COUNCIL OF THE CITY OF PHILADELPHIA

PUBLIC HEARING - COMMITTEE OF THE WHOLE

- - -

Room 400, City Hall

Philadelphia, Pennsylvania

Wednesday, June 15, 2005, 11:00 a.m.

Resolution 050305 - Resolution confirming the appointment of Romulo L. Diaz, Jr. as City Solicitor.

PRESENT:

COUNCIL PRESIDENT ANNA C. VERNA
COUNCILWOMAN BLONDELL REYNOLDS BROWN
COUNCILMAN JUAN F. RAMOS
COUNCILMAN FRANK RIZZO
COUNCILMAN FRANK DiCICCO
COUNCILMAN DARRELL L. CLARKE
COUNCILWOMAN DONNA REED MILLER
COUNCILWOMAN MARIAN B. TASCO
COUNCILMAN BRIAN J. O'NEILL
COUNCILMAN W. WILSON GOODE, JR.
COUNCILWOMAN JANNIE L. BLACKWELL

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COUNCIL PRESIDENT VERNA: May I have everyone's attention, please. This is a public hearing of the Committee of the Whole regarding Resolution No. 050305.

I would ask Mr. McPherson to please read the title of the resolution.

MR. McPHERSON: Resolution confirming the appointment of Romulo L. Diaz, Jr. as City Solicitor.

COUNCIL PRESIDENT VERNA: Good morning. Thank you for your patience. Please identify yourself for the record.

MR. DIAZ: Good morning. Thank you, Council President. Romulo L. Diaz, Jr.

In the interest of time, I will summarize my brief prepared statement.

Good morning, Council President Verna and members of City Council. It is an honor for me to appear before you seeking confirmation as City Solicitor for the City of Philadelphia. Over the past three years, it has been a pleasure and a privilege for me to work with each of you. In particular, I want to thank you for the many courtesies you have

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extended to me since my appointment was announced by Mayor John F. Street.

Almost all of my professional career has been dedicated to public service, and I am pleased to have this opportunity to use that experience on behalf of the City of Philadelphia and its citizens. I am mindful of the important responsibilities that the City Solicitor has under the Home Rule Charter and I look forward to the challenge of meeting them.

My goal for the Law Department is simple, to provide you and my City clients with the highest quality legal representation and service. For Councilmembers, this includes assuring the loyalty and complete confidentiality owed to you by the City Solicitor under the Home Rule Charter and by any attorney under the Pennsylvania Rules of Professional Conduct.

Although the Law Department prefers to offer written advice on pending and adopted legislation in a manner that can be shared by requesting Councilmembers by his or her

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colleagues and by the Administration so that all of our clients can be comfortable that they are getting consistent uniform advice, we fully recognize that there are instances where an individual Councilmember would like our advice to remain confidential. Our long-standing policy is and will remain that we honor all such requests, and you have my firm personal commitment on that.

Let me conclude by saying that Philadelphia has been a city of great opportunity for me and my family. In fact, my father immigrated as a young man from Venezuela to Philadelphia during World War II. I remember a few years back when he and my mother came to town and took me on a tour of Philadelphia of his youth. On the spot where he lived in a modest boarding house on what we now call Society Hill sits a magnificent new townhouse.

Some things have changed greatly in Philadelphia over six decades, but not the generosity of spirit or openness to newcomers, such as myself, for which my family and I are

indeed grateful.

That concludes my brief statement and I would be pleased to answer any questions that you may have in connection with my qualifications to serve as City Solicitor. I ask that my prepared statement be entered into the record as though read. Thank you.

COUNCIL PRESIDENT VERNA: Thank you very much.

Are there any questions from members of the committee?

The Chair recognizes Councilman O'Neill.

COUNCILMAN O'NEILL: I probably had more issues, Council President, with the City Solicitor's office in the last three years than I'd like to mention where they've had to represent me in matters involving constituent work, and when developers and others are mad, they go to court. So it's very important that the Solicitor's office understand that we are clients as Councilmembers just as the Mayor is.

And I have to say that Mr. Diaz is

excellently positioned right now, having started with Judge Diaz and moved on to the next phase through the Ramos era to now enter into the Diaz era.

He understands it, the importance of first-rate representation, call-backs and really just listening to us, because we're really representing the same people in our communities. And I want to congratulate him.

I think I first met him almost at the beginning of his tenure with Judge Diaz at a little continuing legal education session that the Solicitor puts on across the street at the Wanamaker Building, and since that time, we've had an excellent relationship, and I have to say I think the office will not only do well but thrive under his leadership. Thank you.

COUNCIL PRESIDENT VERNA: Thank you.

MR. DIAZ: Thank you, Councilman.

COUNCIL PRESIDENT VERNA: Any other questions or comments from members of

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the committee?

The Chair recognizes Councilman Ramos.

COUNCILMAN RAMOS: Thank you, Madam Chair.

I just want to inform the City Solicitor-to-be that the last time that we had an acting City Solicitor here, I was prevented by law to participate in proceedings because I must admit, I am somewhat related to your predecessor. So I am glad that you're here today and that you will be next officially our City Solicitor, and the interaction that you have had with my office, with me personally and the good name that you have gotten for yourself in this City and your work there now for a number of years is very commendable, and I will be voting for you to be our next City Solicitor, and keep up the good work. It will not all be a gravy train, as you well know, but it will be fun.

MR. DIAZ: Thank you, Councilman Ramos.

COUNCIL PRESIDENT VERNA: Thank

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you.

The Chair recognizes Councilwoman Tasco.

COUNCILWOMAN TASCO: Thank you, Madam President.

I'd just like to add some comments, brief comments, that we worked with the Solicitor, with Romulo, during my time as Chair of the Gas Commission and we've enjoyed the relationship, and we welcome him aboard. He's been very responsive to my office.

MR. DIAZ: Thank you, Councilwoman Tasco. I appreciate that.

COUNCILWOMAN TASCO: Thank you.

COUNCIL PRESIDENT VERNA: Now, Mr. Diaz, there aren't many times in this chambers that people throw roses to the witnesses.

MR. DIAZ: I will remember this moment, Council President. It will get me through the tougher times, I suspect.

COUNCIL PRESIDENT VERNA: But I personally want to say that your reputation and your excellent experience really proceeds

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you. I certainly will be voting for your confirmation and I wish you all the best, and I know that we'll be working very closely with you.

At this time, the Chair recognizes Councilman DiCicco.

MR. DIAZ: Thank you for your generosity.

COUNCILMAN DiCICCO: Thank you, Madam President.

I, too, would like to extend my congratulations. I've had a few interactions with you in the past and you've always been a gentleman and always been willing to listen and hear both sides of the issue, and I expect that you'll continue to do that going forward.

We're not related, I don't think, so I will -- but you never know. You never know. I'm going to Italy next week. I'll check my family tree, but in the meantime, I consider it an honor and a pleasure to be able to vote for your confirmation.

MR. DIAZ: Thank you very much, Councilman.

COUNCIL PRESIDENT VERNA: Thank you.

The Chair recognizes Councilman Rizzo.

COUNCILMAN RIZZO: Thank you, Madam President.

Congratulations on your appointment as City Solicitor and I'm pleased that I can be part of your confirmation process.

MR. DIAZ: I very much appreciate that.

COUNCILMAN RIZZO: Thank you.

Thank you, Madam Chair.

COUNCIL PRESIDENT VERNA: You're welcome.

The Chair recognizes Councilwoman Blackwell.

COUNCILWOMAN BLACKWELL: Thank you, Madam President.

We're happy as well to say that we're very pleased to confirm Mr. Diaz as City Solicitor. Thank God we do have one confirmation, Madam President, and also to say that he comes at a time when many of us have

worked with him and are in the middle of several projects to which he and his department are engaged in doing legal work for us, and it is obvious to us that he gets it, he knows how we feel, he understands government and the separation of the executive and legislative, and certainly we look forward to working with him this term, and best wishes and God speed.

MR. DIAZ: Thank you, Councilwoman.

COUNCIL PRESIDENT VERNA: Thank you.

Are there any other questions or comments from members of the committee?

(No response.)

COUNCIL PRESIDENT VERNA: Seeing none, this will conclude the public hearing.

(Public hearing of Committee of the Whole concluded at 11:10 a.m.)

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CERTIFICATE

I HEREBY CERTIFY that the proceedings, evidence and objections are contained fully and accurately in the stenographic notes taken by me upon the foregoing matter on June 15, 2005, and that this is a true and correct transcript of same.

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MICHELE L. MURPHY

RPR-Notary Public

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COUNCIL PRESIDENT VERNA: We will now go into the public meeting, and the Chair recognizes Councilwoman Blackwell.

COUNCILWOMAN BLACKWELL: Thank you, Madam President.

The Committee of the Whole reports out Resolution No. 050305 with a favorable recommendation.

COUNCIL PRESIDENT VERNA: Do I hear a second?

COUNCILMAN DiCICCO: Second.

COUNCIL PRESIDENT VERNA: It has been moved and seconded that Resolution No. 050305 be reported out of committee with a favorable recommendation.

All in favor will please signify by saying aye.

COUNCIL MEMBERS: Aye.

COUNCIL PRESIDENT VERNA: Those opposed?

(No response.)

COUNCIL PRESIDENT VERNA: The ayes have it and the resolution has been reported out of committee with a favorable

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This concludes our public meeting. Thank you all very much.

And, Councilwoman Blackwell, are we going to have our next public hearing immediately?

COUNCILWOMAN BLACKWELL: Yes.

COUNCIL PRESIDENT VERNA: Okay.

Mr. Diaz, congratulations.

(Applause.)

(Public meeting of Committee of the Whole concluded at 11:10 a.m.)

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