECOND READING - BILL 000147

2 difference.

3 And these young people here -- and, by
4 the way, they are young people. There were some
5 professionals involved there that are over 20, 21
6 years old, 24, but they're not the norm. The norm
7 is the Vince Marianos, the 15-year-olds, that
8 needs something to do. As weird as we think it is
9 -- and we do think it's weird, frankly, because
10 we can't do it. Councilman DiCicco could probably
11 do it, but the rest of us probably couldn't,
12 'cause he's very agile.

13 But what happens here is this
14 phenomenon. They're going to go to Love Park
15 strictly because it's Love Park. The only way we
16 keep them out of Love Park, short of confiscating
17 their skateboards, arresting 'em and making
18 criminals out of 'em -- I mean, confiscating
19 skateboards? We can't confiscate cars that we've
20 had on the books for three, four years, five
21 years. We totally knock down Love Park, then
22 they'll stop going. If we build another Love Park
23 somewhere, they'll go to this one.

24 This is much like Councilman's
25 generation going to Woodstock. That's what it is,

1 SECOND READING - BILL 000147

2 they had to go. Everybody was there, everybody
3 was there.

4 (Laughter.)

5 COUNCILMAN MARIANO: Well, these
6 people, they all want to be at Love Park.

7 Now, Councilman, you may have been at
8 Woodstock, you may have not, but you probably said
9 you were somewhere along the line, or you knew
10 somebody that went there.

11 This Love Park is big. It's a cultural
12 phenomena.

13 We sat here months ago and argued
14 because of a bill that passed, and everyone spoke
15 about First-Amendment rights, and I hate to bring
16 it up. I was right -- masks, they wore masks.
17 Hopefully I'm not right about this one.
18 Hopefully, they're not going to take skateboards
19 off of some 15-year-old. And, believe me, it's
20 not going to be Vince Mariano, 'cause he's
21 definitely not going to be in Love Park; he'll be
22 down FDR Park or up he'll be up Carmel, but it
23 will be someone like -- it might be young, uh --
24 Councilman Ortiz, it's not DiCicco, he's shaking
25 head, he don't have any young kids. But Omar, it

1 SECOND READING - BILL 000147

2 might be Omar, Councilman. I mean, Omar may be up
3 there skateboarding, he may be the first or second
4 Puerto Rican skateboard phenomenon coming out of
5 Philadelphia, okay?

6 COUNCILMAN ORTIZ: (Inaudible,
7 off-mic.)

8 COUNCILMAN MARIANO: I didn't think so,
9 I didn't think so either, but it happens.

10 So what I'm saying here, and when I sum
11 up, is, seriously, let's look inside our hearts
12 and our brains. Sometimes we do these bills, and
13 I been accused of doing this. We do these bills
14 with the greatest intention.

15 Can you imagine someone confiscating
16 someone's skateboard? He goes back to the office,
17 says, "That's my \$150 skateboard, my father's
18 going to kill me on the way home," and he gets
19 into a problem with a policeman. Our police have
20 other things to do except worrying about
21 skateboards.

22 Love Park was meant for the people.
23 Well, maybe the people are changing. And I
24 listened to Mr. Martz yesterday, the Managing
25 Director, and he's got some problems out there. I

1 SECOND READING - BILL 000147

2 mean, I don't think they're doing damage out
3 there. What I think they're doing is, the wear
4 and tear just speeds up the age of the process.

5 Now, I think I understand why Love Park
6 is this phenomenon, because of the marble and the
7 way it's laid out. And we talked about great
8 things yesterday -- bringing all of these
9 corporations in, and you were there, Council
10 President.

11 Just reach inside your hearts and
12 realize that this bill, with all the greatest
13 intentions, I just can't see us confiscating
14 somebody's skateboard. Confiscate their cars, you
15 can even confiscate some other things, but don't
16 confiscate their skateboards, for being kids. I
17 mean, that's all. It's just youth and they're
18 just trying to do the right thing. They're not at
19 Fourth and Cambria buying drugs; they could be
20 down there doing that. You know, wherever they're
21 coming from, being in the city or not the city,
22 they're trying to do the right thing and they're
23 trying to stay out of trouble. As much as we
24 can't see it, they're there doing the right thing
25 in their mind.

1 SECOND READING - BILL 000147

2 Thank you.

3 (Applause.)

4 COUNCIL PRESIDENT VERNA: Thank you.

5 (Applause.).

6 COUNCIL PRESIDENT VERNA: The Chair

7 recognizes Councilman Nutter.

8 COUNCILMAN NUTTER: Thank you, Madam

9 President.

10 First let me say that I again
11 appreciate the comments and concerns expressed by
12 my colleagues. And I would like to note for the
13 record a couple of items specifically on the issue
14 of confiscation.

15 First, in the bill, the bill says that
16 "an additional penalty for violation of Section
17 10-610, subsection 1, shall be forfeiture of any
18 skateboard used in violation of this section,
19 unless it is proven to the court by a
20 preponderance of the evidence that the does not
21 own the skateboard and the owner did not or could
22 not have reasonably known that the skateboard
23 would be used in violation of this section."

24 It further says that "whenever an
25 officer has probable cause to believe the

1 SECOND READING - BILL 000147

2 skateboard was used or is being used in violation
3 of Section 9-601(1), the officer may seize the
4 skateboard."

5 And, finally, in the enforcement
6 section, "Upon timely payment under this
7 subsection, the Police Department shall make any
8 skateboard seized under this section available for
9 return to the offender, pursuant to the procedures
10 established by the Police Department."

11 Lastly, this particular provision was
12 specifically requested by the Police Department to
13 be amended into this particular bill when it was
14 written. The Police Department -- and I think
15 none of us have any particular interest in having
16 people's skateboards or taking their skateboards.
17 What we want is compliance with the law that you
18 do not utilize certain public property for this
19 particular use. If you don't use public property,
20 you don't ever have to worry about anyone taking
21 your skateboard or getting a fine or anything
22 else. As with any other law, if you don't violate
23 it, you never have to worry about the penalties.

24 I would just like to add that to the
25 record, Madam President.

1 SECOND READING - BILL 000147

2 I appreciate all of the time and effort
3 that has been put into this situation.
4 Councilwoman Blackwell is certainly to be
5 commended for raising this issue to a point where
6 I believe that very soon, we will have a new and
7 probably high-class recreation facility for
8 skateboarders and others who would use such
9 facilities. And whether there is one in a
10 particular location or, as has been suggested by
11 interested parties, there would be various
12 elements around the city at our recreation centers
13 that exist today. All of those efforts, I think,
14 can and should be supported, and I would be
15 pleased to participate in that process going
16 further. But I would ask for support for the bill
17 today. I think the time has come to take an
18 action.

19 Thank you, Madam President.

20 COUNCIL PRESIDENT Verna: Councilman,
21 would you once again over the issue of
22 confiscation so that everybody clearly understands
23 what that means.

24 COUNCILMAN Nutter: Sure.

25 In the enforcement section, it says

1 SECOND READING - BILL 000147

2 that whenever a police officer has probable cause
3 to believe a skateboard was used or is being used
4 in violation of Section 9-601(1), the officer may
5 seize the skateboard. The skateboard will be
6 returned to the person if they pay the fine in a
7 timely fashion. The fine is \$25.

8 In addition, if it is not proven that
9 the person either owned the board or was using it
10 with knowledge in violation of this section, the
11 board will not be confiscated or would be returned
12 immediately.

13 Again, the Police Department is not
14 necessarily interested in having a locker full of
15 skateboards. What they want is people to not use
16 public property if skateboarding is prohibited.
17 And that would be only a final recourse to that.
18 But, again, that was asked for by the Police
19 Department, and I agree.

20 Thank you, Madam President.

21 COUNCIL PRESIDENT Verna: Thank you.

22 The Chair recognizes Councilwoman
23 Blackwell.

24 COUNCILWOMAN BLACKWELL: Thank you,
25 Madam President.

1 SECOND READING - BILL 000147

2 Again, I reiterate that one of the main
3 features of this bill is confiscation of
4 skateboards, even by children, those owned by
5 children.

6 And another point that I wanted to
7 mention is that we've talked in this Council about
8 the individual's right to a sport of their
9 choice. And in our city, we learned yesterday
10 that we have the top ten skateboarders in the
11 country, who live in Philadelphia and skateboard.
12 In fact, two of them attended the meeting
13 yesterday. And we have many people behind us,
14 including one gentleman who wrote even the
15 proposal for Franklin Square. We have another
16 doctor and others who are willing to build a
17 skateboard park. We have people here who've
18 contacted Sony, we have correspondence from
19 McDonald's and others who are willing certainly to
20 fund such a venture.

21 So we're really, really working hard to
22 do the right thing, but to not only enforce the
23 law already on the books but to add more punitive
24 directives seems to me is just a little bit
25 overkill, a little heavy-handed.

1 SECOND READING - BILL 000147

2 And might I also say that the City is
3 trying to get the X Games for the Olympics, as
4 many of you know. And San Diego, they got \$30
5 million for their city and also 8,000 hotel rooms
6 are being rented. The Managing Director also said
7 yesterday that he expected we would do at least as
8 well, if not better, in terms of that. So there
9 are a lot of positive benefits for the City if we
10 decide that we want to have a positive attitude
11 about skateboarders and if we decide that we want
12 to be err on the positive side as opposed to the
13 negative side of the issue.

14 And, again, I think that enforcement of
15 the current bill, where people are already locked
16 up, is certainly enough, and fined is certainly
17 enough. If we resume where we were when the bill
18 was first introduced, you still will have people
19 being pushed away from Love Park, you still will
20 have certainly have the arrests that you have, but
21 you don't have as much as an extra heavy-handed
22 hit, one hand say we're going to enact more laws
23 against skateboarding, but at the same time, we're
24 trying to be one of the cities that vie for the X
25 Game so that we can get some 30 to \$50 million and

1 SECOND READING - BILL 000147

2 8 to 10,000 rooms so that it benefits our city.

3 So that is my concern, that we try to
4 be reasonable. I'll always believe that we have a
5 responsibility and can try to meet in the middle
6 if we are sincere about this issue. I'm trying to
7 do that and again would certainly ask my
8 colleagues to consider this when voting for this
9 bill.

10 Thank you.

11 COUNCIL PRESIDENT Verna: Councilwoman,
12 I want to applaud you and Councilman Nutter for
13 working so hard on this issue.

14 COUNCILWOMAN BLACKWELL: Thank you.

15 COUNCIL PRESIDENT Verna: And at the
16 meeting yesterday, it was very apparent that all
17 of the Councilmembers there, including Mr. Martz,
18 definitely want to address this issue. And it
19 takes time. Things of this magnitude cannot be
20 done with the blink of an eye. We have to find
21 the appropriate location, there is design work
22 that has to be done, and then of course, there is
23 the cost of it to be addressed.

24 I don't think that anybody here is
25 against skateboarding, I really don't. It is

1 SECOND READING - BILL 000147

2 "location, location, location."

3 So -- but, again, I want to applaud
4 both of you. And I'm sure that there are times
5 where we will agree to disagree. But I think
6 that, as I said, this type of a project, though we
7 had the summer to work on it, there were very many
8 issues and very important issues that came up, and
9 we couldn't address it during the summer. But I
10 think if we all work together and continue to work
11 together -- the skateboarders and the City --
12 everybody will be satisfied with the end result.

13 At this time, the Chair recognizes
14 Councilman Ortiz.

15 COUNCILMAN ORTIZ: Thank you, Madam
16 President.

17 Woodstock was terrific.

18 COUNCIL PRESIDENT Verna: What?

19 COUNCILMAN ORTIZ: Jimmy was great.
20 Carlos was out of this world. Joan? Well, she
21 was Joan; what can you expect from her. You know,
22 Bob came in and did his thing.

23 But that generation, you know, to
24 compare this that generation -- that generation
25 was concerned, and Woodstock was about stopping a

1 SECOND READING - BILL 000147

2 war and not just war. Woodstock was about ending
3 poverty. Woodstock was about, in essence,
4 rebellion against a status quo that was aggressive
5 and punishing.

6 So that the things that we equate in
7 this issue is really surrealistic. You had a
8 generation that created change and a generation at
9 that age that was going out and challenging,
10 challenging the basic principles that this society
11 has. I don't think the skateboarders at Love Park
12 are doing that.

13 So, you know, Omar, my son, six years
14 old, he skateboards, he has a skateboard. But the
15 other day, he came in and said whether there was
16 \$100 lying around for a scooter. I told him what
17 DiCicco said yesterday, what the scooters were
18 when I was growing up. You got a box that carried
19 fruit, you got a piece of wood, you got some
20 roller-skating wheels, and you built a scooter.

21 The thing is, don't we have something
22 else to do other than this? I know that
23 skateboarding is important. We should take care
24 of that within recreation, but we're really
25 spending a lot of time on an issue that should be

1 SECOND READING - BILL 000147

2 the realm of the Recreation Department and the
3 administration to find a solution.

4 I don't think Love Park is a place to
5 skateboard, 'cause Love Park is a park for people
6 to go and read, to eat, think, look at the
7 Parkway, look at the fountain, relax for couple of
8 hours. Today the poor people that we do not
9 provide homes for use Love Park because that is
10 the only place available many times for them to
11 sleep. And that's not their fault; that should be
12 our duty to be able to resolve that. But the
13 other people that want to use Love Park to just go
14 and read and enjoy and eat a sandwich really can't
15 do it nowadays.

16 So what we're talking about is finding
17 recreation for a generation that really is so
18 faded with recreational activities. And I think
19 we should find recreation. I am a great supporter
20 of any recreational activities, but each and every
21 place and every activity has its place. Love Park
22 is not the place for skateboarding.

23 COUNCIL PRESIDENT Verna: Thank you,
24 Councilman.

25 The Chair recognizes Councilman Nutter.

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2 COUNCILMAN NUTTER: Thank you, Madam
3 President.

4 I did want to just reiterate for the
5 record an update from the letter we did receive
6 from our Managing Director, who has put a lot of
7 time and effort into trying to resolve this issue,
8 and I think it goes to the comments that
9 Councilman Ortiz made. And from a letter from
10 Managing Director Martz dated June 21, 2000, I'd
11 just like to read one of the sections, which
12 says:

13 "Specifically, skateboarders in JFK
14 Plaza have damaged the stone fountain rim, stone
15 steps, terrace steps, portions of the retaining
16 wall, and pavements, as well as park benches and
17 trash receptacles. In City Hall's perimeter area,
18 similar damage has been done to railings on steps
19 and the granite pavers that make up the City Hall
20 apron. According to the Capital Program Office,
21 the cost estimates for replacement and repair work
22 in JFK Plaza and the City Hall apron total
23 \$900,000 -- approximately \$700,000 for JFK Plaza,
24 and \$200,000 for City Hall. Not included in these
25 costs are estimates for similar damage to the

1 SECOND READING - BILL 000147

2 plaza in front of the Municipal Services
3 Building. Including design and contingency fees,
4 cleaning and restoration costs for these areas
5 alone will easily exceed \$1 million."

6 I believe we can solve this particular
7 problem and, in your words, at an appropriate
8 location. I don't get the impression that funding
9 will be an issue, but we cannot continue to repair
10 and replace time and time again work at JFK Plaza,
11 City Hall apron and the like that were not built
12 for this particular use, and it's a serious
13 expenditure of taxpayer dollars.

14 Thank you very much, Madam President.

15 COUNCIL PRESIDENT VERNA: Thank you.

16 The Chair recognizes Councilman

17 Mariano.

18 COUNCILMAN MARIANO: Thank you, Madam
19 President.

20 This is -- since we're rewriting
21 history here, and I'd like to thank Councilman
22 Ortiz to tell us his generation's synopsis of
23 Woodstock and being about -- Councilman, there was
24 a whole -- a whole group of people that didn't go
25 to Woodstock that were in Vietnam fighting, so

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2 remember there was somebody -- I didn't go; I was
3 like in seventh grade, but I did get the album,
4 and there was a band called "The Who" that wrote a
5 song called "My Generation." They played it at
6 Woodstock 'cause I played it a lot when I was in
7 high school.

8 This is their generation, and they're
9 talking about change. I don't understand it, I'm
10 the first one to admit. They understand it. I
11 don't expect you or anyone else here to understand
12 it; I just want you to have the empathy in your
13 heart to realize how important this is to this
14 generation.

15 We get issues here where we talk about
16 things, about people being in prison and people --
17 putting young people in jail. They're not in
18 jail. They're doing something. Even though I
19 don't understand, it's good, clean, harmless fun,
20 and it's a sport.

21 Thank you.

22 COUNCIL PRESIDENT VERNA: Thank you,
23 Councilman.

24 The Chair recognizes Councilwoman
25 Blackwell.

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2 COUNCILWOMAN BLACKWELL: Thank you,
3 Madam President.

4 Let me again reiterate that for all of
5 the discussion about Love Park, this is not a bill
6 about Love Park. This is a bill about
7 skateboarding, that increases the penalty, that
8 extends the right to even private concerns if they
9 post signs anywhere in the city, you can
10 skateboarding outlawed and that allows for
11 confiscation of skateboards. It has about four
12 points. It is not, per se, about Love Park.

13 Again, the Managing Director agreed to
14 not enforce the laws about Love Park while we were
15 having this bill under discussion. We -- at the
16 end of this hearing, without passing the bill, the
17 Managing Director could again have the bill
18 enforced and people would be moved from Love
19 Park. This is not a Love Park bill; it's much
20 bigger than that and much more far-reaching. And
21 that is my concern and that is what I take issue
22 with. If it were one site, fine. I've heard your
23 concerns about Love Park, and as I said, I have my
24 personal opinions about that, but I respect that
25 and I understand how everyone feels about,

1 SECOND READING - BILL 000147

2 quote/unquote, Love Park.

3 But this, again, is not a Love Park
4 bill. This is a bill about skateboarding, who's
5 allowed to skateboard. And this extends to public
6 and private property and allows for confiscation
7 and talks about, some sections of the bill, for
8 example, if the individual goes to court and says
9 that they could not have reasonably known that
10 skateboarding was used in violation of this
11 section -- I mean, there are a lot of issues that
12 could be questioned. We talk about timely payment
13 of a bill, there are a lot of issues in the bill
14 that could be described as even vague, that are
15 not spelled out specifically, that really could be
16 dealt with in more detail before we should enact
17 this law.

18 I think that this is a bill, again,
19 that speaks against skateboarding, when we in fact
20 are trying to get the X Games here, that includes
21 skateboarding. And, I again, I ask my colleagues
22 to consider that when voting for the bill.

23 Thank you, Madam President.

24 (Applause.)

25 COUNCIL PRESIDENT VERNA: Thank you.

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2 The Chair recognizes Councilman Cohen.

3 COUNCILMAN COHEN: Madam President, for
4 a number of reasons, I do not favor skateboarding
5 in Love Park, but I am very concerned about this
6 issue of confiscation. I can't ever remember such
7 a provision in a bill. I have serious questions
8 as to whether it's legal and I don't like the
9 harsh effect of it. I'm concerned by some of the
10 -- perhaps the criminalization issue discussed by
11 both Councilwoman Blackwell and Councilman
12 Mariano, and I'm also concerned what it does to a
13 family relationship.

14 I, therefore, would like to move to
15 amend the bill by deleting the section relating to
16 forfeiture of the skateboard, and that is, I would
17 like to move to amend the ordinance by deleting in
18 Section 1, Paragraph 3, Subparagraph b.

19 (Duly seconded.)

20 COUNCILMAN DICICCO: Madam President,
21 could I speak on the amendment?

22 COUNCIL PRESIDENT Verna: The Chair
23 recognizes Councilman DiCicco.

24 COUNCILMAN DICICCO: Thank you, Madam
25 President.

1 SECOND READING - BILL 000147

2 I really was not going to get into this
3 debate 'cause I thought we had enough of that
4 yesterday, but I think the point we're missing is
5 the reason for the threat of confiscation is the
6 fact -- and it was pointed out to us yesterday by
7 those young people who were in the briefing when
8 Councilman Nutter pointed out that about 72
9 percent of the people who have been written --
10 issued citations over the last years are
11 non-Philadelphia residents, and the young folks
12 said, Oh, that's because they're really -- we're
13 really Philadelphia residents, but we lie to the
14 police and give them bad information so that we
15 don't have to worry about appearing in court.

16 So I think once the threat of
17 confiscation is part of the bill, that at least
18 gives us the ability to make sure if individuals
19 violate the provisions of this bill that they
20 hopefully will at least appear in court. I think
21 you have to keep the confiscation piece in the
22 bill, otherwise they will continue to lie to the
23 police, give false information and false
24 addresses, and we'll never be able to enforce it.
25 I mean, they even went so far as to say, Well, \$25

1 SECOND READING - BILL 000147

2 isn't bad, meaning, We'll pay the 25 and go on our
3 merry way and come back tomorrow.

4 I mean this whole issue -- we have
5 addressed this issue, as I said, yesterday at the
6 briefing. The City of Philadelphia, the taxpayers
7 of this city, in addition to all of the recreation
8 facilities that do provide some sort of areas in
9 those recreation facilities for skateboarding,
10 built a skateboarding facility at FDR Park in
11 South Philadelphia. But, again, the young people
12 who were there yesterday said, Well, it is not
13 Love Park. They literally said they want us to
14 build a replica of Love Park because there is a
15 business component to this.

16 This is a -- I don't think it's
17 something weird, as Councilman Mariano pointed out
18 earlier. It is a sport, it is something that
19 young people enjoy doing, and I encourage that,
20 but I just don't encourage it in certain areas. I
21 mean, there are videos that are made of
22 professionals who use Love Park, videos are sold
23 worldwide for a profit, and the folks who
24 participate in doing the videos are paid a salary
25 or a fee from the video, and the taxpayers have to

1 SECOND READING - BILL 000147

2 pay for the damage that is being done to Love Park
3 because someone decided that this is the best
4 place in the world to perform these feats on
5 skateboards and make a profit. We get nothing in
6 return.

7 I don't think that's the best
8 advertisement when someone suggested, you know,
9 everybody knows about Love Park all over the
10 world. Well, they may know about Love Park for
11 all the wrong reasons. This is a city that's 110
12 square miles with a few hundred recreation
13 facilities and other places in which young people
14 can perform their feats on skateboards. We're
15 just asking that certain places be restricted.
16 This is not a prohibition on skateboarding, no
17 one's attempting to do that.

18 And I for one have said that I'd be
19 more than willing to engage in a conversation
20 about a site that's in my district, a very
21 sensitive site, Franklin Square, which is in
22 Chinatown -- here we go again, another facility in
23 Chinatown, but I'm willing to take that position
24 to talk about it.

25 COUNCILMAN ORTIZ: (Inaudible,

1 SECOND READING - BILL 000147

2 off-mic.)

3 COUNCILMAN DICICCO: Well, I didn't
4 open it up but. It was proposed, but I'm willing
5 to take that, and I'm willing to say that we may
6 have to spend upwards of \$500,000 or more to build
7 another facility.

8 Rules and regulations are established.
9 We're a legislative body; we're only asking these
10 folks to obey the rules. When I go home at night,
11 I would like to be able to make a left-hand turn
12 off of Broad Street to get to my house at 11th and
13 Federal, but the sign says you can't travel east
14 on Federal, you have to travel west, so I go
15 another block or two. Rules and regulations are
16 established.

17 And when they implied yesterday that
18 because we're going to eliminate skateboarding in
19 Love Park, that we -- somehow Council will in
20 effect be creating juvenile delinquents because
21 the role models in Love Park will never be able to
22 skateboard there again and, therefore, the young
23 people watch them will now turn to selling drugs I
24 think is the most ridiculous thing I have ever
25 heard in my life. I mean, that was said. You

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2 were there, Madam President.

3 So I think this thing has really been
4 blown out of proportion. I'd like to get on with
5 it. I think the confiscation part of the bill
6 needs to be in place so that the police will have
7 some way of getting people to begin to obey the
8 laws of this city.

9 Thank you, Madam President.

10 (Applause.)

11 COUNCIL PRESIDENT VERNA: Thank you.

12 The Chair recognizes Councilman Nutter.

13 COUNCILMAN NUTTER: Madam President, I
14 call the question, please.

15 COUNCIL PRESIDENT VERNA: Very well.

16 But I believe Councilman -- yes?

17 COUNCILWOMAN BLACKWELL: Let me just
18 say, before we take our vote, that the title
19 reads: Amending Title 10 of the Philadelphia Code
20 "relating to regulation of individual conduct and
21 activity" by amending Section 10-610, entitled
22 "Skateboarding on Public Property," by
23 prohibiting skateboarding on all public property
24 unless otherwise authorized and by creating
25 additional penalties, all under certain terms and

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2 conditions.

3 So, again, I reiterate, there is no
4 special place listed here. This is a
5 skateboarding bill. If the Council deems it
6 proper to do that, that's certainly in Council's
7 right, but I want us to be clear about that bill
8 for which we vote.

9 Thank you, Madam President.

10 COUNCIL PRESIDENT Verna: Thank you.

11 This bill having been read on two
12 different days, the question now, is shall the --

13 I'm sorry, I'm sorry. Councilman
14 Cohen, you had a motion?

15 COUNCILMAN COHEN: I have an amendment
16 on the floor.

17 COUNCIL PRESIDENT Verna: Has it been
18 seconded?

19 COUNCILWOMAN BLACKWELL: Yes. I
20 seconded it.

21 COUNCILMAN NUTTER: Point of
22 information, Madam President.

23 COUNCIL PRESIDENT Verna: Yes,
24 Councilman Nutter?

25 COUNCILMAN NUTTER: There was a call of

1 SECOND READING - BILL 000147

2 the question, and I do not know -- I don't know
3 anything about this amendment, and the calling the
4 question, I believe, supersedes I believe that
5 particular motion. I seek a ruling from the Chair
6 on that issue. The question has been called,
7 Madam President.

8 COUNCILMAN COHEN: I don't believe so,
9 Madam President.

10 COUNCIL PRESIDENT VERNA: I don't think
11 it had been called. We had recognized -- I don't
12 think the question had been called.

13 COUNCILMAN NUTTER: There was a motion
14 made for an amendment. When was a motion made for
15 an amendment?

16 COUNCIL PRESIDENT VERNA: I believe
17 Councilman Cohen had offered a friendly amendment
18 and then somebody else wanted to be recognized.

19 COUNCILMAN NUTTER: Right.

20 COUNCILMAN NUTTER: So his amendment
21 had not been considered before the call of the
22 vote.

23 COUNCILMAN NUTTER: Therefore, the call
24 takes precedence, I believe; is that correct?

25 COUNCIL PRESIDENT VERNA: I think his

1 SECOND READING - BILL 000147

2 motion takes precedence because the call --

3 COUNCILWOMAN BLACKWELL: I didn't know
4 that the Councilman had actually made a formal
5 motion. I thought he talked about wanting to
6 offer something.

7 COUNCILMAN COHEN: I made the motion
8 and it was seconded by Councilwoman Blackwell.

9 COUNCILMAN NUTTER: Okay. I mean I
10 apologize. I didn't hear it.

11 COUNCILWOMAN TASCO: What is the
12 amendment?

13 COUNCILWOMAN MILLER: What is the
14 amendment?

15 COUNCIL PRESIDENT VERNA: Councilman,
16 would you repeat what your amendment is, please.

17 COUNCILMAN COHEN: I moved that that
18 Section 1, Paragraph 3, Subparagraph b, the
19 section relating to the penalty, be deleted from
20 the bill.

21 COUNCIL PRESIDENT VERNA: And that
22 pertains to the confiscation of the skateboards?

23 COUNCILMAN COHEN: Yes. I would
24 suggest that to be fully consistent, the amendment
25 would also eliminate the first sentence of

1 SECOND READING - BILL 000147

2 Paragraph 4 a. and the last sentence of paragraph
3 4 b. They all relate to the question of
4 confiscation and seizure. The amendment would
5 incorporate those three; they all relate to the
6 confiscation question.

7 COUNCIL PRESIDENT VERNA: Councilman
8 Nutter, do you wish to speak on the motion?

9 COUNCILMAN NUTTER: Thank you, Madam
10 President.

11 First, I appreciate the Councilman's
12 interest in the matter. First, I've had no
13 opportunity to have any discussion with him about
14 this particular motion.

15 Second, I am -- while Councilman Cohen
16 is my friend, I do not look upon the proposed
17 amendments as friendly amendments to the bill; I
18 think they do damage to the integrity of the bill;
19 and, therefore, I would be against the motion to
20 make any amendment to the bill and would prefer to
21 have the bill voted upon in its current form.
22 It's been sitting on our calendar for three
23 months.

24 Thank you, Madam President.

25 COUNCIL PRESIDENT VERNA: Thank you.

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2 It has been moved and seconded that the
3 amendment be adopted.

4 All those in favor will signify by
5 saying aye.

6 Those opposed?

7 COUNCIL PRESIDENT VERNA: It's quite
8 obvious that that motion failed.

9 COUNCILMAN COHEN: (Inaudible,
10 off-mic.)

11 (Laughter.)

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

15 The clerk will please call the roll.

16 CHIEF MS. RAFFERTY: Councilwoman
17 Blackwell?

18 COUNCILWOMAN BLACKWELL: No.

19 MS. RAFFERTY: Councilman Clarke?

20 COUNCILMAN CLARKE: Aye.

21 MS. RAFFERTY: Councilman Cohen?

22 COUNCILMAN COHEN: No.

23 MS. RAFFERTY: Councilman DiCicco?

24 COUNCILMAN DICICCO: Aye.

25 CHIEF MS. RAFFERTY: Councilman Goode?

1 SECOND READING - BILL 000147
2 COUNCILMAN GOODE: Aye.
3 CHIEF MS. RAFFERTY: Councilman
4 Kenney?
5 COUNCILMAN KENNEY: Aye.
6 CHIEF MS. RAFFERTY: Councilwoman
7 Krajewski?
8 COUNCILWOMAN KRAJEWSKI: Aye.
9 CHIEF MS. RAFFERTY: Councilman
10 Longstreth?
11 COUNCILMAN LONGSTRETH: Aye.
12 MS. RAFFERTY: Councilman Mariano?
13 COUNCILMAN MARIANO: No.
14 CHIEF MS. RAFFERTY: Councilwoman
15 Miller?
16 COUNCILWOMAN MILLER: Aye.
17 CHIEF MS. RAFFERTY: Councilman
18 Nutter?
19 COUNCILMAN NUTTER: Aye.
20 CHIEF MS. RAFFERTY: Councilman
21 O'Neill?
22 COUNCILMAN O'NEILL: Aye.
23 CHIEF MS. RAFFERTY: Councilman Ortiz?
24 COUNCILMAN ORTIZ: Aye.
25 CHIEF MS. RAFFERTY: Councilwoman

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2 Reynolds Brown?

3 COUNCILWOMAN REYNOLDS BROWN: Aye.

4 CHIEF MS. RAFFERTY: Councilman Rizzo?

5 COUNCILMAN RIZZO: Aye.

6 CHIEF MS. RAFFERTY: Councilwoman

7 Tasco?

8 COUNCILWOMAN TASCO: Aye.

9 CHIEF MS. RAFFERTY: Council President

10 Verna?

11 COUNCIL PRESIDENT VERNA: Aye.

12 The ayes are 14, the nays are 3. A

13 majority of all members of Council having voted in

14 the affirmative, the bill passes.

15 And the Chair recognizes Councilwoman

16 Krajewski.

17 COUNCILWOMAN KRAJEWSKI: Madam Chair, I

18 have one bill.

19 COUNCIL PRESIDENT VERNA: The clerk

20 will please read the title of the bill.

21 MS. RAFFERTY: An ordinance amending an

22 ordinance approved April 11, 2000 (Bill No. 5)

23 adopting the operating budget for Fiscal Year 2001

24 by making, in accordance with Section 2-301 of the

25 Philadelphia Home Rule Charter, certain additional

1 INTRODUCTION OF BILL BY KRAJEWSKI

2 appropriations needed to meet the unanticipated
3 emergency created by a cash flow crisis at the
4 Philadelphia Gas Works.

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

7 We have considered the calendar.

8 - - -

9 COUNCIL PRESIDENT VERNA: At this time,
10 I would ask if there are any speeches on the part
11 of the Minority?

12 (No speeches on the part of the
13 Minority.

14 COUNCIL PRESIDENT VERNA: Are there any
15 speeches on the part of the Majority?

16 The Chair recognizes Councilman
17 DiCicco.

18 COUNCILMAN DICICCO: Thank you, Madam
19 President.

20 COUNCIL PRESIDENT VERNA: Councilman,
21 just a minute, please. The noise level is much
22 too high.

23 Councilman?

24 COUNCILMAN DICICCO: Thank you, Madam
25 President.

1 SPEECHES

2 During the last couple of weeks, we
3 have all heard about the desperate need for blood
4 in the City of Philadelphia. Councilman Nutter
5 called my home on Friday, this past Friday, to
6 alert me to some of the things that he had found
7 out about the serious problem relating to blood in
8 the City of Philadelphia. And, as you may or may
9 not know, many hospitals had to postpone surgery
10 this past weekend because of the fact that they
11 didn't have enough O positive blood.

12 I'm on the board of the Philadelphia
13 American Red Cross and I never realized, I guess,
14 until I got on that board how difficult it is in
15 this day and age to even be able to collect blood
16 because there are so many restrictions being
17 placed on the donors. As an example, if anyone
18 has spent six months in the United Kingdom between
19 1986 and 1999 -- and it doesn't have to be
20 contiguous, it could be a month each time over a
21 six-year period of a ten-year period. Because of
22 the mad cow disease, because we don't know enough
23 about it, those folks are not allowed to give
24 blood, whether you lived there or just visited
25 there for six months over a ten-year period.

1 SPEECHES

2 That, along with the problems related to HIV,
3 those folks who tested positive for HIV, are
4 really putting the strain on blood supplies not
5 only in Philadelphia but across this country.

6 And, as you know, for the last five
7 years, we have had a City Council blood drive
8 which has been very successful. But because of
9 the urgency -- and I mean this sincerely, it is
10 really urgent. God forbid if we have a --
11 anything of any magnitude, a catastrophe in this
12 city, we will literally not be able to have blood
13 supplies to go around. And we can't even buy it
14 from other jurisdictions because they all have the
15 same problems.

16 So with that, we will move up the date
17 of our blood drive to October 23rd of this year as
18 opposed to the March blood drive, but we'll
19 probably do the same one in March also. And I
20 would ask that anyone who's interested in
21 participating contact Robin Schatz, my chief of
22 staff, and to encourage all of those staff folks
23 and other people you may know throughout the
24 city.

25 In fact, Councilman Nutter and I were

1 SPEECHES

2 talking about this when we were giving blood the
3 other day, and the City unions, the leadership of
4 the City unions is going to be involved in this,
5 and we're urging -- we have 25,000 City
6 employees. If 10 percent were to give blood
7 biannually, that would be 5,000 units. We're
8 about 1500 units short of 0 positive blood as of
9 this past Sunday in the City of Philadelphia.

10 And the other note I wanted to make, I
11 would like to extend my thoughts and all of our
12 thoughts and prayers to Officer Ortiz, who is in
13 extremely critical condition, and his family. As
14 you all know, Officer Ortiz is in Temple Hospital
15 and things aren't looking well for him. So I just
16 wanted to extend my thoughts and prayers to him
17 and his family.

18 COUNCIL PRESIDENT Verna: Thank you.

19 Councilman, you will be sending a
20 memorandum to all Council offices, giving time and
21 place for the blood drive?

22 COUNCILMAN DICICCO: Yes, yes, Madam
23 President.

24 COUNCIL PRESIDENT Verna: Thank you.

25 The Chair recognizes Councilman Goode.

1 SPEECHES

2 COUNCILMAN GOODE: Thank you, Madam
3 President. I will try to be brief, although I
4 have a few things on my mind.

5 There's been some discussion lately
6 about the Mayor's agenda and priorities and
7 Council's agenda and priorities. I want to take
8 this opportunity to salute the Mayor in his
9 priorities: educating our children and removing
10 blight from our neighborhoods.

11 Last year, many people campaigned on
12 the issue of new stadiums versus community
13 development. They won but now many don't seem
14 willing to put community development before new
15 stadiums. Whether we agree with the Mayor's
16 decision not to have stadium negotiations compete
17 with contract negotiations is irrelevant. It is
18 his decision, he was duly elected.

19 But I'm concerned that our focus is on
20 stadiums rather than neighborhoods. Hundreds of
21 millions of dollars for millionaires before the
22 proper investment in our neighborhoods.

23 But I also have a concern about the
24 blight removal discussion itself. Yesterday I
25 received a call from the City Solicitor's Office

1 SPEECHES

2 regarding Bill 546 that I co-introduced with
3 Councilwoman Blackwell last week. In short, the
4 Solicitor's Office challenged Council's authority
5 to establish a community reinvestment commission.
6 The Solicitor's Office reminded me that we have a
7 strong mayor form of government under the City
8 Charter and suggested that only the Mayor has the
9 authority to create an appointed commission.

10 Authority is a double-edged sword. You
11 can be in authority or an authority. The issue
12 of whether the Mayor has more authority than
13 Council was settled by the City Charter.
14 Council's ability to create a commission that does
15 not interfere with the municipal administration of
16 government is debatable, and I look forward to
17 that debate. I also look forward to technical
18 staff of City Council looking into this matter.

19 But this is not about who's an
20 authority but who is the authority on community
21 reinvestment. Certainly not the administration,
22 nor City Council, but the private sector. And
23 that is why this proposed commission is made up
24 from a majority of private-sector representatives,
25 including six banks. In my recent release of my

1 SPEECHES

2 community reinvestment report, that point was
3 proven. Of the \$133 million invested in the
4 development activities of five community
5 development corporations, only 30 million of that
6 came from the City. The issue of community
7 development is not just blight removal but
8 reinvestment and redevelopment.

9 There's a parable that says it best.
10 "When you clean a house of what is bad, fill it
11 with something good, or the bad will turn
12 sevenfold."

13 Thank you.

14 COUNCIL PRESIDENT VERNA: You're
15 welcome.

16 The Chair recognizes Councilman Nutter.

17 COUNCILMAN NUTTER: Thank you, Madam
18 President.

19 It never ceases to amaze me that the
20 actions or the thought or the perseverance of one
21 individual can touch a lot of lives, and I want to
22 go back to Councilman DiCicco's comments and
23 publicly thank him for his continuing efforts with
24 the City Council blood drive.

25 I missed the first couple because of

1 SPEECHES

2 scheduling problems, but the past three years, I
3 have participated in the City Council blood drive,
4 and it was quite honestly only that process that I
5 even really knew what my blood type was. It's
6 just -- you know, not your Social Security number,
7 it's not your driver I.D. number, it's just kind
8 of generally something that you don't think much
9 about. But having participated, and I have a
10 little card that I keep in my wallet, and when the
11 story came out that there was a shortage, it
12 immediately struck me that I was the same type of
13 blood for which there is a shortage.

14 And so Councilman DiCicco is due a
15 great deal of praise for his efforts to keep this
16 going. The date that he announced for the blood
17 drive, I do want to say that since we gave the
18 other day, I think there's a 56-day waiting period
19 of time, so I don't want anyone to think that I've
20 chickened out. We probably will not be able to
21 give at the October 23rd drive, but certainly
22 whenever we are authorized by the American Red
23 Cross to give again, I certainly will and will
24 continue to do.

25 And I want to commend all of the City

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2 Council and staff who participate in this effort.
3 It is a very serious issue here in this city, and
4 I encourage everyone to give, if they have the
5 opportunity, as soon as possible.

6 Thank you, Madam President.

7 COUNCIL PRESIDENT VERNA: Thank you.

8 The Chair recognizes Councilwoman
9 Tasco.

10 COUNCILWOMAN TASCO: Thank you, Madam
11 President. I have a very brief comment.

12 After six years and \$52 million, White
13 Water is over. And I can think about how we could
14 have spent \$52 million. I think of the number of
15 college students who could have gotten
16 scholarships, I think of the number of day care
17 centers we could have in our communities so women
18 can go to work, I think about the number of
19 children who go to bed hungry at night, and I
20 think about the housing that could have been
21 built. I think about all of the things that could
22 have been done with that money and the money that
23 will be spent to continue this process.

24 And I wonder what the people are
25 thinking about in Washington in terms of the

1 SPEECHES

2 priorities of this country. When we go to them
3 and ask them for money for education and day care
4 and other important human issues, we get turned
5 down, but it's no lack of money available to fuel
6 political agendas in Washington. And I am
7 appalled and I have been appalled as I've watched
8 this evolve through the years of how this money is
9 jut spent, and no one has made an outcry -- very
10 little outcry from the public about the spending
11 of this money.

12 Thank you very much.

13 COUNCIL PRESIDENT VERNA: Thank you.

14 The Chair recognizes Councilman Cohen.

15 COUNCILMAN COHEN: Thank you, Madam
16 President.

17 To the busy agenda that we're all
18 looking forward to, I want to add the very real
19 likelihood of a severe crisis in the criminal
20 justice system and in the family courts involving
21 women and children, and that's the decision by the
22 Common Pleas Court to move ahead to a form of
23 privatization of the appointment process.

24 The Public Defender represents many
25 indigent clients in the criminal justice system,

1 SPEECHES

2 but frequently, there are problems which require
3 the appointment of someone else. Say, if there
4 are two defendants or three defendants in the same
5 case, the Public Defender can only represent one
6 of them legally.

7 And the President Judge of the Common
8 Pleas Court testified before a Council hearing
9 about two years ago that about \$10 million a year
10 was spent in the courts' budget for the indigent
11 clients. I notice in the newspapers -- both
12 newspapers reported very fully today on the
13 decision by the Common Pleas Court to move ahead
14 to get out of the business by the court of
15 appointing counsel, but instead, contracting out
16 to a private law firm, the appointment out, and
17 limiting the amount of money to \$7.5 million, a
18 severe cut of \$2.5 million.

19 So I don't want to go into a long
20 statement today because final decisions have
21 apparently not yet been made, but I just want to
22 point out that we must be very, very careful to
23 make sure that the quality of legal representation
24 on the behalf of indigent people in the criminal
25 justice system. When people have been accused of

1 SPEECHES

2 a crime, they have the right to a complete and
3 full representation by competent counsel. And to
4 the women and children who get involved in family
5 courts, I am hoping that between the Bar
6 Association, which issued some very critical
7 comments about the court's plans, I'm hoping the
8 Bar Association and the courts will get together.

9 But I think that City Council may have
10 to play a very important role if this matter is
11 not resolved before the next budget comes to City
12 Council.

13 Thank you, Madam President.

14 COUNCIL PRESIDENT Verna: You're
15 welcome.

16 Are there any more speeches on the part
17 of the Majority?

18 (No response.)

19 - - -

20 COUNCIL PRESIDENT Verna: Seeing none,
21 the Chair recognizes Councilwoman Tasco.

22 COUNCILWOMAN TESCO: Thank you, Madam
23 President. I move that Council stand adjourned
24 until Thursday, September the 28th, at 10 a.m.

25 COUNCIL PRESIDENT Verna: Do I hear a

1 SPEECHES

2 second?

3 (Duly seconded.)

4 COUNCIL PRESIDENT VERNA: It has been
5 moved and seconded that Council stand adjourned
6 until Thursday, September 28, 2000.

7 All those in favor will signify by
8 saying aye.

9 Those opposed?

10 The ayes have it, and Council stands
11 adjourned until Thursday, September 28th.

12 Thank you.

13 (Adjourned at 11:45 a.m.)

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C E R T I F I C A T E

I HEREBY CERTIFY that the foregoing
proceedings of the Council of the City of
Philadelphia of Thursday, September 21, 2000, were
reported fully and accurately by me, and that this
is a correct transcript of same.

RE: STATED MEETING

_____,
JOSEPHINE CARDILLO,
Registered Professional Reporter