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COUNCIL OF THE CITY OF PHILADELPHIA

3

STATED MEETING

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Room 696, City Hall
Philadelphia, Pennsylvania
Thursday, December 11, 2003
10:45 a.m.

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PRESENT:

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COUNCIL PRESIDENT ANNA C. VERNA
COUNCILWOMAN JANNIE BLACKWELL
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 RICHARD T. MARIANO
COUNCILMAN MICHAEL A. NUTTER
COUNCILMAN ANGEL L. ORTIZ
COUNCILMAN RICHARD T. MARIANO
COUNCILWOMAN DONNA REED MILLER
COUNCILWOMAN BLONDELL REYNOLDS BROWN
COUNCILMAN FRANK RIZZO

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PATRICIA RAFFERTY, CHIEF CLERK

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1 12/11/03 - STATED - INVOCATION

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3 COUNCIL PRESIDENT Verna: I note
4 that a quorum of present. The Council will
5 please come to order. Members will take their
6 seats.

7 To give our invocation this morning,
8 the Chair welcomes the Reverend Derrick
9 Thompson, Pastor of Enon Chapel Baptist
10 Church. He is here today as the guest of
11 Councilwoman Blackwell. Members and guests
12 will please rise.

13 REVEREND THOMPSON: Shall we pray?

14 Our God, our Father, today we thank
15 you FOR this time to come, Lord, to bring
16 issues before this Council. Father God, as
17 we're standing in your presence, we pray that
18 you would anoint each and every Councilperson
19 in the mighty name of Christ Jesus.

20 And Father God, today, Lord, as they
21 deal with these issues of industry, business
22 and community, let them be guided with wisdom
23 and understanding that they may pursue these
24 issues wisely.

25 And Father, today, not only that,

1 12/11/03 - STATED - INVOCATION

2 but, Father, those that are homeless and those
3 that have no place to go. Father God, let
4 there be compassion within the hearts of these
5 within this Council Chamber to address these
6 issues on today.

7 And Father God, not only that, we
8 ask, Lord, that you would bless, Lord, this
9 city government, Lord, and that you would make
10 harmony and unity abide within this City.

11 And Father God, where there is envy
12 and strife, bitterness and anger, we ask,
13 Lord, that you would let it subside.

14 And Father God, let harmony abide
15 within these Chambers and within these walls
16 of this Council.

17 Father God, let each and every one
18 of us from various communities with various
19 issues and let them realize, Lord, that we
20 must work together as a family in order to
21 make this a CITY mighty and victorious.

22 We pray in the name of our, Lord.
23 Amen.

24 COUNCIL PRESIDENT VERNA: The Chair
25 thanks Pastor Thompson for his very inspiring

1 12/11/03 - STATED - APPROVAL OF JOURNAL
2 invocation.

3 Council will be at ease.

4 (Council at ease.)

5 COUNCIL PRESIDENT Verna: The next
6 order of business is the approval of the
7 Journal of the meeting of Thursday, December
8 4, 2003.

9 And the Chair recognizes
10 Councilwoman Blackwell.

11 COUNCILWOMAN BLACKWELL: Thank you,
12 Madam President. I move that the Journal of
13 the meeting of Thursday, December 4, 2003,
14 stand approved.

15 (Duly seconded.)

16 COUNCIL PRESIDENT Verna: It has
17 been moved and properly seconded that the
18 Journal of the meeting of the meeting Thursday
19 December 4, 2003, stand approved.

20 All in favor will indicate by saying
21 aye.

22 (Aye.)

23 COUNCIL PRESIDENT Verna: Those
24 opposed?

25 (No response.)

1 12/11/03 - STATED - LEAVES

2 COUNCIL PRESIDENT Verna: The ayes
3 have it. The motion carries, and the Journal
4 of the meeting of Thursday, December 4, 2003,
5 is approved.

6 The next order of business is
7 requests for leaves of absence.

8 And the Chair, again, recognizes
9 Councilwoman Blackwell.

10 COUNCILWOMAN BLACKWELL: Thank you,
11 Madam President. This morning a leave of
12 absence is requested for Councilwoman Tasco.

13 COUNCIL PRESIDENT Verna: The Chair
14 thanks the Councilwoman.

15 Leave will be granted.

16 The Chair recognizes Councilman
17 Rizzo.

18 COUNCILMAN RIZZO: Madam President,
19 I request a leave of absence for Councilman
20 O'Neill.

21 COUNCIL PRESIDENT Verna: The Chair
22 thanks the gentleman.

23 Leave will be granted.

24 The Chair will dispense with the
25 regular order of business to recognize the

1 12/11/03 - STATED - WELCOME

2 guests and visitors joining us in Chambers
3 this morning. On behalf of all Members of
4 City Council, I welcome you to our Council
5 Session. We appreciate your taking the time
6 to join us as we attend to the legislative
7 affairs of our City. We certainly invite you
8 to come again.

9 At this time, I would like to just
10 lay out some ground rules, if I may. As I
11 indicated, you certainly are all welcome, and
12 we are here to conduct business. I am
13 requesting that you all be respectful, we
14 respect you as you respect us. Anyone
15 interfering -- again, I will repeat -- anyone
16 interfering with our Session will be asked to
17 leave. And if they don't leave, they will be
18 escorted out of the Chambers. So I think you
19 can all make your feelings known. I see all
20 of the signs, but we will not have any
21 shouting back and forth. And that will not be
22 permissible. So I think I should make that
23 known from very early on. Thank you very
24 much.

25 At this time, the Chair recognizes

1 12/11/03 - STATED - WELCOME

2 Councilman Nutter.

3 COUNCILMAN NUTTER: Thank you, Madam
4 President. Madam President, I'm pleased to
5 introduce a group to Council today. They are
6 City Year Corps members. They are currently
7 serving at the Mifflin Elementary School.
8 This team has partnered with the Please Touch
9 Museum and the corps members in Council are
10 implementing science all around us curricula,
11 an innovative, hand-on science and math
12 program with elementary school students
13 throughout the City. They are formerly
14 referred to as the Hunt Please Touch Museum
15 Team serving at Mifflin Elementary School.
16 And if it's okay, Madam President, I'd like to
17 recognize them and ask if they would stand and
18 be recognized.

19 COUNCIL PRESIDENT VERA: Welcome.

20 (Applause.)

21 COUNCILMAN NUTTER: Thank you, Madam
22 President.

23 COUNCIL PRESIDENT VERA: You're
24 welcome.

25 At this time, the Chair recognizes

1 12/11/03 - STATED - WELCOME

2 Councilman DiCicco.

3 COUNCILMAN DICICCO: Thank you,
4 Madam President. Bill No. 030740, I am going
5 to holding that bill, contrary to what I had
6 stated in the Caucus Room because of a recent
7 conversation I had with the City Solicitor's
8 Office on a technical issue that may have a
9 serious consequence on the bill, should it be
10 passed today. That's not to suggest that the
11 technical issue will in any way kill the bill,
12 but it's possible that the technical issue may
13 in some way alter the opinion that we were
14 hoping to get from the Solicitor last week.
15 But I just got a call late last night and the
16 Solicitor has not yet sent over his final
17 opinion. So I'm going to hold the bill.

18 I want to apologize to everyone who
19 is here today. We do appreciate your coming
20 out. We know it is difficult for some of you
21 to have to take off and leave your families,
22 but it is the process. It is a process which
23 we all appreciate, whether you're for or
24 against the bill. The bill will be called up
25 for final reading today. At best, it will be

1 12/11/03 - STATED - WELCOME

2 called up next week. Thank you.

3 COUNCILMAN COHEN: Madam President.

4 COUNCIL PRESIDENT VERNA: The Chair
5 recognizes Councilman Cohen.

6 COUNCILMAN COHEN: Before Councilman
7 DiCicco spoke, I was asking for the floor in
8 order to introduce two groups of citizens who
9 are here today asking for the support of City
10 Council.

11 The first are a group of nurses from
12 the Pennsylvania Medical College in East
13 Falls, and I just wanted to welcome them. I'm
14 sure Councilman Nutter will join me in that
15 welcome.

16 Would they please stand.

17 (Applause.)

18 COUNCILMAN COHEN: And the second
19 group are the CITIZENS of Port Richmond. I
20 want to have everybody from Port Richmond
21 stand. Very good. Thank you very much.

22 (Applause.)

23 COUNCILMAN COHEN: Now, if I may
24 address Councilman DiCicco's request.

25 People from Port Richmond came at

1 12/11/03 - STATED - WELCOME

2 great sacrifice. They came through a heavy
3 rain. They came despite the discouragement
4 from the heavens in the form of the rain all
5 night last night and early this morning.

6 I would like to know from Councilman
7 DiCicco what his further plans are? If hes
8 not going to raise it today, is he going to
9 raise it next week? Because Port Richmond is
10 very upset, as you can tell by the number of
11 people here today and who were here last week.
12 And I think the people of Port Richmond are
13 entitled to know what's happening to their
14 neighborhood. And they're particularly
15 entitled --

16 (Applause.)

17 COUNCILMAN COHEN: And they're
18 particularly entitled to it from their
19 representative in City Council, Councilman
20 DiCicco.

21 So I ask you, Councilman DiCicco,
22 are you going to put the people through the
23 miseries again next week? Are they going to
24 have to mobilize to come here maybe in double
25 of numbers? Or is this the end of the bill

1 12/11/03 - STATED - WELCOME

2 for this term of City Council so everybody in
3 Port Richmond can go back to their duties and
4 normal life?

5 COUNCIL PRESIDENT Verna: The Chair
6 recognizes Councilman DiCicco.

7 COUNCILMAN DiCicco: Magnificent job
8 again, Councilman of lobbying against a bill.

9 There are a number of people here
10 both for and against this bill.

11 You're correct, I am the elected
12 official for the 1st Councilmanic District,
13 which encompasses Port Richmond. I don't get
14 any pleasure out of delaying this bill any
15 further. But as you know, and you've been
16 here longer than I have, there is a process.
17 And I'm certainly not to call a bill up for
18 final reading that may have a technical issue
19 which will either kill the bill or have a bill
20 is flawed in such a nature that it will cause
21 even further undue uncertainty on behalf of
22 the community.

23 We're going to do this bill one way
24 or the other. It's either going to get voted
25 up or voted down. I don't want to start this

1 12/11/03 - STATED - WELCOME
2 same process next year in February and put the
3 same folks that you're concerned about, that I
4 am just as concerned with, and having to put
5 them through this again. There are folks in
6 this room who will be happy with my decision
7 or unhappy with my decision. That's what
8 we're elected to do. Sometimes we call it
9 right and sometimes we call it wrong. I have
10 not in any way, shape, or form tried to do
11 anything to keep these folks in the blind.
12 It's been a process that's been going on for
13 15 months now.

14 So I'm not going to debate this bill
15 as we did in the hearing a couple of weeks
16 ago. It's unfortunate, but it's a reality the
17 Solicitor's Office has not yet sent over his
18 opinion on a technical issue that came up
19 around 11 o'clock yesterday morning from the
20 attorneys who represent Northeast Hospital.

21 COUNCILMAN COHEN: Seems to me that
22 people in the community are entitled to full
23 support from their legislative
24 representatives. I'm stunned at what you've
25 done to the people of Port Richmond.

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2 (Applause.)

3 COUNCILMAN DICICCO: Oh, Councilman,
4 let's stop politicking today.

5 COUNCILMAN COHEN: I think you ought
6 to --

7 COUNCILMAN DICICCO: Come on,
8 Councilman. Councilman, with all due respect,
9 you don't attend the meetings in Port
10 Richmond; I do. I do. And there are times
11 when people ask me to do things that I just
12 can't accommodate them all, and that's the
13 nature of our business. But to suggest that I
14 am keeping them in the dark is absolutely
15 false.

16 COUNCILMAN COHEN: Well, to suggest
17 that this has been known to everybody for 15
18 months is also somewhat at variance with the
19 facts. Most of us only learned about it a few
20 days ago --

21 COUNCILMAN DICICCO: How would you
22 know the facts? You weren't at the meetings.
23 You don't represent of district.

24 COUNCILMAN COHEN: -- and that's why
25 people are terribly upset.

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2 COUNCILMAN DICICCO: Councilman, I'm
3 not going to argue with you. I'm holding the
4 bill.

5 COUNCILMAN COHEN: Don't argue with
6 me, but report to the people. Have faith in
7 them. Support to the people in Port Richmond,
8 don't fight them, don't put them through this
9 torture they have of whether you're going to
10 be introducing --

11 (Applause.)

12 COUNCILMAN COHEN: Whether you're
13 going to impose upon them the worst employer
14 in the history of the United States, an
15 employer determined to break down the
16 standards of American working people and
17 introduce into America the third world class
18 standards, the standards we're fighting
19 against everywhere else in the world. We're
20 trying to bring them up to American standards.
21 And this is a company that's trying to reduce
22 American citizens to say this is a third world
23 citizenship by saying, "You have to work for
24 us not on a full-time but on a part-time job,
25 no medical benefits, very low wages, no

1 12/11/03 - STATED - WELCOME

2 retirement benefits and nothing. That's the
3 reason the people are up in arms. You're
4 threatening their lives.

5 (Applause.)

6 COUNCILMAN DICICCO: You know,
7 Councilman, I find it curious that you did not
8 have the same speech when we passed a TIF a
9 few weeks ago for the Whitman Chocolate
10 factory site that will have a Wal-Mart located
11 at location as well.

12 (Applause.)

13 COUNCILMAN DICICCO: There's a
14 Wal-Mart that is being developed on that site
15 as we speak. Councilman, you did not take
16 opposition to that. Maybe it's because there
17 wasn't an audience.

18 COUNCILMAN COHEN: Were there
19 residents from that community protesting? Is
20 it in a residential area?

21 COUNCILMAN DICICCO: Maybe that's
22 why you weren't as vocal then because there
23 wasn't an audience to protest in front of.
24 What could I tell you?

25 You have your way of doing things; I

1 12/11/03 - STATED - WELCOME

2 have my way as well.

3 COUNCILMAN COHEN: I think you owe
4 it to the people here from Port Richmond to
5 tell them what your plans are and not to --

6 COUNCILMAN DICICCO: They will --

7 COUNCIL PRESIDENT Verna: Gentlemen,
8 gentlemen, gentlemen, please. Excuse me. I
9 think you're having conversation between the
10 two Councilmembers. I do believe that
11 Councilman DiCicco said the bill is not coming
12 up for a vote today. There is no reason to go
13 any further on this.

14 COUNCILMAN COHEN: There is Madam
15 President, because every Councilmember has
16 1400 copies of letters from community
17 residents protesting this. And they want to
18 know, can they go home to their families or
19 are they going to continue --

20 COUNCIL PRESIDENT Verna: Councilman
21 Cohen, unfortunately, you are not the sponsor
22 of the bill. The sponsor of the bill is
23 requesting that it not come up for a vote
24 today. At this time, I don't know what we're
25 debating. And for two Councilmembers to have

1 12/11/03 - STATED - COMMUNICATIONS

2 being discussion among each other is improper.
3 It's absolutely improper.

4 Councilman DiCicco, you rest your
5 case. I doubt that Councilman Cohen will, but
6 Councilman I think a request has been made. I
7 think it's a shame that these people had to
8 come in the weather, this horrible weather, as
9 you indicated. And I don't think it's going
10 to get any better. But the bill is not being
11 called up today, so I would suggest that those
12 who were here for a vote, if you're interested
13 in only hearing about this particular bill,
14 you can certainly feel free to leave or stay
15 with us for the rest of our Session. Thank
16 you all very much.

17 (Pause.)

18 COUNCIL PRESIDENT Verna: I would
19 ask that our visitors please leave quietly so
20 we can continue with our Session. Thank you
21 very much.

22 The next order of business is
23 communications.

24 The Chair requests that the
25 Sergeant-at-Arms deliver the messages from the

1 12/11/03 - STATED - COMMUNICATIONS

2 Mayor to the Chief Clerk.

3 The Chief Clerk will please read
4 messages from the Mayor.

5 THE CHIEF CLERK: Madam President, I
6 have no messages today.

7 COUNCIL PRESIDENT Verna: Do you
8 have any other communications?

9 THE CHIEF CLERK: No, Madam
10 President.

11 COUNCIL PRESIDENT Verna: Thank you.

12 The next order of business is the
13 introduction of bills and resolutions.

14 And the Chair recognizes
15 Councilwoman Blackwell for a motion.

16 COUNCILWOMAN BLACKWELL: Thank you,
17 Madam President. I move that the Rules of
18 Council be suspended in order to permit
19 immediate consideration of resolutions at
20 their time of introduction.

21 (Duly seconded.)

22 COUNCIL PRESIDENT Verna: It has
23 been moved and properly seconded that the
24 Rules of Council be suspended so as to permit
25 immediate consideration at the time

1 12/11/03 - STATED - INTRO. OF BILLS

2 resolutions are introduced.

3 All in favor of the motion, please
4 say aye.

5 (Aye.)

6 COUNCILWOMAN VERNA: Those opposed?

7 (No response.)

8 COUNCIL PRESIDENT VERNA: The ayes
9 have it, and the motion carries.

10 The Chair recognizes Councilman
11 Kenney.

12 COUNCILMAN KENNEY: Thank you, Madam
13 President. I offer two resolutions.

14 COUNCIL PRESIDENT VERNA: The Chief
15 Clerk will please read the title of the first
16 resolution.

17 THE CHIEF CLERK: A resolution
18 authorizing City Council's Committee on
19 Legislative Oversight and Committee on Public
20 Safety to hold joint hearings to investigate
21 the alarming high number of incidents in which
22 our school children are struck by vehicles on
23 their way to and from school.

24 COUNCIL PRESIDENT VERNA: The Chair
25 recognizes Councilman Kenney.

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2 COUNCILMAN KENNEY: I move the
3 adoption of the resolution.

4 (Duly seconded.)

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

8 All in favor of the adoption will
9 say aye.

10 (Aye.)

11 COUNCIL PRESIDENT VERNA: Those
12 opposed?

13 (No response.)

14 COUNCIL PRESIDENT VERNA: The ayes
15 have it. And I believe you're requesting that
16 the resolution be referred to Committee, sir?.

17 COUNCILMAN KENNEY: Yes, I am.
18 Thank you.

19 COUNCIL PRESIDENT VERNA: The
20 resolution will be referred to the appropriate
21 Committee.

22 The Clerk will please read the title
23 of the second resolution.

24 THE CHIEF CLERK: A resolution
25 honoring Dominic Sabatini on the occasion of

1 12/11/03 - STATED - INTRO. OF BILLS

2 his retirement as President and CEO of Penn's
3 Landing Corporation.

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

6 COUNCILMAN KENNEY: Move the
7 adoption of the resolution.

8 (Duly seconded.)

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

12 All in favor will indicate by saying
13 aye.

14 (Aye.)

15 COUNCIL PRESIDENT Verna: Those
16 opposed?

17 (No response.)

18 COUNCIL PRESIDENT Verna: The ayes
19 have it, and the motion carries.

20 The Chair recognizes Councilwoman
21 Blackwell.

22 COUNCILWOMAN BLACKWELL: Thank you,
23 Madam President. This morning I introduce one
24 resolution on your behalf.

25 COUNCIL PRESIDENT Verna: Thank you.

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2 The Clerk will please read the title
3 of the resolution.

4 THE CHIEF CLERK: A resolution
5 authorizing the Commissioner of Public
6 Property to execute and deliver to the
7 Redevelopment Authority deeds located in the
8 36th Ward of the City of Philadelphia.

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

11 COUNCILWOMAN BLACKWELL: I move for
12 the adoption.

13 (Duly seconded.)

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

17 All in favor will say aye.

18 (Aye.)

19 COUNCIL PRESIDENT Verna: Those
20 opposed?

21 (No response.)

22 COUNCIL PRESIDENT Verna: The ayes
23 have it, and the resolution is adopted.

24 The Chair recognizes Councilman
25 Cohen.

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2 COUNCILMAN COHEN: Madam President,
3 I'm glad my microphone is at work again. I
4 offer one resolution on behalf of 13 members
5 of City Council.

6 COUNCIL PRESIDENT VERNA: Thank you.
7 The Chief Clerk will please read the
8 title of the resolution.

9 THE CHIEF CLERK: A resolution
10 calling on Tenet Healthcare Corporation, the
11 owner and operator of Medical College of
12 Pennsylvania to acknowledge the vital
13 importance of nurses to patient care by
14 agreeing to a fair and equitable contract with
15 the nursing staff of MCP, Local 112, Office
16 and Professional Employees International Union
17 and by responding positively to the nurses'
18 reasonable demands that the hospital increase
19 staffing, eliminate unsafe forced overtime,
20 and provide affordable healthcare and fair
21 wage increases to their dedicated nursing
22 staff.

23 COUNCIL PRESIDENT VERNA: The Chair
24 recognizes Councilman Cohen.

25 COUNCILMAN COHEN: Madam President,

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2 I wish to speak on this motion and I move its
3 adoption.

4 (Duly seconded.)

5 COUNCIL PRESIDENT Verna: It has
6 been moved and seconded that the resolution be
7 adopted.

8 At this time, the Chair recognizes
9 Councilman Cohen.

10 COUNCILMAN COHEN: Nurses have long
11 been recognized as a group of people who for
12 many, many years received impossibly low
13 wages. They were never recognized fully as
14 workers, though during wartime we would
15 address them for angles for the work they did
16 under all kinds of horrible conditions.

17 Today, in the civilian world, they
18 have a different world. Now they're being
19 over recognized in that the hospital once they
20 come to work doesn't want to let them go home,
21 and at the last minute will tell a nurse, even
22 though she may have all kinds of requirements
23 calling for her to be back at home to tend to
24 her kids, they tell the nurse, "You've got to
25 stay on duty for the next shift or the next

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2 half shift."

3 And the situation in many hospitals,
4 because of the shortage of nurses, has become
5 impossible. Therefore, hospitals have begun
6 to demand compulsory overtime in which a
7 worker has no choice. He's like a slave, he
8 has to obey an order no matter what his own
9 requirements or her own requirements are.
10 That's an impossible situation because the
11 amount of overtime is bad for the nurse and
12 bad, very bad for the patient, because if a
13 patient gets an over-tired nurse, errors can
14 creep into the work of the nurse or the nurse
15 is unable to answer calls.

16 Nurses are fighting, not only for
17 themselves; they're fighting for the quality
18 of life that they're able to afford patients
19 in the hospital. They want decent working
20 conditions for themselves as well as for the
21 patients they're taking care of.

22 Like at Temple University where a
23 strike was averted. This Tenet Hospital
24 apparently was unwilling to take any kind of
25 action until a strike. A strike is almost a

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2 month old. I believe it began on November the
3 11th, and this is December the 11th, so I
4 guess it is a month old.

5 This resolution salutes the work of
6 the nurses because they're doing our job for
7 us. They're making it safer for hospitals for
8 us and they're fighting for themselves at the
9 same time.

10 I urge all my colleagues to support
11 this resolution. And its a resolution that
12 takes effect without regard to place. Any
13 hospital in Philadelphia that tries to both
14 demean the working force and permit the
15 standards in the hospital to become
16 substandard, because that's what it is when
17 you compel people to work 12 or 16 hours a
18 day, day after day. We've got to say no to
19 that because we've got to maintain both right
20 conditions for nurses and right conditions for
21 their patients.

22 So I'm urging everybody to vote yes
23 on this resolution. Thank you, Madam
24 President.

25 COUNCIL PRESIDENT VERA: You're

1 12/11/03 - STATED - INTRO. OF BILLS

2 welcome, Councilman.

3 (Applause.)

4 COUNCIL PRESIDENT VERNA: You're

5 welcome, Councilman.

6 The Chair recognizes Councilman

7 Nutter.

8 COUNCILMAN NUTTER: Thank you, Madam

9 President. I appreciate Councilman Cohen's

10 resolution, and I also recognize the vital

11 service that nurses provide to the healthcare

12 community. This particular hospital is in my

13 district. And quite honestly, it is a shame

14 that the nurses are here with us today as

15 opposed to working in the hospital.

16 Now, I believe that there should be

17 a fair contract between these parties. I'm

18 not involved in the negotiations. And in

19 general, I think Council tries its best,

20 although we are often encouraged, to get

21 involved in negotiations. The nurses provide

22 a vital service. But as with most things,

23 there are usually at least two sides to every

24 story.

25 Now, I'm not taking a particular

1 12/11/03 - STATED - INTRO. OF BILLS
2 position with regard to the nurses or with
3 Tenet. I've worked with the Tenet
4 organization who came here a number of years
5 ago to rescue a bankrupt run-into-the-ground
6 healthcare system by the Allegheny Health
7 System some number of years ago. I've agreed
8 with some of the issues with regard to Tenet,
9 and I've had disagreements with regard to some
10 of the issues with the company and I express
11 them directly. We worked through many issues
12 to have, with that particular system, one of
13 the premiere charity care policies, not only
14 in Philadelphia, but across this country.

15 I would like the nurses to be back
16 to work. I'd like Tenet and the nurses to
17 immediately go into round-the-clock contract
18 negotiations. But I do think, as Councilman
19 Cohen lays out and talks about required
20 service, I do think the record should reflect
21 some additional information.

22 For instance, Madam President, it is
23 my understanding that the hospital and the
24 nurses union met on November 25th. The
25 hospital presented what they felt was a fair

1 12/11/03 - STATED - INTRO. OF BILLS
2 and equitable proposal. On December 1st, the
3 union voted not to ratify the proposed terms.
4 The highlights of this particular proposal, as
5 I understand them, as are follows:

6 On wages, a total of an 11 percent
7 wage increase over the two-year term of the
8 agreement.

9 This main issue, this required stay
10 or mandation or required overtime, that
11 occurs, as I best understand it, only when the
12 hospital must replace last minute call-outs or
13 nurses who are literally absent without leave
14 for their scheduled shift. This allows the
15 hospital time to find a replacement registered
16 nurse to care for patients. I believe that
17 the nurses absolutely are committed to patient
18 care. And so, therefore, the hospital must
19 provide for patient care. The nurses know
20 they must provide for patient care. And when
21 one of their colleagues calls out two hours or
22 less before the start of their shift, the
23 hospital must provide for nurses.

24 The proposed to decrease the number
25 of times the registered nurses would be

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2 mandated, as the term is used, as follows:

3 The hospital will not mandate
4 employees more than an additional four hours
5 per occurrence.

6 The hospital will not mandate an
7 employee more than eight hours a month, a 50
8 percent decrease from the current contract
9 until November 7, 2004; and no more than four
10 hours per month, a 75 decrease from the
11 current contract thereafter.

12 Employees may be excused for
13 mandatory overtime provided the excuse offered
14 for reasons such as child care issues is
15 acceptable to the hospital and may absolutely
16 refuse mandatory overtime three times until
17 November 7, 2004, and no more than two times
18 per year thereafter.

19 The hospital will pay time and a
20 half for all hours worked over 40 in one week.

21 Many of the nurses are part-time
22 employees who receive full-time benefits. And
23 again, as I understand this particular issue,
24 many of the nurses work and as the hospital
25 lays out their payroll on a per-pay-period

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2 basis. So if you work 72 hours or 48 hours
3 per pay period, that means that you work 24
4 hours a week. For most of us, the average
5 workweek is 40 hours a week. This is a
6 situation and the big sticking point here is
7 that when a nurse works more than -- if
8 they're scheduled for 48 hours per pay period
9 if they work more than 24 hours in the course
10 of the week, the nurses want double time for
11 time over the 24 hours in the course of that
12 workweek. Double time for more than the 24
13 hours, not when it goes over 40 hours in the
14 course of the week. This is a fight about
15 double time for hours worked that are not more
16 than the average workweek that most of us are
17 required to work. That's what this particular
18 fight is about.

19 The hospital, I believe, has offered
20 that they will get their regular salary for
21 hours worked over their regular hours and when
22 they exceed 40 hours they will get an overtime
23 rate.

24 Now, I would like the nurses and
25 Tenet to get to the negotiating table. It's

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2 interesting, it is important to have them here
3 in City Council, but no contract is going to
4 be hammered out in this Chamber. They need to
5 be at the negotiating table talking about
6 these particular issues.

7 The Councilman raises the issue of
8 low pay. And I don't think about what other
9 people make. I think that's a personal issue.
10 But there are 110 of the nurses who make
11 anywhere in the course of this current year
12 estimates in salary anywhere from \$70,000 to
13 upwards of \$166,000, working in a hard
14 provision under difficult circumstances
15 working with patients. But I don't want
16 anyone to believe that somehow this is not a
17 good profession. You can make good money in
18 this particular profession. But the patients
19 need care and they need their nurses and they
20 need them in the hospital, not here at City
21 Council.

22 So I would encourage both sides to
23 get to the negotiating table and deal with the
24 issues that are at hand. This required
25 overtime or mandation issue has been very

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2 confusing out in the public environment and
3 needs to be talked about within the confines
4 of a negotiating room on these particular
5 issues. So I encourage the nurses, I
6 encourage Tenet to conduct round-the-clock
7 negotiations to get to the end of this
8 particular issue.

9 The Medical College of Pennsylvania
10 Hospital is a critical institution with a long
11 history. It is a good institution in the East
12 Falls community. We need people to go back to
13 work immediately.

14 Thank you, Madam President.

15 COUNCIL PRESIDENT Verna: You're
16 welcome.

17 It has been moved and seconded that
18 the resolution be adopted.

19 COUNCILMAN COHEN: Madam President.

20 COUNCIL PRESIDENT Verna: I'm sorry,
21 Councilman. Your light was not on.

22 The Chair recognizes Councilman
23 Cohen.

24 COUNCILMAN COHEN: I've always been
25 opposed to Councilmembers taking positions

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2 with boards because suddenly they become --
3 and they have to be if they're members of
4 boards -- supporters of the institution and I
5 think it takes away from objectivity. I
6 believe that the total issue here revolves
7 around the issue of mandatory overtime. All
8 other subjects are open to discussion to
9 debate to conference if the institution is
10 willing to consider it. But when you have a
11 hospital run by a for-profit group, that's
12 what they're interested in is for-profit. And
13 they find it more profit in keeping a low
14 staff number than in filling the positions
15 they ought to fill. If they fill the
16 vacancies that exist, there would be very
17 little need for overtime and there would be no
18 problem.

19 And if I have to believe the
20 different stories between that of management
21 and that of workers, I take the position of
22 workers.

23 Is Councilman Nutter saying that
24 these people who he occasionally defined as
25 very fine people in a fine profession, that

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2 they're not telling us the truth when they
3 tell us their complaint involves basically
4 about mandatory overtime, that the hospital
5 refuses to fill the vacancies? That's the
6 main issue.

7 But if you want to have a debate,
8 I'd be willing to participate in that debate.
9 Let's have a time on it. But let's not fool
10 people. I don't believe it appropriate or
11 proper for a Councilmember serving with a
12 company to speak in Council on behalf of that
13 company. Because I think you can't serve two
14 masters, and the masters are the people of
15 Philadelphia. And if there's any difference
16 on any issue between the workers and
17 management, my long history tells me I believe
18 the workers. I don't believe management
19 because management has an ulterior purpose
20 always in trying to do something cheaper, not
21 better for the patients, not better for the
22 nurses.

23 Therefore, I urge my colleagues to
24 vote overwhelmingly in support of this
25 resolution.

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2 (Applause.)

3 COUNCIL PRESIDENT VERNA: The Chair
4 recognizes Councilman Nutter.

5 COUNCILMAN NUTTER: Thank you, Madam
6 President. I will not prolong this. I do
7 want to clear the record. The councilman, I
8 think, unfortunately, has some bits and pieces
9 of information.

10 First, I'm not speaking on behalf of
11 the entity. I think I made my comments very
12 clear that both parties have a responsibility
13 here, and I have not taken a particular
14 position one way or the other. The Councilman
15 presented a set what he thought was factual
16 pieces of information. I thought the record
17 should be balanced.

18 Second, I am not on the board of
19 this particular organization or corporation.
20 They do have and set up a community board of
21 advisors made of community people that helps
22 to, works to, advise this particular entity
23 when they came to town on how to conduct
24 themselves in particular market please. That
25 community board of advisors was the driving

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2 force behind a charity care policy that is
3 second to none of any hospital in Philadelphia
4 or any hospital system in Philadelphia and has
5 been replicated as a national model.

6 Third, the issue is the required
7 overtime. I would suggest to you,
8 Councilman -- and I'm not commenting on
9 whether people are giving you the right
10 information or not. What I'm suggesting to
11 you, and you well know especially in the
12 business we're in, there are usually three
13 sides to every story; one side, the other
14 side, and somewhere in the middle is the
15 truth.

16 This has been a confused issue about
17 what is required overtime. Every hospital in
18 the City of Philadelphia has some policy with
19 regard to overtime if the nurses call out
20 shortly before their shift is to start. With
21 regard to the vacancies, they should certainly
22 fill the vacancies. I'd encourage them to
23 fill the vacancies, just as we ask the School
24 District to seek to fill vacancies. There is
25 a severe nursing shortage, not just at this

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2 particular hospital, but at many hospitals
3 throughout not only Philadelphia and our
4 region, but cross the United States of
5 America. So we don't have any dispute. I'm
6 going to vote for the resolution. We don't
7 have to have a big debate or a big fight, but
8 I think in this kind of situation, all of the
9 facts should be on the table. And ultimately,
10 whatever's going to happen with those facts,
11 they should be discussed in a negotiating
12 session in a room somewhere away from this
13 particular Council Chamber.

14 So their work is great. They should
15 be paid well. They should have a fair
16 contract. But I think all the factual
17 information about this mandation issue and
18 categorizing it in some way, shape, or form as
19 an alternative form of slavery I think is
20 hyping to some extent the particular issue.
21 If people don't call out sick, people are not
22 asked to stay. But in the contract that's
23 being proposed, people can refuse the
24 mandatory overtime. But some people have
25 enjoyed the mandatory overtime which has

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2 driven some of the annual salaries in excess
3 of a hundred dollars. Now, that's not a bad
4 job.

5 Thank you, Madam President.

6 COUNCIL PRESIDENT Verna: Thank you.

7 The Chair again recognizes
8 Councilman Cohen.

9 COUNCILMAN COHEN: I appreciate
10 Councilman Nutter's explanations, but I must
11 say that this looks to me like an
12 old-fashioned labor dispute in which an
13 employer decides it's much cheaper to keep
14 vacancies and fill them with forced overtime
15 than to hire the necessary number of workers
16 to fill the spots.

17 (Applause.)

18 COUNCILMAN COHEN: And if I have to
19 choose again between a group of people who are
20 going to make a profit from these vacancies
21 and the group of people working, my vote goes
22 with the people are working. And the people
23 who are working live in Philadelphia. They're
24 our residents, they're our voters, they're
25 Philadelphians.

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2 COUNCILMAN NUTTER: Some are, some
3 aren't, Councilman.

4 COUNCILMAN COHEN: All right. But
5 all the ownership of Tenet lives outside the
6 City and they all are operating in
7 Philadelphia only to make a profit. And
8 that's what they're using Philadelphia for.
9 And I don't think that they're entitled to the
10 same kind of support as Philadelphia citizens.

11 Do you tell me that these people are
12 so wealthy, these nurses, that they can afford
13 to go without work, that they have so much
14 money that they enjoy the strike?

15 If so, you ought to join them on the
16 picket lines some days and you will find out
17 real life.

18 I think that this resolution
19 deserves everybody's vote. I'm glad
20 Councilman Nutter is going to vote for it, but
21 I urge you, Councilman Nutter, to begin
22 looking at all the facts and to realize that
23 people who make a profit from something
24 usually have a different point of view than
25 the people who make that profit possible by

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2 their hard work and their dedication to their
3 duties, as these nurses do.

4 Thank you, Madam President.

5 COUNCIL PRESIDENT Verna: Thank you,
6 Councilman.

7 It has been moved and seconded that
8 the resolution be adopted.

9 All in favor will say aye.

10 (Aye.)

11 COUNCIL PRESIDENT Verna: Those
12 oppose?

13 (No response.)

14 COUNCIL PRESIDENT Verna: The ayes
15 have it, and the resolution is adopted.

16 The Chair recognizes Councilwoman
17 Krajewski.

18 COUNCILWOMAN KRAJEWSKI: Madam
19 President, I have no bills or resolutions.

20 COUNCIL PRESIDENT Verna: Thank you.

21 The Chair recognizes Councilman
22 Mariano.

23 COUNCILMAN MARIANO: Madam
24 President, I have one resolution.

25 COUNCIL PRESIDENT Verna: The Clerk

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2 will please read the title of the resolution.

3 THE CHIEF CLERK: A resolution
4 authorizing the Commissioner of Public
5 Property to execute and deliver to the
6 Redevelopment Authority deeds located in the
7 7th, 18th, 19th and 33rd Wards of the City of
8 Philadelphia.

9 COUNCIL PRESIDENT VERNA: The Chair
10 recognizes Councilman Mariano.

11 COUNCILMAN MARIANO: I move for the
12 adoption.

13 (Duly seconded.)

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

17 All in favor will say aye.

18 (Aye.)

19 COUNCIL PRESIDENT VERNA: Those
20 opposed?

21 (No response.)

22 COUNCIL PRESIDENT VERNA: The ayes
23 have it, and the resolution is adopted.

24 The Chair recognizes Councilwoman
25 Miller.

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2 COUNCILWOMAN MILLER: Thank you,
3 Madam President. Today, I have no bills or
4 resolutions.

5 COUNCIL PRESIDENT VERNA: The Chair
6 thanks the Councilwoman.

7 The Chair recognizes Councilman
8 Nutter.

9 COUNCILMAN NUTTER: Thank you, Madam
10 President. I offer one resolution.

11 COUNCIL PRESIDENT VERNA: The Clerk
12 will please read the title of the resolution.

13 THE CHIEF CLERK: A resolution
14 approving the ground lease and sublease
15 concerning the Gustine Recreation Center and
16 Arthur Ashe Youth Tennis and Education
17 formerly known as the Philadelphia Youth
18 Tennis, Inc.

19 COUNCIL PRESIDENT VERNA: The Chair
20 recognizes Councilman Nutter.

21 COUNCILMAN NUTTER: Thank you, Madam
22 President. I move the adoption of the
23 resolution, unless Councilman Cohen wants to
24 debate.

25 (Laughter.)

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

5 All in favor will say aye.

6 (Aye.)

7 COUNCIL PRESIDENT Verna: Those
8 opposed?

9 (No response.)

10 COUNCIL PRESIDENT Verna: The ayes
11 have it, and the resolution is adopted.

12 The Chair recognizes Councilwoman
13 Brown.

14 COUNCILWOMAN BROWN: Thank you,
15 Madam President. I offer no bills or
16 resolutions this morning.

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

19 The Chair recognizes Councilman
20 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
25 Ortiz.

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2 COUNCILMAN ORTIZ: Thank you, Madam
3 President. I have no bills or resolutions.

4 COUNCIL PRESIDENT VERNA: Thank you.

5 The Chair recognizes Councilman
6 DiCicco

7 COUNCILMAN DICICCO: Thank you,
8 Madam President. I offer one resolution.

9 COUNCIL PRESIDENT VERNA: The Clerk
10 will please read the title of the resolution.

11 THE CHIEF CLERK: A resolution
12 authorizing the Commissioner of Public
13 Property to execute and deliver to the
14 redevelopment of the City deeds located in the
15 2nd, 25th, and 31st Wards of the City of
16 Philadelphia.

17 COUNCIL PRESIDENT VERNA: The Chair
18 recognizes Councilman DiCicco.

19 COUNCILMAN DICICCO: I move for the
20 adoption of the resolution, Madam President.

21 (Duly seconded.)

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

25 All in favor will say aye.

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2 (Aye.)

3 COUNCIL PRESIDENT Verna: Those
4 opposed?

5 (No response.)

6 COUNCIL PRESIDENT Verna: The ayes
7 have it, and the resolution is adopted.

8 The Chair recognizes Councilman
9 Clarke.

10 COUNCILMAN CLARKE: Thank you, Madam
11 President. I have two resolutions.

12 COUNCIL PRESIDENT Verna: The Clerk
13 will please read the title of the first
14 resolution.

15 THE CHIEF CLERK: A resolution
16 approving the redevelopment contract and
17 disposition supplement of the Redevelopment
18 Authority of the City of Philadelphia for the
19 redevelopment and urban renewal of a portion
20 of the New Kensington/Fishtown Urban Renewal
21 Area.

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

24 COUNCILMAN CLARKE: I move for the
25 adoption.

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2 (Duly seconded.)

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

6 All in favor will say aye.

7 (Aye.)

8 COUNCIL PRESIDENT Verna: Those
9 opposed?

10 (No response.)

11 COUNCIL PRESIDENT Verna: The ayes
12 have it, and the resolution is adopted.

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

15 COUNCIL PRESIDENT Verna: A
16 resolution approving the redevelopment
17 contract and disposition supplement of the
18 Redevelopment Authority of the City of
19 Philadelphia for redevelopment and urban
20 renewal of a portion of the New
21 Kensington/Fishtown Urban Renewal Area.

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

24 COUNCILMAN CLARKE: Move for the
25 adoption.

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2 (Duly seconded.)

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

6 All in favor will say aye.

7 (Aye.)

8 COUNCIL PRESIDENT Verna: Those
9 opposed?

10 (No response.)

11 COUNCIL PRESIDENT Verna: The ayes
12 have it, and the resolution is adopted.

13 The Chair recognizes Councilman
14 Rizzo.

15 COUNCILMAN RIZZO: Madam President,
16 no bills or resolutions today. Thank you.

17 COUNCIL PRESIDENT Verna: The Chair
18 thanks the gentleman.

19 The next order of business is
20 reports from committees. And the Chair
21 recognizes Councilman Kenney for a report from
22 the Rules Committee.

23 COUNCILMAN KENNEY: Thank you, Madam
24 President. The Committee on Rules reports two
25 bills out with favorable recommendations.

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2 COUNCIL PRESIDENT Verna: Thank you.

3 The Chief Clerk will please read the
4 report.

5 THE CHIEF CLERK: To the President
6 and Members of the Council of the City of
7 Philadelphia, the Committee on Rules to which
8 was referred Bill No. 030767, entitled an
9 ordinance to amend Philadelphia Zoning Maps by
10 changing the zoning designations of certain
11 areas of land located within an area bounded
12 by Filmore Street, the County Line, and Oxford
13 Avenue;

14 And Bill No. 030768, entitled an
15 ordinance amending Title 14 of the
16 Philadelphia Code by amending provisions
17 relating to reconstruction of non-conforming
18 structures, under certain forms and
19 conditions;

20 Respectfully reports it has
21 considered and amended the same and returns
22 the attached bills to Council with a favorable
23 recommendation.

24 COUNCIL PRESIDENT Verna: Thank you.

25 The Chair recognizes Councilman

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2 Kenney.

3 COUNCILMAN KENNEY: Madam President,
4 I move the Rules of Council be suspended so as
5 to permit first reading this day of Bills No.
6 030767 and 030768.

7 (Duly seconded.)

8 COUNCIL PRESIDENT VERNA: It has
9 been moved and properly seconded that the
10 Rules of Council be suspended so as to permit
11 first reading this day of Bill No. 030767 and
12 030678.

13 All in favor will indicated by
14 saying aye

15 (Aye.)

16 COUNCIL PRESIDENT VERNA: Those
17 opposed?

18 (No response.)

19 COUNCIL PRESIDENT VERNA: The ayes
20 have it, and the bills just read will be
21 placed on today's First Reading Calendar.

22 At this time the Chair recognizes
23 Councilwoman Blackwell for a report from the
24 Committee on Finance.

25 COUNCILWOMAN BLACKWELL: Thank you,

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2 Madam President. The Committee on Finance
3 reports out three bills with a favorable
4 recommendation.

5 COUNCIL PRESIDENT Verna: Thank you
6 The Clerk will please read the report.

7 THE CHIEF CLERK: To the President
8 and Members of the Council of the City of
9 Philadelphia, the Committee on Finance to
10 which was referred Bill No. 030769, entitled
11 an ordinance amending Section 19-1303 of the
12 Philadelphia Code entitled Authorization to
13 Offer Exemptions From Real Estate Taxes on an
14 Improvements to Deteriorated Industrial
15 Commercial Or Other Business Properties;

16 And Bill No. 030825, entitled an
17 ordinance authorizing the Philadelphia
18 Authority for Industrial Development to file
19 an application with the Office of the Budget,
20 Commonwealth of Pennsylvania, under the
21 Redevelopment Assistance Capital Program in an
22 aggregate amount not to exceed \$15,350,000;

23 And Bill No. 030826, entitled an
24 ordinance authorizing the City of Philadelphia
25 in cooperation with the Philadelphia Authority

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2 for Industrial Development, to undertake a
3 project to promote the health, safety, and
4 welfare of the residents of the City of
5 Philadelphia supplementing the ordinance, Bill
6 No. 980789, which establish the alternate
7 funding mechanism, all under certain terms and
8 conditions;

9 Respectfully reports it has
10 considered and amended the same and returns
11 the attached bills to Council with favorable
12 recommendation.

13 COUNCIL PRESIDENT VERNA: Thank you.
14 The Chair recognizes Councilwoman Blackwell.

15 COUNCILWOMAN BLACKWELL: Thank you,
16 Madam President. I move that the rules of
17 Council be suspended so as to permit first
18 reading today of Bill Nos. 030769, 030825 and
19 030826.

20 (Duly seconded.)

21 COUNCIL PRESIDENT VERNA: It has
22 been moved and properly seconded that the
23 Rules of Council be suspended so as to permit
24 first reading this day of Bill Nos. 030769,
25 030825 and 030826.

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2 All in favor will indicate by saying
3 aye.

4 (Aye.)

5 COUNCIL PRESIDENT VERNA: Those
6 opposed?

7 (No response.)

8 COUNCIL PRESIDENT VERNA: The ayes
9 have it, and the bills just read will be
10 placed on today's First Reading Calendar.

11 The Chair recognizes Councilman
12 Kenney for a report Committee on Public
13 Property and Public Works.

14 COUNCILMAN KENNEY: Thank you, Madam
15 President. The Committee on Public Property
16 and Public Works reports four bills out with
17 favorable recommendations.

18 COUNCIL PRESIDENT VERNA: The Clerk
19 will please read report.

20 THE CHIEF CLERK: To the President
21 and Members of the Council of the City of
22 Philadelphia, the Committee on Public Property
23 to which was referred Bill No. 030742,
24 entitled an ordinance authorizing the
25 Commissioners of Fairmount Park and the

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2 Commissioner of Public Property on behalf of
3 the City of Philadelphia to transfer two
4 certain lots or pieces of ground situate in
5 the vicinity of McNulty and Townsend Roads;

6 And Bill No. 030743, entitled an
7 ordinance amending Bill No. 990728 by
8 extending the time for compliance with
9 conditions until December 31, 2004;

10 And Bill No. 030785, entitled an
11 ordinance authorizing the Philadelphia
12 Authority for Industrial Development to
13 purchase a certain tract of land situate in
14 the northwest corner of the Roosevelt
15 Boulevard and Southampton Road;

16 And Bill No. 030788, entitled an
17 ordinance authorizing the Commissioner of
18 Public Property on behalf of the City of
19 Philadelphia to purchase fee simple title to a
20 certain parcel of land with the building and
21 improvements thereon situate in the northwest
22 side of Algon Avenue of Fox Chase Road, all
23 under certain terms and conditions;

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

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2 bills to Council with a favorable
3 recommendation.

4 COUNCIL PRESIDENT VERNA: The Chair
5 again recognizes Councilman Kenney.

6 COUNCILMAN KENNEY: Madam President,
7 I move that the Rules of Council be suspended
8 so as to permit first reading this day of
9 Bills No. 030742, 030743, 030785 and 030788.

10 (Duly seconded.)

11 COUNCIL PRESIDENT VERNA: It has
12 been moved and properly seconded that the
13 rules of Council be suspended so as to permit
14 first reading this day of Bill Nos. 030742,
15 030743, 030785 and 030788.

16 All in favor will say aye.

17 (Aye.)

18 COUNCIL PRESIDENT VERNA: Those
19 opposed?

20 (No response.)

21 COUNCIL PRESIDENT VERNA: The ayes
22 have it, and the bills just read will be
23 placed on today's First Reading Calendar.

24 The Chair recognizes Councilman
25 DiCicco for a report from the Committee on

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2 Streets and Services.

3 COUNCILMAN DICICCO: Thank you,
4 Madam President. The Committee on Streets and
5 Services reports 11 bills with a favorable
6 recommendation.

7 COUNCIL PRESIDENT VERNA: Thank you.
8 The Chief Clerk will please read the
9 report.

10 THE CHIEF CLERK: To the President
11 and Members of the Council City of
12 Philadelphia, the Committee on Streets and
13 Services to which was referred Bill No.
14 030731, entitled an ordinance authorizing the
15 revision of lines and grades on a portion of
16 City Plan No. 152 by striking from the City
17 Plan and vacating Regent Street from 67th
18 Street to 66th Street;

19 And Bill No. 030732, entitled an
20 ordinance authorizing the paving of Reserve
21 Boulevard, Tuscan Drive and Capri Drive;

22 And Bill No. 030733, entitled an
23 ordinance authorizing the revision of lines
24 and grades on a portion of City Plan No. 46-S
25 of an area bounded by 20th Street, Pattison

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2 Avenue, Penrose Avenue and Hartranft Street;

3 And Bill No. 030734, entitled an

4 ordinance amending Section 2 of an ordinance,

5 Bill No. 020429, approved November 13, 2002

6 entitled an ordinance authorizing the revision

7 of lines and grades on a portion of City Plan

8 No. 258 and striking from the City Plan and

9 vacating Brill Street from Torresdale Avenue

10 to Harbison Avenue;

11 And Bill No. 030735, entitled an

12 ordinance establishing a "No Trucking Parking"

13 regulation on Friendship Street between Dorcas

14 Street and Algon Avenue;

15 And Bill No. 030736, entitled an

16 ordinance authorizing the striking from City

17 Plan No. 178 and abandoning of a right-of-way

18 for drainage purposes between Ogontz Avenue

19 and Belfield Avenue;

20 And Bill No 030737, entitled an

21 ordinance to authorize the Water Commissioner

22 on behalf of the City to enter into an

23 agreement with the owner of the property of

24 5400 City Line Avenue;

25 And Bill No. 030738, entitled an

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2 ordinance authorizing the Water Commissioner
3 on behalf of the City to enter into an
4 agreement with the owners of the property of a
5 private street known as Anthony Lane;

6 And Bill No. 030739, entitled an
7 ordinance authorizing Thomas Jefferson
8 University to maintain an underground
9 pneumatic conduit duct bank;

10 And Bill No. 030741, entitled an
11 ordinance authorizing the revision of lines of
12 grades on a portion of City Plan No. 384 by
13 widening Southampton Road.

14 And Bill No. 030784, entitled an
15 ordinance amending Chapter 10-700 of the
16 Philadelphia Code entitled "Refuse and
17 Litter," by adding a new provision providing
18 for an "adopt-a-block" program, all under
19 certain terms and conditions;

20 Respectfully reports it has
21 considered the same and returns the attached
22 bills to Council with a favorable
23 recommendation.

24 COUNCIL PRESIDENT VERA: Thank you.

25 The Chair recognizes Councilman

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2 DiCicco.

3 COUNCILMAN DICICCO: Thank you,
4 Madam President. I move that the Rules of
5 Council be suspended so as to permit first
6 reading on the 11 bills that have just been
7 read into the record this day.

8 (Duly seconded.)

9 COUNCIL PRESIDENT VERNA: It has
10 been moved and properly seconded that the
11 Rules of Council be suspended so as to permit
12 first reading this day of the 11 bills just
13 read.

14 All in favor will indicate by saying
15 aye.

16 (Aye.)

17 COUNCIL PRESIDENT VERNA: Those
18 opposed?

19 (No response.)

20 COUNCIL PRESIDENT VERNA: The ayes
21 have it, and the bills, as read, will be
22 placed on today's First Reading Calendar.

23 The Chair at this time recognizes
24 Councilman Mariano for a report from the
25 Committee on Licenses and Inspections are.

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2 COUNCILMAN MARIANO: Thank you,
3 Madam President. The Committee on Licenses
4 and Inspections reports 12 bills out with a
5 favorable recommendation.

6 COUNCIL PRESIDENT Verna: Thank you.
7 The Chief Clerk will please read the
8 report.

9 COUNCIL PRESIDENT Verna: To the
10 President and Members of the City of
11 Philadelphia, the Committee on License and
12 Inspections to which was referred Bill No.
13 030682, entitled an ordinance amending Title
14 10 of the Philadelphia Code entitled
15 "Regulation of Individual Conduct and
16 Activity," by amending Chapter 10-400 entitled
17 "Noise and Excessive Vibration";

18 And Bill No. 030772, entitled an
19 ordinance repealing Subcode M, the
20 Philadelphia Mechanical Code, of Title 4 of
21 the Philadelphia Code;

22 And Bill No. 030773, entitled an
23 ordinance amending Title 4 by adopting and
24 incorporating with certain additions,
25 deletions and amendments the 2003

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2 International Performance Code;

3 And Bill No. 030774, entitled an
4 ordinance amending Title 4 of the Philadelphia
5 Code entitled the Philadelphia Building
6 Construction Code, the Property Maintenance
7 Code.

8 And Bill 030775, entitled an
9 ordinance amending Title 4 of the Philadelphia
10 Code, the 2003 International Fuel Gas Code as
11 the Philadelphia Fuel Gas Code;

12 And Bill No. 030776, an ordinance
13 repealing Subcode F, the Philadelphia Fire
14 Prevention Code of Title 4 of the Philadelphia
15 Code;

16 And Bill No. 030777, entitled an
17 ordinance amending Title 4 of the Philadelphia
18 Code as the Philadelphia Energy Conservative
19 Code;

20 And Bill No. 030778, entitled the
21 ordinance amending Title 4 of the Philadelphia
22 Code as the Philadelphia Existing Building
23 Code;

24 And Bill No. 030779, entitled an
25 ordinance repealing Subcode B, the

1 12/11/03 - STATED - REPORTS

2 Philadelphia Building Code, the Building
3 Construction and Occupancy Code;

4 And Bill No. 030780, entitled an
5 ordinance amending Title 4 of the Philadelphia
6 Code by amending Subcode A, the Philadelphia
7 Administrative Code;

8 And Bill No. 030781, entitled an
9 ordinance repealing Subcode E, the
10 Philadelphia Electrical Code of Title 4 of the
11 Philadelphia Electrical Code;

12 And Bill No. 030782, entitled an
13 ordinance amending Title 4 of the Philadelphia
14 Code, the 2003 International Residential Code
15 for one and two family dwellings as the
16 Philadelphia Residential Code, under certain
17 terms and conditions;

18 Respectfully reports it has
19 considered and amended the same and returns
20 the attached bills to Council with a favorable
21 recommendation.

22 COUNCIL PRESIDENT VERNA: Thank you.

23 The Chair again recognizes
24 Councilman Mariano.

25 COUNCILMAN MARIANO: Thank you,

1 12/11/03 - STATED - REPORTS

2 Madam Chair. I move that the Rules of Council
3 be suspended so as to permit first reading
4 this day of Bills No. 030682, 030772, 030773,
5 030774, 030775, 030776, 030777, 030778,
6 030779, 030780, 030781 and 030782.

7 (Duly seconded.)

8 COUNCIL PRESIDENT Verna: It has
9 been moved and properly seconded that the
10 bills just read be reported out of Committee
11 with favorable recommendation and the Rules of
12 Council be suspended so as to permit first
13 reading this day.

14 All in favor will indicate by saying
15 aye.

16 (Aye.)

17 COUNCIL PRESIDENT Verna: Those
18 opposed?

19 (No response.)

20 COUNCIL PRESIDENT Verna: The ayes
21 have it. The bills just read will be placed
22 on today's First Reading Calendar.

23 At this time the Chair recognizes
24 Councilman Clarke for a report from the
25 Committee on Labor and Civil Service.

1 12/11/03 - STATED - REPORTS

2 THE CHIEF CLERK: To the President
3 and Members of the Council of the City of
4 Philadelphia, the Committee on Labor and Civil
5 Service to which was referred Bill No. 030827,
6 entitled an ordinance amending Title 22 of the
7 Philadelphia Code entitled "Public Employees
8 Retirement Code," by amending Section 22-305
9 relating to maximum benefit limitations
10 imposed by the Internal Revenue Code;
11 respectfully reports it has considered the
12 same and returns the attached bill to Council
13 with a favorable recommendation.

14 COUNCIL PRESIDENT VERNA: Thank you.

15 The Chair recognizes Councilman
16 Clarke.

17 COUNCILMAN CLARKE: Somewhat out of
18 order, Madam President, the Committee on Labor
19 and Civil Service reports one bill with
20 favorable recommendation.

21 COUNCIL PRESIDENT VERNA: Thank you.

22 And the bill was read so, again, I will
23 recognize you for a motion, please.

24 THE CHIEF CLERK: Thank you, Madam
25 President. Madam President, I move that the

1 12/11/03 - STATED - FIRST READING

2 Rules of Council be suspended as to permit
3 first reading this day of Bill No. 030827.

4 (Duly seconded.)

5 COUNCIL PRESIDENT VERNA: It has
6 been moved and properly seconded that the
7 Rules of Council be suspended so as to permit
8 first reading this day of Bill No. 030827.

9 All in favor will indicate by saying
10 aye.

11 (Aye.)

12 COUNCIL PRESIDENT VERNA: Those
13 opposed?

14 (No response.)

15 COUNCIL PRESIDENT VERNA: The ayes
16 have it. The motion carries, and the bill
17 just read will be placed on today's First
18 Reading Calendar.

19 That completes the reports from
20 committees.

21 Our next order of business is the
22 consideration of the Calendar.

23 The Chief Clerk will please read the
24 bills on the First Reading Calendar.

25 COUNCIL PRESIDENT VERNA: Bill No.

1 12/11/03 - STATED - FIRST READING
2 030767, an ordinance to amend Philadelphia
3 Zoning Maps by changing the zoning
4 designations of certain areas of land located
5 within an area bounded by Filmore Street, the
6 County Line, and Oxford Avenue.

7 COUNCIL PRESIDENT Verna: The Chair
8 agrees.

9 THE CHIEF CLERK: And Bill No.
10 030768, an ordinance amending Title 14 of the
11 Philadelphia Code entitled "Zoning and
12 Planning," by amending provisions relating to
13 reconstruction of non-conforming structures,
14 under certain forms and conditions.

15 COUNCIL PRESIDENT Verna: The Chair
16 agrees.

17 THE CHIEF CLERK: And Bill No.
18 030769 an ordinance amending Section 19-1303
19 of the Philadelphia Code entitled
20 Authorization to Offer Exemptions From Real
21 Estate Taxes on Improvements to Properties,
22 under certain terms and conditions.

23 COUNCIL PRESIDENT Verna: The Chair
24 agrees.

25 THE CHIEF CLERK: And Bill No.

1 12/11/03 - STATED - FIRST READING

2 030825, an ordinance authorizing the
3 Philadelphia Authority for Industrial
4 Development to file an application with the
5 Office of the Budget, Commonwealth of
6 Pennsylvania, under the Redevelopment
7 Assistance Capital Program, under certain
8 terms and conditions.

9 COUNCIL PRESIDENT Verna: The Chair
10 agrees.

11 THE CHIEF CLERK: And Bill No.
12 030826, an ordinance authorizing the City of
13 Philadelphia in cooperation with the
14 Philadelphia Authority for Industrial
15 Development, to undertake a project to promote
16 the health, safety, and welfare of the
17 residents of the City of Philadelphia
18 supplementing the ordinance, Bill No. 980789,
19 which establish the alternate funding
20 mechanism, all under certain terms and
21 conditions.

22 COUNCIL PRESIDENT Verna: The Chair
23 agrees.

24

25 THE CHIEF CLERK: Bill No. 030742,

1 12/11/03 - STATED - FIRST READING

2 an ordinance authorizing the Commissioners of
3 Fairmount Park and the Commissioner of Public
4 Property on behalf of the City of Philadelphia
5 to transfer two certain lots or pieces of
6 ground situate in the vicinity of McNulty and
7 Townsend Roads.

8 COUNCIL PRESIDENT Verna: The Chair
9 agrees.

10 THE CHIEF CLERK: And Bill No.
11 030743, an ordinance amending Bill No. 990728,
12 approved December 6, 1999, by extending the
13 time for compliance with conditions until
14 December 31, 2004.

15 COUNCIL PRESIDENT Verna: The Chair
16 agrees.

17 THE CHIEF CLERK: And Bill No.
18 030785, an ordinance authorizing the
19 Philadelphia Authority for Industrial
20 Development to purchase a certain tract of
21 land situate in the northwest corner of the
22 Roosevelt Boulevard and Southampton Road.

23 COUNCIL PRESIDENT Verna: The Chair
24 agrees.

25 THE CHIEF CLERK: And Bill No.

1 12/11/03 - STATED - FIRST READING

2 030788, an ordinance authorizing the
3 Commissioner of Public Property on behalf of
4 the City of Philadelphia to purchase fee
5 simple title to a certain parcel of land with
6 the building and improvements thereon situate
7 in the northwest side of Algon Avenue of Fox
8 Chase Road.

9 COUNCIL PRESIDENT Verna: The Chair
10 agrees.

11 THE CHIEF CLERK: Bill No. 030731,
12 an ordinance authorizing the revision of lines
13 and grades on a portion of City Plan No. 152
14 by striking from the City Plan and vacating
15 Regent Street.

16 COUNCIL PRESIDENT Verna: The Chair
17 agrees.

18 THE CHIEF CLERK: And Bill No.
19 030732, an ordinance authorizing the paving of
20 Reserve Boulevard, Tuscan Drive and Capri
21 Drive, under certain terms and conditions.

22 COUNCIL PRESIDENT Verna: The Chair
23 agrees.

24 THE CHIEF CLERK: And Bill No.
25 030733, an ordinance authorizing the revision

1 12/11/03 - STATED - FIRST READING
2 of lines and grades on a portion of City Plan
3 No. 46-S of an area bounded by 20th Street,
4 Pattison Avenue, Penrose Avenue and Hartranft
5 Street.

6 COUNCIL PRESIDENT Verna: The Chair
7 agrees.

8 THE CHIEF CLERK: And Bill No.
9 030734, an ordinance amending Section 2 of an
10 ordinance, Bill No. 020429, approved November
11 13, 2002, by striking from the City Plan and
12 vacating a triangle section of Harbison
13 Avenue.

14 COUNCIL PRESIDENT Verna: The Chair
15 agrees.

16 THE CHIEF CLERK: And Bill No.
17 030735, an ordinance establishing a "No
18 Trucking Parking" regulation on Friendship
19 Street between Dorcas Street and Algon Avenue.

20 COUNCIL PRESIDENT Verna: The Chair
21 agrees.

22 THE CHIEF CLERK: And Bill No.
23 030736, an ordinance authorizing the striking
24 from City Plan No. 178 and abandoning of a
25 right-of-way for drainage purposes, under

1 12/11/03 - STATED - FIRST READING

2 certain terms and conditions.

3 COUNCIL PRESIDENT VERNA: The Chair
4 agrees.

5 THE CHIEF CLERK: And Bill No
6 030737, an ordinance to authorize the Water
7 Commissioner on behalf of the City of
8 Philadelphia to enter into an agreement with
9 the owner of the property of 5400 City Line
10 Avenue.

11 COUNCIL PRESIDENT VERNA: The Chair
12 agrees.

13 THE CHIEF CLERK: And Bill No.
14 030738, an ordinance authorizing the Water
15 Commissioner on behalf of the City to enter
16 into an agreement with the owners of the
17 property located 8816 Ridge Avenue.

18 COUNCIL PRESIDENT VERNA: The Chair
19 agrees.

20 THE CHIEF CLERK: And Bill No.
21 030739, an ordinance authorizing Thomas
22 Jefferson University to maintain an
23 underground pneumatic conduit duct bank, under
24 certain terms and conditions.

25 COUNCIL PRESIDENT VERNA: The Chair

1 12/11/03 - STATED - FIRST READING

2 agrees.

3 THE CHIEF CLERK: And Bill No.

4 030741, an ordinance authorizing the revision
5 of lines of grades on a portion of City Plan
6 No. 384 by widening Southampton Road.

7 COUNCIL PRESIDENT VERNA: The Chair
8 agrees.

9 THE CHIEF CLERK: And Bill No.
10 030784, an ordinance amending Chapter 10-700
11 of the Philadelphia Code entitled "Refuse and
12 Littering," under certain terms and
13 conditions.

14 COUNCIL PRESIDENT VERNA: The Chair
15 agrees.

16 THE CHIEF CLERK: And Bill No.
17 030682, an ordinance amending Title 10 of the
18 Philadelphia Code entitled "Regulation of
19 Individual Conduct and Activity," all under
20 certain terms and conditions.

21 COUNCIL PRESIDENT VERNA: The Chair
22 agrees.

23 THE CHIEF CLERK: And Bill No.
24 030772, an ordinance repealing Subcode M, the
25 Philadelphia Mechanical Code, of Title 4 of

1 12/11/03 - STATED - FIRST READING

2 the Philadelphia Code, under certain terms and
3 conditions.

4 COUNCIL PRESIDENT Verna: The Chair
5 agrees.

6 THE CHIEF CLERK: And Bill No.
7 030773, an ordinance amending Title 4 of the
8 Philadelphia Code, entitled the Philadelphia
9 Building Code, under certain terms and
10 conditions.

11 COUNCIL PRESIDENT Verna: The Chair
12 agrees.

13 THE CHIEF CLERK: And Bill No.
14 030774, an ordinance amending Title 4 of the
15 Philadelphia Code entitled the Philadelphia
16 Building Construction and Occupancy Code,
17 under certain terms and conditions.

18 COUNCIL PRESIDENT Verna: The Chair
19 agrees.

20 THE CHIEF CLERK: And Bill 030775,
21 an ordinance amending Title 4 of the
22 Philadelphia Code, all under certain terms and
23 conditions.

24 COUNCIL PRESIDENT Verna: The Chair
25 agrees.

1 12/11/03 - STATED - FIRST READING

2 THE CHIEF CLERK: And Bill No.

3 030776, an ordinance repealing Subcode F, the
4 Philadelphia Fire Prevention Code, all under
5 certain terms and conditions.

6 COUNCIL PRESIDENT VERNA: The Chair
7 agrees.

8 THE CHIEF CLERK: And Bill No.

9 030777, an ordinance amending Title 4 of the
10 Philadelphia Code as the Philadelphia Energy
11 Conservative Code, under certain terms and
12 conditions.

13 COUNCIL PRESIDENT VERNA: The Chair
14 agrees.

15 THE CHIEF CLERK: And Bill No.

16 030778, the ordinance amending Title 4 of the
17 Philadelphia Code, entitled the Philadelphia
18 Building Construction and Occupancy Code,
19 under certain terms and conditions.

20 COUNCIL PRESIDENT VERNA: The Chair
21 agrees.

22 THE CHIEF CLERK: And Bill No.

23 030779, an ordinance repealing Subcode B, the
24 Philadelphia Building Code, under certain
25 terms and conditions.

1 12/11/03 - STATED - FIRST READING

2 COUNCIL PRESIDENT VERNA: The Chair
3 agrees.

4 THE CHIEF CLERK: And Bill No.
5 030780, an ordinance amending Title 4 of the
6 Philadelphia Code by modifying certain
7 administrative and enforcement provisions,
8 under certain terms and conditions.

9 COUNCIL PRESIDENT VERNA: The Chair
10 agrees.

11 THE CHIEF CLERK: And Bill No.
12 030781, an ordinance repealing Subcode E, the
13 Philadelphia Electrical Code, under certain
14 terms and conditions.

15 COUNCIL PRESIDENT VERNA: The Chair
16 agrees.

17 THE CHIEF CLERK: And Bill No.
18 030782, an ordinance amending Title 4 of the
19 Philadelphia Code, of the Philadelphia
20 Building Code, under certain terms and
21 conditions.

22 COUNCIL PRESIDENT VERNA: The Chair
23 agrees.

24 THE CHIEF CLERK: And Bill No.
25 030827 an ordinance amending Title 22 of the

1 12/11/03 - STATED - SECOND READING

2 Philadelphia Code entitled "Public Employees
3 Retirement Code," by amending Section 22-305
4 relating to maximum benefit limitations
5 imposed by the Internal Revenue Code.

6 COUNCIL PRESIDENT Verna: Thank you.
7 That completes the First Reading Calendar.

8 The Chair now recognizes
9 Councilwoman Blackwell for the purpose of
10 calling up bills on the Second Reading and
11 Final Passage Calendar.

12 COUNCILWOMAN BLACKWELL: Thank you,
13 Madam President. Today Bill No. 010368AAA,
14 Bill No. 030670, 030709 --

15 COUNCIL PRESIDENT Verna: Excuse me.
16 What page is that, Councilwoman?

17 COUNCILWOMAN BLACKWELL: Which one?

18 COUNCIL PRESIDENT Verna: 030709.

19 I believe there's one on Page 2
20 that's being called for consideration, Bill
21 No. 030662A.

22 Councilman Clarke, I believe we were
23 told in caucus that was a go? Page 2.

24 COUNCILMAN CLARKE: Yes, Madam
25 President.

1 12/11/03 - STATED - SECOND READING

2 COUNCILWOMAN BLACKWELL: Thank you,
3 Madam President. I didn't have that. Thank
4 you very much.

5 So 030662A, then 030760, 030709,
6 030721 --

7 COUNCIL PRESIDENT VERNA: I'm sorry.
8 Councilwoman, did you call 030670?

9 COUNCILWOMAN BLACKWELL: Yes, ma'am.

10 COUNCIL PRESIDENT VERNA: Okay. And
11 then what's next? It's difficult following it
12 on this.

13 COUNCILWOMAN BLACKWELL: 030670,
14 030709, 030721, 030730, 030656, and 030771, in
15 addition to the two mentioned earlier which
16 were 010368aaa and 030662A. All these bills
17 are being called up for second reading and
18 final passage.

19 COUNCIL PRESIDENT VERNA: Thank you
20 Councilwoman.

21 The Clerk will please read the title
22 of Bill No. 010368AAA.

23 THE CHIEF CLERK: An ordinance
24 amending Title 14 of the Philadelphia Code,
25 entitled "Zoning and Planning," by amending

1 12/11/03 - STATED - SECOND READING

2 Section 14-306 entitled C-7 Commercial
3 District, by deleting certain uses from the
4 list of uses that are permitted in C-7
5 Commercial District, all under certain terms
6 and conditions.

7 COUNCIL PRESIDENT VERNA: This bill
8 having been read on two different days, the
9 question now is shall the bill pass finally?

10 The Clerk will please call the roll.

11 THE CHIEF CLERK: Councilwoman
12 Blackwell.

13 COUNCILWOMAN BLACKWELL: Aye.

14 THE CHIEF CLERK: Councilman Clarke.

15 COUNCILMAN CLARKE: Aye.

16 THE CHIEF CLERK: Councilman Cohen.

17 COUNCILMAN COHEN: Aye.

18 THE CHIEF CLERK: Councilman

19 DiCicco.

20 COUNCILMAN DICICCO: Aye.

21 THE CHIEF CLERK: Councilman Goode.

22 COUNCILMAN GOODE: Aye.

23 THE CHIEF CLERK: Councilman Kenney.

24 COUNCILMAN KENNEY: Aye.

25 THE CHIEF CLERK: Councilwoman

1 12/11/03 - STATED - SECOND READING
2 Krajewski.
3 COUNCILWOMAN KRAJEWSKI: Aye.
4 THE CHIEF CLERK: Councilman
5 Mariano.
6 COUNCILMAN MARIANO: Aye.
7 THE CHIEF CLERK: Councilwoman
8 Miller.
9 COUNCILWOMAN MILLER: Aye.
10 THE CHIEF CLERK: Councilman Nutter.
11 COUNCILMAN NUTTER: Aye.
12 THE CHIEF CLERK: Councilman Ortiz.
13 COUNCILMAN ORTIZ: Aye.
14 THE CHIEF CLERK: Councilwoman
15 Reynolds Brown.
16 COUNCILWOMAN REYNOLDS BROWN: Aye.
17 THE CHIEF CLERK: Councilman Rizzo.
18 COUNCILMAN RIZZO: Aye.
19 THE CHIEF CLERK: Council President
20 Verna.
21 COUNCIL PRESIDENT VERNA: Aye.
22 The ayes are 14, the nays are 0. A
23 majority of all Members having voted in the
24 affirmative, the bill passes.
25 The next bill to be called for

1 12/11/03 - STATED - SECOND READING

2 consideration is Bill No. 030662A.

3 THE CHIEF CLERK: An ordinance
4 authorizing the Commissioner of Public
5 Property to execute and deliver to the
6 Redevelopment Authority of City a deed
7 authorizing the Redevelopment Authority to
8 convey to the Mount Tabor Community Education
9 and Economic Development Corporation without
10 consideration the below described property for
11 the non-profit housing development.

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 THE CHIEF CLERK: Councilwoman
17 Blackwell.

18 COUNCILWOMAN BLACKWELL: Aye.

19 THE CHIEF CLERK: Councilman Clarke.

20 COUNCILMAN CLARKE: Aye.

21 THE CHIEF CLERK: Councilman Cohen.

22 COUNCILMAN COHEN: Aye.

23 THE CHIEF CLERK: Councilman
24 DiCicco.

25 COUNCILMAN DICICCO: Aye.

1 12/11/03 - STATED - SECOND READING

2 THE CHIEF CLERK: Councilman Goode.

3 COUNCILMAN GOODE: Aye.

4 THE CHIEF CLERK: Councilman Kenney.

5 COUNCILMAN KENNEY: Aye.

6 THE CHIEF CLERK: Councilwoman

7 Krajewski.

8 COUNCILWOMAN KRAJEWSKI: Aye.

9 THE CHIEF CLERK: Councilman

10 Mariano.

11 COUNCILMAN MARIANO: Aye.

12 Council President I want to aye on

13 this bill and want be excused from Council and

14 leave votes of yes for the rest of the votes

15 on Council, the bills whatever comes up today.

16 COUNCIL PRESIDENT VERNA: Are you

17 asking to be excused?

18 COUNCILMAN MARIANO: Thank you.

19 COUNCIL PRESIDENT VERNA: Very well.

20 Councilman Mariano is excused.

21 THE CHIEF CLERK: Councilwoman

22 Miller.

23 COUNCILWOMAN MILLER: Aye.

24 THE CHIEF CLERK: Councilman Nutter.

25 COUNCILMAN NUTTER: Aye.

1 12/11/03 - STATED - SECOND READING

2 THE CHIEF CLERK: Councilman Ortiz.

3 COUNCILMAN ORTIZ: Aye.

4 THE CHIEF CLERK: Councilwoman

5 Reynolds Brown.

6 COUNCILWOMAN REYNOLDS BROWN: Aye.

7 THE CHIEF CLERK: Councilman Rizzo.

8 COUNCILMAN RIZZO: Aye.

9 THE CHIEF CLERK: Council President

10 Verna.

11 COUNCIL PRESIDENT VERNA: Aye.

12 The ayes are 14, the nays are 0. A
13 majority of all Members having voted in the
14 affirmative, the bill passes.

15 The next bill being called for
16 consideration is Bill No. 030670.

17 THE CHIEF CLERK: An ordinance to
18 amend the Philadelphia Zoning Maps by changing
19 the zoning designations of certain areas of
20 land located within an area bounded by Second
21 Street, Turner Street, Hancock street and
22 Oxford Street.

23 COUNCIL PRESIDENT VERNA: This bill
24 having been read on two different days, the
25 question now is shall the bill pass finally.

1 12/11/03 - STATED - SECOND READING
2 The Clerk will please call the roll.
3 THE CHIEF CLERK: Councilwoman
4 Blackwell.
5 COUNCILWOMAN BLACKWELL: Aye.
6 THE CHIEF CLERK: Councilman Clarke.
7 COUNCILMAN CLARKE: Aye.
8 THE CHIEF CLERK: Councilman Cohen.
9 COUNCILMAN COHEN: Aye.
10 THE CHIEF CLERK: Councilman
11 DiCicco.
12 COUNCILMAN DICICCO: Aye.
13 THE CHIEF CLERK: Councilman Goode.
14 COUNCILMAN GOODE: Aye.
15 THE CHIEF CLERK: Councilman Kenney.
16 COUNCILMAN KENNEY: Aye.
17 THE CHIEF CLERK: Councilwoman
18 Krajewski.
19 COUNCILWOMAN KRAJEWSKI: Aye.
20 THE CHIEF CLERK: Councilman Mariano
21 voting aye.
22 Councilwoman Miller.
23 COUNCILWOMAN MILLER: Aye.
24 THE CHIEF CLERK: Councilman Nutter.
25 COUNCILMAN NUTTER: Aye.

1 12/11/03 - STATED - SECOND READING

2 THE CHIEF CLERK: Councilman Ortiz.

3 COUNCILMAN ORTIZ: Aye.

4 THE CHIEF CLERK: Councilwoman

5 Reynolds Brown.

6 COUNCILWOMAN REYNOLDS BROWN: Aye.

7 THE CHIEF CLERK: Councilman Rizzo.

8 COUNCILMAN RIZZO: Aye.

9 THE CHIEF CLERK: Council President
10 Verna.

11 COUNCIL PRESIDENT VERNA: Aye.

12 The ayes are 14, the nays are 0. A
13 majority of all Members having voted in the
14 affirmative, the bill passes.

15 The next bill to be called for
16 consideration is Bill No. 030709.

17 THE CHIEF CLERK: An ordinance
18 approving the Fourth Amendment of the
19 redevelopment proposal for the Point Breeze
20 Urban Renewal Area.

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

24 The Clerk will please call the roll.

25 THE CHIEF CLERK: Councilwoman

1 12/11/03 - STATED - SECOND READING
2 Blackwell.
3 COUNCILWOMAN BLACKWELL: Aye.
4 THE CHIEF CLERK: Councilman Clarke.
5 COUNCILMAN CLARKE: Aye.
6 THE CHIEF CLERK: Councilman Cohen.
7 COUNCILMAN COHEN: Aye.
8 THE CHIEF CLERK: Councilman
9 DiCicco.
10 COUNCILMAN DICICCO: Aye.
11 THE CHIEF CLERK: Councilman Goode.
12 COUNCILMAN GOODE: Aye.
13 THE CHIEF CLERK: Councilman Kenney.
14 COUNCILMAN KENNEY: Aye.
15 THE CHIEF CLERK: Councilwoman
16 Krajewski.
17 COUNCILWOMAN KRAJEWSKI: Aye.
18 THE CHIEF CLERK: Councilman Mariano
19 voting aye.
20 Councilwoman Miller.
21 COUNCILWOMAN MILLER: Aye.
22 THE CHIEF CLERK: Councilman Nutter.
23 COUNCILMAN NUTTER: Aye.
24 THE CHIEF CLERK: Councilman Ortiz.
25 COUNCILMAN ORTIZ: Aye.

1 12/11/03 - STATED - SECOND READING

2 THE CHIEF CLERK: Councilwoman
3 Reynolds Brown.

4 COUNCILWOMAN REYNOLDS BROWN: Aye.

5 THE CHIEF CLERK: Councilman Rizzo.

6 COUNCILMAN RIZZO: Aye.

7 THE CHIEF CLERK: Council President
8 Verna.

9 COUNCIL PRESIDENT VERNA: Aye.

10 The ayes are 14, the nays are 0. A
11 majority of all Members having voted in the
12 affirmative, the bill passes.

13 We will now consider Bill No.
14 030721.

15 THE CHIEF CLERK: An ordinance
16 approving the Second Amendment of the
17 redevelopment proposal for the Jefferson
18 Square Urban Renewal Area.

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

22 The Clerk will please call the roll.

23 THE CHIEF CLERK: Councilwoman
24 Blackwell.

25 COUNCILWOMAN BLACKWELL: Aye.

1 12/11/03 - STATED - SECOND READING
2 THE CHIEF CLERK: Councilman Clarke.
3 COUNCILMAN CLARKE: Aye.
4 THE CHIEF CLERK: Councilman Cohen.
5 COUNCILMAN COHEN: Aye.
6 THE CHIEF CLERK: Councilman
7 DiCicco.
8 COUNCILMAN DICICCO: Aye.
9 THE CHIEF CLERK: Councilman Goode.
10 COUNCILMAN GOODE: Aye.
11 THE CHIEF CLERK: Councilman Kenney.
12 COUNCILMAN KENNEY: Aye.
13 THE CHIEF CLERK: Councilwoman
14 Krajewski.
15 COUNCILWOMAN KRAJEWSKI: Aye.
16 THE CHIEF CLERK: Councilman Mariano
17 voting aye.
18 Councilwoman Miller.
19 COUNCILWOMAN MILLER: Aye.
20 THE CHIEF CLERK: Councilman Nutter.
21 COUNCILMAN NUTTER: Aye.
22 THE CHIEF CLERK: Councilman Ortiz.
23 COUNCILMAN ORTIZ: Aye.
24 THE CHIEF CLERK: Councilwoman
25 Reynolds Brown.

1 12/11/03 - STATED - SECOND READING

2 COUNCILWOMAN REYNOLDS BROWN: Aye.

3 THE CHIEF CLERK: Councilman Rizzo.

4 COUNCILMAN RIZZO: Aye.

5 THE CHIEF CLERK: Council President
6 Verna.

7 COUNCIL PRESIDENT VERNA: Aye.

8 The ayes are 14, the nays are 0. A
9 majority of all Members having voted in the
10 affirmative, the bill passes.

11 The next bill to be called for
12 consideration is Bill No. 030730.

13 THE CHIEF CLERK: An ordinance
14 amending Title 14 of the Philadelphia Code
15 entitled "Zoning and Planning," by adding a
16 new Section 14-1628 entitled "District Special
17 Controls," all under certain terms and
18 conditions.

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

22 The Clerk will please call the roll.

23 THE CHIEF CLERK: Councilwoman
24 Blackwell.

25 COUNCILWOMAN BLACKWELL: Aye.

1 12/11/03 - STATED - SECOND READING
2 THE CHIEF CLERK: Councilman Clarke.
3 COUNCILMAN CLARKE: Aye.
4 THE CHIEF CLERK: Councilman Cohen.
5 COUNCILMAN COHEN: Aye.
6 THE CHIEF CLERK: Councilman
7 DiCicco.
8 COUNCILMAN DICICCO: Aye.
9 THE CHIEF CLERK: Councilman Goode.
10 COUNCILMAN GOODE: Aye.
11 THE CHIEF CLERK: Councilman Kenney.
12 COUNCILMAN KENNEY: Aye.
13 THE CHIEF CLERK: Councilwoman
14 Krajewski.
15 COUNCILWOMAN KRAJEWSKI: Aye.
16 THE CHIEF CLERK: Councilman Mariano
17 voting aye.
18 Councilwoman Miller.
19 COUNCILWOMAN MILLER: Aye.
20 THE CHIEF CLERK: Councilman Nutter.
21 COUNCILMAN NUTTER: Aye.
22 THE CHIEF CLERK: Councilman Ortiz.
23 COUNCILMAN ORTIZ: Aye.
24 THE CHIEF CLERK: Councilwoman
25 Reynolds Brown.

1 12/11/03 - STATED - SECOND READING

2 COUNCILWOMAN REYNOLDS BROWN: Aye.

3 THE CHIEF CLERK: Councilman Rizzo.

4 COUNCILMAN RIZZO: Aye.

5 THE CHIEF CLERK: Council President
6 Verna.

7 COUNCIL PRESIDENT VERNA: Aye.

8 The ayes are 14, the nays are 0. A
9 majority of all Members having voted in the
10 affirmative, the bill passes.

11 The next bill to be called for
12 consideration is Bill No. 030656.

13 THE CHIEF CLERK: An ordinance
14 authorizing transfers in appropriation for
15 Fiscal Year 2004 for the purpose of
16 administering funds to distressed businesses
17 affected by the Market Street Elevated
18 Reconstruction Project, all under certain
19 terms and conditions.

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

23 The Clerk will please call the roll.

24 THE CHIEF CLERK: Councilwoman
25 Blackwell.

1 12/11/03 - STATED - SECOND READING
2 COUNCILWOMAN BLACKWELL: Aye.
3 THE CHIEF CLERK: Councilman Clarke.
4 COUNCILMAN CLARKE: Aye.
5 THE CHIEF CLERK: Councilman Cohen.
6 COUNCILMAN COHEN: Aye.
7 THE CHIEF CLERK: Councilman
8 DiCicco.
9 COUNCILMAN DICICCO: Aye.
10 THE CHIEF CLERK: Councilman Goode.
11 COUNCILMAN GOODE: Aye.
12 THE CHIEF CLERK: Councilman Kenney.
13 COUNCILMAN KENNEY: Aye.
14 THE CHIEF CLERK: Councilwoman
15 Krajewski.
16 COUNCILWOMAN KRAJEWSKI: Aye.
17 THE CHIEF CLERK: Councilman Mariano
18 voting aye.
19 Councilwoman Miller.
20 COUNCILWOMAN MILLER: Aye.
21 THE CHIEF CLERK: Councilman Nutter.
22 COUNCILMAN NUTTER: Aye.
23 THE CHIEF CLERK: Councilman Ortiz.
24 COUNCILMAN ORTIZ: Aye.
25 THE CHIEF CLERK: Councilwoman

1 12/11/03 - STATED - SECOND READING

2 Reynolds Brown.

3 COUNCILWOMAN REYNOLDS BROWN: Aye.

4 THE CHIEF CLERK: Councilman Rizzo.

5 COUNCILMAN RIZZO: Aye.

6 THE CHIEF CLERK: Council President
7 Verna.

8 COUNCIL PRESIDENT VERNA: Aye.

9 The ayes are 14, the nays are 0. A
10 majority of all Members having voted in the
11 affirmative, the bill passes.

12 The final bill being called for
13 consideration is Bill No. 030771.

14 THE CHIEF CLERK: An ordinance
15 authorizing transfers in appropriation for
16 Fiscal Year 2003 within the General Fund from
17 certain or all City offices to certain or all
18 City offices, departments, boards and
19 commissions.

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

23 The Clerk will please call the roll.

24 THE CHIEF CLERK: Councilwoman
25 Blackwell.

1 12/11/03 - STATED - SECOND READING
2 COUNCILWOMAN BLACKWELL: Aye.
3 THE CHIEF CLERK: Councilman Clarke.
4 COUNCILMAN CLARKE: Aye.
5 THE CHIEF CLERK: Councilman Cohen.
6 COUNCILMAN COHEN: Aye.
7 THE CHIEF CLERK: Councilman
8 DiCicco.
9 COUNCILMAN DICICCO: Aye.
10 THE CHIEF CLERK: Councilman Goode.
11 COUNCILMAN GOODE: Aye.
12 THE CHIEF CLERK: Councilman Kenney.
13 COUNCILMAN KENNEY: Aye.
14 THE CHIEF CLERK: Councilwoman
15 Krajewski.
16 COUNCILWOMAN KRAJEWSKI: Aye.
17 THE CHIEF CLERK: Councilman Mariano
18 voting aye.
19 Councilwoman Miller.
20 COUNCILWOMAN MILLER: Aye.
21 THE CHIEF CLERK: Councilman Nutter.
22 COUNCILMAN NUTTER: Aye.
23 THE CHIEF CLERK: Councilman Ortiz.
24 COUNCILMAN ORTIZ: Aye.
25 THE CHIEF CLERK: Councilwoman

1 12/11/03 - STATED - SPEECHES

2 Reynolds Brown.

3 COUNCILWOMAN REYNOLDS BROWN: Aye.

4 THE CHIEF CLERK: Councilman Rizzo.

5 COUNCILMAN RIZZO: Aye.

6 THE CHIEF CLERK: Council President
7 Verna.

8 COUNCIL PRESIDENT VERNA: Aye.

9 The ayes are 14, the nays are 0. A
10 majority of all Members having voted in the
11 affirmative, the bill passes.

12 That concludes the Calendar for
13 today.

14 Are there speeches on the part of
15 the Minority?

16 (No response.)

17 COUNCIL PRESIDENT VERNA: Are there
18 speeches on the part of the Majority?

19 COUNCIL PRESIDENT VERNA: The Chair
20 recognizes Councilwoman Brown.

21 COUNCILWOMAN BROWN: Thank you,
22 Madam President. I would like to extend an
23 invitation to anyone who's able to join us on
24 Monday, December 15 at 10 o'clock. We will be
25 holding our finale for our warmth and winter

1 12/11/03 - STATED - SPEECHES

2 drive where we have collected close to 2,000
3 new hats, new mittens, new scarves and new
4 gloves. And we will be offering them to the
5 more than 36 shelters in our City. So if your
6 scheduled permits, you're welcome to join us.
7 Thank you very much

8 COUNCIL PRESIDENT Verna: Thank you.

9 The Chair recognizes Councilwoman
10 Blackwell.

11 COUNCILWOMAN BLACKWELL: Thank you,
12 Madam Chair. On Tuesday at 3:00, we have our
13 yearly -- my main event, my homeless event,
14 where we do anywhere from 1,000 to 2,000
15 homeless people throughout the City, we have
16 our yearly dinner and we have our yearly toy
17 for every kid. So we'll be 3801 Market, and
18 we invite those who would like to participate
19 or certainly volunteer to serve. Thank you.

20 COUNCIL PRESIDENT Verna: Thank you.

21 Are there any other speeches on the
22 part of the Majority?

23 (No response.)

24 COUNCIL PRESIDENT Verna: Seeing
25 none, the Chair recognizes Councilwoman

1 12/11/03 - STATED - ADJOURNMENT

2 Blackwell for a motion to adjourn.

3 COUNCILWOMAN BLACKWELL: Thank you,
4 Madam President. I move that Council stand
5 adjourned until Thursday, December 18, 2003 at
6 10:00 a.m.

7 (Duly seconded.)

8 COUNCIL PRESIDENT Verna: It has
9 been moved and seconded that Council stand
10 adjourned until Thursday, December 18, 2003 at
11 10:00 a.m.

12 All in favor will say aye.

13 (Aye.)

14 COUNCIL PRESIDENT Verna: Those
15 opposed?

16 (No response.)

17 COUNCIL PRESIDENT Verna: The ayes
18 have it. The motion carries.

19 Thank you all very much.

20 (Council adjourned at 12:05 p.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 Thursday, December 11, 2003,
were reported fully and accurately by me, and
that this is a correct transcript of the same.

RE: STATED MEETING

Lisa C. Bradley, RPR