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COUNCIL OF THE CITY OF PHILADELPHIA

3

STATED MEETING

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Room 696, City Hall
Philadelphia, Pennsylvania
Thursday, October 17, 2002
10:00 a.m.

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PRESENT:

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COUNCIL PRESIDENT ANNA C. VERNA

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COUNCILWOMAN JANNIE BLACKWELL
COUNCILWOMAN BLONDELL REYNOLDS BROWN

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COUNCILMAN DARRELL L. CLARKE
COUNCILMAN DAVID COHEN

13

COUNCILMAN FRANK J. DI CICCIO
COUNCILMAN WILSON W. GOODE, JR.

14

COUNCILMAN JAMES F. KENNEY
COUNCILWOMAN JOAN L. KRAJEWSKI
COUNCILMAN W. THACHER LONGSTRETH

15

COUNCILMAN RICHARD T. MARIANO
COUNCILWOMAN DONNA REED MILLER

16

COUNCILMAN MICHAEL A. NUTTER
COUNCILMAN BRIAN J. O'NEILL

17

COUNCILMAN ANGEL L. ORTIZ
COUNCILMAN FRANK RIZZO

18

COUNCILWOMAN MARIAN B. TASCO

19

MICHAEL DECKER, CHIEF CLERK

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1835 Market Street, Suite 600
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1 10/17/02 - STATED - INVOCATION

2 COUNCIL PRESIDENT Verna: Good morning.

3 I note that the hour has come and that quorum of
4 this Council is present. The Council will please
5 come to order. Members will take their seats.

6 To give our invocation this morning, the
7 Chair welcomes Father Matthew Guckin, Pastor of St.
8 Cecilia's Roman Catholic Church. He is here today
9 as the guest of Councilman O'Neill. All members and
10 guests will please rise.

11 FATHER GUCKIN: Good morning, everyone.
12 Let us pray. Almighty and eternal God, you have
13 revealed your glory to all peoples, and for this we
14 give you thanks and praise. God of power and might,
15 only through you is authority rightly administered.
16 Only through you can laws be properly enacted. Only
17 through you can right judgment be decreed. Lord,
18 God, let the light of your divine wisdom direct the
19 deliberations of City Council and shine forth in all
20 the laws and proceedings which are framed for our
21 rule and government. May these Councilmembers who
22 are your children seek to preserve peace, promote
23 City-wide happiness, and continue to bring us the
24 blessings of liberty and equality.

25 And finally, dear, Lord, we commend to

1 10/17/02 - STATED - APPROVAL OF JOURNAL

2 your unbounded mercy all the citizens of our great
3 City that we may be blessed in the knowledge and
4 sanctified in the observance of your holy law. May
5 we be preserved in the peace that the world cannot
6 give. And after enjoying the blessings of this
7 life, may we be admitted to those which are eternal.
8 We pray to you who are Lord and God forever and
9 ever. Amen.

10 COUNCIL PRESIDENT VERNA: The Chair
11 thanks the Father Guckin for his very inspiring
12 invocation.

13 Council will be at ease.

14 (Council at ease.)

15 COUNCIL PRESIDENT VERNA: The next order
16 of business is the approval of the Journal of the
17 meeting of October 10, 2002.

18 The Chair recognizes Councilwoman
19 Blackwell.

20 COUNCILWOMAN BLACKWELL: Thank you,
21 Madam President. I move that the Journal of the
22 meeting of Thursday, October 10, 2002, stand
23 approved.

24 (Duly seconded.)

25 COUNCIL PRESIDENT VERNA: It has been

1 10/17/02 - STATED - LEAVES

2 moved and properly seconded that the Journal of the
3 meeting of Thursday, October 10, 2002, stand
4 approved.

5 All in favor will signify by saying aye.

6 (Aye.)

7 COUNCIL PRESIDENT Verna: Those opposed?

8 (No response.)

9 COUNCIL PRESIDENT Verna: The ayes have
10 it. The motion carries. And the Journal of the
11 meeting of Thursday, October 10, 2002 is approved.

12 The next order of business is requests
13 for leaves of absence. And the Chair recognizes
14 Councilwoman Blackwell.

15 COUNCILWOMAN BLACKWELL: Thank you,
16 Madam President. There are no requests for leaves
17 of absence on the part of the majority.

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

20 The Chair recognizes Councilman O'Neill.

21 COUNCILMAN O'NEILL: Madam President,
22 I'd like to welcome Councilman Longstreth back. And
23 there are no requests for leaves of absence on the
24 behalf of the Republicans.

25 COUNCIL PRESIDENT Verna: Welcome back.

1 10/17/02 - STATED - PRESENTATIONS

2 Thank you.

3 The Chair will dispense with the regular
4 order of business to recognize the guests and
5 visitors joining us in chambers this morning. On
6 behalf of all members of City Council, I welcome you
7 to our Council Session. We appreciate your taking
8 the time to join us as we attend to the legislative
9 affairs of our City.

10 At this time, the Chair recognizes
11 Councilwoman Tasco who will present a resolution
12 honoring Nigel Pascoe, Queen's Counsel.

13 Will Mr. Pascoe and those accompanying
14 him please join the Councilwoman at the podium.

15 COUNCILWOMAN TASCO: Thank you, Madam
16 President. It gives me great pleasure this morning
17 to present this resolution honoring Nigel Pascoe,
18 Queen's Counsel.

19 The Council of the City of Philadelphia
20 is pleased and proud to honor Nigel Pascoe, QC, and
21 to welcome him to our City.

22 Whereas, Nigel Pascoe, QC, is in
23 Philadelphia for his dramatic presentation of the
24 trial of William Penn and William Mead on October 16
25 and 17, 2002; and

1 10/17/02 - STATED - PRESENTATIONS

2 Whereas, this production represents the
3 best dramatic rendering of a trial that took place
4 in 1670 as a result of the arrest of William Penn
5 and William Mead who stood trial in London on the
6 charge of preaching to an unlawful, seditious, and
7 riotous assembly; and

8 Whereas, Nigel Pascoe portrays the
9 intimidation from the Bench with a unique
10 performance of William Penn's magnificent and
11 dramatic speeches while under attack; and

12 Whereas, Nigel Pascoe, QC, is a former
13 Lear of the western circuit and is currently
14 chairman of the editorial board of Counsel Magazine.
15 He has given over 60 performances of this trial,
16 including one for the American Bar Association in
17 Orlando. He has also performed for the Law Society
18 of New Zealand and before her Royal Highness as well
19 at the Edinburg Fringe Festival; and

20 Whereas, he is here under the auspices
21 of American Ends of Court, an organization dedicated
22 to highest legal standards of ethics, civility,
23 professionalism, and legal excellence. We thank the
24 Ends of Court for bringing this stellar performance
25 by the wonderful Nigel Pascoe, QC, to us.

1 10/17/02 - STATED - PRESENTATIONS

2 Now, therefore, resolved by the Council
3 of the City of Philadelphia that we hereby honor and
4 commend Nigel Pascoe, QC, and welcome him to our
5 City.

6 Further resolved that an engrossed copy
7 of this resolution be presented to Nigel Pascoe as
8 evidence of the high esteem and sincere admiration
9 of this legislative body.

10 Certification that this is a true and
11 correct copy of the original resolution adopted by
12 the Council of the City of Philadelphia on the 12th
13 day of September 2002.

14 Signed by President Ann Verna,
15 introduced by Marian Tasco, and sponsored by all
16 Members of City Council.

17 (Applause.)

18 COUNCILWOMAN TASCO: And we welcome
19 Nigel whose last name is P-a-s-c-o-e. You thought
20 we were related, didn't you?

21 Thank you. We're so glad to have you
22 here. Thank you.

23 (Applause.)

24 COUNCIL PRESIDENT VERNA: The Chair
25 recognizes Mr. Pascoe for remarks. Good morning.

1 10/17/02 - STATED - PRESENTATIONS

2 MR. PASCOE: Madam President, ladies and
3 gentlemen, after an introduction like that, I wish I
4 could do the performance now. I would like to thank
5 you for the great honor that you've paid me and take
6 also my wife as well who is with me for this
7 production.

8 I was an elected member, as was my
9 father. He would have been proud, as I am very
10 proud, to have this honor from the City today.

11 Trial by jury is too important to be
12 taken for granted. We can preserve it, we can
13 improve it, but we dare not diminish it, for it is
14 trial by our peers. And I think that principle is
15 worth fighting for, and I know you do.

16 So may I repeat my thanks and rather
17 wickedly invite anyone who hasn't been present so
18 far to think about this evening's performance.
19 Thank you very much.

20 (Applause.)

21 COUNCIL PRESIDENT VERA: Council will
22 be at ease.

23 (Council at ease.)

24 COUNCIL PRESIDENT VERA: The Chair now
25 recognizes Councilmembers Reynolds-Brown and Clarke

1 10/17/02 - STATED - PRESENTATIONS

2 who will make a presentation honoring the Bright
3 Lights Program.

4 Will Ms. Ann Evans Guise and those
5 accompanying her please join the Councilmembers at
6 the podium.

7 COUNCILWOMAN BROWN: Thank you, Madam
8 President.

9 Good morning to my colleagues, guests,
10 and staff here in Council Chambers. It gives me
11 great pleasure to present to some and introduce to
12 others a woman I met about 12 years ago at another
13 time in my career who hails from the 3rd
14 Councilmatic District and, in my own personal
15 opinion, very much an unsung hero and champion for
16 children, Ann Guise. And I've asked my colleague
17 from the 5th Councilmatic District, Councilman
18 Darrell Clarke, to join me because this wonderful
19 jewel of a program resides in his district.

20 Honoring and commending the Bright Light
21 Program for their achievements in literacy,
22 cultural, and educational awareness with young
23 children in Philadelphia.

24 Whereas, the Bright Light Program was
25 instituted in 1994 to foster high standards in

1 10/17/02 - STATED - PRESENTATIONS

2 literacy and cultural awareness and, from its
3 inception, has served 1,000 children and young
4 people.

5 COUNCILMAN CLARKE: Whereas, students
6 from T. M. Pierce and John G. Whittier Elementary
7 Schools have been empowered by the Bright Light
8 Program to become agents in their own learning, to
9 become avid readers and to be contributors to the
10 larger concept of society; and

11 Whereas, the Bright Light Program
12 promotes various ideals such as committing one's
13 self to making a difference which produces a passion
14 to learn using knowledge to help others, sharing
15 knowledge with others, studying history, and always
16 being an example; and

17 Whereas, the Bright Light Program is not
18 about one specific teaching method, one activity or
19 one type of instruction, but rather it is about
20 creating a culture that permeates the school, home,
21 and community; and

22 Whereas, as a result of its achievements
23 and its profound impact upon the community, the
24 Bright Light concept was an inspiration for the
25 Public Art Project for the Allegheny West Community;

1 10/17/02 - STATED - PRESENTATIONS

2 and

3 COUNCILWOMAN BROWN: Whereas, the
4 program strives to facilitate and encourage parent
5 interaction and support for all programs because we
6 know when parents are involved and actively engaged
7 in motivating and inspiring children to be active
8 participants in their intellectual and cultural
9 development.

10 Now, therefore, be it resolved by the
11 City Council of Philadelphia that we hereby honor
12 and commend the Bright Light Program for their
13 achievements in literacy, cultural, educational
14 awareness with the young children in North
15 Philadelphia.

16 Resolved further that an engrossed copy
17 of this resolution be presented to Ann Evans Guise
18 for her hard work and efforts in the development of
19 the Bright Light Program as evidence of the sincere
20 sentiments of this legislative body.

21 Certification that this is a true and
22 correct copy of the original resolution adopted by
23 the Council of the City of Philadelphia on the 13th
24 of June 2002.

25 Introduced by my colleagues Councilman

1 10/17/02 - STATED - PRESENTATIONS

2 Richard Mariano and Councilman Darrell Clarke and
3 myself, sponsored by all members of City Council of
4 Philadelphia.

5 (Applause.)

6 MS. GUISE: Madam President.

7 Bright Lights, stand please.

8 What a honor and a blessing to have this
9 recognition for the Bright Light Program. Let us
10 publicly recognize that administration of two North
11 Philadelphia public schools, the T.M. Pierce and
12 John G. Whittier, Mr. Wilhelm and Ms. Smith, and
13 joining us this year is Waukesha Charter School,
14 represented by Antoinette Dentler. And, of course,
15 sitting right there is Irv Miller who was on the
16 original board of the Bright Lights. We thank them
17 for their support, their encouragement, and their
18 vision that has enabled the Bright Light Program to
19 flourish. We certainly appreciate the efforts of
20 Councilwoman Blondell Reynolds-Brown and Darrell
21 Clarke for this incredible support for this
22 resolution. We also appreciate support from several
23 City Councilpeople over the years: Frank Rizzo,
24 Jr., Thacher Longstreth, Donna Reed Miller, Michael
25 Nutter, Angel Ortiz and, of course, my District

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2 Councilperson Jannie Blackwell. We're also grateful
3 to the listening audience of WHAT Radio because the
4 Bright Lights appear on that radio station
5 frequently and have been promoted tirelessly by
6 Reggie Bryant.

7 Councilwoman Blackwell was there a cold
8 January night in January when Kwame Ture, known by
9 many as Stokely Carmichael, spoke to a packed
10 auditorium at the Rhoads School. He looked the
11 children in the eye and he said, "Boys and girls,
12 you are my future. You must stand straight and
13 correct. You must learn all you can learn so that
14 you can help the people. Then you will be a bright
15 light."

16 That phrase electrified the parents, the
17 staff, the community, and the students to do just
18 that. Bright lights provide the children an
19 opportunity to find their place as conscious
20 citizens who are aware of the many sacrifices and
21 significant contributions of their cultural
22 ancestors in making this place called Philadelphia
23 in this state called Pennsylvania, in this nation
24 called the United States a better place. The Bright
25 Lights are hope. They make us proud. They are the

1 10/17/02 - STATED - COMMUNICATIONS

2 truth that smashes a thousand lies about children in
3 North Philadelphia.

4 We thank you again for this
5 commendation. It will occupy a very special place
6 in the schools as a continuing challenge to our
7 youth.

8 The Bright Lights have a pledge. They
9 repeat this pledge every morning before their feet
10 the floor. It's personal, it's powerful, and it
11 reminds the Bright Lights of their personal
12 responsibility to carry forth the constant,
13 unending, eternal struggle for justice.

14 Bright Lights, your pledge.

15 (The Bright Lights recite pledge.)

16 (Applause.)

17 COUNCIL PRESIDENT VERNA: Council will
18 be at ease.

19 (Council at ease.)

20 COUNCIL PRESIDENT VERNA: The next order
21 of business is communications. The Chair requests
22 that the Sergeant-at-Arms deliver the messages from
23 the Mayor to the Clerk.

24 The Clerk will please read the messages
25 from the Mayor.

1 10/17/02 - STATED - COMMUNICATIONS

2 THE CLERK: To the President and Members
3 of the Council of Philadelphia, I am returning
4 herewith unsigned Bills 020482 and 020484. Council
5 passed this bills at its session on October 3, 2002.

6 These measures would make changes and
7 additions to the Philadelphia Code regarding
8 Educational Housing Districts. The original
9 legislation creating the regulations for Educational
10 Housing Districts was passed by City Council last
11 spring. The legislation outlined various
12 requirements and prohibitions relating to students
13 living within established Educational Housing
14 Districts and placed additional burdens on the
15 universities where those students reside. The
16 Administration opposed the original legislation,
17 objecting to its vicarious liabilities for colleges
18 and universities, and emphasizing that if the
19 legislation were to become law, it would stifle the
20 important efforts made by the City in partnership
21 with members of the business community and
22 representatives from local universities, to retain
23 those students who call Philadelphia home during
24 their college years. Further, it was my position
25 that enforcing existing laws and regulations can go

1 10/17/02 - STATED - COMMUNICATIONS

2 a long way towards solving many of the problems the
3 bill was designed to address.

4 The two bills being returned today do
5 address some of my Administration's original
6 concerns with the initial legislation, specifically,
7 Bill 020482 removes the vicarious liability
8 provisions that would have placed the responsibility
9 for student misconduct upon the student's
10 university. However, the bills continue to place a
11 disproportionate and excessive burden on the
12 universities, the landlords that rent to students,
13 and the City. I continue to believe that
14 enforcement of existing measures can help to address
15 many of the problems created by disruptive students.

16 Enforcement of these measures is a
17 problem. It is not clear how some of the
18 requirements placed upon the universities and the
19 City are to be carried out in a practical and
20 efficient manner. For example, under Bill 020482,
21 schools within the district would have to be
22 notified presumably by the City of any
23 quality-of-life violations, including parking
24 violations by their students. Under the original
25 ordinance, a student subject to the rules and

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2 regulations of an Educational Housing District would
3 have been required to place an identifying sticker
4 on his or her vehicle, making it easier for an
5 officer to recognize and report any violations by
6 such a student to the corresponding university.
7 However, according to Bill 020482, the identifying
8 sticker must now be placed on the student's
9 identification card which presumably the student
10 carries on his or her person, not affixed to a
11 vehicle. Therefore, it is not clear under the
12 legislation how an officer issuing a violation to a
13 vehicle is to know that the vehicle is a student
14 vehicle and the reporting requirements of Bill
15 020482 apply. Without that information, the
16 enforcement scheme breaks down completely.

17 This is just one example of the
18 potential confusion caused by the provisions of
19 these bills. Further, I cannot support placing
20 undue and significant burdens upon the universities
21 and landlords renting to students, some of whom are
22 very likely small business owners who may not have
23 the capability to deal with extraordinary measures
24 required within these two bills.

25 Again, allow me to emphasis that it is

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2 not my intention to minimize the concerns that have
3 been raised by neighborhood residents who feel that
4 the student population has negatively affected their
5 quality of life in Philadelphia. Without question,
6 quality of life in our neighborhoods is a central
7 issue for this Administration. All residents,
8 whether they are students or not, have a
9 responsibility to be good neighbors and respectful
10 of those with whom they share the community.
11 However, reaching practical solutions that allow
12 both our City's long-term residents and our student
13 population to live together with some degree of
14 harmony without imposing severe restrictions on our
15 visiting students is critical to our long-term
16 success as a vibrant, diverse City.

17 I ask that the sponsor of these measures
18 join with the members of the Managing Director's
19 Office and other members of my Administration to
20 develop methods that will allow both students and
21 long-time residents to live together and to enjoy
22 all that our wonderful City has to offer, rather
23 than seek to impose the confusing and restrictive
24 requirements detailed in these two bills.

25 Sincerely, John F. Street, Esquire,

1 10/17/02 - STATED - COMMUNICATIONS

2 Mayor of the City of Philadelphia.

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

5 COUNCILMAN KENNEY: Madam President, I
6 ask that when letters of this type are sent that we
7 are afforded the courtesy of getting a copy of them
8 in advance. It's very clear -- or it's much more
9 clear when you have the ability sit and read the
10 letter or at least have the letter afforded to the
11 Councilmembers, including the sponsor, prior to the
12 session day. Perhaps I would suggest, if it would
13 be okay with you, if you could write a letter to the
14 Mayor and ask him if he could at least afford us
15 that one courtesy of having a letter at least 24
16 hours in advance prior to it being read into the
17 record?

18 COUNCIL PRESIDENT Verna: I will be
19 happy to do that.

20 COUNCILMAN KENNEY: Thank you very much.

21 COUNCIL PRESIDENT Verna: The Chair
22 recognizes Councilman Ortiz.

23 COUNCILMAN ORTIZ: Are we going to get
24 copies of the letter?

25 COUNCIL PRESIDENT Verna: I believe they

1 10/17/02 - STATED - COMMUNICATIONS

2 were circulated.

3 Were the copies circulated?

4 The copies will be circulated.

5 Please proceed.

6 THE CLERK: And a letter from the Mayor
7 advising Council that the Mayor is pleased to advise
8 you that on October 15, 2002, he signed the
9 following bill that was passed by Council at its
10 session on October 3, 2002: Bill No. 020411.

11 And a letter transmitting herewith for
12 the consideration of your Honorable Body an
13 ordinance authorizing the Philadelphia Authority for
14 Industrial Development to purchase a certain tract
15 of land situated the southeast corner of 50th Street
16 and Parkside Avenue for consideration not to exceed
17 \$70,000.

18 And also an ordinance amending Section
19 10-1001 of the Philadelphia Code entitled "Fees of
20 Commissioner of Records," by providing for new
21 recording fees, under certain terms and conditions.

22 COUNCIL PRESIDENT VERNA: Thank you.

23 The messages will be printed in the
24 Journal.

25 The Clerk will please read any other

1 10/17/02 - STATED - INTRO. OF BILLS AND RESOLUTIONS

2 communications in his possession.

3 THE CLERK: I have no other
4 communications, Madam President.

5 COUNCIL PRESIDENT VERNA: Thank you.

6 The next order of business is the
7 introduction of bills and resolutions. The Chair
8 recognizes Councilwoman Blackwell for a motion.

9 COUNCILWOMAN BLACKWELL: Thank you,
10 Madam President. I move that the Rules of Council
11 be suspended so as to permit immediate consideration
12 of resolutions at their time of introduction.

13 (Duly seconded.)

14 COUNCIL PRESIDENT VERNA: It has been
15 moved and properly seconded that the Rules of
16 Council be suspended so as to permit immediate
17 consideration of resolutions at the time of
18 introduction.

19 All in favor of the motion will please
20 indicate by saying aye.

21 (Aye.)

22 COUNCIL PRESIDENT VERNA: Those opposed?

23 (No response.)

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

1 10/17/02 - STATED - INTRO. OF BILLS AND RESOLUTIONS

2 The Chair recognizes Councilman Kenney.

3 COUNCILMAN KENNEY: Thank you, Madam
4 President. I offer one resolution which I request
5 be referred to the appropriate committee.

6 COUNCIL PRESIDENT VERNA: Thank you.

7 The Clerk will please read the title of
8 the resolution.

9 THE CLERK: A resolution authorizing
10 City Council's Legislative Oversight Committee to
11 hold public hearings on potential solutions to the
12 City's recent increase in aggressive panhandling.

13 COUNCIL PRESIDENT VERNA: Thank you.

14 This resolution will be referred to the
15 Committees on Law and Government and the Legislative
16 Oversight Committee.

17 The Chair recognizes Councilwoman
18 Blackwell.

19 COUNCILWOMAN BLACKWELL: Thank you,
20 Madam President. This morning I introduce one
21 resolution on your behalf and one on my own that is
22 cosponsored by Councilman Cohen, Ortiz, Kenney, and
23 Mariano. Thank you.

24 COUNCIL PRESIDENT VERNA: Thank you.

25 The Clerk will please read the title of

1 10/17/02 - STATED - INTRO. OF BILLS AND RESOLUTIONS
2 the first resolution.

3 THE CLERK: A resolution authorizing the
4 Commissioner of Public Property to execute and
5 deliver to the Redevelopment Authority of the City
6 of Philadelphia without consideration deeds to
7 properties in the 13th, 36th and 40th Wards of the
8 City of Philadelphia.

9 COUNCIL PRESIDENT Verna: 13th or 30th?

10 THE CLERK: 13th, 36th and 40th Wards.

11 COUNCIL PRESIDENT Verna: Can I see
12 that, please?

13 This is the 30th Ward, so I think the
14 record ought to indicate that, please.

15 THE CLERK: A resolution authorizing
16 the Commissioner of Public Property to execute and
17 deliver to the Redevelopment Authority of the City
18 of Philadelphia without consideration deeds
19 conveying fee simple title to certain City-owned
20 lots or pieces of ground with the buildings and
21 improvements thereon situated in the 30th, 36th and
22 40th Wards of the City of Philadelphia.

23 COUNCIL PRESIDENT Verna: Thank you.

24 The Chair recognizes Councilwoman
25 Blackwell.

1 10/17/02 - STATED - INTRO. OF BILLS AND RESOLUTIONS

2 COUNCILWOMAN BLACKWELL: Thank you,
3 Madam President. I move for the adoption of the
4 resolution.

5 (Duly seconded.)

6 COUNCIL PRESIDENT VERNA: It has been
7 moved and properly seconded that the resolution be
8 adopted.

9 All in favor will signify by saying aye.
10 (Aye.)

11 COUNCIL PRESIDENT VERNA: Those opposed?
12 (No response.)

13 COUNCIL PRESIDENT VERNA: The ayes have
14 it and the motion carries.

15 The Clerk will please read the title of
16 the second resolution introduced by Councilwoman
17 Blackwell.

18 THE CLERK: A resolution calling for a
19 public hearing before the Legislative Oversight
20 Committee on aggressive panhandling in the City of
21 Philadelphia.

22 COUNCIL PRESIDENT VERNA: We will refer
23 this resolution to the Committees on Law and
24 Government and the Legislative Oversight Committee.

25 COUNCILWOMAN BLACKWELL: Thank you.

1 10/17/02 - STATED - INTRO. OF BILLS AND RESOLUTIONS

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

4 COUNCILMAN COHEN: Madam President, I
5 offer two resolutions.

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

8 THE CLERK: A resolution authorizing the
9 City Council Committee on Law and Government to
10 investigate the reasons why Philadelphia does not
11 permit the use of polyvinylchloride or other plastic
12 pipe for underground sewer connections from
13 buildings to the public sewer.

14 COUNCIL PRESIDENT Verna: The Chair
15 recognizes Councilman Cohen.

16 COUNCILMAN COHEN: Madam President, I
17 move the adoption of the resolution.

18 (Duly seconded.)

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

22 All in favor will signify --

23 COUNCILMAN MARIANO: Madam President, I
24 want to be recorded as voting no.

25 COUNCIL PRESIDENT Verna: All those in

1 10/17/02 - STATED - INTRO. OF BILLS AND RESOLUTIONS

2 favor will signify by saying aye.

3 (Aye.)

4 COUNCIL PRESIDENT Verna: Those opposed?

5 COUNCILMAN MARIANO: No.

6 COUNCIL PRESIDENT Verna: Councilman

7 Mariano is voting no. All other members are voting
8 in the affirmative.

9 COUNCILMAN MARIANO: How does that get
10 in Law and Government? That clearly should be in
11 Licenses and Inspections. Maybe now we're playing
12 the games with the games with the committees. It
13 obviously belongs in the jurisdiction of the Law and
14 Government Committee.

15 COUNCIL PRESIDENT Verna: It's in the
16 resolution as written, Councilman. If you want you
17 want to offer a friendly amendment to the sponsor,
18 please do so.

19 COUNCILMAN MARIANO: Would the
20 Councilman take a friendly amendment to have that in
21 a combined Committee of Law and Government and
22 Licenses and Inspections, which both you and I are
23 on?

24 COUNCILMAN COHEN: You mean to have both
25 committees handle it?

1 10/17/02 - STATED - INTRO. OF BILLS AND RESOLUTIONS

2 COUNCILMAN MARIANO: Yes.

3 COUNCILMAN COHEN: I would accept the
4 joint Committee of Law and Government and Licenses
5 and Inspections.

6 COUNCILMAN MARIANO: Thank you.

7 (Duly seconded.)

8 COUNCIL PRESIDENT VERNA: It has been
9 moved and seconded.

10 All in favor will signify by saying aye.

11 (Aye.)

12 COUNCIL PRESIDENT VERNA: This will be
13 referred to the appropriate committees.

14 The Clerk will please read the title of
15 the second resolution.

16 COUNCILMAN O'NEILL: Madam Chair.

17 COUNCIL PRESIDENT VERNA: Yes, sir.

18 COUNCILMAN O'NEILL: Was that voted
19 unanimously?

20 COUNCIL PRESIDENT VERNA: I assume it
21 will be since Councilman Mariano made his motion and
22 it has been adopted.

23 COUNCILMAN O'NEILL: I just want to make
24 sure it is clear on the record.

25 COUNCIL PRESIDENT VERNA: Will the Clerk

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2 please read the title of the second resolution.

3 THE CLERK: A resolution authorizing the
4 City Council Committee on Law and Government to hold
5 public hearings addressing whether an aggressive
6 panhandling has changed the nature, degree, or
7 frequency in recent years with consideration of
8 whether a change in the provision of social services
9 is required.

10 COUNCIL PRESIDENT Verna: This
11 resolution will be referred to the Committee on Law
12 and Government and the Legislative Oversight
13 Committee.

14 The Chair recognizes Councilwoman
15 Krajewski.

16 COUNCILWOMAN KRAJEWSKI: Madam
17 President, I have no bills or resolutions.

18 COUNCIL PRESIDENT Verna: Thank you.

19 The Chair recognizes Councilman Mariano.

20 COUNCILMAN MARIANO: No bills or
21 resolutions, Council President.

22 COUNCIL PRESIDENT Verna: Thank you.

23 The Chair recognizes Councilwoman Tasco.

24 COUNCILWOMAN TASCO: Madam President, I
25 have no bills or resolutions today.

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2 COUNCIL PRESIDENT Verna: Thank you.

3 The Chair recognizes Councilwoman
4 Miller.

5 COUNCILWOMAN MILLER: Good morning,
6 Madam President. I offer one resolution.

7 COUNCIL PRESIDENT Verna: Thank you.

8 The Clerk will please read the title of
9 the resolution.

10 THE CLERK: A resolution authorizing the
11 Commissioner of Public Property to execute and
12 deliver to the Redevelopment Authority of the City
13 of Philadelphia deeds to properties located in the
14 11th, 12th and 13th, 17th, 22nd and 59th Wards of
15 the City of Philadelphia.

16 COUNCIL PRESIDENT Verna: Thank you.

17 The Chair recognizes Councilwoman
18 Miller.

19 COUNCILWOMAN MILLER: I move for the
20 adoption of the resolution.

21 (Duly seconded.)

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

24 All in favor will signify by saying aye.

25 (Aye.)

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2 COUNCIL PRESIDENT VERNA: Those opposed?

3 (No response.)

4 COUNCIL PRESIDENT VERNA: The ayes have
5 it, and the motion carries.

6 The Chair recognizes Councilman Nutter.

7 COUNCILMAN NUTTER: Thank you, Madam
8 President. I offer one bill and one resolution on
9 behalf of Councilman O'Neill and I and a number of
10 other Councilmembers.

11 COUNCIL PRESIDENT VERNA: Thank you.

12 The Clerk will please read the title of
13 the bill.

14 THE CLERK: An ordinance authorizing the
15 Philadelphia Authority for Industrial Development to
16 purchase a certain tract of land situate at the
17 southeast corner of 50th Street and Parkside Avenue
18 for a consideration not to exceed \$70,000.

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

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

23 THE CLERK: A resolution requesting the
24 Pennsylvania General Assembly to enact legislation
25 to provide that the Board of Revision of Taxes shall

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2 not certify any assessments of real property for
3 Calendar Year 2002 or 2003 that exceed the prior
4 year's assessment for any particular property by
5 such percentage amount as Council shall ordain.

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

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

11 (Duly seconded.)

12 COUNCILMAN GOODE: Madam President.

13 COUNCIL PRESIDENT VERNA: Yes,
14 Councilman Goode.

15 COUNCILMAN GOODE: I want to ask the
16 sponsor of the resolution why we're asking State
17 Legislature to take action that we're not yet
18 prepared to take? There's several bills on Second
19 Reading and Final Passage that the Council decided
20 not to take action on, but to hold. I don't know
21 whether we're not taking action on those bills for
22 political or financial or legal reasons, but it's
23 clear to me that if we're not ready to take action,
24 we shouldn't be asking the State Legislature to take
25 action.

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2 COUNCIL PRESIDENT VERA: Councilman
3 Nutter.

4 COUNCILMAN NUTTER: Thank you, Madam
5 President.

6 First, let me thank Councilman Goode for
7 raising the question. I appreciate it.

8 The primary reason, Councilman, after a
9 number of conversations both between myself and
10 Councilman O'Neill and a number of State
11 Legislators, we came to the conclusion, both because
12 of the City Solicitor's opinion laying out initially
13 what we cannot do, the question was then asked, what
14 would allow us if we, this Council and the City
15 Administration, chose to pursue any of the bills
16 that have cap provisions to them, what would we have
17 to do to remove any legal obstacles in order for
18 those bills to be able to move forward? The
19 conclusion was that we should ask the State to give
20 us certain authorization. And if this Council, when
21 it is ready, decides that it would like to pursue
22 that authority, we would then not have any legal
23 obstacles prohibiting that action. That does not
24 take away all of the appropriate and good discussion
25 and debate that will go with those bills with regard

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2 to any financial impact whether it's to the City or
3 the School District or to the taxpayers who are in
4 many instances certainly crying out desperately for
5 some immediate relief.

6 I think what this does is it at least
7 creates an environment in which we would be able to
8 have a legitimate debate and discussion about any of
9 the bills that we may pursue at a future point in
10 time but not have legal obstacles and barriers that
11 the City Solicitor says are presently in our way.

12 If the State Legislature does decide to
13 take action, this Council still has the
14 responsibility and will still take its time to
15 deliberate appropriately what further action, what
16 future action it may take. But at least under that
17 circumstance, we will not have any legal obstacles,
18 at least as laid out by the City Solicitor's
19 opinions. So that was the purpose.

20 This resolution, which is only a
21 resolution requesting certain action, is certainly
22 not binding. It's not binding on this Council.
23 It's certainly not binding on the State Legislature.
24 But I think it also creates an environment where,
25 unlike some previous situations earlier this year

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2 and last year where the State came in and whether
3 people liked what they did or not, the State was
4 viewed as imposing its will on the local government.
5 In this circumstance, we would actually be asking
6 the State to, in essence, help us help ourselves and
7 it would come at the request of the local governing
8 body as opposed to action being taken to impose the
9 will, if you will, of the State or the Commonwealth.

10 COUNCILMAN GOODE: Point of information.

11 COUNCIL PRESIDENT VERNA: Councilman
12 Goode.

13 COUNCILMAN GOODE: I asked a question of
14 whether the sponsors were holding the bills for
15 political or financial or legal reasons specifically
16 because it's my understanding from conversations
17 we've had in Caucus that these bills were being held
18 so we can analyze them, not only whether they are
19 legal or not, but whether they are also fiscally
20 irresponsible to the City and to the School
21 District. If the sponsors are not holding the bills
22 because they are viewed to be fiscal irresponsible
23 and they view it as there just being legal barriers,
24 then I understand that. But it's my understanding
25 that the Council decided to hold the bills because

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2 they viewed them as potential fiscal irresponsible
3 particularly to the School District.

4 COUNCILMAN NUTTER: I'm sorry,
5 Councilman, if I misheard or didn't fully hear all
6 the inquiry that you made. With regard to the
7 bills, obviously, you know that I'm a cosponsor with
8 the Council President and a number of other members
9 of at least one package of bills. The bills
10 themselves are being held. This resolution does not
11 move those bills in any way, shape, or form. And I
12 think, obviously, as late as this morning, all of
13 those bills -- I think all those bills are being
14 held on our Calendar so there is no action being
15 taken on the actual bills. What we are seeking to
16 do is create a future situation where if we do
17 decide after having the appropriate information and,
18 again, quite honestly, the appropriate debate and
19 discussion to not only deal with legal issues but
20 also financial issues -- and you're absolutely
21 correct, if we do decide out of that that we would
22 like to take action on any of those bills, if we
23 didn't ask the State for this kind of help or
24 support or relief, even if we decided that the bills
25 were fiscally responsible, addressed the concerns

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2 the citizens have, address the concerns of the City
3 and School District, at least according to the Law
4 Department, we would not have that authority to move
5 forward on those bills notwithstanding whether all
6 of us thought that they were the best thing since
7 sliced bread.

8 COUNCILMAN GOODE: Two points, Madam
9 President. Whether this resolution is binding or
10 not building, the truth of the matter is it asks the
11 State Legislature to take specific action. The
12 resolution is very specific in its wording in terms
13 of the action it wants the State Legislature to
14 take.

15 The second point is that I heard you say
16 in Caucus that we were holding the bills until we
17 got more information from the Administration, BRT,
18 because we're actually considering whether they are
19 fiscally responsible or not. So I will be voting
20 against this resolution.

21 COUNCILMAN O'NEILL: Madam President,
22 may I be recognized?

23 COUNCIL PRESIDENT VERNA: The Chair
24 recognizes Councilman O'Neill.

25 COUNCILMAN O'NEILL: I appreciate the

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2 Councilman's position and understand it. I just
3 want to make clear, the two bills I'm holding are
4 not because I think they're even possibly fiscally
5 irresponsible. In fact, if we had a bill before us
6 to raise real estate taxes by 4 percent, I'd think
7 we would have trouble getting a majority and I don't
8 think we'd be fiscally irresponsible to do that. So
9 my district -- I may get some criticism for a 4
10 percent cap. But the main thing I think as far as
11 credibility goes, as I see this resolution and as I
12 saw the bills, you put things in Council and try to
13 get hearings and get them passed that I think you're
14 going to answer some of the concerns of your
15 constituents. I think everyone's tried to do that
16 in different ways. But when you then tell the same
17 constituents that we're trying but even if we pass
18 this, it won't have any legal authority because the
19 State prevents them at this time from being
20 effective, I think we lose credibility with our
21 constituents if we don't take the next step of
22 formally asking the State to give us the flexibility
23 to make these decisions ourselves. And so I think
24 we have both credibility problems with the public in
25 Philadelphia if we don't try to do something, but

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2 also credibility with our State Legislators if we're
3 not asking them to formally help us as opposed to
4 just putting bills on the Final Passage Calendar and
5 letting it go at that and just hiding behind the
6 State won't let us go any further. But I do think
7 the right position for the bills to be in to show
8 the State that we're credible is that they're on the
9 Final Passage Calendar. I think members deserve to
10 see what the fiscal impacts are when the numbers
11 come done, whether School District or City. But
12 speaking as a sponsor, I wouldn't hold the bill just
13 for that. We may never get it and we may never get
14 accurate information, as far as I'm concerned. I
15 don't think even my bill affects the budgeted
16 amounts that the School District and City put in
17 this budget this year. I think a freeze would,
18 obviously, depending how long it went. And the
19 resolution does not speak to a freeze.

20 COUNCIL PRESIDENT VERNA: Thank you.

21 The Chair recognizes Councilman Goode.

22 COUNCILMAN GOODE: For Councilman
23 O'Neill's benefit, if your bill was called today, I
24 had planned voting for it. I do understand that it
25 calls for State action within the legislation

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2 itself, but I can't support your resolution as
3 written because it goes beyond your bill.

4 COUNCILMAN O'NEILL: Thank you.

5 COUNCIL PRESIDENT Verna: Thank you.

6 The motion was made.

7 All those in favor of the adoption of
8 the resolution will indicate by saying aye.

9 (Aye.)

10 COUNCIL PRESIDENT Verna: Those opposed?

11 COUNCILMAN GOODE: No.

12 COUNCIL PRESIDENT Verna: The record
13 will indicate that Councilman Goode voted no. All
14 other members voted in the affirmative.

15 The Chair recognizes Councilwoman Brown.

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

19 COUNCIL PRESIDENT Verna: Thank you.

20 The Chair recognizes Councilman Goode.

21 COUNCILMAN GOODE: Thank you, Madam
22 President. I have no bills or resolutions.

23 COUNCIL PRESIDENT Verna: Thank you.

24 The Chair recognizes Councilman Ortiz.

25 COUNCILMAN ORTIZ: Thank you, Madam

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2 President. No bills or resolutions.

3 COUNCIL PRESIDENT Verna: The Chair
4 thanks the gentleman.

5 The Chair recognizes Councilman DiCicco.

6 COUNCILMAN DICICCO: Thank you, Madam
7 President. I have no bills or resolutions.

8 COUNCIL PRESIDENT Verna: Thank you.

9 The Chair recognizes Councilman O'Neill.

10 COUNCILMAN O'NEILL: Madam President, I
11 offer one resolution.

12 COUNCIL PRESIDENT Verna: Thank you.

13 The Clerk will please read the title of the
14 resolution.

15 THE CLERK: A resolution endorsing the
16 National League of Cities Hometown Security Day and
17 urging the Congress and the President to account on
18 homeland security funding.

19 COUNCIL PRESIDENT Verna: Thank you.

20 The Chair recognizes Councilman O'Neill.

21 COUNCILMAN O'NEILL: Madam President, I
22 forgot to mention that's cosponsored with
23 Councilwoman Tasco.

24 I call for the adoption.

25 COUNCIL PRESIDENT Verna: It has been

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2 moved and seconded that the resolution be adopted.
3 All in favor will signify by saying aye.
4 (Aye.)
5 COUNCIL PRESIDENT VERNA: Those opposed?
6 (No response.)
7 COUNCIL PRESIDENT VERNA: The ayes have
8 it. And the motion carries.
9 The Chair recognizes Councilman Clarke.
10 COUNCILMAN CLARKE: Thank you, Madam
11 President. I have one bill.
12 COUNCIL PRESIDENT VERNA: Thank you.
13 The Clerk will please read the title of the bill.
14 THE CLERK: An ordinance amending Title
15 4 of the Philadelphia Code, the Philadelphia
16 Building Construction and Occupancy Code by amending
17 requirements applicable to vacant premises, all
18 under certain terms and conditions.
19 COUNCIL PRESIDENT VERNA: Thank you.
20 The bill will be referred to the appropriate
21 committee.
22 The Chair recognizes Councilman
23 Longstreth.
24 COUNCILMAN LONGSTRETH: I have nothing,
25 Madam President.

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2 COUNCIL PRESIDENT Verna: Thank you.

3 The Chair recognizes Councilman Rizzo.

4 COUNCILMAN RIZZO: Madam President, no
5 bills or resolutions.

6 COUNCIL PRESIDENT Verna: Thank you.

7 Our next order of business is reports
8 from committees. The Chair recognizes Councilman
9 Kenney for a report from the Committee on Rules.

10 COUNCILMAN KENNEY: Thank you, Madam
11 President. The Committee on Rules reports out three
12 bills and one resolution with favorable
13 recommendations.

14 COUNCIL PRESIDENT Verna: The Clerk will
15 please read the report.

16 THE CLERK: To the President and Members
17 of the Council of the City of Philadelphia, the
18 Committee on Rules to which was referred Bill No.
19 020166-A, entitled an ordinance establishing a
20 Neighborhood Improvement District in the area
21 bounded generally by the eastern side of Tulip
22 Street, the northern side of Allegheny Avenue, the
23 western side of Amber Street, and the northern side
24 Venango Street, to be known as the Port Richmond
25 Industrial Development Enterprise, PRIDE,

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2 Neighborhood Improvement District;

3 And Bill No. 020431, entitled an
4 ordinance establishing a Neighborhood Improvement
5 District in an area that generally includes both
6 sides of East Passyunk Avenue from the south side of
7 Federal Street to the east side of South Broad
8 Street, certain blocks of the streets that intersect
9 that portion of East Passyunk Avenue, both sides of
10 South Broad Street from the south side of McKean to
11 the north side of Snyder Avenue, and the west side
12 of South Broad Street from the South side of Mifflin
13 Street to the north side of McKean Street, to be
14 known as the East Passyunk Avenue Business
15 Improvement District;

16 And Bill No. 020486, entitled an
17 ordinance adopting an amendment to the Articles of
18 Incorporation of the City Avenue Special Services
19 District of Philadelphia and Lower Merion to extend
20 the term of that authority;

21 And Resolution 020627, entitled a
22 resolution approving the provisions of the Cathedral
23 Village Lifecare facility RC-6 Master Plan;

24 Respectfully reports it has considered
25 the same and returns the attached bills and

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2 resolution to Council with a favorable
3 recommendation.

4 COUNCIL PRESIDENT Verna: Thank you.

5 The Chair recognizes Councilman Kenney.

6 COUNCILMAN KENNEY: Thank you, Madam
7 President.

8 COUNCILMAN GOODE: Point of order.

9 COUNCIL PRESIDENT Verna: Yes.

10 COUNCILMAN GOODE: I'm not a member of
11 the Rules Committee. If one of the sponsors of the
12 Neighborhood Improvement District legislation could
13 explain the legislation.

14 COUNCILMAN DICICCO: Explain the
15 legislation?

16 COUNCILMAN GOODE: Explain what a
17 Neighborhood Improvement District does.

18 COUNCILMAN DICICCO: It enables business
19 property owners within a designated area to impose a
20 tax on themselves for services that they will
21 provide for that community, not unlike what the
22 Center City Special Services District performs, not
23 unlike what I believe the Manayunk Special Services
24 District and many other Special Services Districts
25 throughout the City have been doing for a number of

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2 years.

3 COUNCILMAN GOODE: Point of information,
4 Madam President. Actually, this service district
5 legislation is different than business improvement
6 legislation and, in fact, this legislation does not
7 call for majority of the business owners to tax
8 themselves. It actually allows legislators to tax
9 them as long as the majority of them don't
10 disapprove. So this is actually a
11 legislatively-induced tax increase on property
12 owners.

13 COUNCILMAN DICICCO: But that's a
14 choice. It's not imposed by government.

15 COUNCILMAN GOODE: Is there a petition
16 that says the majority of those business owners want
17 their taxes raised on their property?

18 COUNCILMAN DICICCO: To the best of my
19 knowledge, yes.

20 COUNCILMAN GOODE: There is not. I will
21 be voting against this as well.

22 COUNCILMAN DICICCO: Where do you get
23 your information that there's not a petition?

24 COUNCILMAN KENNEY: Point of order,
25 Madam President.

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2 COUNCILMAN DICICCO: We've had all the
3 meetings --

4 COUNCILMAN KENNEY: Point of order,
5 Madam President.

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

8 COUNCILMAN KENNEY: If it's possible, if
9 the Chair would rule to allow me to make a motion to
10 suspend the Rules to allow for first reading of
11 these bills on the report.

12 COUNCIL PRESIDENT Verna: Is there a
13 second?

14 (Duly seconded.)

15 COUNCIL PRESIDENT Verna: It has been
16 moved and properly seconded that the Rules of
17 Council be suspended so as to permit first reading
18 this day --

19 COUNCILMAN KENNEY: No, Madam President.
20 I asked you to rule to allow me to make the motion.

21 COUNCIL PRESIDENT Verna: With all of
22 the noise on this side of the room and the noise on
23 the outside, if people don't speak into the mikes,
24 it's very difficult to hear them.

25 I'm sorry, Councilman. What was your

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2 motion?

3 COUNCILMAN KENNEY: My point of order
4 was to request that the Chair rule that I am able to
5 proceed with the report from the committee.

6 COUNCIL PRESIDENT VERNA: I so rule.

7 COUNCILMAN KENNEY: Thank you. Am I
8 recognized for that purpose?

9 COUNCIL PRESIDENT VERNA: Yes.

10 COUNCILMAN KENNEY: Thank you, Madam
11 President. I move that the rules of Council be
12 suspended so as to permit first reading this day of
13 Bills No. 020166-A, 020431, and 020486.

14 (Duly seconded.)

15 COUNCIL PRESIDENT VERNA: It has been
16 moved and properly seconded that the Rules of
17 Council be suspended so as to permit first reading
18 this day of Bill Nos. 020166-A, 020431 and 020486.

19 All in favor please indicate by saying
20 aye.

21 (Aye.)

22 COUNCIL PRESIDENT VERNA: Those opposed?

23 COUNCILMAN GOODE: Nay.

24 COUNCIL PRESIDENT VERNA: The ayes have
25 it. The record will reflect that Councilman Goode

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2 voted in the negative. All other members voted in
3 the affirmative. And the bills just read will be
4 placed on First Reading Calendar for today's
5 session.

6 Resolution No. 020627 will be placed at
7 the end of today's Calendar.

8 At this time the Chair recognizes
9 Councilwoman Blackwell for a report from the
10 Committee on Finance.

11 COUNCILWOMAN BLACKWELL: Thank you,
12 Madam President. The Committee on Finance reports
13 out one bill with a favorable recommendation.

14 COUNCIL PRESIDENT VERNA: The Clerk will
15 please read the report.

16 THE CLERK: The Committee on Finance to
17 which was on referred Bill 020579, entitled an
18 ordinance amending Title 19 of the Philadelphia Code
19 entitled "Finance, Taxes and Collections," by
20 providing for certain deferrals of payment of a
21 certain portion of real estate taxes due to the City
22 of Philadelphia or the Philadelphia School District,
23 all under certain terms and conditions, respectfully
24 reports it has considered the same and returns the
25 attached bill to Council a favorable recommendation.

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2 COUNCIL PRESIDENT Verna: The Chair
3 recognizes Councilwoman Blackwell.

4 COUNCILWOMAN BLACKWELL: Thank you,
5 Madam President. I move that the Rules of Council
6 be suspended so as to permit first reading today of
7 Bill No. 020579.

8 (Duly seconded.)

9 COUNCIL PRESIDENT Verna: It has been
10 moved and properly seconded that the Rules of
11 Council be suspended so as to permit first reading
12 this day of Bill No. 020579.

13 All in favor, please indicate by saying
14 aye.

15 (Aye.)

16 COUNCIL PRESIDENT Verna: Those opposed?

17 (No response.)

18 COUNCIL PRESIDENT Verna: The ayes have
19 it. And Bill No. 020579 will be placed on today's
20 First Reading Calendar.

21 Our next item of business is the
22 consideration of the calendar. The Clerk will
23 please read the bills on the First Reading Calendar.

24 THE CLERK: Bill No. 020410, entitled an
25 ordinance authorizing the Pennsylvania Academy of

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2 Fine Arts, owner of the properties 118 North Broad
3 Street and 128 North Broad Street to construct, own,
4 and maintain various encroachments adjacent to these
5 properties.

6 COUNCIL PRESIDENT Verna: The Chair
7 agrees.

8 THE CLERK: And Bill No. 020412,
9 entitled an ordinance authorizing G2S2 Associates to
10 construct and maintain a building encroachment over
11 and above the north footway of the 1600 block of
12 Sansom Street.

13 COUNCIL PRESIDENT Verna: The Chair
14 agrees.

15 THE CLERK: And Bill No. 020413,
16 entitled an ordinance authorizing the revision of
17 lines and grades on a portion of City Plan No. 58 by
18 placing on the City Plan Mount Vernon Street from to
19 10th Street to a point approximately 90 feet
20 southeastwardly.

21 COUNCIL PRESIDENT Verna: The Chair
22 agrees.

23 THE CLERK: And Bill No. 020429,
24 entitled an ordinance authorizing the revision of
25 lines and grades on a portion of City Plan No. 258

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2 by striking from the City Plan and vacating Brill
3 Street from Torresdale Avenue to Harbison Avenue.

4 COUNCIL PRESIDENT Verna: The Chair
5 agrees.

6 THE CLERK: And Bill No. 020430,
7 entitled an ordinance authorizing the revision of
8 lines and grade on a portion of City Plan No. 312 by
9 striking from the City Plan and vacating the legally
10 open portions of Jackson street from Pearson Street
11 to Aubrey Street.

12 COUNCIL PRESIDENT Verna: The Chair
13 agrees.

14 THE CLERK: And Bill No. 020433,
15 entitled an ordinance authorizing the revision of
16 lines and grades on a portion of City Plan No. 271
17 by striking from the City Plan and vacating Hancock
18 Street from Pollard Street to Germantown Avenue.

19 COUNCIL PRESIDENT Verna: The Chair
20 agrees.

21 THE CLERK: An Bill No. 020464, entitled
22 an ordinance establishing a parking regulation on a
23 portion of 19th Street.

24 COUNCIL PRESIDENT Verna: The Chair
25 agrees.

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2 THE CLERK: And Bill No. 020465,
3 entitled an ordinance establishing a parking
4 regulation on a portion of Rosewood Street.

5 COUNCIL PRESIDENT VERNA: The Chair
6 agrees.

7 THE CLERK: And Bill No. 020466,
8 entitled an ordinance establishing a parking
9 regulation on a portion of Rosewood Street.

10 COUNCIL PRESIDENT VERNA: The Chair
11 agrees.

12 THE CLERK: And Bill No. 020467,
13 entitled an ordinance establishing a parking
14 regulation on a portion of 16th Street.

15 COUNCIL PRESIDENT VERNA: The Chair
16 agrees.

17 THE CLERK: And Bill No. 020468,
18 entitled an ordinance establishing a parking
19 regulation on a portion of Broad Street.

20 COUNCIL PRESIDENT VERNA: The Chair
21 agrees.

22 THE CLERK: And Bill No. 020479,
23 entitled an ordinance establishing a parking
24 regulation on a portion of Wyoming Avenue.

25 COUNCIL PRESIDENT VERNA: The Chair

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2 agrees.

3 THE CLERK: And Bill No. 020487,
4 entitled an ordinance establishing a parking
5 regulation on a portion of Redfield Street.

6 COUNCIL PRESIDENT VERNA: The Chair
7 agrees.

8 THE CLERK: And Bill No. 020488,
9 entitled an ordinance establishing a parking
10 regulation on Ridge Avenue, west side, between
11 Martin Street to Ripka Street.

12 COUNCIL PRESIDENT VERNA: The Chair
13 agrees.

14 THE CLERK: And Bill No. 020494,
15 entitled an ordinance granting permission to Atul
16 Amin, owner of the newsstand at the northeast corner
17 of 15th Street and Arch Street to construct, use and
18 maintain an electrical conduit in and under the
19 north footway of Arch Street.

20 COUNCIL PRESIDENT VERNA: The Chair
21 agrees.

22 THE CLERK: And Bill No. 020497,
23 entitled an ordinance establishing a parking
24 regulation on a portion of 15 Street.

25 COUNCIL PRESIDENT VERNA: The Chair

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2 agrees.

3 THE CLERK: And Bill No. 020498,
4 entitled an ordinance establishing a parking
5 regulation on a portion of Corinthian Street.

6 COUNCIL PRESIDENT Verna: The Chair
7 agrees.

8 THE CLERK: And Bill No. 020539,
9 entitled an ordinance establishing a parking
10 regulation on a portion of 31st Street.

11 COUNCIL PRESIDENT Verna: The Chair
12 agrees.

13 THE CLERK: And Bill No. 020540,
14 entitled an ordinance establishing a parking
15 regulation on a portion of Larchwood Avenue.

16 COUNCIL PRESIDENT Verna: The Chair
17 agrees.

18 THE CLERK: And Bill No. 020541,
19 entitled an ordinance establishing a parking
20 regulation on a portion of 48th Street.

21 COUNCIL PRESIDENT Verna: The Chair
22 agrees.

23 THE CLERK: And Bill No. 020542,
24 entitled an ordinance establishing a parking
25 regulation on a portion of Preston Street.

1 10/17/02 - STATED - FIRST READING

2 COUNCIL PRESIDENT VERNA: The Chair
3 agrees.

4 THE CLERK: And Bill No. 020543,
5 entitled an ordinance establishing a parking
6 regulation on a portion of Farragut Street.

7 COUNCIL PRESIDENT VERNA: The Chair
8 agrees.

9 THE CLERK: And Bill No. 020552,
10 entitled an ordinance establishing a parking
11 regulation on a portion of Seventh Street.

12 COUNCIL PRESIDENT VERNA: The Chair
13 agrees.

14 THE CLERK: And Bill No. 020553,
15 entitled an ordinance establishing a parking
16 regulation on a portion of Dickinson Street.

17 COUNCIL PRESIDENT VERNA: The Chair
18 agrees.

19 THE CLERK: And Bill No. 020554,
20 entitled an ordinance establishing a parking
21 regulation on a portion of Castle Street.

22 COUNCIL PRESIDENT VERNA: The Chair
23 agrees.

24 THE CLERK: And Bill No. 020555,
25 entitled an ordinance establishing a parking

1 10/17/02 - STATED - FIRST READING

2 regulation on a portion of Darien Street.

3 COUNCIL PRESIDENT Verna: The Chair
4 agrees.

5 THE CLERK: And Bill No. 020556,
6 entitled an ordinance establishing a parking
7 regulation on a portion of Watts Street.

8 COUNCIL PRESIDENT Verna: The Chair
9 agrees.

10 THE CLERK: And Bill No. 020577,
11 entitled an ordinance revising parking regulations
12 on a portion of Juniper Street.

13 COUNCIL PRESIDENT Verna: The Chair
14 agrees.

15 THE CLERK: And Bill No. 020558,
16 entitled an ordinance establishing a parking
17 regulation on a portion of 13th Street.

18 COUNCIL PRESIDENT Verna: The Chair
19 agrees.

20 THE CLERK: And Bill No. 020578,
21 entitled an ordinance amending Section 9-205 of the
22 Philadelphia Code entitled "Sidewalk Sales," by
23 prohibiting sidewalk sales on portions of Vine
24 Street, 18th Street, 19th Street and 20th Street.

25 COUNCIL PRESIDENT Verna: The Chair

1 10/17/02 - STATED - FIRST READING

2 agrees.

3 THE CLERK: And Bill No. 020166-A,
4 entitled an ordinance establishing a Neighborhood
5 Improvement District in the area bounded generally
6 by the eastern side of Tulip Street, the northern
7 side of Allegheny Avenue, the western side of Amber
8 Street, and the northern side Venango Street, to be
9 known as the Port Richmond Industrial Development
10 Enterprise, PRIDE, Neighborhood Improvement
11 District.

12 COUNCIL PRESIDENT Verna: The Chair
13 agrees.

14 THE CLERK: And Bill No. 020431,
15 entitled an ordinance establishing a Neighborhood
16 Improvement District in an area that generally
17 includes both sides of East Passyunk Avenue from the
18 south side of Federal Street to the east side of
19 South Broad Street, certain blocks of the streets
20 that intersect that portion of East Passyunk Avenue,
21 both sides of South Broad Street from the south side
22 of McKean to the north side of Snyder Avenue, and
23 the west side of South Broad Street from the South
24 side of Mifflin Street to the north side of McKean
25 Street, to be known as the East Passyunk Avenue

1 10/17/02 - STATED - FIRST READING

2 Business Improvement District.

3 COUNCIL PRESIDENT Verna: The Chair
4 agrees.

5 THE CLERK: And Bill No. 020486,
6 entitled an ordinance adopting an amendment to the
7 Articles of Incorporation of the City Avenue Special
8 Services District of Philadelphia and Lower Merion
9 to extend the term of that authority.

10 COUNCIL PRESIDENT Verna: The Chair
11 agrees.

12 THE CLERK: And Bill No. 020579,
13 entitled an ordinance amending Title 19 of the
14 Philadelphia Code entitled "Finance, Taxes and
15 Collections," by providing for certain deferrals of
16 payment of a certain portion of real estate taxes
17 due to the City of Philadelphia or the Philadelphia
18 School District, all under certain terms and
19 conditions.

20 COUNCIL PRESIDENT Verna: The Chair
21 agrees.

22 The bills just read by the Clerk will be
23 placed on the Second Reading and Final Passage
24 Calendar for our next Session of Council.

25 That concludes the First Reading

1 10/17/02 - STATED - 2ND READING AND FINAL PASSAGE
2 Calendar. The Chair at this time recognizes
3 Councilwoman Blackwell for the purpose of calling up
4 bills to be considered on the Second Reading and
5 Final Passage Calendar.

6 COUNCILWOMAN BLACKWELL: Thank you,
7 Madam President. Today Bill Nos. 020382 and 020434
8 are being called up for Second Reading and Final
9 Passage. All other bills are being held.

10 COUNCIL PRESIDENT Verna: Thank you.

11 The Clerk will please read the title of
12 Bill No. 020382.

13 THE CLERK: An ordinance authorizing
14 Lois Hartzell, owner the property 607 North Second
15 Street to construct, own, and maintain a
16 cantilevered balcony projecting over the east
17 footway of Second Street.

18 COUNCIL PRESIDENT Verna: This bill
19 having been read on two different days, the question
20 now is shall the bill pass finally?

21 The Clerk will please call the roll.

22 THE CLERK: Councilwoman Blackwell.

23 COUNCILWOMAN BLACKWELL: Aye.

24 THE CLERK: Councilman Clarke.

25 COUNCILMAN CLARKE: Aye.

1 10/17/02 - STATED - 2ND READING AND FINAL PASSAGE

2 THE CLERK: Councilman Cohen.

3 COUNCILMAN COHEN: Aye.

4 THE CLERK: Councilman DiCicco.

5 COUNCILMAN DICICCO: Aye.

6 THE CLERK: Councilman Goode.

7 COUNCILMAN GOODE: Aye.

8 THE CLERK: Councilman Kenney.

9 COUNCILMAN KENNEY: Aye.

10 THE CLERK: Councilwoman Krajewski.

11 COUNCILWOMAN KRAJEWSKI: Aye.

12 THE CLERK: Councilman Longstreth.

13 COUNCILMAN LONGSTRETH: Aye.

14 THE CLERK: Councilman Mariano.

15 COUNCILMAN MARIANO: Aye.

16 THE CLERK: Councilwoman Miller.

17 COUNCILWOMAN MILLER: Aye.

18 THE CLERK: Councilman Nutter.

19 COUNCILMAN NUTTER: Aye.

20 THE CLERK: Councilman O'Neill.

21 COUNCILMAN O'NEILL: Aye.

22 THE CLERK: Councilman Ortiz.

23 COUNCILMAN ORTIZ: Aye.

24 THE CLERK: Councilwoman Reynolds-Brown.

25 COUNCILWOMAN BROWN: Aye.

1 10/17/02 - STATED - 2ND READING AND FINAL PASSAGE

2 THE CLERK: Councilman Rizzo.

3 COUNCILMAN RIZZO: Aye.

4 THE CLERK: Councilwoman Tasco.

5 COUNCILWOMAN TASCO: Aye.

6 THE CLERK: Council President Verna.

7 COUNCIL PRESIDENT VERNA: Aye.

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

11 The Clerk will please read the title of
12 Bill No. 020434.

13 THE CLERK: An ordinance granting
14 permission to Alfredo Aguilar, owner of the property
15 426-428 West Girard Avenue, doing business as Las
16 Casuelas Cafe, to operate and maintain an open-air
17 sidewalk cafe.

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

21 The Clerk will please call the roll.

22 THE CLERK: Councilwoman Blackwell.

23 COUNCILWOMAN BLACKWELL: Aye.

24 THE CLERK: Councilman Clarke.

25 COUNCILMAN CLARKE: Aye.

1 10/17/02 - STATED - 2ND READING AND FINAL PASSAGE

2 THE CLERK: Councilman Cohen.

3 COUNCILMAN COHEN: Aye.

4 THE CLERK: Councilman DiCicco.

5 COUNCILMAN DICICCO: Aye.

6 THE CLERK: Councilman Goode.

7 COUNCILMAN GOODE: Aye.

8 THE CLERK: Councilman Kenney.

9 COUNCILMAN KENNEY: Aye.

10 THE CLERK: Councilwoman Krajewski.

11 COUNCILWOMAN KRAJEWSKI: Aye.

12 THE CLERK: Councilman Longstreth.

13 COUNCILMAN LONGSTRETH: Aye.

14 THE CLERK: Councilman Mariano.

15 COUNCILMAN MARIANO: Aye.

16 THE CLERK: Councilwoman Miller.

17 COUNCILWOMAN MILLER: Aye.

18 THE CLERK: Councilman Nutter.

19 COUNCILMAN NUTTER: Aye.

20 THE CLERK: Councilman O'Neill.

21 COUNCILMAN O'NEILL: Aye.

22 THE CLERK: Councilman Ortiz.

23 COUNCILMAN ORTIZ: Aye.

24 THE CLERK: Councilwoman Reynolds-Brown.

25 COUNCILWOMAN BROWN: Aye.

1 10/17/02 - STATED - 2ND READING AND FINAL PASSAGE

2 THE CLERK: Councilman Rizzo.

3 COUNCILMAN RIZZO: Aye.

4 THE CLERK: Councilwoman Tasco.

5 COUNCILWOMAN TASCO: Aye.

6 THE CLERK: Council President Verna.

7 COUNCIL PRESIDENT VERNA: Aye.

8 The ayes are 17, the nays are 0. A
9 majority of all Members of Council having voted in
10 the affirmative, this bill passes.

11 I understand that the sponsor of Bill
12 No. 020492 would like us to consider voting on this
13 bill today. Will the Clerk please read the title of
14 the bill.

15 THE CLERK: An ordinance repealing an
16 ordinance Bill No. 010339, authorizing the vacating
17 of Byberry and Bensalem Road from
18 Southampton-Byberry Road to the Philadelphia and
19 Bucks County line.

20 COUNCIL PRESIDENT VERNA: This bill
21 having been read on two different days, the question
22 now is shall the bill pass finally?

23 The Clerk will please call the roll.

24 THE CLERK: Councilwoman Blackwell.

25 COUNCILWOMAN BLACKWELL: Aye.

1 10/17/02 - STATED - 2ND READING AND FINAL PASSAGE
2 THE CLERK: Councilman Clarke.
3 COUNCILMAN CLARKE: Aye.
4 THE CLERK: Councilman Cohen.
5 COUNCILMAN COHEN: Aye.
6 THE CLERK: Councilman DiCicco.
7 COUNCILMAN DICICCO: Aye.
8 THE CLERK: Councilman Goode.
9 COUNCILMAN GOODE: Aye.
10 THE CLERK: Councilman Kenney.
11 COUNCILMAN KENNEY: Aye.
12 THE CLERK: Councilwoman Krajewski.
13 COUNCILWOMAN KRAJEWSKI: Aye.
14 THE CLERK: Councilman Longstreth.
15 COUNCILMAN LONGSTRETH: Aye.
16 THE CLERK: Councilman Mariano.
17 COUNCILMAN MARIANO: Aye.
18 THE CLERK: Councilwoman Miller.
19 COUNCILWOMAN MILLER: Aye.
20 THE CLERK: Councilman Nutter.
21 COUNCILMAN NUTTER: Aye.
22 THE CLERK: Councilman O'Neill.
23 COUNCILMAN O'NEILL: Aye.
24 THE CLERK: Councilman Ortiz.
25 COUNCILMAN ORTIZ: Aye.

1 10/17/02 - STATED - 2ND READING AND FINAL PASSAGE

2 THE CLERK: Councilwoman Reynolds-Brown.

3 COUNCILWOMAN BROWN: Aye.

4 THE CLERK: Councilman Rizzo.

5 COUNCILMAN RIZZO: Aye.

6 THE CLERK: Councilwoman Tasco.

7 COUNCILWOMAN TASCO: Aye.

8 THE CLERK: Council President Verna.

9 COUNCIL PRESIDENT VERNA: Aye.

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

13 The Chair recognizes Councilman Kenney
14 for a motion on Resolution No. 020627.

15 COUNCILMAN KENNEY: Thank you, Madam
16 President. I move for the adoption of the rest
17 lose.

18 (Duly seconded.)

19 COUNCIL PRESIDENT VERNA: It has been
20 moved and properly seconded that Resolution No.
21 020627 be adopted.

22 All in favor will signify by saying aye.

23 (Aye.)

24 COUNCIL PRESIDENT VERNA: Those opposed?

25 (No response.)

1 10/17/02 - STATED - SPEECHES

2 COUNCIL PRESIDENT VERNA: The ayes have
3 it. And Resolution No. 020627 is adopted.

4 This concludes the Calendar for today.

5 Are there speeches on the part minority?

6 (No response.)

7 COUNCIL PRESIDENT VERNA: Are there
8 speeches on the part of the majority?

9 The Chair recognizes Councilwoman
10 Blackwell.

11 COUNCILWOMAN BLACKWELL: Thank you,
12 Madam President. I was very happy to see Ms. Ann
13 Guise who is a committee person for more than, oh, I
14 don't know, 25 years in the 46th Ward with the
15 Bright Lights here this morning. And let me note
16 that she's right, when we were at Whittier School
17 and when she just started all this many, many years
18 ago, and Kwame Ture was there, we read a resolution
19 from Council welcoming him and praising Ann Guise
20 and the students of this program. Upon returning to
21 Council, we were criticized by the JDL about Kwame
22 Ture. And we apologized and said we didn't mean to
23 offend anyone. And obviously, we respect people
24 from every background, every ethnic group, every
25 cultural group. And I just wanted to all these

1 10/17/02 - STATED - SPEECHES

2 years get the opportunity to show that our concern
3 and that our support was borne out of love and
4 respect for Ann Guise and the wonderful program she
5 started. She has an exchange program where she
6 takes kids to Africa every year, somehow does the
7 fund-raising and just has done her part to try to
8 keep nations together and to try to inspire young
9 people to reach out to their roots and learn about
10 other cultures. So we wanted to say thanks to Ann
11 Guise, thanks for the program and to certainly all
12 these years later try to clear the record with
13 regard to our intentions and our concerns in this
14 area for all people.

15 Thank you, Madam President.

16 COUNCIL PRESIDENT VERNA: Thank you.
17 Councilwoman Brown, I understand it was your
18 birthday and I know on all the Members of Council we
19 certainly want to wish you the very best and a
20 wonderful birthday.

21 COUNCILWOMAN BROWN: Thank you.

22 (Applause.)

23 COUNCIL PRESIDENT VERNA: Are there any
24 other speeches on the part of the majority?

25 (No response.)

1 10/17/02 - STATED - SPEECHES

2 COUNCIL PRESIDENT VERNA: Seeing none,
3 the Chair recognizes Councilwoman Tasco.

4 COUNCILWOMAN TASCO: Thank you, Madam
5 President. I move that Council stand adjourned
6 until Thursday, October 24th at 10:00 a.m.

7 (Duly seconded.)

8 COUNCIL PRESIDENT VERNA: It has been
9 moved and properly seconded that Council stands
10 adjourned until Thursday, October 24th at 10:00 a.m.

11 All in favor wil say aye.

12 (Aye.)

13 COUNCIL PRESIDENT VERNA: Those opposed?

14 (No response.)

15 COUNCIL PRESIDENT VERNA: The ayes have
16 it and the motion carries. Thank you.

17 (Council adjourned at 11:10 a.m.)

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C E R T I F I C A T I O N

I HEREBY CERTIFY that the foregoing
proceedings of the Council of the City of
Philadelphia of October 17, 2002, were reported
fully and accurately by me, and that this is a
correct transcript of the same.

RE: STATED MEETING

Lisa C. Bradley, RPR
and Notary Public