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COUNCIL OF THE CITY OF PHILADELPHIA

3

STATED MEETING

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Room 696, City Hall
Philadelphia, Pennsylvania
Thursday, May 29, 2003
11:00 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. DICICCO
COUNCILMAN W. WILSON GOODE, JR.

14

COUNCILMAN JAMES F. KENNEY
COUNCILWOMAN JOAN L. KRAJEWSKI

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

PATRICIA RAFFERTY, CHIEF CLERK

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1 05/29/03 - STATED - INVOCATION

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

6 To give our invocation this morning, the
7 Chair welcomes the Reverend Joseph Barnes, Pastor of
8 the Christian Faith Baptist Church. The Reverend
9 Barnes is here today as the guest of Councilwoman
10 Blackwell.

11 Members and guests will please rise.

12 REVEREND BARNES: Heavenly Father, we
13 come before thee today, our heads bowed in humble
14 submission to your will, asking that you would be
15 present with us in all of the deliberations today.
16 Guide each Councilmember one by one. Guide them in
17 their thoughts, in their hearts, and in their minds.
18 Guide them in all that they have to take care of on
19 today. We pray, Lord, that you might allow them to
20 have their discussions, raise their concerns with
21 your will in mind. We pray, God, for peace. We
22 pray, God, for cooperation. We pray, God, for an
23 opportunity for the constituents that they represent
24 have their needs met one by one. God, we thank you
25 for all that has come forth to be done on today. In

1 05/29/03 - STATED - APPROVAL OF JOURNAL

2 Jesus name, we pray. Amen.

3 COUNCILWOMAN VERNA: The Chair thanks
4 Pastor Barnes for his very inspiring invocation.

5 Council will be at ease.

6 (Council at ease.)

7 COUNCILWOMAN VERNA: The next order of
8 business is the approval of the Journal of the
9 meeting of Thursday, May 15, 2003.

10 And the Chair recognizes Councilwoman
11 Blackwell.

12 COUNCILWOMAN BLACKWELL: Thank you,
13 Madam President. I move that the Journal of the
14 meeting of Thursday, May 15, stand approved.

15 (Duly seconded.)

16 COUNCILWOMAN VERNA: It has been moved
17 and properly seconded that the Journal of the
18 meeting of Thursday, May 15, 2003, stand approved.

19 All in favor will indicate by saying
20 aye.

21 COUNCILWOMAN VERNA: Those opposed.

22 (No response.)

23 COUNCILWOMAN VERNA: The ayes have it
24 and the Journal of the meeting of Thursday, May 15,
25 2003, has been approved.

1 05/29/03 - STATED - LEAVES OF ABSENCE

2 The next of order of business is
3 requests for leaves of absence.

4 The Chair recognizes Councilwoman
5 Blackwell.

6 COUNCILWOMAN BLACKWELL: Thank you,
7 Madam President. There are no requests for leaves
8 of absence on the part of the Majority.

9 COUNCILWOMAN VERNA: The Chair thanks
10 the Councilwoman.

11 The Chair recognizes Councilman O'Neill.

12 COUNCILMAN O'NEILL: Madam President, on
13 behalf of the Republicans, there are no requests for
14 leave of absence.

15 COUNCILWOMAN VERNA: The Chair thanks
16 the gentleman.

17 The Chair will dispense with the regular
18 order of business to recognize the guests and
19 visitors joining us in Chambers this morning. On
20 behalf of all Members of City Council, I welcome you
21 to our Council Session today. We appreciate your
22 taking the time to join us as we attend to the
23 legislative affairs of our City. We certainly
24 invite you to come again.

25 The next order the business is

1 05/29/03 - STATED - COMMUNICATIONS

2 communications.

3 The Chair recognizes the
4 Sergeant-at-Arms for the purpose of delivering the
5 messages from the Mayor to the Chief Clerk.

6 The Chief Clerk will please read the
7 messages from the Mayor.

8 THE CHIEF CLERK: To the President and
9 Members of the Council of the City of Philadelphia,
10 I am pleased to advise you that on May 29, 2003, I
11 signed all the bills that were passed by Council at
12 its Session on May 8, 2003.

13 And I'm herewith returning to you
14 unsigned the following bills passed by the Council
15 on May 15, 2003: Bill No. 030016A and Bill NO.
16 030122.

17 And I am pleased to advise you that on
18 May 29th I signed the remaining bills that were
19 passed by Council at its Session on May 15th.

20 And a Resolution authorizing the
21 Philadelphia Redevelopment Authority to use NTI bond
22 proceeds to acquire certain properties, all under
23 certain terms and conditions.

24 And a Resolution approving the
25 redevelopment contract and disposition supplement of

1 05/29/03 - STATED - COMMUNICATIONS

2 the Redevelopment Authority of the City of
3 Philadelphia for the redevelopment and urban renewal
4 of the Model Cities Urban Renewal Area.

5 And a Resolution approving the
6 Redevelopment Contract and Disposition Supplement of
7 the Redevelopment Authority of the City of
8 Philadelphia for the redevelopment and urban renewal
9 of a portion of the Model Cities Urban Renewal area.

10 And an Ordinance authorizing transfers
11 in appropriation for Fiscal Year 2003 within the
12 General Fund from the Department of Revenue Sinking
13 Fund Commission to the Sheriff.

14 And an Ordinance authorizing the
15 Commissioner of Public Property on behalf of the
16 City of Philadelphia to execute and deliver to the
17 Redevelopment Authority of the City of Philadelphia
18 without consideration a deed located in the
19 northwest corner of Third and Fairmount Streets.

20 And an Ordinance amending Title 11 of
21 the Philadelphia Code, entitled "Streets," and
22 Chapter 11-300, entitled "Board of surveyors," by
23 amending Section 11-306, entitled "Schedule of
24 Charges."

25 COUNCILWOMAN Verna: The messages will

1 05/29/03 - STATED - INTRO. OF BILLS AND RES.

2 be printed in the Journal. The Chief Clerk will
3 please read any other communications in her
4 possession.

5 THE CHIEF CLERK: That's all I have,
6 Madam President.

7 COUNCILWOMAN VERA: Thank you. The
8 next order of business is introduction of bills and
9 resolutions.

10 The Chair recognizes Councilwoman
11 Blackwell.

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

16 (Duly seconded.)

17 COUNCILWOMAN VERA: It has been moved
18 and properly seconded that the Rules of Council be
19 suspended so as to permit immediate consideration of
20 resolutions at the time of introduction.

21 All in favor will signify by saying aye.
22 (Aye.)

23 COUNCILWOMAN VERA: Those opposed?

24 (No response.)

25 COUNCILWOMAN VERA: The ayes have it,

1 05/29/03 - STATED - INTRO. OF BILLS AND RES.

2 and the motion carries.

3 The Chair recognizes Councilman Kenney.

4 COUNCILMAN KENNEY: Thank you, Madam
5 President. I offer one privileged Resolution.

6 COUNCILWOMAN VERNA: The Clerk will
7 please read the title of the Resolution.

8 THE CHIEF CLERK: A Resolution honoring
9 Ann Rubin for her civic awareness and outstanding
10 leadership during her years as an active member of
11 the Greater Philadelphia Association of Realtors.

12 COUNCILWOMAN VERNA: The Chair
13 recognizes Councilman Kenney.

14 COUNCILMAN KENNEY: Thank you. I move
15 the adoption of the Resolution.

16 (Duly seconded.)

17 COUNCIL PRESIDENT VERNA: It has been
18 moved and properly seconded that the Resolution be
19 adopted.

20 All in favor will signify 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 05/29/03 - STATED - INTRO. OF BILLS AND RES.

2 The Chair recognizes Councilwoman
3 Blackwell.

4 COUNCILWOMAN BLACKWELL: Thank you,
5 Madam President. This morning, I introduce one
6 Resolution on your behalf, and one Bill and one
7 Resolution on my own.

8 COUNCILWOMAN VERNA: The Clerk will
9 please read the title of the first Bill.

10 THE CHIEF CLERK: An Ordinance amending
11 Title 11 of the Philadelphia Code, entitled
12 "Streets," and Chapter 11-300, entitled "Board of
13 Surveyors," by amending Section 11-0306, entitled
14 "Schedule of Charges."

15 COUNCIL PRESIDENT VERNA: The Bill will
16 be referred to the appropriate committee.

17 THE CHIEF CLERK: And a Resolution
18 authorizing the Philadelphia Redevelopment Authority
19 to use NTI bond proceeds to acquire certain
20 properties, under certain terms and conditions.

21 COUNCILWOMAN VERNA: The Chair
22 recognizes Councilwoman Blackwell.

23 COUNCILWOMAN BLACKWELL: Thank you,
24 Madam President. I move for the adoption of the
25 Resolution.

1 05/29/03 - STATED - INTRO. OF BILLS AND RES.

2 COUNCIL PRESIDENT Verna: I'm sorry, I
3 was distracted. That Resolution will be referred to
4 the appropriate committee.

5 The Clerk will please read the title of
6 the Resolution.

7 THE CHIEF CLERK: A Resolution
8 authorizing Commissioner of Public Property to
9 execute and deliver to the Redevelopment Authority
10 deed located in the 36th Ward of the City of
11 Philadelphia.

12 COUNCILWOMAN Verna: The Chair
13 recognizes Councilwoman Blackwell.

14 COUNCILWOMAN BLACKWELL: Thank you,
15 Madam President. I move for the adoption of the
16 Resolution.

17 (Duly seconded.)

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

21 All in favor will signify by saying aye.
22 (Aye.)

23 COUNCIL PRESIDENT Verna: Those opposed?
24 (No response.)

25 COUNCIL PRESIDENT Verna: The ayes have

The Chair recognizes Councilman Cohen.

COUNCILWOMAN VERA: Thank you.

THE CHIEF CLERK: An Ordinance amending
1500 of the Philadelphia Code, entitled
et Profits Tax," by decreasing in three
rates of the tax imposed upon certain low
ons.

THE CHIEF CLERK: And an Ordinance
-1500 of the Philadelphia Code, entitled
et Profits Tax," by decreasing in six
rates of the tax imposed upon certain low
ons.

COUNCIL PRESIDENT VERNA: This Bill will

3 THE CHIEF CLERK: And an Ordinance
4 amending Section 19-203 of the Philadelphia Code,
5 entitled "Payroll Deductions," by authorizing City
6 employee payroll deductions for payments to the
7 administrator of any City-approved program under
8 which City employees may make pre-tax payment of
9 certain qualified transportation expenses.

12 The Chair now recognizes Councilwoman
13 Krajewski.

16 COUNCILWOMAN VERA: The Clerk will
17 please read the title of the Bill.

23 COUNCIL PRESIDENT VERA: This Bill will
24 be referred to the appropriate committee.

25 The Chair recognizes Councilman Mariano.

COUNCIL PRESIDENT VERA: The Clerk will please read the title of the first Resolution.

COUNCILWOMAN VERA: The Chair recognizes Councilman Mariano.

(Duly seconded.)

All in favor will signify by saying aye.

COUNCIL PRESIDENT VERA: Those opposed?

COUNCIL PRESIDENT Verna: The ayes have motion carries.

The Clerk will please read the title of

3 THE CHIEF CLERK: A Resolution
4 authorizing the Commissioner of Public Property to
5 execute and deliver to the Redevelopment Authority
6 deeds located in the 19th Ward of the City of
7 Philadelphia.

12 (Duly seconded.)

16 All in favor will signify by saying aye.

18 COUNCIL PRESIDENT VERA: Those opposed?

19 (No response.)

20 COUNCIL PRESIDENT VERNA: The ayes have
21 it, and the motion carries.

22 The Chair recognizes Councilwoman Tasco.

23 COUNCILWOMAN TASC0: Madam President, I
24 offer one Resolution.

25 COUNCILWOMAN VERA: Councilman, did you

1 05/29/03 - STATED - INTRO. OF BILLS AND RES.

2 want to be recognized? Your light is on.

3 COUNCILMAN COHEN: Not at this moment.

4 COUNCILWOMAN VERNA: Thank you.

5 The Clerk will please read the title of
6 the Resolution.

7 THE CHIEF CLERK: A Resolution
8 authorizing the Commissioner of the Public Property
9 to execute and deliver to the Redevelopment
10 Authority of the City deeds located in the 10th
11 Ward of the City of Philadelphia.

12 COUNCILWOMAN VERNA: The Chair
13 recognizes Councilwoman Tasco.

14 COUNCILWOMAN TASCO: I move for the
15 adoption of the Resolution.

16 (Duly seconded.)

17 COUNCIL PRESIDENT VERNA: It has been
18 moved and properly seconded that the Resolution be
19 adopted.

20 All in favor will signify 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 05/29/03 - STATED - INTRO. OF BILLS AND RES.

2 The Chair recognizes Councilwoman
3 Miller.

4 COUNCILWOMAN MILLER: Thank you, Madam
5 President. I offer one Bill and one Resolution.

6 COUNCILWOMAN VERNA: Thank you.

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

9 THE CHIEF CLERK: An Ordinance
10 authorizing the revision of lines and grades on a
11 portion of City Plan No. 165 by striking from the
12 City Plan Chrisfeld Street from Graves Lane to Mead
13 Street.

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

16 THE CHIEF CLERK: And a Resolution
17 authorizing the Commissioner of Public Property to
18 execute and deliver to the Redevelopment Authority
19 of the City deeds located in the 11th, 13th and 22nd
20 Wards of the City of Philadelphia.

21 COUNCILWOMAN VERNA: The Chair
22 recognizes Councilwoman Miller.

23 COUNCILWOMAN MILLER: I move for the
24 adoption of the Resolution.

25 (Duly seconded.)

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

5 All in favor will say aye.

6 (Aye.)

7 COUNCIL PRESIDENT VERNA: Those opposed?

8 (No response.)

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

11 The Chair recognizes Councilman Nutter.

12 COUNCILMAN NUTTER: Thank you, Madam
13 President. I offer two bills.

14 COUNCILWOMAN VERNA: Thank you.

15 The Clerk will please read the title of
16 the first Bill.

17 THE CHIEF CLERK: An Ordinance
18 authorizing the Commissioner of Public Property on
19 behalf of the City to enter into a lease agreement
20 with the Philadelphia Authority for Industrial
21 Development for deeds located at 19 and 1 Vine
22 Street, the Free Library Building, including the
23 ground lease of land bounded by 19th Street, Vine
24 Street, 20th street and the former Wood Street.

25 COUNCIL PRESIDENT VERNA: The Bill will

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2 be referred to the appropriate committee.

3 THE CHIEF CLERK: And an Ordinance
4 declaring it is desirable for the health, safety,
5 and welfare of the people in the area served by the
6 Philadelphia Health and Education Corporation, a
7 non-profit corporation organized under the laws of
8 the Commonwealth of Pennsylvania which operates a
9 graduate school of medicine under the authority of
10 Drexel University and provides medical education
11 under the name Drexel University College of
12 Medicine.

13 COUNCIL PRESIDENT VERNA: This Bill will
14 also be referred to the appropriate committee.

15 The Chair recognizes Councilwoman Brown.

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

18 COUNCILWOMAN VERNA: The Chair thanks
19 the Councilwoman.

20 The Chair recognizes Councilman Goode.

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

23 COUNCILWOMAN VERNA: Thank you.

24 The Chair recognizes Councilman Ortiz.

25 COUNCILMAN ORTIZ: Thank you, Madam

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2 Chair. I have one Resolution on behalf of
3 Councilman DiCicco and myself on gay pride and two
4 other Resolutions.

5 COUNCILWOMAN VERNA: The Clerk will
6 please read the title of the first Resolution.

7 THE CHIEF CLERK: A Resolution
8 recognizing the achievements of Philly Pride
9 Presents, lesbian, gay, bisexual and transgender
10 pride parade and festival as they continue their
11 mission of proactive education to create an
12 atmosphere of sensitivity and awareness that will
13 lead to a greater acceptance of the lesbian, gay,
14 bisexual, and transgender community of Philadelphia.

15 COUNCILWOMAN VERNA: The Chair
16 recognizes Councilman Ortiz.

17 COUNCILMAN ORTIZ: I move the adoption
18 of the Resolution.

19 (Duly seconded.)

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

23 All in favor will say aye.

24 (Aye.)

25 COUNCIL PRESIDENT VERNA: Those opposed?

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2 (No response.)

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

5 (Applause.)

6 COUNCIL PRESIDENT VERNA: The Clerk will
7 please read the second Resolution.

8 THE CHIEF CLERK: A Resolution declaring
9 October 2003 AS Human Relations Month in City of
10 Philadelphia.

11 COUNCILWOMAN VERNA: The Chair
12 recognizes Councilman Ortiz.

13 COUNCILMAN ORTIZ: I move the adoption
14 of the Resolution.

15 (Duly seconded.)

16 COUNCIL PRESIDENT VERNA: It has been
17 moved and properly seconded that the Resolution be
18 adopted.

19 All in favor will indicate by saying
20 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.

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2 COUNCILWOMAN VERNA: The Clerk will
3 please read the third Resolution.

4 THE CHIEF CLERK: A Resolution urging
5 the City Administration to demonstrate
6 Philadelphia's strong commitment to civil liberties
7 and continuing and strengthening the City's
8 protection of the Constitutional rights of all
9 persons in our City, regardless of race, religion or
10 national origin, and urging our Congressional
11 Delegation to vigilantly monitor the implementation
12 of the USA Patriot Act and to actively work to
13 repeal the Act or those sections of the Act and
14 those orders, rules, and regulations issued the Act
15 that violate the fundamental rights and liberties of
16 the persons protected by the United States
17 Constitution.

18 (Applause.)

19 COUNCILWOMAN VERNA: The Chair
20 recognizes Councilman Ortiz.

21 COUNCILMAN ORTIZ: Madam Chair, I wish
22 to speak on the Resolution.

23 COUNCILWOMAN VERNA: The Chair
24 recognizes Councilman Ortiz.

25 COUNCILMAN ORTIZ: Thank you. Madam

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2 Chair, this Resolution has been hanging around now
3 for a while. We had an election in which very few
4 people participated and very few people paid any
5 attention to. But it is a Resolution that really
6 speaks to the heart of what took place a week ago
7 because it speaks to the heart of our system and a
8 city and a country that we wish to have. It speaks
9 to the heart of the type of country that we're
10 becoming.

11 We participated in a war very recently
12 to seek out and destroy weapons of mass destruction.
13 We got the country very scared about those weapons
14 of mass destruction. This country two months ago,
15 three months ago thought that the Iraqi government
16 was imminently on the verge of invading or actually
17 attacking this country. The president said so and
18 Donald Rumsfeld said so. And if they said so, of
19 course, it must be true. If President Clinton had
20 Clinton had said it, it would have been a lie. But
21 George Bush doesn't lie to the people of this
22 country and neither does Don Rumsfeld.

23 And under the guise of 911, very soon
24 after, they put forward what is called the Patriot
25 Act that is not patriotic and really attacks those

(Applause.)

American citizens are being arrested, held without counsel. And because the number is not yet big enough, we keep silent and we are quiet. And that's the type of government that is not a democracy. That's the type of government that supposedly headed by people like Saddam Hussein. And we don't want a theocracy, a dictatorship, in this country.

Now we have Patriot Act 2, and it seems that everything emanates because everything changed after 911.

The other day we were discussing the

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2 issue of transferring the parking lots at the
3 airport from the Parking Authority to the Airport
4 Authority. And Michael Nutter asked the question as
5 to why. And the person said, "You know, after 911
6 everything is different." It seems that 911 has
7 been the catchall for everything, even for
8 transferring who rules over parking lots in the City
9 of Philadelphia. And 911 has become the catchall
10 for this Administration to attack, subvert the
11 Constitution of this country.

12 It seems like privacy and citizens'
13 privacy has been abrogated. It seems that under
14 today's rules, you have no right to privacy any
15 longer. We can look at what books you borrow, what
16 meals you eat, what church you attend, what meetings
17 you go to, with whom do you consort, without going
18 to a magistrate, without going to a judge and
19 getting the warrants necessary, without even saying
20 that there is probable cause that a crime will be
21 committed. And we remain silent. Even Alaska, the
22 legislature Alaska, Republican legislature, has
23 "Enough to the Patriot Act." The legislature of New
24 Mexico has said "enough to the Patriot Act." Over a
25 hundred municipalities across the country. New York

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2 City yesterday has said "enough intrusion into
3 people's lives, enough of shredding of the
4 Constitution, enough shredding of the 1st, 4th, 5th
5 amendment, enough shredding of our privacy. It's
6 very frightening.

7 I was listening to a radio show
8 yesterday, and they said they would be willing to
9 allow the government to do almost anything because
10 they are so afraid. And it never, never should be
11 that citizens in this country become too afraid to
12 speak out because there's an election going on, too
13 afraid to speak out because the government may not
14 like your speech, too afraid to speak out because
15 they are different religion and that religion is no
16 longer approved by a very big majority of our
17 country.

18 Freedom is very hard to maintain. Ben
19 Franklin said that we have a Republic if we can
20 defend it. Well, we do have a Republic, and I
21 believe we can defend it. And I believe that this
22 Resolution, which really is not that strong, but
23 this Resolution should be approved by my colleagues.

24 Thank you, Madam Chair.

25 (Applause.)

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2 COUNCILWOMAN VERNA: Thank you.

3 Councilwoman Tasco, your light is on. Did you want
4 to be recognized?

5 COUNCILWOMAN TASCO: Yes, Madam

6 President, I would like to be recognized. And I'd
7 like to say that I do support my colleague
8 Councilman Ortiz.

9 (Applause.)

10 COUNCILWOMAN TASCO: And I know you all
11 get tired of hearing this, but I'm from a little
12 town from North Carolina called Greensboro. The
13 other day -- and I didn't know my colleague was
14 going to bring the Patriot Act up, but I got a copy
15 of the newspaper that I subscribe to from that town.
16 And low and behold across the front page, it says,
17 "City Council to debate the Patriot Act." And I
18 thought it would be nice article to read -- it's
19 very brief, I'm not going to read the entire
20 article -- to show that there is growing option to
21 this and from unlikely sources. And I read the
22 article.

23 It says, "Opponents of the USA Patriot
24 Act added an unlikely friend to their ranks in the
25 closing minutes of the Greensboro City Council

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2 meeting last week. Tom Phillips, perhaps the most
3 conservative of the nine Councilmembers, called on
4 his colleagues to examine the controversial set of
5 laws. 'He is the very last person I would have
6 expected to bring this matter up,' Greensboro Mayor
7 Keith Holiday said. 'But I am very proud of him for
8 doing it because it seems like something that you
9 would expect someone of more liberal leaning to do.'

10 "The matter has been added to the agenda
11 for the Council's May 20th meeting and he expects a
12 number of citizens to speak about it. Phillip says,
13 'I'm not saying that the current Administration has
14 abused the Patriot Act or that it would abuse it,
15 but it does seem to me that it is the kind of thing
16 that has the potential for abuse,' he said, 'and the
17 protection of rights do not belong to any party or
18 political persuasion.'

19 "While the Council is nonpartisan,
20 Phillip said he is a Republican but adding that he
21 often disagrees with his Party. 'I am a moderate
22 and so I have problems with the Party when they move
23 too far in one direction, just like Democrats in the
24 middle have problems with their Party sometimes,' he
25 said. 'This Patriot Act, though, is something I

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2 think people from both parties have ignored. I know
3 that Council has ignored it.'

4 "Phillips says he finally felt compelled
5 to bring the topic of following a long period of
6 receiving e-mails from his constituents. He said
7 the Act written after the September 11, 2001 attacks
8 may have been enacted too hastily. 'I am not saying
9 for certain I would necessarily be for repealing it,
10 but it certainly warrants taking a look at,'
11 Phillips said. 'I think it is especially true now
12 because there is talk of a Patriot Act 2 that will
13 allow invasions of privacy and would do away with
14 the Sunset Provision and make it a permanent law.'"

15 I don't know what happened. We will
16 find out what happened in Greensboro, but I do
17 believe that if we do not speak up and speak out on
18 issue as this and let our colleagues and our
19 leadership in Washington know that, yes, we do
20 expect them to protect our citizens, we are
21 concerned about terrorism, sometimes we throw the
22 baby out with the bath and we can't act take too
23 hastily to take people's rights away in order to
24 provide that protection. They should think
25 thoughtfully, more carefully so that our rights are

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2 not abused. So I ask my colleagues to consider
3 supporting this Resolution for us. Thank you.

4 (Applause.)

5 COUNCIL PRESIDENT Verna: At this time,
6 the Chair recognizes Councilman Cohen.

7 COUNCILMAN COHEN: Thank you, Madam
8 President. I also speak in support of this
9 Resolution. And I would like to ask the permission
10 of the Chair to recognize as one of our guests today
11 Mr. Hero Nishokawa (ph), President of the Japanese
12 American Citizens Association, a survivor of
13 internment camp in the United States of America, an
14 incident that was covered during World War II. Ms.
15 Nishokawa, would you stand up?

16 (Applause.)

17 COUNCILMAN COHEN: I am honored to have
18 introduced Mr. Nishokawa because I am, obviously,
19 the oldest the member of City Council, the only
20 veteran among its membership, and I'd like to tell
21 you what happened to me.

22 In 1943, I entered the armed forces in
23 the fall. By December I was shipped overseas in the
24 Dutch New Guinea and British New Guinea where I
25 served more than two years and during which time we

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2 lost a great president, Franklin Delano Roosevelt.

3 And Harry Truman became the President of the United
4 States.

5 President Truman's approach to things
6 was a bit different from President Roosevelt. And
7 while overseas I heard suddenly about loyalty oaths
8 becoming a part of the pattern of American life.
9 Every federal employee had to sign a loyalty oath,
10 proving that he or she was loyal to the government.
11 It was an invasion of privacy. People would get
12 letters saying, "We understand you were at a certain
13 meeting and three were communists present or there
14 was somebody who spoke out for peace who was present
15 at the meeting or you subscribe to certain papers."
16 No witnesses were ever presented in these
17 proceedings. It was all done by written report.

18 It was a different country when I
19 returned to the United States in January 1946. It
20 was a country beset by the likes of the Joseph
21 McCarthy, a Senator from Wisconsin who had terrified
22 the whole country, as we're told Saddam Hussein
23 terrified the people in Iraq. Everybody was
24 frightened to death because people would get letters
25 in the mail telling them that their job was at stake

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2 in the federal government. Local governments began
3 adopting similar legislation.

4 It was a wild period. And none of the
5 younger people, I find, today seem to know anything
6 about that. That's why I was so pleased to be able
7 to present Mr. Nishokawa. You know what we actually
8 did? It wasn't just a story tale. We uprooted
9 thousands and thousands of Japanese citizens because
10 Japan happened to be one of the countries we were in
11 a war with. They attacked Pearl Harbor, therefore,
12 it was assumed that every Japanese citizen in the
13 United States was an enemy of the government. That
14 was a hysteria then, as we have the hysteria now
15 about people of Arab or Muslim background.

16 Now, we don't want that kind of a
17 country. It took years before we recovered from it.
18 This Patriot Act moves in the same direction. And
19 there's no reason for the younger generation to go
20 through the experiences of the older generation.
21 The younger generation generally doesn't believe it
22 happened. That's why it was so important Mr.
23 Nishokawa was here today because he was one of the
24 survivors of these families that were uprooted by
25 the thousands and were not permitted to live

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2 together with their own families in their original
3 communities because they were deemed to be a threat
4 to the safety of the United States of America.

5 That's how crazy things can get because
6 when you have a war atmosphere, whether the war is
7 just or unjust, the atmosphere of a war gives
8 support to the worst kind of human feelings that
9 exist.

10 Many of us were very alarmed when
11 Senator Ashcroft was nominated the position of
12 Attorney General. We were worried about the
13 position he held because of the ideas that he spoke
14 about. He spoke modestly, and they reflected his
15 opinion. Many of us thought they were dangerous to
16 the real security of the United States, which comes
17 from belief of democratic principles. Our belief is
18 in democracy, not fear of democracy. And now
19 Ashcroft is the Attorney General and he is in a
20 position to act upon those, what most of us felt
21 were irrational fears.

22 That's the reason it's so important to
23 nip this in the budd. It's a wrong thing for the
24 United States Government under any circumstances to
25 arrest people, put them in prison without letting

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2 anybody know whether they are citizens or not. To
3 me, it makes no difference because whether the
4 person is a citizen or not, know person in the
5 United States has ceased to become a human being,
6 and I think all human beings are entitled to
7 democratic rights.

8 (Applause.)

9 And so I say enough of this madness.
10 Let's return to our senses. Let's get rid of
11 Patriot 1, and let's never see that Patriot 2 is
12 never born again. Thank you.

13 (Applause.)

14 COUNCILWOMAN VERNA: The Chair
15 recognizes Councilman Kenney.

16 COUNCILMAN KENNEY: Thank you, Madam
17 President. In addition to what Councilman Cohen has
18 had to say about Japanese Americans during World War
19 II, perhaps they are the most identifiable group of
20 people who were abused and were terrorized during
21 that period of time, but it's also important to
22 remember that in California Italian Americans had
23 their fishing boats taken from them. Joe DiMaggio's
24 parents were restricted to a certain mileage around
25 the house where they could travel. Italian

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2 Americans were not permitted to own transistor
3 radios. There were other restrictions on German
4 Americans and others throughout World War II.

5 I think it's important to remember that
6 many of the people who have come here from the
7 Middle East and other countries have actually fled
8 tyrannical governments. People who have come from
9 Iraq to come here and seek shelter. People have
10 come from Iran. People have come from other eastern
11 and Asian countries have fled tyrannies and they've
12 come here to be free and to be safe. So many of the
13 Iraqi Americans and Arab Americans and Iranian
14 Americans have fled their countries because they
15 were being abused as a result of being a Christian.
16 They were abused -- some people from Indonesia were
17 abused as a result of being Catholics. There are
18 many people who have come here seeking shelter.

19 And I agree with Councilman Cohen, that
20 we need to remember our history. And many times I'm
21 happy that Councilman Cohen is here to remind us of
22 our history.

23 (Applause.)

24 COUNCILMAN KENNEY: I was born in 1958,
25 so it was well beyond both World War II and Korea.

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2 So many of us don't have the institutional memory of
3 that history.

4 So I think it's important that we
5 remember that we're all Americans and what makes
6 this country the great country that it is, is our
7 diversity and our freedom to be diverse.

8 So I will be supporting this Resolution
9 and encourage my colleagues to do so.

10 (Applause.)

11 COUNCILWOMAN VERNA: The Chair
12 recognizes Councilman Nutter.

13 COUNCILMAN NUTTER: Thank you, Madam
14 President. I agree with the comments of all of my
15 colleagues. Councilman Cohen talked about the
16 country that he came back to in 1946 here in the
17 United States of America. I will not belabor this
18 record too long, but none of us here necessarily
19 have the memory of what this country may have been
20 like in the 1600s. Councilman O'Neill says
21 Councilman Cohen might be able to give us an insight
22 into what the country was like in the 1600s.

23 (Laughter.)

24 COUNCILMAN NUTTER: But we know what the
25 1600s were like for many of us who are members of

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2 Council and many people in the audience who are of
3 African descent who are now African Americans. The
4 Councilman talks about the 1940s here in the United
5 States as a returning veteran. What was the United
6 States like for African Americans who, one, had to
7 fight to be in the Army to fight for America. The
8 '40s, the '50s, the '60, the '70s and some might say
9 even as late as yesterday, when you talk about
10 rights and what it means to be an American and
11 privacy issues and the government and what it does,
12 we're all members of the government and we seek
13 uphold the law. And as even our own Police
14 Commissioner Johnson always says, we're not going to
15 break the law in order to uphold the law.

16 And so I think all of us have a history
17 in this country. And this type of legislation
18 affects many of us in different ways and does take
19 us back to different periods in our individual
20 histories. And so all of us, I believe, need to be
21 concerned about infringement on rights and what it
22 means to be an American and who is an American who's
23 not an American and who you get to talk to and who
24 you associate with and what books you buy and all of
25 these kinds of issues. So I do look forward when

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2 the time comes to support the Resolution. But I
3 thought I would just kind of round things out.

4 (Applause.)

5 COUNCILMAN NUTTER: Thank you, Madam
6 President.

7 COUNCILWOMAN VERNA: You're welcome.

8 The Chair recognizes Councilman Ortiz.

9 COUNCILMAN ORTIZ: Thank you, Madam
10 President. For freedom, I move for the adoption of
11 the Resolution.

12 (Duly seconded.)

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

16 All in favor will signify by saying aye.

17 (Aye.)

18 COUNCIL PRESIDENT VERNA: Those opposed?

19 (Nay.)

20 COUNCILMAN COHEN: Roll call.

21 COUNCILWOMAN VERNA: Roll call vote.

22 THE CHIEF CLERK: Councilwoman
23 Blackwell.

24 COUNCILWOMAN BLACKWELL: Aye.

25 THE CHIEF CLERK: Councilman Clarke.

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2 COUNCILMAN CLARKE: Aye.

3 THE CHIEF CLERK: Councilman Cohen.

4 COUNCILMAN COHEN: Aye.

5 THE CHIEF CLERK: Councilman DiCicco.

6 COUNCILMAN DICICCO: Aye.

7 THE CHIEF CLERK: Councilman Goode.

8 COUNCILMAN GOODE: Aye.

9 THE CHIEF CLERK: Councilman Kenney.

10 COUNCILMAN KENNEY: Aye.

11 THE CHIEF CLERK: Councilwoman

12 Krajewski.

13 COUNCILWOMAN KRAJEWSKI: No.

14 THE CHIEF CLERK: Councilman Mariano.

15 COUNCILMAN MARIANO: Aye.

16 THE CHIEF CLERK: Councilwoman Miller.

17 COUNCILWOMAN MILLER: Aye.

18 THE CHIEF CLERK: Councilman Nutter.

19 COUNCILMAN NUTTER: Aye.

20 THE CHIEF CLERK: Councilman O'Neill.

21 COUNCILMAN O'NEILL: No.

22 THE CHIEF CLERK: Councilman Ortiz.

23 COUNCILMAN ORTIZ: Aye.

24 THE CHIEF CLERK: Councilwoman

25 Reynolds Brown.

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2 COUNCILWOMAN BROWN: Aye.

3 THE CHIEF CLERK: Councilman Rizzo.

4 COUNCILMAN RIZZO: Aye.

5 THE CHIEF CLERK: Councilwoman Tasco.

6 COUNCILWOMAN TASCO: Aye.

7 THE CHIEF CLERK: Council President

8 Verna.

9 COUNCIL PRESIDENT VERNA: Aye.

10 The nays are 3, the ayes are 13. The
11 Resolution passes.

12 (Applause.)

13 COUNCILWOMAN VERNA: The Chair
14 recognizes Councilman DiCicco.

15 COUNCILMAN DICICCO: Thank you, Madam
16 President. I offer three bills.

17 COUNCILWOMAN VERNA: Thank you.

18 The Clerk will please read the title of
19 the first Bill.

20 THE CHIEF CLERK: An Ordinance
21 authorizing the Commissioner of Public Property on
22 behalf of the City of Philadelphia to execute and
23 deliver to the Redevelopment Authority of the City
24 deeds located in the five parcels of
25 City-owned land with the buildings and improvements

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2 thereon situate at Third and Fairmount Streets,
3 known as 700, 702 and 704 North Third Street.

4 COUNCIL PRESIDENT VERNA: The Bill will
5 be referred to the appropriate committee.

6 THE CHIEF CLERK: And an Ordinance
7 authorizing and directing the revision of lines and
8 grades on a portion of City Plan No. 238 by striking
9 from the City Plan and vacating Norfolk Street and
10 Beck Street Swanson Street to the right-of-way to
11 the line of Delaware Expressway.

12 COUNCIL PRESIDENT VERNA: The Bill will
13 be referred to the appropriate committee.

14 THE CHIEF CLERK: And an Ordinance
15 amending Section 12-2809 of the Philadelphia Code
16 relating to civil penalties and costs for violations
17 of certain provisions of Title 12 by increasing the
18 civil penalty for violations of Section 12-908.

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

21 The Chair recognizes Councilman O'Neill.

22 COUNCILMAN O'NEILL: Madam President, I
23 offer one Resolution.

24 COUNCIL PRESIDENT VERNA: The Clerk will
25 please read the title of the Resolution.

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2 THE CHIEF CLERK: The Resolution urging
3 the National Football League to name the Pottsville
4 League co-champions of 1925.

5 COUNCILWOMAN VERNA: The Chair
6 recognizes Councilman O'Neill.

7 COUNCILMAN O'NEILL: Move the adoption.
8 (Duly seconded.)

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

12 All in favor will signify by saying aye.
13 (Aye.)

14 COUNCIL PRESIDENT VERNA: Those opposed?
15 (No response.)

16 COUNCIL PRESIDENT VERNA: The ayes have
17 it, and the Resolution has been adopted.

18 The Chair recognizes Councilman Clarke.

19 COUNCILMAN CLARKE: Thank you, Madam
20 President. I have three resolutions.

21 COUNCILWOMAN VERNA: The Clerk will
22 please read the title of the first Resolution.

23 THE CHIEF CLERK: A Resolution approving
24 the redevelopment contract and disposition
25 supplement of the Redevelopment Authority of the

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2 City of Philadelphia for the redevelopment and urban
3 renewal of a portion of the Model Cities Urban
4 Renewal Area.

5 COUNCILWOMAN VERNA: The Chair

6 Councilman Clarke.

7 COUNCILMAN CLARKE: Move for the
8 adoption.

9 (Duly seconded.)

10 COUNCIL PRESIDENT VERNA: It has been
11 moved and seconded that the Resolution be adopted.

12 All in favor will say aye.

13 (Aye.)

14 COUNCIL PRESIDENT VERNA: Those opposed?

15 (No response.)

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

18 The Chair recognizes the Chief Clerk to
19 please read the second Resolution introduced by
20 Councilman Clarke.

21 THE CHIEF CLERK: A Resolution
22 authorizing the Commissioner of Public Property to
23 execute and deliver to the Redevelopment Authority
24 of the City deeds located in 16th, 29th, 32nd, 37th
25 and 47th Wards of the City of Philadelphia.

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2 COUNCILWOMAN VERNA: The Chair
3 recognizes Councilman Clarke.

4 COUNCILMAN CLARKE: Move for the
5 adoption of the Resolution.

6 (Duly seconded.)

7 COUNCIL PRESIDENT VERNA: It has been
8 moved and seconded that the Resolution be adopted.
9 All in favor will indicate by saying
10 aye.

11 (Aye.)

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

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

16 The Clerk will please read the last
17 Resolution.

18 THE CHIEF CLERK: A Resolution approving
19 the redevelopment contract and disposition
20 supplement of the Redevelopment Authority of the
21 City of Philadelphia for the redevelopment urban
22 renewal of a portion of the Model Cities Urban
23 Renewal Area.

24 COUNCILWOMAN VERNA: The Chair
25 recognizes Councilman Clarke.

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2 COUNCILMAN CLARKE: Move for the
3 adoption of the Resolution.

4 (Duly seconded.)

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

8 All in favor will signify by saying aye.

9 (Aye.)

10 COUNCIL PRESIDENT VERNA: Those opposed?

11 (No response.)

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

14 The Chair recognizes Councilman Rizzo.

15 COUNCILMAN RIZZO: Madam President, I
16 have one Resolution.

17 Can I make a statement about this
18 Resolution, please.

19 COUNCILWOMAN VERNA: Certainly.

20 COUNCILMAN RIZZO: Madam President, Wolf
21 Dolman has been a Channel 6 camera person for almost
22 40 years. And his coworkers came to me and asked me
23 to do this Resolution., but it's a surprise. They
24 sent him to Scranton today so he wouldn't be around
25 to hear about this Resolution. So I'd just

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2 appreciate it -- next week we're going to present it
3 to him -- that no one mentions the Resolution
4 because they're trying to make it a surprise. Thank
5 you.

6 COUNCILWOMAN Verna: The Clerk will read
7 the Resolution.

8 THE CHIEF CLERK: A Resolution honoring
9 Wolf Dolman upon his return and after nearly 40
10 years as an Action News photographer for WPVI TV
11 Channel 6.

12 COUNCILWOMAN Verna: The Chair
13 recognizes Councilman Rizzo.

14 COUNCILMAN RIZZO: I move for adoption
15 Resolution.

16 And Councilman Nutter tells me that he
17 probably already knows by now.

18 I move for the adoption of the
19 Resolution.

20 (Duly seconded.)

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

6 Though we don't have a Resolution to
7 present today, it is my understanding that one of
8 our colleagues is celebrating a birthday. She is
9 going to be asked to be leaving very shortly and we
10 would like to wish her continued good health and
11 happiness. And at this time, I would all like you
12 to join me in saying happy birthday to Councilwoman
13 Krajewski.

14 (Applause.)

15 COUNCIL PRESIDENT Verna: Councilwoman,
16 I know you have laryngitis. How do you care to vote
17 the Bills and Resolutions that will be coming up? I
18 understand you want to be excused.

19 COUNCILWOMAN KRAJEWSKI: I wish to be
20 recorded voting aye on all Bills and Resolutions.

21 COUNCILWOMAN Verna: And I believe
22 there's an amendment.

23 COUNCILWOMAN KRAJEWSKI: Also voting aye
24 on the amendment.

25 COUNCIL PRESIDENT Verna: Thank you. I

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2 do hope you're feeling better. And happy birthday.

3 Our next order of business is reports
4 from committees.

5 And the Chair recognizes Councilwoman
6 Blackwell for a report from the Committee on
7 Finance.

8 COUNCILWOMAN BLACKWELL: Thank you,
9 Madam President. The Committee on Finance reports
10 out two bills with a favorable recommendation.

11 COUNCILWOMAN VERNA: The Chief Clerk
12 will please read the report.

13 THE CHIEF CLERK: To the President and
14 members of the Council of the City of Philadelphia,
15 the Committee on Finance to which was referred Bill
16 No. 030251, entitled an Ordinance amending Chapter
17 19-1800 of the Philadelphia Code entitled "School
18 Tax Authorization," by adding a new Section 19-1801
19 providing for a cap on tax increases, under certain
20 terms and conditions;

21 And Bill No. 030335, entitled an
22 Ordinance authorizing the Commissioner of Public
23 Property of the City of Philadelphia on behalf of
24 the City and in cooperation with the Philadelphia
25 Municipal Authority to undertake a project to

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2 promote the health, safety, and welfare of the
3 residents in the City of Philadelphia, all under
4 terms and conditions;

5 Respectfully reports it has considered
6 the same and returns the attached bills to Council
7 with a favorable recommendation.

8 COUNCILWOMAN VERNA: Thank you.

9 The Chair recognizes Councilwoman
10 Blackwell.

11 COUNCILWOMAN BLACKWELL: Thank you,
12 Madam President. I move that the Rules of Council
13 be suspended so as to permit first reading this day
14 of Bill Nos. 030251 and 030335.

15 (Duly seconded.)

16 COUNCILWOMAN VERNA: It has been moved
17 and properly seconded that the Rules of Council be
18 suspended so as to permit first reading this day of
19 Bill Nos. 030251 and 030335.

20 All in favor will indicate by saying
21 aye.

22 (Aye.)

23 COUNCILWOMAN VERNA: Those opposed?

24 (No response.)

25 COUNCILWOMAN VERNA: The ayes have it

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2 and the Bills just read will be placed on today's
3 First Reading Calendar.

4 At this time the Chair recognizes
5 Councilman Cohen for a report.

6 COUNCILMAN COHEN: Thank you, Madam
7 President. The Committees on Law and Government,
8 Public Safety, and Health and Human Services offer
9 an interim report on Resolutions 020695 and 020832.
10 The reports are signed by every member of each of
11 the three committees.

12 COUNCILWOMAN VERNA: The Chief Clerk
13 will please read the report.

14 THE CHIEF CLERK: To the President and
15 Members of the Council of the City of Philadelphia,
16 the Committee on Law and Government, Public Safety,
17 Human Health and Human Services after conducting
18 investigations authorized pursuant to Resolutions
19 020695 and 020832 have issued an interim report
20 calling upon the Governor and the Pennsylvania
21 Legislature to completely immediately rescind the
22 FY '04 budget cuts made to drug and alcohol programs
23 and to Medicare services, and additionally to
24 increase funding levels in both areas to meet
25 demonstrated need.

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2 COUNCILWOMAN Verna: The Chair
3 recognizes Councilman Cohen.

4 COUNCILMAN COHEN: Thank you, Madam
5 President. I failed to note that you, Madam
6 President, also signed the report since you're ex
7 officio member of each of the Committees, so it's
8 unanimously reported by the Committees.

9 I move the City Council approve and
10 adopt interim report and its conclusions.

11 (Duly seconded.)

12 COUNCIL PRESIDENT Verna: It has been
13 moved and properly seconded that City Council
14 approve and adopt the interim report of the
15 Committees on the Resolution be adopted.

16 All in favor will signify by saying aye.

17 (Aye.)

18 COUNCIL PRESIDENT Verna: Those opposed?

19 (No response.)

20 COUNCIL PRESIDENT Verna: The ayes have
21 it, and the motion carries. It has been moved and
22 seconded that City Council approve and adopt interim
23 report on the Committees on Law and Government,
24 Public Safety, Human Health and Human Services and
25 its conclusions.

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2 All in favor will indicate by saying
3 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 at this time recognizes
10 Councilman DiCicco for a report from the Committee
11 on Streets and Services.

12 COUNCILMAN DICICCO: Thank you, Madam
13 President. It the Committee on Streets and Services
14 reports out 34 Bills and one Resolution with a
15 favorable recommendation.

16 COUNCILWOMAN VERNA: The Chief Clerk
17 please read the report.

18 THE CHIEF CLERK: To President and
19 Members of the Council of the City of Philadelphia,
20 the Committee on Streets and Services to which was
21 referred Resolution No. 030401, entitled a
22 Resolution also naming the 1800 block of Webster
23 Street as Marian Anderson Place;

24 And Bill No. 030214, entitled an
25 Ordinance amending Section 5 of an Ordinance, Bill

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2 No. 010661, approved December 28, 2001, entitled an
3 Ordinance authorizing the Railroad Passenger
4 Corporation to maintain a pedestrian bridge below
5 Arch Street at 30th Street Station;

6 And Bill No. 030247, entitled an
7 Ordinance authorizing Gold Incorporated to
8 construct, own, and maintain a one-story building
9 addition to the east footway of 12th Street;

10 And Bill No. 030249, entitled an
11 Ordinance authorizing and directing the revision of
12 lines and grades on a portion of City Plan No. 253
13 of the area lying northwardly from the intersection
14 of Uruh Avenue and Oakley Street;

15 And Bill No. 030250, entitled an
16 Ordinance amending 9-205 of the Philadelphia Code
17 entitled, "Sidewalk Sales," by revising and
18 expanding an existing area in which sidewalk sales
19 are prohibited;

20 And Bill No. 030333, entitled an
21 Ordinance amending Section 9-205 of the Philadelphia
22 Code entitled "Sidewalk Sales," by prohibiting
23 sidewalk vending on portions of Baltimore Avenue;

24 And Bill No. 030336, entitled an
25 Ordinance granting permission to Exclusive

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2 Enterprises to operate and maintain an open air
3 sidewalk cafe;

4 And Bill No. 030337, entitled an
5 Ordinance amending Section 9-205 of the Philadelphia
6 Code relating to sidewalk sales and vending in
7 residential areas by adding a new provision
8 prohibiting sidewalk sales and vending;

9 And Bill No. 030338, entitled an
10 Ordinance authorizing the installation of two left
11 turn green arrow traffic signals at the intersection
12 Rising Sun Avenue and Adams Avenue;

13 Bill No. 030341, entitled an Ordinance
14 granting permission to Johnny Mananas Restaurant,
15 located 4201 Ridge Avenue to operate and maintain an
16 open air sidewalk cafe;

17 And Bill No. 030343, entitled an
18 Ordinance authorizing Wills Eye Hospital, 800 Walnut
19 Street, to construct, own and maintain a roof beam
20 architectural embellishment;

21 And Bill No. 030344, entitled an
22 Ordinance granting permission to Ride the Ducks
23 International to remove an existing wood and metal
24 newsstand located on the west sidewalk of South
25 Independence Mall West;

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2 And Bill No. 030345, entitled an
3 Ordinance authorizing National Constitution Center,
4 Bourse Building to construct, own and maintain the
5 National Constitution Center encroachment on the
6 east footway of Independence Mall West;

7 And Bill No. 030346 entitled, an
8 Ordinance granting permission to Lougeswaran
9 Vijayhratnam, owner of the newsstand at the
10 southeast corner of Ninth Street and Walnut Street,
11 to construct, use and maintain an electrical
12 conduit;

13 And Bill No. 030347 entitled, an
14 Ordinance authorizing the revision of lines and
15 grades on a portion of City Plan No. 238 by striking
16 from the City Plan and vacating Salter Street from
17 Third Street to Orianna Street;

18 And Bill No. 030348, entitled an
19 Ordinance granting permission to Nahal Desai, owner
20 of the newsstand at the northeast corner of Juniper
21 Street and Market Street;

22 And Bill No. 030349, entitled an
23 Ordinance granting permission to Sprint
24 Communications Company, its successors and assigns
25 to construct telecommunications service connections

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2 and fiber optic cables in and under the public
3 rights-of-way and City streets;

4 And Bill No. 030350, entitled an
5 Ordinance authorizing the revision of lines and
6 grades on a portion of City Plan 27S by striking
7 from the City Plan and vacating the legally open
8 portions of Dilworth Street from Wolf Street to
9 Ritner Street;

10 And Bill No. 030351, entitled an
11 Ordinance granting permission to 801 Last Resort to
12 operate and maintain an open air sidewalk cafe;

13 And Bill No. 030352, entitled an
14 Ordinance authorizing the revision of lines and
15 grades on a portion of City Plan Nos. 370 and 308 by
16 relocating certain portions of the curb lines on
17 Chestnut Street from Independence Mall East to 18th
18 Street;

19 And Bill No. 030374, entitled an
20 Ordinance authorizing the Philadelphia Phillies,
21 Broad Street and Pattison Avenue, its successors and
22 assigns to construct own and maintain a total of 55
23 street light poles and 27 pedestrian light poles;

24 And Bill No. 030375, entitled an
25 Ordinance granting permission to Popi's Enterprises

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2 to construct, use and maintain a building
3 encroachment;

4 And Bill No. 030376, entitled an
5 Ordinance authorizing the revision of lines grades
6 on a portion of City plan No. 17S by striking from
7 the City Plan and vacating Oakford Street from 30th
8 Street to 31st Street;

9 And Bill No. 030378, entitled an
10 Ordinance granting permission to Coleman Properties,
11 a Pennsylvania partnership, its successors and
12 assigns, to construct and remove a ductbank for
13 telecommunication purposes;

14 And Bill No. 030381, entitled an
15 Ordinance authorizing the revision of lines and
16 grades on a portion of City Plan No. 197 by
17 narrowing Delaware Avenue from Tioga Street to
18 Wheatsheaf Lane;

19 And Bill No. 030384, entitled an
20 Ordinance amending Section 4 of an Ordinance, Bill
21 No. 010381, approved June 14, 2001, entitled an
22 Ordinance authorizing Edward Flippen to construct,
23 use, and maintain a one-story building addition;

24 And Bill No. 030385, entitled an
25 Ordinance regulating the direction of movement of

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2 traffic on Haddington Lane from 59th Street to
3 Felton Street;

4 And Bill No. 030387, entitled an
5 Ordinance authorizing the installation of stop signs
6 on Second Street at the intersection of Poplar
7 Street;

8 And Bill No. 030388, entitled an
9 Ordinance authorizing Trigen-Philadelphia Energy
10 Corporation, 2600 Christian Street, its successors
11 and assigns, to construct, own, and maintain and
12 underground chilled water distribution;

13 And Bill No. 030390, entitled an
14 Ordinance granting permission to SunGard
15 Availability Services, 401 North Broad Street, to
16 construct a concrete conduit bank housing
17 electrical cables;

18 And Bill No. 030391, entitled an
19 Ordinance authorizing the revision of lines and
20 grades on a portion of City Plan 26S by striking
21 from the City Plan Porter Street from Christopher
22 Columbus Boulevard to Weccacoe Street;

23 And Bill No. 030393, entitled an
24 Ordinance amending Chapter 11-300 of the
25 Philadelphia Code entitled "Board of Surveyors," by

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2 amending Chapter 11-301 entitled "Street
3 Improvements";

4 And Bill No. 030394, entitled an
5 Ordinance authorizing the installation of all-way
6 stop signs at the intersection of Cabell Road and
7 Lester Road;

8 And Bill No. 030396, entitled an
9 Ordinance authorizing the Center City District, 917
10 Filbert Street, its successors and assigns to
11 construct, own, and maintain a total of 27
12 pedestrian scale light poles;

13 And Bill No. 030398, entitled an
14 Ordinance authorizing G2S2 Associates, owner of the
15 property 1605 Sansom Street to construct and
16 maintain a building encroachment over and above the
17 north footway of the 1600 block of Sansom Street;

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

21 COUNCILWOMAN VERNA: The Chair
22 recognizes Councilman DiCicco.

23 COUNCILMAN DICICCO: Thank you, Madam
24 President. I move that the Rules of Council be
25 suspended so as to permit first reading this day of

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2 the 34 Bills and the one Resolution that have just
3 been read into the record.

4 (Duly seconded.)

5 COUNCILWOMAN VERNA: It has been moved
6 and properly seconded that the Rules of Council be
7 suspended so as to permit first reading this day of
8 the Bills just read by the Chief Clerk.

9 All in favor will indicate by saying
10 aye.

11 (Aye.)

12 COUNCIL PRESIDENT VERNA: Those opposed?

13 (No response.)

14 COUNCILWOMAN VERNA: The ayes have it,
15 and the Bills just read will be placed on today's
16 First Reading Calendar.

17 Resolution No. 030401 will be placed at
18 the end of today's Calendar.

19 At this time the Chair recognizes
20 Councilman Mariano for a report from the Committee
21 of Licenses and Inspections.

22 COUNCILMAN MARIANO: The Committee on
23 Licenses and Inspections reports one Bill with
24 favorable recommendation.

25 COUNCILWOMAN VERNA: The Chief Clerk

THE CHIEF CLERK: To the President and the Council of the City of Philadelphia, on Licenses and Inspections to which Bill No. 030254, entitled an Ordinance Title 9 of the Philadelphia Code Regulations, Trades and Professions by amending 08 relating to sidewalk cafes by amending certain provisions for regulating cafes, all under certain terms and respectfully reports it has considered the same and returns the attached Bill with a favorable recommendation.

COUNCILMAN MARIANO: I move that the Council be suspended so as to permit first day of Bill 030254.

COUNCILWOMAN VERA: It has been moved
y seconded that the Rules of Council be
o as to permit first reading this day of
9254.

All in favor will indicate by saying

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2 aye.

3 (Aye.)

4 COUNCILWOMAN Verna: Those opposed?

5 (No response.)

6 COUNCILWOMAN Verna: The ayes have it,
7 and the Bill just read will be placed on today's
8 First Reading Calendar.

9 That concludes the reports from
10 committees.

11 Our next order of business is the
12 consideration of the Calendar.

13 The Chief Clerk will please read the
14 Bills on the First Reading Calendar.

15 THE CHIEF CLERK: Bill No. 030222, an
16 Ordinance creating the Progress Plaza Tax Increments
17 Financing District, being the area generally bounded
18 by Broad Street on the west, Oxford Street on the
19 north, 13th Street on the east, and Jefferson Street
20 on the south.

21 COUNCIL PRESIDENT Verna: The Chair
22 agrees.

23 THE CHIEF CLERK: And Bill No. 030251,
24 an Ordinance amending Chapter 19-1800 of the
25 Philadelphia Code entitled "School Tax

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2 Authorization," by adding a new Section 19-1801
3 providing for a cap on tax increases, under certain
4 terms and conditions.

5 COUNCIL PRESIDENT VERNA: The Chair
6 agrees.

7 And Bill No. 030335, an Ordinance
8 authorizing the Commissioner of Public Property of
9 the City of Philadelphia on behalf of the City and
10 in cooperation with the Philadelphia Municipal
11 Authority to undertake a project to promote the
12 health, safety, and welfare of the residents in the
13 City of Philadelphia, all under terms and
14 conditions.

15 COUNCIL PRESIDENT VERNA: The Chair
16 agrees.

17 THE CHIEF CLERK: Bill No. 030214, an
18 Ordinance amending Section 5 of an Ordinance, Bill
19 No. 010661, approved December 28, 2001, entitled an
20 Ordinance authorizing the Railroad Passenger
21 Corporation to maintain a pedestrian bridge below
22 Arch Street at 30th Street Station.

23 COUNCIL PRESIDENT VERNA: The Chair
24 agrees.

25 THE CHIEF CLERK: And Bill No. 030247,

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2 entitled an Ordinance authorizing Gold Incorporated
3 to construct, own, and maintain a one-story building
4 addition to the east footway of 12th Street.

5 COUNCIL PRESIDENT Verna: The Chair
6 agrees.

7 THE CHIEF CLERK: And Bill No. 030249,
8 entitled an Ordinance authorizing and directing the
9 revision of lines and grades on a portion of City
10 Plan No. 253 of the area lying northwardly from the
11 intersection of Uruh Avenue and Oakley Street.

12 COUNCIL PRESIDENT Verna: The Chair
13 agrees.

14 THE CHIEF CLERK: And Bill No. 030250,
15 an Ordinance amending 9-205 of the Philadelphia Code
16 entitled, "Sidewalk Sales," by revising and
17 expanding an existing area in which sidewalk sales
18 are prohibited.

19 COUNCIL PRESIDENT Verna: The Chair
20 agrees.

21 THE CHIEF CLERK: And Bill No. 030333,
22 an Ordinance amending Section 9-205 of the
23 Philadelphia Code entitled "Sidewalk Sales," by
24 prohibiting sidewalk vending on portions of
25 Baltimore Avenue.

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2 COUNCIL PRESIDENT VERNA: The Chair
3 agrees.

4 THE CHIEF CLERK: And Bill No. 030336,
5 an Ordinance granting permission to Exclusive
6 Enterprises to operate and maintain an open air
7 sidewalk cafe.

8 COUNCIL PRESIDENT VERNA: The Chair
9 agrees.

10 THE CHIEF CLERK: And Bill No. 030337,
11 an Ordinance amending Section 9-205 of the
12 Philadelphia Code relating to sidewalk sales and
13 vending in residential areas by adding a new
14 provision prohibiting sidewalk sales.

15 COUNCIL PRESIDENT VERNA: The Chair
16 agrees.

17 THE CHIEF CLERK: And Bill No. 030338,
18 an Ordinance authorizing the installation of two
19 left turn green arrow traffic signals at the
20 intersection Rising Sun Avenue and Adams Avenue.

21 COUNCIL PRESIDENT VERNA: The Chair
22 agrees.

23 THE CHIEF CLERK: Bill No. 030341, an
24 Ordinance granting permission to Johnny Mananas
25 Restaurant, located 4201 Ridge Avenue to operate and

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2 maintain an open air sidewalk cafe.

3 COUNCIL PRESIDENT Verna: The Chair
4 agrees.

5 THE CHIEF CLERK: And Bill No. 030343,
6 an Ordinance authorizing Wills Eye Hospital, 800
7 Walnut Street, to construct, own and maintain a roof
8 beam architectural embellishment.

9 COUNCIL PRESIDENT Verna: The Chair
10 agrees.

11 THE CHIEF CLERK: And Bill No. 030344,
12 an Ordinance granting permission to Ride the Ducks
13 International to remove an existing wood and metal
14 newsstand.

15 COUNCIL PRESIDENT Verna: The Chair
16 agrees.

17 THE CHIEF CLERK: And Bill No. 030345,
18 an Ordinance authorizing National Constitution
19 Center, Bourse Building to construct, own and
20 maintain the National Constitution Center
21 encroachment on the east footway of Independence
22 Mall West.

23 COUNCIL PRESIDENT Verna: The Chair
24 agrees.

25 THE CHIEF CLERK: And Bill No. 030346,

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2 an Ordinance granting permission to Lougeswaran
3 Vijayhratnam, owner of the newsstand at the
4 southeast corner of Ninth Street and Walnut Street
5 to construct, use and maintain electrical services
6 to the newsstand.

7 COUNCIL PRESIDENT Verna: The Chair
8 agrees.

9 THE CHIEF CLERK: And Bill No. 030347 ,
10 an Ordinance authorizing the revision of lines and
11 grades on a portion of City Plan No. 238 by striking
12 from the City Plan and vacating Salter Street from
13 Third Street to Orianna Street.

14 COUNCIL PRESIDENT Verna: The Chair
15 agrees.

16 THE CHIEF CLERK: And Bill No. 030348,
17 an Ordinance granting permission to Nahal Desai,
18 owner of the newsstand at the northeast corner of
19 Juniper Street and Market Street.

20 COUNCIL PRESIDENT Verna: The Chair
21 agrees.

22 THE CHIEF CLERK: And Bill No. 030349,
23 an Ordinance granting permission to Sprint
24 Communications Company, its successors and assigns
25 to construct telecommunications service connections

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2 and fiber optic cables in and under the public
3 rights-of-way and City streets.

4 COUNCIL PRESIDENT VERNA: The Chair
5 agrees.

6 THE CHIEF CLERK: And Bill No. 030350,
7 an Ordinance authorizing the revision of lines and
8 grades on a portion of City Plan 27S by striking
9 from the City Plan and vacating the legally open
10 portions of Dilworth Street from Wolf Street to
11 Ritner Street.

12 COUNCIL PRESIDENT VERNA: The Chair
13 agrees.

14 THE CHIEF CLERK: And Bill No. 030351,
15 an Ordinance granting permission to 801 Last Resort
16 to operate and maintain an open air sidewalk cafe.

17 COUNCIL PRESIDENT VERNA: The Chair
18 agrees.

19 THE CHIEF CLERK: And Bill No. 030352,
20 an Ordinance authorizing the revision of lines and
21 grades on a portion of City Plan Nos. 370 and 308 by
22 relocating certain portions of the curb lines on
23 Chestnut Street from Independence Mall East to 18th
24 Street.

25 COUNCIL PRESIDENT VERNA: The Chair

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2 agrees.

3 THE CHIEF CLERK: And Bill No. 030374,
4 an Ordinance authorizing the Philadelphia Phillies,
5 Broad Street and Pattison Avenue, its successors and
6 assigns to construct own and maintain a total of 55
7 street light poles and 27 pedestrian light poles.

8 COUNCIL PRESIDENT Verna: The Chair
9 agrees.

10 THE CHIEF CLERK: And Bill No. 030375,
11 an Ordinance granting permission to Popi's
12 Enterprises to construct, use and maintain a
13 building encroachment.

14 COUNCIL PRESIDENT Verna: The Chair
15 agrees.

16 And Bill No. 030378, an Ordinance
17 granting permission to Coleman Properties, a
18 Pennsylvania partnership, its successors and
19 assigns, to construct and remove a ductbank for
20 telecommunication purposes.

21 COUNCIL PRESIDENT Verna: The Chair
22 agrees.

23 THE CHIEF CLERK: And Bill No. 030376,
24 an Ordinance authorizing the revision of lines
25 grades on a portion of City plan No. 17S by striking

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2 from the City Plan and vacating Oakford Street from
3 30th Street to 31st Street.

4 COUNCIL PRESIDENT VERNA: The Chair
5 agrees.

6 THE CHIEF CLERK: And Bill No. 030381,
7 an Ordinance authorizing the revision of lines and
8 grades on a portion of City Plan No. 197 by
9 narrowing Delaware Avenue from Tioga Street to
10 Wheatsheaf Lane.

11 COUNCIL PRESIDENT VERNA: The Chair
12 agrees.

13 THE CHIEF CLERK: And Bill No. 030384,
14 an Ordinance amending Section 4 of an Ordinance,
15 Bill No. 010381, approved June 14, 2001, entitled an
16 Ordinance authorizing Edward Flippen to construct,
17 use, and maintain a one-story building addition.

18 COUNCIL PRESIDENT VERNA: The Chair
19 agrees.

20 THE CHIEF CLERK: And Bill No. 030385,
21 an Ordinance regulating the direction of movement of
22 traffic on Haddington Lane from 59th Street to
23 Felton Street.

24 COUNCIL PRESIDENT VERNA: The Chair
25 agrees.

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2 THE CHIEF CLERK: And Bill No. 030387,
3 entitled an Ordinance authorizing the installation
4 of stop signs on Second Street at the intersection
5 of Poplar Street.

6 COUNCIL PRESIDENT Verna: The Chair
7 agrees.

8 THE CHIEF CLERK: And Bill No. 030388,
9 entitled an Ordinance authorizing
10 Trigen-Philadelphia Energy Corporation, 2600
11 Christian Street, its successors and assigns, to
12 construct, own, and maintain and underground chilled
13 water distribution system.

14 COUNCIL PRESIDENT Verna: The Chair
15 agrees.

16 THE CHIEF CLERK: And Bill No. 030390,
17 an Ordinance granting permission to SunGard
18 Availability Services to construct electrical cables
19 and private telecommunications facilities.

20 COUNCIL PRESIDENT Verna: The Chair
21 agrees.

22 THE CHIEF CLERK: And Bill No. 030391,
23 an Ordinance authorizing the revision of lines and
24 grades on a portion of City Plan 26S by striking
25 from the City Plan Porter Street from Christopher

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2 Columbus Boulevard to Weccacoe Street.

3 COUNCIL PRESIDENT Verna: The Chair
4 agrees.

5 THE CHIEF CLERK: And Bill No. 030393,
6 an Ordinance amending Chapter 11-300 of the
7 Philadelphia Code entitled "Board of Surveyors," by
8 amending Chapter 11-301 entitled "Street
9 Improvements."

10 COUNCIL PRESIDENT Verna: The Chair
11 agrees.

12 THE CHIEF CLERK: And Bill No. 030394,
13 an Ordinance authorizing the installation of all-way
14 stop signs at the intersection of Cabell Road and
15 Lester Road.

16 COUNCIL PRESIDENT Verna: The Chair
17 agrees.

18 THE CHIEF CLERK: And Bill No. 030396,
19 an Ordinance authorizing the Center City District,
20 917 Filbert Street, its successors and assigns to
21 construct, own, and maintain a total of 27
22 pedestrian scale light poles.

23 COUNCIL PRESIDENT Verna: The Chair
24 agrees.

25 THE CHIEF CLERK: And Bill No. 030398,

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2 an Ordinance authorizing G2S2 Associates, owner of
3 the property 1605 Sansom Street to construct and
4 maintain a building encroachment over and above the
5 north footway of the 1600 block of Sansom Street.

6 COUNCIL PRESIDENT VERNA: The Chair
7 agrees.

8 THE CHIEF CLERK: And Bill No. 030254 an
9 Ordinance amending Title 9 of the Philadelphia Code
10 Regulation of Businesses, Trades and Professions by
11 amending Section 9-208 relating to sidewalk cafes by
12 amending and adding certain provisions for
13 regulating sidewalk cafes.

14 COUNCIL PRESIDENT VERNA: The Chair
15 agrees.

16 THE CHIEF CLERK: Resolution 030401,
17 Resolution also naming the 1800 block of Webster
18 Street as Marian Anderson Place.

19 COUNCILWOMAN VERNA: The Bills just read
20 by the Clerk will be placed on the Second Reading
21 and Final Passage Calendar next Session.

22 That concludes the first reading.

23 The Chair now recognizes Councilwoman
24 Blackwell for the purpose of calling up Bills for
25 consideration on today's Second Reading and Final

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2 Passage Calendar.

3 COUNCILWOMAN BLACKWELL: Thank you,
4 Madam President. Today Bill Nos. 030017, 030401 is
5 to be amended, 030002, 030003, 030004, 030005,
6 030006, 030008, 030009, 030010, 030012, 030013,
7 030215, 030069, 030070, 030371, 030372, 020084,
8 030303 are being called up for second reading and
9 final --

10 COUNCILWOMAN VERNA: Excuse me,
11 Councilwoman, did you say 020084.

12 COUNCILWOMAN BLACKWELL: Yes, ma'am.

13 COUNCILWOMAN VERNA: I believe the
14 Councilman requested that that be held.

15 COUNCILWOMAN BLACKWELL: I'm sorry. My
16 error.

17 All these Bills are being called up for
18 Second Reading and Final Passage Calendar for
19 consideration. And again Bill No. 030141 is to be
20 amended.

21 COUNCILWOMAN VERNA: And all other Bills
22 are will be held.

23 COUNCILWOMAN BLACKWELL: All other Bills
24 being held. Thank you, Madam President.

25 COUNCILWOMAN VERNA: At this time the

3 COUNCILMAN O'NEILL: Thank you, Madam
4 President. I would ask at this time, since I have
5 to leave the Council Chamber on City-related
6 business to be recorded as voting aye on all
7 amendments and Bills, with the Chair's permission.

10 COUNCILWOMAN VERA: Thank you. You are
11 excused.

14 THE CHIEF CLERK: An Ordinance
15 establishing a neighborhood improvement district in
16 an area that generally includes both sides of Ridge
17 Avenue from Main Street to 7220 Ridge Avenue and
18 certain blocks of streets that intersect that
19 portion of Ridge Avenue to be known as the
20 Roxborough District; designating the Roxborough
21 Development Corporation.

25 The Clerk will please call the roll.

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2 THE CHIEF CLERK: Councilwoman

3 Blackwell.

4 COUNCILWOMAN BLACKWELL: Aye.

5 THE CHIEF CLERK: Councilman Clarke.

6 COUNCILMAN CLARKE: Aye.

7 THE CHIEF CLERK: Councilman Cohen.

8 COUNCILMAN COHEN: Aye.

9 THE CHIEF CLERK: Councilman 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 Krajewski

16 voting aye.

17 Councilman Mariano.

18 COUNCILMAN MARIANO: Aye.

19 THE CHIEF CLERK: Councilwoman Miller.

20 COUNCILWOMAN MILLER: Aye.

21 THE CHIEF CLERK: Councilman Nutter.

22 COUNCILMAN NUTTER: Aye.

23 THE CHIEF CLERK: Councilman O'Neill

24 voting aye.

25 THE CHIEF CLERK: Councilman Ortiz.

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2 COUNCILMAN ORTIZ: Aye.

3 THE CHIEF CLERK: Councilwoman

4 Reynolds Brown.

5 COUNCILWOMAN BROWN: Aye.

6 THE CHIEF CLERK: Councilman Rizzo.

7 COUNCILMAN RIZZO: Aye.

8 THE CHIEF CLERK: Councilwoman Tasco.

9 COUNCILWOMAN TASCO: Aye.

10 THE CHIEF CLERK: Council President

11 Verna.

12 COUNCIL PRESIDENT VERNA: Aye.

13 The ayes are 16, the nays are 0. A
14 majority of all Members of Council having voted in
15 the affirmative, the Bill passes.

16 The next Bill to be called for
17 consideration is Bill No. 030141.

18 THE CHIEF CLERK: An Ordinance amending
19 Chapter 9-700 of the Philadelphia Code entitled
20 "Amusement businesses," by amending 9-703 to
21 prohibit the use of pyrotechnic devices, fireworks,
22 explosives or similar materials within dance halls,
23 all under certain terms and conditions.

24 COUNCILWOMAN VERNA: The Chair
25 recognizes Councilman Mariano.

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2 COUNCILMAN MARIANO: Thank you, Madam
3 President. I have to leave the Chambers at this
4 time. I want to leave my vote as voting yes for all
5 Bills and an amendments and resolutions.

6 COUNCILWOMAN Verna: Thank you. You're
7 excused.

8 The Chair recognizes Councilman Clarke
9 regarding Bill No. 030141.

10 COUNCILMAN CLARKE: Thank you, Madam
11 President. Madam President, I'd like to offer an
12 amendment to Bill No. 030141. It is somewhat
13 technical in nature No. 4 in Section 9-703,
14 essentially deleting "refrain" in the language and
15 putting "prohibit the use pyrotechnics." This
16 amendment has circulated both in the caucus and is
17 currently being circulated now. I'd like to make a
18 motion for approval of the amendment to Bill No.
19 030141.

20 (Duly seconded.)

21 COUNCILWOMAN Verna: It has been moved
22 and seconded that the amendment be adopted.

23 All in favor will signify by saying aye.

24 (Aye.)

25 COUNCIL PRESIDENT Verna: Those opposed?

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2 (No response.)

3 COUNCIL PRESIDENT Verna: The ayes have,
4 and the motion carries. And the bill will be placed
5 on our Second Reading and Final Passage Calendar for
6 next week.

7 At this time, I would ask the Clerk to
8 please read the title of Bill No. 030002.

9 THE CHIEF CLERK: An Ordinance to adopt
10 a Capital Program for the six Fiscal Years 2004-2009
11 inclusive.

12 COUNCIL PRESIDENT Verna: This Bill
13 having been read on two different days, the question
14 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 DiCicco.

24 COUNCILMAN DICICCO: Aye.

25 THE CHIEF CLERK: Councilman Goode.

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2 COUNCILMAN GOODE: Aye.
3 THE CHIEF CLERK: Councilman Kenney.
4 COUNCILMAN KENNEY: Aye.
5 THE CHIEF CLERK: Councilwoman Krajewski
6 and Councilman Mariano voting aye.
7 Councilwoman Miller.
8 COUNCILWOMAN MILLER: Aye.
9 THE CHIEF CLERK: Councilman Nutter.
10 COUNCILMAN NUTTER: Aye.
11 THE CHIEF CLERK: Councilman O'Neill
12 voting aye.
13 Councilman Ortiz.
14 COUNCILMAN ORTIZ: Aye.
15 THE CHIEF CLERK: Councilwoman
16 Reynolds Brown.
17 COUNCILWOMAN BROWN: Aye.
18 THE CHIEF CLERK: Councilman Rizzo.
19 COUNCILMAN RIZZO: Aye.
20 THE CHIEF CLERK: Councilwoman Tasco.
21 COUNCILWOMAN TASCO: Aye.
22 THE CHIEF CLERK: Council President
23 Verna.
24 COUNCIL PRESIDENT VERNA: Aye.
25 The ayes are 16, the nays are 0. A

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2 and Councilman Mariano voting aye.
3 Councilwoman Miller.
4 COUNCILWOMAN MILLER: Aye.
5 THE CHIEF CLERK: Councilman Nutter.
6 COUNCILMAN NUTTER: Aye.
7 THE CHIEF CLERK: Councilman O'Neill
8 voting aye.
9 Councilman Ortiz.
10 COUNCILMAN ORTIZ: Aye.
11 THE CHIEF CLERK: Councilwoman
12 Reynolds Brown.
13 COUNCILWOMAN BROWN: Aye.
14 THE CHIEF CLERK: Councilman Rizzo.
15 COUNCILMAN RIZZO: Aye.
16 THE CHIEF CLERK: Councilwoman Tasco.
17 COUNCILWOMAN TASCO: Aye.
18 THE CHIEF CLERK: Council President
19 Verna.
20 COUNCIL PRESIDENT VERNA: Aye.
21 The ayes are 16, the nays are 0. A
22 majority of all Members of Council having voted in
23 the affirmative, the Bill passes..
24 Bill No. 030004.
25 THE CHIEF CLERK: An ordinance adopting

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2 ways. And I don't see supporting the budget until
3 the Mayor changes his position with respect to
4 legitimacy of City Council.

5 COUNCILMAN GOODE: Point of order.

6 COUNCILWOMAN VERNA: The Chair
7 recognizes Councilman Goode for a point of order.

8 COUNCILMAN GOODE: I call for the
9 question.

10 COUNCILMAN COHEN: I don't think that's
11 a sound point of order. A point of order means the
12 speaker is out of bounds, and that's not the way to
13 raise that and I think I'm completely within bounds.
14 So I would say I think there's no basis for that.

15 COUNCILMAN GOODE: I call for question.

16 COUNCILMAN COHEN: The budget is a weak
17 budget. It does not deal with matters like lead
18 paint poisoning. After some 30-odd years of
19 discussion, the budget still leaves a backlog of
20 lead paint poisoning. The budget leaves so many
21 things empty because the Mayor believes that when we
22 pass this budget we present him with 3 billions of
23 dollars for him to spend in any way he wants.
24 That's why Judge Carrafiello's report is so
25 important. When this Council mandates expenditures

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2 in certain directions, it could be that there could
3 be a circumstance sometimes where the Mayor might
4 have a case to ignore City Council or to appropriate
5 funds in a different direction if there were a major
6 crisis requiring that. But in the absence of that,
7 it seems to me our legislative job is to legislate
8 budget priorities. This Council has made clear it
9 wants to resolve the budget process on lead paint
10 poison, on a whole host of things, on homelessness.
11 We don't know what the City is doing to provide
12 additional funding for homelessness since the City
13 reduced the number of beds available. We have all
14 kinds of problems open to us in the budget which
15 have not been resolved.

16 The Mayor has known for two years that
17 there is a gap in the insurance laws covering City
18 Council.

19 COUNCILMAN GOODE: Point of order.

20 COUNCILWOMAN VERNA: The Chair
21 recognizes Councilman Goode.

22 COUNCILMAN GOODE: Thank you, Madam
23 President. I call for the question.

24 COUNCILWOMAN BROWN: Second.

25 COUNCILMAN COHEN: Madam President,

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2 again, I think it's not a proper point of order.

3 COUNCIL PRESIDENT VERNA: Councilman, we
4 do have our Rules here, and apparently our attorneys
5 agree that Councilman Goode does has that right.
6 It's a motion which needs to be seconded and it
7 would have to be voted upon.

8 Call those in favor of --

9 COUNCILMAN ORTIZ: Madam Chair.

10 COUNCIL PRESIDENT VERNA: Yes, sir. We
11 cannot debate the question.

12 COUNCILMAN ORTIZ: I just ask a
13 question. I'm not asking to debate the question.

14 COUNCILMAN GOODE: There's supposed to
15 be no discussion.

16 COUNCILMAN ORTIZ: No discussion. All
17 I'm saying is, does this have the effect of just
18 shutting debate on issue that we ever have?

19 COUNCILMAN GOODE: I call for the
20 question.

21 COUNCILMAN COHEN: It would seem to me
22 to totally conclude the discussion on the budget so
23 that I think the effect of Councilman Goode's
24 motion, if successful, means there will be no debate
25 on the budget at all.

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2 COUNCILMAN GOODE: I call for the
3 question.

4 COUNCILWOMAN VERNA: I think we have to
5 move on. I think Councilman Goode made a motion.
6 I've had Mr. Shapiro, Councilman Cohen, check our
7 Rules. His motion has been seconded, so at this
8 point in time, I would ask for a vote.

9 COUNCILMAN COHEN: I would ask that it
10 be roll call, Madam President.

11 COUNCILWOMAN VERNA: Very well.

12 The vote will be on Councilman Goode's
13 motion. He made a motion. It was seconded.

14 COUNCILMAN GOODE: I call for the
15 question, a vote on the budget Bill.

16 COUNCIL PRESIDENT VERNA: I know that
17 everybody is getting weary, but the vote is on the
18 motion. The Clerk will please call.

19 COUNCILMAN ORTIZ: I disagree.

20 (Discussion held off the record.)

21 COUNCILMAN GOODE: I called for the
22 question. It's been called for. It does not
23 require a vote.

24 COUNCILWOMAN VERNA: I would like to
25 read our rule on that, please. "The previous

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2 question shall not be moved by less than five
3 members and shall require the vote of a majority of
4 all the Members of the Council to sustain it. If
5 you call for the previous question be sustained, the
6 question shall be upon pending amendments and the
7 main question in their order." And they are decided
8 without debate. So again --

9 COUNCILMAN COHEN: Madam President.

10 COUNCIL PRESIDENT VERNA: Yes, sir.

11 COUNCILMAN COHEN: There must be nine
12 votes at least to carry this motion because a
13 majority of all the Members of City Council means 9
14 out of 17 no matter what the number is who are
15 present or who constitute the body.

16 COUNCILWOMAN VERNA: There are a number
17 of Councilpeople that want to be recognized.

18 I would like to let everyone know we
19 need a majority of the votes on the motion. We need
20 nine votes to pass the budget Bill.

21 Councilwoman Blackwell.

22 COUNCILWOMAN BLACKWELL: Madam
23 President, point of clarification. Councilman Goode
24 talked about -- if I'm not mistaken, we had previous
25 question, he called the previous question. Previous

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2 question can be called with not less than five
3 members.

4 COUNCIL PRESIDENT VERNA: I just read
5 that.

6 COUNCILWOMAN BLACKWELL: Okay, we called
7 for the question. Councilman Goode, let me ask for
8 clarification. I know Councilwoman Blondell
9 Reynolds second it. Therefore, my understanding is
10 that we should be calling -- he called for a vote,
11 that we should be voting on Bill No. 030004. That
12 is my understanding as to where we should be.

13 I will ask the Chair to rule. I'll ask
14 the President to rule on that. I don't believe
15 we're voting on his motion. I believe we're voting
16 on the Bill. Am I correct?

17 COUNCILMAN GOODE: That's correct.

18 COUNCILWOMAN BLACKWELL: According to
19 our Rules we should be voting on Bill No. --

20 COUNCILWOMAN VERNA: Right now the vote
21 is on the motion.

22 COUNCILMAN GOODE: Point of order, Madam
23 President.

24 COUNCIL PRESIDENT VERNA: Yes, sir.

25 COUNCILMAN GOODE: I called for the

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2 question. I did not make a motion.

3 COUNCILWOMAN VERNA: You call for the
4 question?

5 COUNCILMAN GOODE: I called for the
6 question.

7 COUNCIL PRESIDENT VERNA: What question?

8 COUNCILMAN GOODE: I called for the
9 question which is a call for the vote on the Bill.

10 COUNCILWOMAN VERNA: And that is what
11 the ruling that I just read refers to.

12 COUNCILMAN GOODE: No, the ruling that
13 you read refers to a call for a previous question.

14 COUNCILWOMAN VERNA: There are several
15 lights on. I don't know whether Councilmembers want
16 to be recognized at this time.

17 Councilman Nutter.

18 COUNCILMAN NUTTER: Madam President, it
19 was strictly for seeking either a ruling or an
20 interpretation either from the Chair or Councilman
21 Goode as to whatever the next vote is going to be,
22 is it a vote on this calling of the question which
23 is primarily for the purpose of ending the debate
24 which members would then vote as to whether or not
25 they want to end the debate? Or is it a expedited

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2 procedure to immediately take us back to where we
3 were, which is the Clerk read the title of Bill,
4 it's been read on two different days, et cetera, et
5 cetera, and that we're actually voting now on
6 whatever the underlying Bill is, whatever its number
7 may be. I think it's 04 or 05.

8 My question is, what is the next vote
9 on? Is it on in essence a motion to end debate
10 which members will then have an opportunity to
11 decide whether they want to end debate? Or is it an
12 expedited procedure to get you back to the Bill that
13 was in question?

14 I just want to know what we're actually
15 voting on.

16 COUNCILWOMAN VERNA: I am getting an
17 interpretation attorneys.

18 COUNCILMAN GOODE: A call for a question
19 supersedes everything.

20 COUNCILWOMAN VERNA: We agree, but it
21 has to be voted on.

22 COUNCILMAN GOODE: It does not have to
23 voted on. A call for the question takes you
24 straight to a vote on the Bill.

25 COUNCIL PRESIDENT VERNA: You made a

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2 motion.

3 COUNCILMAN COHEN: Madam President, the
4 motion made by Councilman Goode acquires the
5 approval of five members to present the motion. And
6 if there are five, then a vote will take place and
7 that vote requires nine votes to win because the
8 Rules talk in the language of the Home Rule Charter.
9 Whenever it says a majority of all the members of
10 City Council, the interpretation is a majority of
11 the 17 membership established by the Home Rule
12 Charter.

13 For example, when we seek to override a
14 veto, we always need 12 votes no matter what the
15 membership at City Council may be. If City Council
16 gets down below 12, it means City Council's lost its
17 ability to ever consider a veto because if everybody
18 voted unanimously, 11 members would not be enough.
19 So you have to two thresholds here for the vote to
20 terminate the discussion and vote on the Bill: Five
21 members to request it, and nine members to support
22 it.

23 COUNCILWOMAN VERNA: Councilman Ortiz,
24 your light is on. You want to be recognized?

25 COUNCILMAN ORTIZ: Yes, Madam Chair. If

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2 we go with the interpretation that Councilman Goode
3 says, it would end debate on the budget. This
4 Session is not just to rubber stamp the budget, but
5 at least for those of us who have questions that
6 have still not been answered as to the budget to be
7 answered and the budget to be debated.

8 This is a budget that is not
9 transparent. This budget has many unanswered
10 questions to it. It is not a budget because we
11 still have and are awaiting for questions to be
12 answered from the Administration. The
13 Administration has said that this is not the budget
14 and these are not the priorities that we're setting.
15 The cuts, and there are going to be cuts, are to be
16 determined in a later period. What we want to know
17 before we decide on a budget is, what is it that
18 approving and what cuts are going to be made. And
19 what if none of that aid from the State is
20 forthcoming? Those answers were supposed to have
21 been provided to us before this date. I know we
22 have a Charter obligation. But those are questions
23 that are still up in the air. This is not a budget
24 that has been cleared through the budget process,
25 that has answered the questions that this Council

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2 has put forward to it. This is a budget that is
3 with many, many questions to it as to where the cuts
4 are going to come from, because there are cuts, and
5 where money is going to be allocated. And we have
6 not gotten those answers from the Administration. I
7 thought at least that some of these things could be
8 debated. Obviously, we want to shut debate on the
9 budget and just vote on it.

10 COUNCILWOMAN VERNA: The Chair
11 recognizes Councilwoman Blackwell.

12 COUNCILWOMAN BLACKWELL: Thank you,
13 Madam President. I believe there was a call for the
14 question. And in spite of all of this, that is the
15 issue of the hour. There's a call for the question
16 and we have to deal with that. We may have all
17 kinds of opinions, but Councilman Goode made a
18 motion. That is where we are. There's a call for
19 the question on the table. That is what we deal
20 with. Legally, that is our responsibility. We can
21 agree or disagree, but we still have to go by the
22 Rules.

23 COUNCILWOMAN VERNA: In consultation
24 with the attorneys on staff, the Councilman made a
25 motion. I think everybody's been heard anyway. I

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2 don't know that there's going to be anymore debate.

3 We will now vote on Councilman Goode's motion, and I
4 believe that was -- Councilman Goode.

5 COUNCILMAN GOODE: I did not make a
6 motion. I called for the question.

7 COUNCILWOMAN VERNA: Well, Councilman,
8 you're either making a motion or you're not making a
9 motion.

10 COUNCILMAN GOODE: I called for the
11 question, and I call for the question.

12 COUNCIL PRESIDENT VERNA: Again, I am
13 told that you would have to make that in the form of
14 a motion.

15 Is there anyone who wants to speak on
16 the Bill?

17 COUNCILMAN COHEN: Yes, I would like to
18 continue.

19 COUNCILWOMAN VERNA: Oh, you want to
20 continue.

21 COUNCILMAN COHEN: I would like to
22 continue the speech on budget.

23 COUNCILWOMAN VERNA: The debate will
24 continue unless someone makes a motion to stop the
25 debate.

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2 Please continue, Councilman Cohen.

3 COUNCILMAN COHEN: Madam President,
4 these are the areas I'm very much concerned about in
5 the budget not been dealt with fully.

6 The Philadelphia Citizens for Children
7 Youth say they need \$300,000 more to continue their
8 program. Actually, they want \$5 million totally for
9 the future, but there's been no consideration at all
10 given to that. The Administration said they would
11 think about it, but they've taken no action so we
12 don't know what they're going to do.

13 Dignity Housing, a fine program that
14 supports residential housing has made a request for
15 at least \$50,000. The Administration said they
16 would look into it. No answer from the
17 Administration one way or the other.

18 Lead paint remediation, I've already
19 discussed. All the City says as to this stage is
20 that they will not permit the backlog to increase.
21 There is two years backlog. After some 35 years of
22 backlog, it's time to eliminate that. But we have
23 no answer finally from the City.

24 The Faculty Federation of the Community
25 College of Philadelphia has requested \$800,000 this

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2 year to bring parity to the unfair situation that
3 exists in which the interim professors, the adjunct
4 professors who teach part-time don't get the same
5 salary level as the full time professors, yet in
6 many ways they carry even greater responsibilities,
7 including the responsibility of being available for
8 conferences with students. No answer from the
9 Administration. We have methods that can secure
10 that money only for that given purpose, but the
11 Administration still has it under study.

12 The SEPTA tokens for school children,
13 that's been around. Councilman Goode has
14 participated with me on that. In fact, I think he's
15 the leader of that. But no action by us on SEPTA.

16 Fairmount Park has asked -- the
17 activists have asked for 340,000 more for the park.
18 It's a very minimal figure.

19 COUNCILWOMAN BLACKWELL: Madam
20 President.

21 COUNCILMAN COHEN: We've got the story
22 only that the City is considering it. We have no
23 answer.

24 We have legislation for a number of
25 years providing more money for allies, driveways,

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2 and retaining walls, but the Mayor takes the
3 position --

4 COUNCILWOMAN BLACKWELL: Madam
5 President.

6 COUNCILWOMAN VERNA: The Chair recognize
7 the Blackwell.

8 COUNCILWOMAN BLACKWELL: Madam
9 President, we have here Mason's rules. We have list
10 the list of motions. My colleague called for the
11 question. In the rules we have it here in writing,
12 under Item 10, Request for a motion to withdraw a
13 motion or question which is under consideration. My
14 colleague called for the question. So legally,
15 according to the Mason Rules -- I'm happy to have
16 all my colleagues on the technical staff review
17 them. We have them in writing. He called for the
18 question. We have to vote on the Bill.

19 COUNCILWOMAN VERNA: Mr. Shapiro, are
20 you in a position to respond to this right now?

21 Councilwoman Miller, I would like
22 recognize you at that point while we're waiting.

23 COUNCILWOMAN MILLER: Thank you, Madam
24 President. I'd like to leave my vote of aye on all
25 Bills because I need to leave the chambers.

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2 COUNCIL PRESIDENT Verna: Thank you.

3 Can I see a copy?

4 COUNCILWOMAN BLACKWELL: Madam

5 President, we need to be clear in terms of where we
6 are. If we call for the question, we need to make
7 sure that we're legally clear and so we are trying
8 deal with that issue.

9 COUNCILWOMAN Verna: We have our
10 attorneys there looking at it.

11 COUNCILWOMAN BLACKWELL: Thank you.

12 COUNCIL PRESIDENT Verna: Am I correct
13 in our assumption that our Rules take precedent over
14 Mason's Rules.

15 COUNCILMAN COHEN: Absolutely, Madam
16 President.

17 MR. SHAPIRO: Masons apply only to the
18 extent that they --

19 COUNCIL PRESIDENT Verna: Speak into the
20 microphone so everybody can hear you.

21 MR. SHAPIRO: Mason's Rules apply only
22 if they are not inconsistent with the Rules of
23 Council. And the Rules of Council make clear that a
24 motion for previous question in order to stop debate
25 is a motion which is subject to a vote and is

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2 approved only if a majority of all the members,
3 which is nine members, vote aye on said motion. So
4 anything that's in Mason's that's contrary to that
5 does not apply to the procedures of the Council.

6 COUNCILWOMAN VERNA: And I'm sure if we
7 keep debating this issue, by the time it comes up
8 for a vote, we're not going to have nine
9 Councilmembers here.

10 Councilman Goode.

11 COUNCILMAN GOODE: Thank you, Madam
12 President. The Rules of Council do not conflict
13 Mason's under this situation. I did not call for
14 the previous; I called for the question. When it's
15 not addressed within the Rules of Council, the
16 Mason's takes over in terms of precedent and in
17 terms of rules.

18 MR. SHAPIRO: I'm not aware of any
19 substantive difference between a call for the
20 previous question and a call for the question, but
21 I'll be happy to look at Mason's to see if it
22 addresses that in a different manner. But I am not
23 currently aware of any difference, but I'll be happy
24 to look at Mason's.

25 COUNCILMAN COHEN: Madam President, I

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2 don't know why we're in such a hurry to deal with
3 the Mayor's request for the budget. The Mayor is
4 the one responsible for meeting the deadline under
5 the Home Rule Charter.

6 (Pause.)

7 COUNCIL PRESIDENT Verna: Can I have
8 everyone's attention, please? We're still in
9 Session. The Chair is going to rule that Councilman
10 Goode's point of order is denied unless he makes a
11 motion in the form of a motion for the previous
12 question. Otherwise, at this time I would hope that
13 Councilman Cohen is about finished with his remarks
14 so that we could move on with the vote. I believe
15 that there are people coming in for Public Property
16 public hearings. I think, Councilman Cohen, you
17 expressed your feelings about the budget issue.

18 COUNCILMAN COHEN: Not entirely, Madam
19 President. I haven't been permitted to.

20 COUNCILWOMAN Verna: If you would
21 continue, and I would request that you please make
22 your remarks very brief so that we could proceed
23 with the Calendar.

24 COUNCILMAN COHEN: Well, I would like to
25 be cooperative, Madam President. But I think this

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2 budget is the most important issue that comes before
3 Council. Under the Home Rule Charter, it is the
4 budget that City Council works with. It's our main
5 function, and I think it would be wrong to shortcut
6 it. We probably have been done with this well over
7 maybe even an hour ago, but I respect Councilman
8 Goode and respect his thoughts, and I think he acts
9 appropriately when he raises these questions. But
10 at the same time, I think I also have the right to
11 raise questions about why we should act in response
12 to a Mayor who ignores us, who seems to express only
13 contempt for this body, who thinks that we're
14 something below an advisory group. And therefore, I
15 don't know why we have to pay attention to this
16 budget or to help him meet his deadline. He doesn't
17 care about us in any fashion at all. How can he
18 leave all these issues undecided?

19 For example, in South Philadelphia and
20 Southwest Philadelphia, people there have been
21 suffering from something called the plume for years
22 now, billowing smoke making it impossible for the
23 citizens of portions of South Philadelphia and
24 Southwest Philadelphia to breathe any kind of air.
25 Even dirty air they can't breath because there's no

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2 room for dirty air. There's just this terrible
3 plume. Yet the answer from the Mayor is, "We'll
4 study the situation." Nothing happens.

5 The Mayor tries to compel veteran
6 legislators and veteran employees to retire under
7 the threat of depriving their families of health
8 insurance if they happen to die while on duty.
9 Whereas if they retired, he points out, and the law
10 in Philadelphia permits it, the families would be
11 protected. The Mayor has known of this crazy
12 situation that exists in the City's health plan for
13 more than two years. What's his response? He
14 ignores it. There's no money in the budget for
15 dealing with that. He says he keeps studying it. I
16 don't see how we can move a budget ahead on that.

17 COUNCILMAN GOODE: Point of order.

18 COUNCIL PRESIDENT Verna: The Chair
19 recognizes Councilman Goode.

20 COUNCILMAN GOODE: Call for the
21 question.

22 COUNCILWOMAN Verna: Is that the form of
23 the motion?

24 COUNCILMAN COHEN: I regret the delay
25 that involves everybody, but Council budget dealings

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2 is its single most important function.

3 COUNCIL PRESIDENT VERNA: Councilman
4 Cohen, please continue.

5 COUNCILMAN COHEN: On the question of
6 pensions, every City employee is threatened with a
7 drastic change in the pension system. The Mayor has
8 proposed in the Public Housing Administration that
9 pensions be frozen at the level a worker would get a
10 pension if he worked for the City in year 2003.
11 That means that if you worked for 10 or 20 years
12 after that, you get no pension increase. We tried
13 to find out from the Mayor, is the proposal at
14 Public Housing merely a test to see whether that
15 should substitute for the plan we have in
16 Philadelphia? It's very uncomfortable for every
17 City employee to be confronted with the fact that
18 his pension may be based on a salary that he got 20
19 years ago. No answers from the Mayor on that.

20 Does the Mayor answer when the
21 committees of City Council asks an administrator of
22 an agency to testify before City Council? The Mayor
23 is either supporting two people in his
24 Administration, two people that he's appointed. The
25 Mayor either has no control over them or else he is

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2 supporting a state that I compare with the state of
3 anarchy. Two administrators are saying to City
4 Council, "We do not recognize your authority." How
5 can we operate as a government? Why should we honor
6 the Mayor's request that we act if he doesn't honor
7 anything we do.

8 COUNCILMAN GOODE: Point of order.

9 COUNCILWOMAN VERNA: The Chair
10 recognizes Councilman Goode.

11 COUNCILMAN GOODE: Call for the
12 question.

13 COUNCILWOMAN VERNA: Again, I ask the
14 Councilman is that in the form of the motion?

15 COUNCILMAN GOODE: No.

16 COUNCILWOMAN BLACKWELL: We have a call
17 for the question on the table.

18 COUNCIL PRESIDENT VERNA: It's not on
19 the table because it has not been made in the form
20 of a motion.

21 The Chair recognizes Councilman. Again,
22 I ask, Councilman, to try to be as brief as
23 possible.

24 COUNCILMAN COHEN: Very good, Madam
25 President.

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2 Healthcare for senior citizens. It's a
3 growing problem and a terrible problem. There are
4 many senior citizens in the City who are subject to
5 all kinds of different schemes that deprive them of
6 the ability to support themselves. They have
7 nowhere to go. We ask for an item in the budget on
8 that matter. No reply. The Administration still is
9 discussing it. No answer at all on that.

10 On City health centers, the attention
11 given, we're the only major City in the country that
12 has no city hospital. That was eliminated many
13 years ago when Philadelphia General Hospital was
14 eliminated. And in return we were given a series of
15 health centers in the districts. They are
16 inadequately funded. We raise that question with
17 the Mayor in this budget. There's no answer
18 whatever.

19 Councilman Ortiz has held hearings on
20 prison healthcare. As far as the budget concerned,
21 no increase in any prison budget for health purposes
22 for the inmates.

23 The only issue that has been partly
24 dealt with was the issue of the Philadelphia
25 Cultural Fund. We had a minimum budget pass,

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2 despite the opposition of the leader in Council, I
3 guess a self-proclaimed leader of the Arts and
4 Cultural Fund. We got at least 325,000 additional
5 to what was originally recommended. It's
6 inadequate, but that's the one area where there's
7 been some action.

8 These are main questions. I could raise
9 a number of other matters.

10 Then we have the other actions by the
11 Mayor. The Supreme Court of Pennsylvania ruled that
12 certain billboards were illegally there. The Mayor
13 has authorized the City to thumb its nose at the
14 Pennsylvania Supreme Court. He refuses to take any
15 action to eliminate that billboard.

16 If you're a press these days, you're
17 reading about the growing scandal in New Jersey
18 where it was revealed that two Governor McGreevey's
19 -- and he's a Democrat. Two of his main advisors
20 were involved in very questionable dealings with the
21 billboard operators. Anybody who knows them would
22 understand why questions have developed.

23 These are the kinds of questions that
24 lead me to feel that I have to vote against the
25 budget. How can I support a budget when City

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2 Council which has the responsibility for passing a
3 budget is treated so contemptuously by the Mayor?
4 We have to be able --

5 COUNCILMAN GOODE: Point of order.

6 COUNCILWOMAN VERNA: The Chair
7 recognizes Councilman Goode.

8 COUNCILMAN GOODE: Thank you, Madam
9 President. I call for the question.

10 COUNCILWOMAN VERNA: The point of order
11 is overruled.

12 Councilman Cohen.

13 COUNCILMAN COHEN: We have to be able,
14 Madam President --

15 COUNCILMAN GOODE: Point of order.

16 COUNCILWOMAN VERNA: Is this the same
17 point of order?

18 COUNCILMAN GOODE: Point of order.

19 COUNCIL PRESIDENT VERNA: Is this the
20 same point of order?

21 COUNCILMAN GOODE: Point of order.

22 COUNCILWOMAN VERNA: What is your point
23 of order.

24 COUNCILMAN GOODE: Thank you, Madam
25 President. I call for the question.

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2 COUNCILWOMAN VERNA: Again, I would ask
3 if this were in the form of the motion?

4 COUNCILMAN GOODE: Yes, ma'am.

5 COUNCILWOMAN VERNA: It is a motion?

6 COUNCILMAN GOODE: Yes, ma'am.

7 COUNCIL PRESIDENT VERNA: Are there four
8 Members of Council that support the motion with
9 Councilman Goode?

10 COUNCILWOMAN BLACKWELL: Second.

11 COUNCILWOMAN VERNA: Those who are in
12 favor of the motion, please raise your hand.

13 (Raise of hands by Councilwoman
14 Blackwell, Councilwoman Krajewski, Councilman
15 Mariano, Councilwoman Brown.)

16 COUNCILWOMAN VERNA: It is now in front
17 of the Body, and it will require nine votes.

18 At this point I would ask the Chief
19 Clerk to please call the roll on whether or not the
20 previous question is called.

21 COUNCILMAN ORTIZ: Point of
22 information.

23 COUNCILWOMAN VERNA: Councilman Ortiz.

24 COUNCILMAN ORTIZ: Is this motion in
25 order to terminate debate on the budget?

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2 COUNCILWOMAN VERNA: I would assume
3 that's what it's for.

4 COUNCILMAN ORTIZ: Thank you.

5 THE CHIEF CLERK: Councilwoman
6 Blackwell.

7 COUNCILWOMAN BLACKWELL: Madam Chair,
8 further point of order. I do note that we have had
9 this discussion that we're terminating the debate
10 for the last hour or so. I think we've had some
11 debate on the issue. And I think everybody wants to
12 vote on all of these Bills today. I just for point
13 of clarification thought I should note that we have
14 had some debate on this issue for the last hour.

15 COUNCILWOMAN VERNA: I believe that's
16 what the vote is for, whether or not the members
17 feel that we have had enough debate.

18 COUNCILWOMAN BLACKWELL: I noted for a
19 point of clarification in response to the comments
20 made by my colleague Councilman Ortiz. Furthermore,
21 I vote aye.

22 THE CHIEF CLERK: Councilman Clarke.

23 COUNCILMAN CLARKE: I know I'm supposed
24 to say this during the course of the vote, but I
25 just wanted a clarification. Voting on terminating

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2 the debate on this particular Bill? Because there
3 are a number of budget Bills.

4 COUNCILWOMAN VERNA: On this particular
5 Bill.

6 COUNCILMAN CLARKE: Aye.

7 THE CHIEF CLERK: Councilman Cohen.

8 COUNCILMAN COHEN: No.

9 THE CHIEF CLERK: Councilman DiCicco.

10 COUNCILMAN DICICCO: Aye.

11 THE CHIEF CLERK: Councilman Goode.

12 COUNCILMAN GOODE: Aye.

13 THE CHIEF CLERK: Councilman Kenney.

14 COUNCILMAN KENNEY: No.

15 THE CHIEF CLERK: Councilwoman

16 Krajewski.

17 COUNCILWOMAN KRAJEWSKI: Aye.

18 THE CHIEF CLERK: Councilman Mariano.

19 COUNCILMAN MARIANO: Aye.

20 THE CHIEF CLERK: Councilwoman Miller.

21 COUNCILWOMAN MILLER: Aye.

22 THE CHIEF CLERK: Councilman Nutter.

23 COUNCILMAN NUTTER: No.

24 THE CHIEF CLERK: Councilman O'Neill

25 not present.

1 05/29/03 - STATED - 2ND READING & FINAL PASSAGE
2 Councilman Ortiz.
3 COUNCILMAN ORTIZ: No.
4 THE CHIEF CLERK: Councilwoman Reynolds
5 Brown.
6 COUNCILWOMAN BROWN: Aye.
7 THE CHIEF CLERK: Councilman Rizzo.
8 COUNCILMAN RIZZO: Aye.
9 THE CHIEF CLERK: Councilwoman Tasco.
10 COUNCILWOMAN TASCO: No.
11 THE CHIEF CLERK: Council President
12 Verna.
13 COUNCIL PRESIDENT VERNA: A very
14 reluctant no.
15 The motion carries. I believe it's 9 to
16 6. The debate is closed. We will now vote on Bill
17 No. 030004.
18 I would ask the Chief Clerk to call the
19 roll.
20 THE CHIEF CLERK: Councilwoman
21 Blackwell.
22 COUNCILWOMAN BLACKWELL: Aye.
23 THE CHIEF CLERK: Councilman Clarke.
24 COUNCILMAN CLARKE: Aye.
25 THE CHIEF CLERK: Councilman Cohen.

1 05/29/03 - STATED - 2ND READING & FINAL PASSAGE
2 COUNCILMAN COHEN: No.
3 THE CHIEF CLERK: Councilman DiCicco.
4 COUNCILMAN DICICCO: Aye.
5 THE CHIEF CLERK: Councilman Goode.
6 COUNCILMAN GOODE: Aye.
7 THE CHIEF CLERK: Councilman Kenney.
8 COUNCILMAN KENNEY: No.
9 THE CHIEF CLERK: Councilwoman
10 Krajewski.
11 COUNCILWOMAN KRAJEWSKI: Aye.
12 THE CHIEF CLERK: Councilman Mariano.
13 COUNCILMAN MARIANO: Aye.
14 THE CHIEF CLERK: Councilwoman Miller.
15 COUNCILWOMAN MILLER: Aye.
16 THE CHIEF CLERK: Councilman Nutter.
17 COUNCILMAN NUTTER: Aye.
18 THE CHIEF CLERK: Councilman O'Neill
19 voting aye.
20 Councilman Ortiz.
21 COUNCILMAN ORTIZ: No.
22 THE CHIEF CLERK: Councilwoman
23 Reynolds Brown.
24 COUNCILWOMAN BROWN: Aye.
25 THE CHIEF CLERK: Councilman Rizzo.

1 05/29/03 - STATED - 2ND READING & FINAL PASSAGE

2 COUNCILMAN RIZZO: Aye.

3 THE CHIEF CLERK: Councilwoman Tasco.

4 COUNCILWOMAN TASCO: Aye.

5 THE CHIEF CLERK: Council President

6 Verna.

7 COUNCIL PRESIDENT VERNA: Aye.

8 COUNCILWOMAN VERNA: The vote is 12 to

9 3. The Bill passes.

10 I stand corrected. The vote is 13 to 3.

11 The next Bill to be called for

12 consideration Bill 030005.

13 THE CHIEF CLERK: An Ordinance amending
14 an Ordinance approved May 15, 2002, Bill No. 020028,
15 relating to Fiscal 2003 Capital Budget by increasing
16 and adding projects and amounts in certain
17 departments.

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 CHIEF CLERK: Councilwoman
23 Blackwell.

24 COUNCILWOMAN BLACKWELL: Aye.

25 THE CHIEF CLERK: Councilman Clarke.

1 05/29/03 - STATED - 2ND READING & FINAL PASSAGE
2 COUNCILMAN CLARKE: Aye.
3 THE CHIEF CLERK: Councilman Cohen.
4 COUNCILMAN COHEN: Aye.
5 THE CHIEF CLERK: Councilman DiCicco.
6 COUNCILMAN DICICCO: Aye.
7 THE CHIEF CLERK: Councilman Goode.
8 COUNCILMAN GOODE: Aye.
9 THE CHIEF CLERK: Councilman Kenney.
10 COUNCILMAN KENNEY: Aye.
11 THE CHIEF CLERK: Councilwoman
12 Krajewski.
13 COUNCILWOMAN KRAJEWSKI: Aye.
14 THE CHIEF CLERK: Councilman Mariano.
15 COUNCILMAN MARIANO: Aye.
16 THE CHIEF CLERK: Councilwoman Miller.
17 COUNCILWOMAN MILLER: Aye.
18 THE CHIEF CLERK: Councilman Nutter.
19 COUNCILMAN NUTTER: Aye.
20 THE CHIEF CLERK: Councilman O'Neill
21 voting aye.
22 THE CHIEF CLERK: Councilman Ortiz.
23 COUNCILMAN ORTIZ: Aye.
24 THE CHIEF CLERK: Councilwoman
25 Reynolds Brown.

1 05/29/03 - STATED - 2ND READING & FINAL PASSAGE

2 COUNCILWOMAN BROWN: Aye.

3 THE CHIEF CLERK: Councilman Rizzo.

4 COUNCILMAN RIZZO: Aye.

5 THE CHIEF CLERK: Councilwoman Tasco.

6 COUNCILWOMAN TASCO: Aye.

7 THE CHIEF CLERK: Council President

8 Verna.

9 COUNCIL PRESIDENT VERNA: Aye.

10 The ayes are 16, the nays are 0. A
11 majority of all Members of Council having voted in
12 the affirmative, the Bill passes.

13 The next Bill to be called for
14 consideration is Bill No. 030006.

15 THE CHIEF CLERK: An Ordinance amending
16 an Ordinance approved May 15, 2002, Bill No. 020029,
17 relating to the Capital Program for six Fiscal Years
18 2003-2008, by increasing and adding projects and
19 amounts in certain departments.

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 CHIEF CLERK: Councilwoman
25 Blackwell.

1 05/29/03 - STATED - 2ND READING & FINAL PASSAGE

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 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 Krajewski

14 voting aye.

15 Councilman Mariano.

16 COUNCILMAN MARIANO: Aye.

17 THE CHIEF CLERK: Councilwoman Miller.

18 COUNCILWOMAN MILLER: Aye.

19 THE CHIEF CLERK: Councilman Nutter.

20 COUNCILMAN NUTTER: Aye.

21 THE CHIEF CLERK: Councilman O'Neill

22 voting aye.

23 Councilman Ortiz.

24 COUNCILMAN ORTIZ: Aye.

25 THE CHIEF CLERK: Councilwoman

1 05/29/03 - STATED - 2ND READING & FINAL PASSAGE

2 Reynolds Brown.

3 COUNCILWOMAN BROWN: Aye.

4 THE CHIEF CLERK: Councilman Rizzo.

5 COUNCILMAN RIZZO: Aye.

6 THE CHIEF CLERK: Councilwoman Tasco.

7 COUNCILWOMAN TASCO: Aye.

8 THE CHIEF CLERK: Council President

9 Verna.

10 COUNCIL PRESIDENT VERNA: Aye.

11 The ayes are 16, the nays are 0. A
12 majority of all Members of Council having voted in
13 the affirmative, the Bill passes.

14 The next Bill to be called for
15 consideration is Bill No. 030008.

16 THE CHIEF CLERK: An Ordinance amending
17 Section 19-2604 of the Philadelphia Code related to
18 tax rates, credits and alternative tax computation,
19 for business privilege tax by reducing certain tax
20 rates, all under certain terms and conditions.

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

24 The Clerk will please call the roll.

25 THE CHIEF CLERK: Councilwoman

1 05/29/03 - STATED - 2ND READING & FINAL PASSAGE
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 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 Krajewski
15 voting aye.
16 Councilman Mariano.
17 COUNCILMAN MARIANO: Aye.
18 THE CHIEF CLERK: Councilwoman Miller.
19 COUNCILWOMAN MILLER: Aye.
20 THE CHIEF CLERK: Councilman Nutter.
21 COUNCILMAN NUTTER: Aye.
22 THE CHIEF CLERK: Councilman O'Neill
23 voting aye.
24 Councilman Ortiz.
25 COUNCILMAN ORTIZ: Aye.

1 05/29/03 - STATED - 2ND READING & FINAL PASSAGE

2 THE CHIEF CLERK: Councilwoman

3 Reynolds Brown.

4 COUNCILWOMAN BROWN: Aye.

5 THE CHIEF CLERK: Councilman Rizzo.

6 COUNCILMAN RIZZO: Aye.

7 THE CHIEF CLERK: Councilwoman Tasco.

8 COUNCILWOMAN TASCO: Aye.

9 THE CHIEF CLERK: Council President
10 Verna.

11 COUNCIL PRESIDENT VERNA: Aye.

12 The ayes are 16, the nays are 0. A
13 majority of all Members of Council having voted in
14 the affirmative, the Bill passes.

15 The next Bill to be called for
16 consideration is Bill No. 030009.

17 THE CHIEF CLERK: An Ordinance amending
18 Chapter 19-1800 of the Philadelphia Code, entitled
19 "School Tax Authorization," by amending Section
20 19-1804, entitled "Authorization of Net Income Tax,"
21 all under certain terms and conditions.

22 COUNCIL PRESIDENT VERNA: This Bill
23 having been read on two different days, the question
24 now is shall the Bill pass finally?

25 The Clerk will please call the roll.

1 05/29/03 - STATED - 2ND READING & FINAL PASSAGE

2 THE CHIEF CLERK: Councilwoman

3 Blackwell.

4 COUNCILWOMAN BLACKWELL: Aye.

5 THE CHIEF CLERK: Councilman Clarke.

6 COUNCILMAN CLARKE: Aye.

7 THE CHIEF CLERK: Councilman Cohen.

8 COUNCILMAN COHEN: Aye.

9 THE CHIEF CLERK: Councilman 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 Krajewski

16 voting aye.

17 Councilman Mariano.

18 COUNCILMAN MARIANO: Aye.

19 THE CHIEF CLERK: Councilwoman Miller.

20 COUNCILWOMAN MILLER: Aye.

21 THE CHIEF CLERK: Councilman Nutter.

22 COUNCILMAN NUTTER: Aye.

23 THE CHIEF CLERK: Councilman O'Neill

24 voting aye.

25 Councilman Ortiz.

1 05/29/03 - STATED - 2ND READING & FINAL PASSAGE

2 COUNCILMAN ORTIZ: Aye.

3 THE CHIEF CLERK: Councilwoman

4 Reynolds Brown.

5 COUNCILWOMAN BROWN: Aye.

6 THE CHIEF CLERK: Councilman Rizzo.

7 COUNCILMAN RIZZO: Aye.

8 THE CHIEF CLERK: Councilwoman Tasco.

9 COUNCILWOMAN TASCO: Aye.

10 THE CHIEF CLERK: Council President

11 Verna.

12 COUNCIL PRESIDENT VERNA: Aye.

13 The ayes are 16, the nays are 0. A
14 majority of all Members of Council having voted in
15 the affirmative, the Bill passes.

16 Bill No. 030010 is next being
17 considered.

18 THE CHIEF CLERK: An Ordinance amending
19 Section 19-1301 of the Philadelphia Code, entitled
20 "Real Estate Taxes," by restating the rates of tax
21 in tabular form.

22 COUNCIL PRESIDENT VERNA: This Bill
23 having been read on two different days, the question
24 now is shall the Bill pass finally?

25 The Clerk will please call the roll.

1 05/29/03 - STATED - 2ND READING & FINAL PASSAGE

2 THE CHIEF CLERK: Councilwoman

3 Blackwell.

4 COUNCILWOMAN BLACKWELL: Aye.

5 THE CHIEF CLERK: Councilman Clarke.

6 COUNCILMAN CLARKE: Aye.

7 THE CHIEF CLERK: Councilman Cohen.

8 COUNCILMAN COHEN: Aye.

9 THE CHIEF CLERK: Councilman 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 Krajewski

16 voting aye.

17 Councilman Mariano.

18 COUNCILMAN MARIANO: Aye.

19 THE CHIEF CLERK: Councilwoman Miller.

20 COUNCILWOMAN MILLER: Aye.

21 THE CHIEF CLERK: Councilman Nutter.

22 COUNCILMAN NUTTER: Aye.

23 THE CHIEF CLERK: Councilman O'Neill

24 voting aye.

25 Councilman Ortiz.

1 05/29/03 - STATED - 2ND READING & FINAL PASSAGE

2 COUNCILMAN ORTIZ: Aye.

3 THE CHIEF CLERK: Councilwoman

4 Reynolds Brown.

5 COUNCILWOMAN BROWN: Aye.

6 THE CHIEF CLERK: Councilman Rizzo.

7 COUNCILMAN RIZZO: Aye.

8 THE CHIEF CLERK: Councilwoman Tasco.

9 COUNCILWOMAN TASCO: Aye.

10 THE CHIEF CLERK: Council President

11 Verna.

12 COUNCIL PRESIDENT VERNA: Aye.

13 The ayes are 16, the nays are 0. A
14 majority of all Members of Council having voted in
15 the affirmative, the Bill passes.

16 The next Bill to be considered is Bill
17 No. 030012.

18 THE CHIEF CLERK: An Ordinance amending
19 Chapter 19-1800 of the Philadelphia Code, entitled
20 "School Tax Authorization," by amending Section
21 19-1806 to further authorize the Board of Education
22 of the School District of Philadelphia to impose a
23 tax on the use or occupancy of real estate within
24 the School District of Philadelphia.

25 COUNCIL PRESIDENT VERNA: This Bill

1 05/29/03 - STATED - 2ND READING & FINAL PASSAGE
2 having been read on two different days, the question
3 now is shall the Bill pass finally?
4 The Clerk will please call the roll.
5 THE CHIEF CLERK: Councilwoman
6 Blackwell.
7 COUNCILWOMAN BLACKWELL: Aye.
8 THE CHIEF CLERK: Councilman Clarke.
9 COUNCILMAN CLARKE: Aye.
10 THE CHIEF CLERK: Councilman Cohen.
11 COUNCILMAN COHEN: Aye.
12 THE CHIEF CLERK: Councilman DiCicco.
13 COUNCILMAN DICICCO: Aye.
14 THE CHIEF CLERK: Councilman Goode.
15 COUNCILMAN GOODE: Aye.
16 THE CHIEF CLERK: Councilman Kenney.
17 COUNCILMAN KENNEY: Aye.
18 THE CHIEF CLERK: Councilwoman Krajewski
19 voting aye.
20 Councilman Mariano.
21 COUNCILMAN MARIANO: Aye.
22 THE CHIEF CLERK: Councilwoman Miller.
23 COUNCILWOMAN MILLER: Aye.
24 THE CHIEF CLERK: Councilman Nutter.
25 COUNCILMAN NUTTER: Aye.

1 05/29/03 - STATED - 2ND READING & FINAL PASSAGE

2 THE CHIEF CLERK: Councilman O'Neill

3 voting aye.

4 Councilman Ortiz.

5 COUNCILMAN ORTIZ: Aye.

6 THE CHIEF CLERK: Councilwoman

7 Reynolds Brown.

8 COUNCILWOMAN BROWN: Aye.

9 THE CHIEF CLERK: Councilman Rizzo.

10 COUNCILMAN RIZZO: Aye.

11 THE CHIEF CLERK: Councilwoman Tasco.

12 COUNCILWOMAN TASCO: Aye.

13 THE CHIEF CLERK: Council President

14 Verna.

15 COUNCIL PRESIDENT VERNA: Aye.

16 The ayes are 16, the nays are 0. A
17 majority of all Members of Council having voted in
18 the affirmative, the Bill passes.

19 The next Bill to be called for

20 consideration is Bill No. 030013.

21 THE CHIEF CLERK: A Ordinance amending

22 Section 19-1801 of the Philadelphia Code entitled

23 "Authorization of Tax," to further authorize the

24 Board of Education of the School District of City of

25 Philadelphia to impose a tax on real estate within

1 05/29/03 - STATED - 2ND READING & FINAL PASSAGE

2 the City of Philadelphia.

3 COUNCIL PRESIDENT Verna: This Bill
4 having been read on two different days, the question
5 now is shall the Bill pass finally?

6 The Clerk will please call the roll.

7 THE CHIEF CLERK: Councilwoman
8 Blackwell.

9 COUNCILWOMAN BLACKWELL: Aye.

10 THE CHIEF CLERK: Councilman Clarke.

11 COUNCILMAN CLARKE: Aye.

12 THE CHIEF CLERK: Councilman Cohen.

13 COUNCILMAN COHEN: Aye.

14 THE CHIEF CLERK: Councilman DiCicco.

15 COUNCILMAN DICICCO: Aye.

16 THE CHIEF CLERK: Councilman Goode.

17 COUNCILMAN GOODE: Aye.

18 THE CHIEF CLERK: Councilman Kenney.

19 COUNCILMAN KENNEY: Aye.

20 THE CHIEF CLERK: Councilwoman Krajewski
21 voting aye.

22 Councilman Mariano.

23 COUNCILMAN MARIANO: Aye.

24 THE CHIEF CLERK: Councilwoman Miller.

25 COUNCILWOMAN MILLER: Aye.

1 05/29/03 - STATED - 2ND READING & FINAL PASSAGE

2 THE CHIEF CLERK: Councilman Nutter.

3 COUNCILMAN NUTTER: Aye.

4 THE CHIEF CLERK: Councilman O'Neill

5 voting aye.

6 Councilman Ortiz.

7 COUNCILMAN ORTIZ: Aye.

8 THE CHIEF CLERK: Councilwoman

9 Reynolds Brown.

10 COUNCILWOMAN BROWN: Aye.

11 THE CHIEF CLERK: Councilman Rizzo.

12 COUNCILMAN RIZZO: Aye.

13 THE CHIEF CLERK: Councilwoman Tasco.

14 COUNCILWOMAN TASCO: Aye.

15 THE CHIEF CLERK: Council President

16 Verna.

17 COUNCIL PRESIDENT VERNA: Aye.

18 The ayes are 16, the nays are 0. A
19 majority of all Members of Council having voted in
20 the affirmative, the Bill passes.

21 The next Bill to be called for
22 consideration is Bill No. 030215.

23 THE CHIEF CLERK: An Ordinance

24 authorizing the Philadelphia Authority for

25 Industrial Development to file an application with

1 05/29/03 - STATED - 2ND READING & FINAL PASSAGE
2 COUNCILWOMAN MILLER: Aye.
3 THE CHIEF CLERK: Councilman Nutter.
4 COUNCILMAN NUTTER: Aye.
5 THE CHIEF CLERK: Councilman O'Neill
6 voting aye.
7 Councilman Ortiz.
8 COUNCILMAN ORTIZ: Aye.
9 THE CHIEF CLERK: Councilwoman
10 Reynolds Brown.
11 COUNCILWOMAN BROWN: Aye.
12 THE CHIEF CLERK: Councilman Rizzo.
13 COUNCILMAN RIZZO: Aye.
14 THE CHIEF CLERK: Councilwoman Tasco.
15 COUNCILWOMAN TASCO: Aye.
16 THE CHIEF CLERK: Council President
17 Verna.
18 COUNCIL PRESIDENT VERNA: Aye.
19 The ayes are 16, the nays are 0. A
20 majority of all Members of Council having voted in
21 the affirmative, the Bill passes.
22 The next Bill to be called for
23 consideration is Bill No. 030069.
24 THE CHIEF CLERK: An Ordinance
25 authorizing transfers in appropriation for Fiscal

1 05/29/03 - STATED - 2ND READING & FINAL PASSAGE

2 Year 2003 within the Grants Revenue Fund.

3 COUNCIL PRESIDENT VERNA: This Bill
4 having been read on two different days, the question
5 now is shall the Bill pass finally?

6 The Clerk will please call the roll.

7 THE CHIEF CLERK: Councilwoman
8 Blackwell.

9 COUNCILWOMAN BLACKWELL: Aye.

10 THE CHIEF CLERK: Councilman Clarke.

11 COUNCILMAN CLARKE: Aye.

12 THE CHIEF CLERK: Councilman Cohen.

13 COUNCILMAN COHEN: Aye.

14 THE CHIEF CLERK: Councilman DiCicco.

15 COUNCILMAN DICICCO: Aye.

16 THE CHIEF CLERK: Councilman Goode.

17 COUNCILMAN GOODE: Aye.

18 THE CHIEF CLERK: Councilman Kenney.

19 COUNCILMAN KENNEY: Aye.

20 THE CHIEF CLERK: Councilwoman Krajewski
21 voting aye.

22 Councilman Mariano.

23 COUNCILMAN MARIANO: Aye.

24 THE CHIEF CLERK: Councilwoman Miller.

25 COUNCILWOMAN MILLER: Aye.

1 05/29/03 - STATED - 2ND READING & FINAL PASSAGE

2 THE CHIEF CLERK: Councilman Nutter.

3 COUNCILMAN NUTTER: Aye.

4 THE CHIEF CLERK: Councilman O'Neill

5 voting aye.

6 Councilman Ortiz.

7 COUNCILMAN ORTIZ: Aye.

8 THE CHIEF CLERK: Councilwoman

9 Reynolds Brown.

10 COUNCILWOMAN BROWN: Aye.

11 THE CHIEF CLERK: Councilman Rizzo.

12 COUNCILMAN RIZZO: Aye.

13 THE CHIEF CLERK: Councilwoman Tasco.

14 COUNCILWOMAN TASCO: Aye.

15 THE CHIEF CLERK: Council President

16 Verna.

17 COUNCIL PRESIDENT VERNA: Aye.

18 The ayes are 16, the nays are 0. A
19 majority of all Members of Council having voted in
20 the affirmative, the Bill passes.

21 The next Bill to be called for
22 consideration is Bill No. 030070.

23 THE CHIEF CLERK: An Ordinance
24 authorizing transfers in appropriation for Fiscal
25 Year 2003 within the Water Fund.

1 05/29/03 - STATED - 2ND READING & FINAL PASSAGE

2 COUNCIL PRESIDENT VERNA: This Bill
3 having been read on two different days, the question
4 now is shall the Bill pass finally?

5 The Clerk will please call the roll.

6 THE CHIEF CLERK: Councilwoman
7 Blackwell.

8 COUNCILWOMAN BLACKWELL: Aye.

9 THE CHIEF CLERK: Councilman Clarke.

10 COUNCILMAN CLARKE: Aye.

11 THE CHIEF CLERK: Councilman Cohen.

12 COUNCILMAN COHEN: Aye.

13 THE CHIEF CLERK: Councilman DiCicco.

14 COUNCILMAN DICICCO: Aye.

15 THE CHIEF CLERK: Councilman Goode.

16 COUNCILMAN GOODE: Aye.

17 THE CHIEF CLERK: Councilman Kenney.

18 COUNCILMAN KENNEY: Aye.

19 THE CHIEF CLERK: Councilwoman Krajewski

20 voting aye.

21 Councilman Mariano.

22 COUNCILMAN MARIANO: Aye.

23 THE CHIEF CLERK: Councilwoman Miller.

24 COUNCILWOMAN MILLER: Aye.

25 THE CHIEF CLERK: Councilman Nutter.

1 05/29/03 - STATED - 2ND READING & FINAL PASSAGE

2 COUNCILMAN NUTTER: Aye.

3 THE CHIEF CLERK: Councilman O'Neill
4 voting aye.

5 Councilman Ortiz.

6 COUNCILMAN ORTIZ: Aye.

7 THE CHIEF CLERK: Councilwoman
8 Reynolds Brown.

9 COUNCILWOMAN BROWN: Aye.

10 THE CHIEF CLERK: Councilman Rizzo.

11 COUNCILMAN RIZZO: Aye.

12 THE CHIEF CLERK: Councilwoman Tasco.

13 COUNCILWOMAN TASCO: Aye.

14 THE CHIEF CLERK: Council President
15 Verna.

16 COUNCIL PRESIDENT VERNA: Aye.

17 The ayes are 16, the nays are 0. A
18 majority of all Members of Council having voted in
19 the affirmative, the Bill passes.

20 The next Bill to be called for
21 consideration is Bill No. 030071.

22 THE CHIEF CLERK: An Ordinance
23 authorizing transfers in appropriation for Fiscal
24 Year 2003 within the Grants Revenue Fund.

25 COUNCIL PRESIDENT VERNA: This Bill

1 05/29/03 - STATED - 2ND READING & FINAL PASSAGE
2 having been read on two different days, the question
3 now is shall the Bill pass finally?
4 The Clerk will please call the roll.
5 THE CHIEF CLERK: Councilwoman
6 Blackwell.
7 COUNCILWOMAN BLACKWELL: Aye.
8 THE CHIEF CLERK: Councilman Clarke.
9 COUNCILMAN CLARKE: Aye.
10 THE CHIEF CLERK: Councilman Cohen.
11 COUNCILMAN COHEN: Aye.
12 THE CHIEF CLERK: Councilman DiCicco.
13 COUNCILMAN DICICCO: Aye.
14 THE CHIEF CLERK: Councilman Goode.
15 COUNCILMAN GOODE: Aye.
16 THE CHIEF CLERK: Councilman Kenney.
17 COUNCILMAN KENNEY: Aye.
18 THE CHIEF CLERK: Councilwoman Krajewski
19 voting aye.
20 Councilman Mariano.
21 COUNCILMAN MARIANO: Aye.
22 THE CHIEF CLERK: Councilwoman Miller.
23 COUNCILWOMAN MILLER: Aye.
24 THE CHIEF CLERK: Councilman Nutter.
25 COUNCILMAN NUTTER: Aye.

1 05/29/03 - STATED - 2ND READING & FINAL PASSAGE

2 THE CHIEF CLERK: Councilman O'Neill

3 voting aye.

4 Councilman Ortiz.

5 COUNCILMAN ORTIZ: Aye.

6 THE CHIEF CLERK: Councilwoman

7 Reynolds Brown.

8 COUNCILWOMAN BROWN: Aye.

9 THE CHIEF CLERK: Councilman Rizzo.

10 COUNCILMAN RIZZO: Aye.

11 THE CHIEF CLERK: Councilwoman Tasco.

12 COUNCILWOMAN TASCO: Aye.

13 THE CHIEF CLERK: Council President

14 Verna.

15 COUNCIL PRESIDENT VERNA: Aye.

16 The ayes are 16, the nays are 0. A
17 majority of all Members of Council having voted in
18 the affirmative, the Bill passes.

19 The next Bill to be called for

20 consideration is Bill No. 030072.

21 THE CHIEF CLERK: An Ordinance

22 authorizing transfers in appropriation for Fiscal
23 Year 2003 within the Aviation Fund.

24 COUNCIL PRESIDENT VERNA: This Bill

25 having been read on two different days, the question

1 05/29/03 - STATED - 2ND READING & FINAL PASSAGE
2 now is shall the Bill pass finally?
3 The Clerk will please call the roll.
4 THE CHIEF CLERK: Councilwoman
5 Blackwell.
6 COUNCILWOMAN BLACKWELL: Aye.
7 THE CHIEF CLERK: Councilman Clarke.
8 COUNCILMAN CLARKE: Aye.
9 THE CHIEF CLERK: Councilman Cohen.
10 COUNCILMAN COHEN: Aye.
11 THE CHIEF CLERK: Councilman 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 Krajewski
18 voting aye.
19 Councilman Mariano.
20 COUNCILMAN MARIANO: Aye.
21 THE CHIEF CLERK: Councilwoman Miller.
22 COUNCILWOMAN MILLER: Aye.
23 THE CHIEF CLERK: Councilman Nutter.
24 COUNCILMAN NUTTER: Aye.
25 THE CHIEF CLERK: Councilman O'Neill

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2 voting aye.

3 Councilman Ortiz.

4 COUNCILMAN ORTIZ: Aye.

5 THE CHIEF CLERK: Councilwoman

6 Reynolds Brown.

7 COUNCILWOMAN BROWN: Aye.

8 THE CHIEF CLERK: Councilman Rizzo.

9 COUNCILMAN RIZZO: Aye.

10 THE CHIEF CLERK: Councilwoman Tasco.

11 COUNCILWOMAN TASCO: Aye.

12 THE CHIEF CLERK: Council President

13 Verna.

14 COUNCIL PRESIDENT VERNA: Aye.

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

16 majority of all Members of Council having voted in

17 the affirmative, the Bill passes.

18 The final Bill to be called for

19 consideration is Bill No. 030030.

20 THE CHIEF CLERK: A Resolution providing

21 for approval by the Council of the City of

22 Philadelphia of a revised Five-Year Financial Plan

23 for the City of Philadelphia, covering Fiscal Years

24 2003-2008.

25 COUNCILWOMAN VERNA: The Chair

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2 recognizes Councilwoman Tasco for a motion.

3 COUNCILWOMAN TASCO: Thank you, Madam
4 President. I move for the adoption of the
5 Resolution.

6 (Duly seconded.)

7 COUNCILWOMAN VERNA: It has been moved
8 and properly seconded that the Resolution No. 030030
9 be adopted.

10 All in favor will signify by saying aye.

11 (Aye.)

12 COUNCIL PRESIDENT VERNA: Those opposed?

13 (No response.)

14 COUNCILWOMAN VERNA: The ayes have it.
15 And Resolution No. 030030 has been adopted.

16 The Chair recognizes Councilwoman
17 Blackwell for a motion on Resolution No 030401.

18 COUNCILWOMAN BLACKWELL: Madam
19 President, I believe that that Resolution 030141, I
20 believe that is Councilman Clarke's Resolution.

21 COUNCIL PRESIDENT VERNA: I would ask
22 the Chief Clerk to please read the title.

23 THE CHIEF CLERK: A Resolution also
24 naming the 1800 block of Webster Street as Marian
25 Anderson Place.

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

4 COUNCILWOMAN BLACKWELL: Madam
5 President, I move the adoption of Resolution.

6 (Duly seconded.)

7 COUNCIL PRESIDENT Verna: It has been
8 moved and properly seconded that the Resolution be
9 adopted.

10 All in favor will signify by saying aye.

11 (Aye.)

12 COUNCIL PRESIDENT Verna: Those opposed?

13 (No response.)

14 COUNCIL PRESIDENT Verna: The ayes have
15 it, and Resolution No. 030401 has been adopted.

16 That concludes the Calendar.

17 Are there any more speeches on the part
18 of the Minority?

19 (No response.)

20 COUNCILWOMAN Verna: Are there any
21 speeches on the part of the Majority?

22 The Chair recognizes Councilman Ortiz.

23 COUNCILMAN ORTIZ: Madam President, I
24 was handed a press release from Mayor's Office of
25 Communications. The says the Mayor Street and

1 05/29/03 - STATED - SPEECHES

2 Philadelphia, Pennsylvania, Building and
3 Construction Trades Council AFL-CIO announced today
4 that 100 new union apprenticeships positions will be
5 filled by minorities. It says Mayor Street stood
6 with the City's building union leaders to announce
7 that over the next year -- the next year, not now --
8 100 new apprenticeship positions will filled by
9 minority workers who have graduated from the
10 Diversity Apprenticeship Program, DAP.

11 We have testimony in this Council over
12 the last seven months in which we have over 125 or
13 so people who already have graduated from the
14 apprenticeship programs. And they're waiting for
15 phone calls. And we have testimony here that those
16 individuals have not gotten those phone calls. And
17 we have testimony that ther are people that gone
18 through that the percentages of those that go
19 through the apprenticeship program never make it to
20 journeyman. I'd like to find out what happened to
21 those individuals that are already out there that
22 have gone through this process, the 100 or so that
23 are not being employed and are not being called? I
24 recognize and I appreciate that they have heard what
25 we've been saying in this Council over the last year

1 05/29/03 - STATED - SPEECHES

2 or last few years, but let's see what happens. And
3 I bet you extra dollars that of the hundred over the
4 next year very few make it through to journeyman.
5 Promises, promises, promises, all during a political
6 year. Thank you.

7 COUNCILWOMAN VERNA: You're welcome.

8 The Chair recognizes Councilman Kenney.

9 COUNCILMAN KENNEY: Thank you, Madam
10 President. While I have the opportunity, I would
11 like to declare that the Public Property Committee
12 has a quorum and that the hearing will go on
13 immediately following the Session. A quorum of the
14 Public Property Committee is in place in the room
15 right now so we won't have to wait any time. Thank
16 you.

17 COUNCILWOMAN VERNA: Thank you.

18 The Chair recognizes Councilman Cohen.

19 COUNCILMAN COHEN: I think other than to
20 say it would good if Mayor Street rescinded his
21 license to the building trades group to continue
22 their discrimination. I don't know what the press
23 release means, but I'm hoping that there is some
24 progress along the way.

25 Like Councilman Ortiz, I suspect that

1 05/29/03 - STATED - SPEECHES

2 it's only a press announcement and will have no
3 meaning at all. Thank you, Madam President.

4 COUNCILWOMAN VERNA: Thank you.

5 Are there any other speeches on the part
6 of the Majority?

7 (No response.)

8 COUNCIL PRESIDENT VERNA: Seeing none,
9 the Chair recognizes Councilwoman Tasco for a
10 motion.

11 COUNCILWOMAN TASCO: Thank you, Madam
12 President. I move that Council stand adjourned
13 until Thursday, June 5, at 10:00 a.m..

14 (Duly seconded.)

15 COUNCILWOMAN VERNA: It has been moved
16 and properly seconded that Council stands adjourned
17 until Thursday, June 5, 2003 at 10:00 a.m.

18 All in favor will signify by saying aye.

19 (Aye.)

20 COUNCIL PRESIDENT VERNA: Those opposed?

21 (No response.)

22 COUNCIL PRESIDENT VERNA: The ayes have
23 it. And Council stands adjourned until Thursday,
24 June 5th at 10:00 a.m.

25 Thank you all very much.

1 05/29/03 - STATED - SPEECHES
2 (Council adjourned at 1:40 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 May, 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