

JOURNAL OF THE CITY COUNCIL OF PHILADELPHIA



Thursday, April 22, 2010

PRESENT: 17 - Councilmembers Blackwell, Clarke, Council President Verna, DiCiccio, Goode, Green, Greenlee, Jones, Kelly, Kenney, Krajewski, Miller, O'Neill, Reynolds Brown, Rizzo, Sanchez and Tasco

Council met, a quorum being present.

Pastor David Brown of United Methodist Church was introduced and offered an appropriate prayer.

COUNCILMEMBER TASCO MOVED TO APPROVE THE JOURNAL
of the meeting of April 15, 2010.

THE MOTION WAS DULY SECONDED AND AGREED TO.

COMMUNICATIONS

The Sergeant-at-Arms presented messages from the Mayor as follows:

- ☐ Transmitting a message advising Council that Bill Nos. 090704, 100094, 100101, 100130 and 100132, which were passed by Council on April 8, 2010, were signed by the Mayor on April 21, 2010. (File No. 100279)

THE COMMUNICATION WAS READ.

- ☐ April 21, 2010

To The President and Members of
the Council of the City of Philadelphia:

Pursuant to Sections 4-604 and 2-307 of the Home Rule Charter, I am today transmitting to the Council the recommendations of the City Planning Commission regarding the followings bills:

Bill No. 100161

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Bill No. 100195

Bill No. 100196

Bill No. 100197

Respectfully
Michael A. Nutter
Mayor (File No. 100280)

THE COMMUNICATION WAS READ.

- Transmitting a resolution reappointing Howard Wurzak to the Board of Directors of the City Avenue Special Services District of Philadelphia and Lower Merion. (File No. 100281)

THE COMMUNICATION WAS READ.

INTRODUCTION OF BILLS AND RESOLUTIONS

Councilmember Blackwell Introduced the following Bill, Sponsored by Councilmember Blackwell:

- Bill No. 100266:** An Ordinance Granting permission to Roxanne Maddrey, owner and operator of the newsstand located on the southwest corner of 55th Street and Pine Street, to construct, use and maintain conduits for fiber optic facilities in, under and across the southwest corner of 55th Street and Pine Street, for the purpose of supplying electrical service and telephone service to said newsstand.

THE BILL WAS REFERRED TO THE COMMITTEE ON STREETS AND SERVICES.

Councilmember Greenlee Introduced the following Bill, Sponsored by Councilmembers Greenlee and Clarke:

- Bill No. 100267:** An Ordinance Amending Section 9-703 of The Philadelphia Code, entitled “Special Assembly Occupancies,” by imposing various requirements on promoters of events at special assembly occupancies; all under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON LICENSES AND INSPECTIONS.

Councilmember Tasco Introduced the following Resolution, Sponsored by Councilmembers Tasco and Reynolds Brown:

- Resolution No. 100270:** Resolution Honoring the Life and Legacy of Dr. Dorothy I. Height.

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THE RESOLUTION WAS READ.

DISCUSSION - COUNCILMEMBER TASCO - RESOLUTION 100270 - (SEE NOTES OF TESTIMONY).

📄 **Resolution No. 100270:** Resolution Honoring the Life and Legacy of Dr. Dorothy I. Height.

THE RESOLUTION WAS ADOPTED BY STANDING VOTE.

Councilmember Tasco Introduced the following Resolution, Sponsored by Councilmember Tasco:

📄 **Resolution No. 100271:** Resolution Honoring the Pennsylvania Bar Association for hosting the 27th Annual National High School Mock Trial Championship in Philadelphia.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

Councilmember Miller Introduced the following Resolution, Sponsored by Councilmembers Council President Verna and Miller:

📄 **Resolution No. 100272:** Resolution Authorizing Council's Committee on Public Safety to hold public hearings for applicants seeking nomination to serve on the Police Advisory Commission, and further authorizing the Committee to provide a report to the Committee of the Whole setting forth its recommended list of nominations for submission to the Mayor.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED & REFERRED TO THE COMMITTEE ON PUBLIC SAFETY.

Councilmember Miller Introduced the following Resolution, Sponsored by Councilmember Miller:

📄 **Resolution No. 100273:** Resolution Authorizing the Commissioner of Public Property to execute and deliver to the Redevelopment Authority of the City of Philadelphia, without consideration, deeds conveying conditional fee simple title to certain City-owned lots or pieces of ground with the buildings and improvements thereon, situate in the Thirteenth Ward of the City of Philadelphia, pursuant to Chapter 16-400 of The Philadelphia Code and authorizing the Redevelopment Authority of the City of Philadelphia to dispose of such properties for rehabilitation and/or improvement in accordance with the terms of Chapter 16-400 of The Philadelphia Code.

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THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

Councilmember Miller Introduced the following Resolution, Sponsored by Councilmember Miller:

- ☐ **Resolution No. 100274:** Resolution Recognizing May 3rd thru May 9th 2010 as Correctional Employees Week.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

Councilmember Sanchez Introduced the following Bill, Sponsored by Councilmember Sanchez:

- ☐ **Bill No. 100268:** An Ordinance Amending Chapter 16-400 of The Philadelphia Code, entitled "Vacant and Surplus Properties," by providing additional requirements for the disposition of properties pursuant to that Chapter, under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON PUBLIC PROPERTY AND PUBLIC WORKS.

Councilmember Sanchez Introduced the following Resolution, Sponsored by Councilmember Sanchez:

- ☐ **Resolution No. 100275:** Resolution Recognizing and Honoring Frankford High School on the Occasion of its 100th Anniversary.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

Councilmember Sanchez Introduced the following Resolution, Sponsored by Councilmember Sanchez:

- ☐ **Resolution No. 100276:** Resolution Authorizing the Council Committee on Public Property to hold hearings to investigate the appraisal methods used by the Vacant Property Review Committee to determine Fair Market Value for surplus properties in the City inventory.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED & REFERRED TO THE COMMITTEE ON PUBLIC PROPERTY AND PUBLIC WORKS.

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Councilmember Jones Introduced the following Resolution, Sponsored by Councilmember Jones:

- 📄 **Resolution No. 100277:** Resolution Reappointing Howard Wurzak to the Board of Directors of the City Avenue Special Services District of Philadelphia and Lower Merion.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

Councilmember O'Neill Introduced the following Bill, Sponsored by Councilmember O'Neill:

- 📄 **Bill No. 100269:** An Ordinance Authorizing the installation of all-way stop signs at the intersection of Whiting Road and Whiting Place.

THE BILL WAS REFERRED TO THE COMMITTEE ON STREETS AND SERVICES.

Councilmember Clarke Introduced the following Resolution, Sponsored by Councilmember Clarke:

- 📄 **Resolution No. 100278:** Resolution Authorizing the Commissioner of Public Property to execute and deliver to the Redevelopment Authority of the City of Philadelphia, without consideration, deeds conveying conditional fee simple title to certain City-owned lots or pieces of ground with the buildings and improvements thereon, situate in the Fifteenth, Sixteenth, Twenty-ninth and Thirty-second Wards of the City of Philadelphia, pursuant to Chapter 16-400 of The Philadelphia Code and authorizing the Redevelopment Authority of the City of Philadelphia to dispose of such properties for rehabilitation and/or improvement in accordance with the terms of Chapter 16-400 of The Philadelphia Code.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

DISCUSSION - COUNCILMEMBER BLACKWELL - (SEE NOTES OF TESTIMONY).

REPORTS FROM COMMITTEES

COMMITTEE ON STREETS AND SERVICES

- 📄 **Bill No. 090905:** An Ordinance Authorizing the revision of lines and grades on a portion of City Plan No. 322 by relocating the southeasterly curblineline of State

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Road, from Pennypack Street to Linden Avenue, twelve feet northwestwardly, under certain terms and conditions.

COUNCILMEMBER DICICCO MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 090905.

THE MOTION WAS DULY SECONDED AND AGREED TO.

THE BILL WAS ORDERED PLACED ON THIS DAY'S FIRST READING CALENDAR.

📄 **Bill No. 090908:** An Ordinance Amending Section 2 of an Ordinance (Bill No. 070392) approved September 20, 2007, entitled "An Ordinance authorizing and directing the revision of lines and grades on a portion of City Plan No. 271 by striking from the City Plan and vacating the legally open portions of Lewellen Street from Delaware Avenue to Canal Street, under certain terms and conditions," by extending the period for compliance with the terms and conditions stated therein.

COUNCILMEMBER DICICCO MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 090908.

THE MOTION WAS DULY SECONDED AND AGREED TO.

THE BILL WAS ORDERED PLACED ON THIS DAY'S FIRST READING CALENDAR.

📄 **Bill No. 090924:** An Ordinance Authorizing the revision of lines and grades on a portion of City Plan No. 55 by striking from the City Plan and vacating the legally open portions of Adams Avenue from Aramingo Avenue to the northwesterly right-of-way line of the Delaware Expressway and reserving and placing on the City Plan a right-of-way for drainage purposes within a portion of Adams Avenue being stricken, under certain terms and conditions.

COUNCILMEMBER DICICCO MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 090924.

THE MOTION WAS DULY SECONDED AND AGREED TO.

THE BILL WAS ORDERED PLACED ON THIS DAY'S FIRST READING CALENDAR.

📄 **Bill No. 100100:** An Ordinance Amending Section 9-213 of The Philadelphia Code, entitled "Farmers' Markets," by adding as a permissible location the sidewalk of the east side of South Broad Street between Porter and Ritner Streets, all under certain terms and conditions.

THE MOTION WAS DULY SECONDED AND AGREED TO.

THE BILL WAS ORDERED PLACED ON THIS DAY'S FIRST READING CALENDAR.

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📄 **Bill No. 100157:** An Ordinance Authorizing the revision of lines and grades on a portion of City Plan Nos. 11-S, 42, 269, and 308 by relocating the houselines and curblines of South Street from a point approximately one-hundred seventy feet northwest of Convention Avenue to the northwesterly Pierhead and Bulkhead Line of the Schuylkill River and from the southeasterly Pierhead and Bulkhead Line of the Schuylkill River to Twenty-seventh Street so as to increase the width of South Street for the purpose of constructing a new bridge crossing the Schuylkill River and by placing on the City Plan a variable width right-of-way for drainage purposes adjacent to the southwesterly side of South Street northwest of Schuylkill Avenue and authorizing the opening of the said widened portions of South Street extending through property owned by the City.

COUNCILMEMBER DICICCO MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 100157.

THE MOTION WAS DULY SECONDED AND AGREED TO.

THE BILL WAS ORDERED PLACED ON THIS DAY'S FIRST READING CALENDAR.

📄 **Bill No. 100215:** An Ordinance Authorizing the revision of lines and grades on a portion of City Plan No. 312 by striking from the City Plan Hegerman Street from Aubrey Avenue to a point approximately one-hundred eighty-seven feet southwestwardly therefrom and reserving and placing on the City Plan a right-of-way for gas main purposes within the northwesterly half of the portion of Hegerman Street being stricken and authorizing acceptance of the grant to the City of the said right-of-way, under certain terms and conditions.

THE BILL WAS ORDERED PRINTED AND PLACED ON NEXT FIRST READING CALENDAR.

📄 **Bill No. 100220:** An Ordinance Amending Section 2 of an Ordinance (Bill No. 080279) approved April 28, 2008, entitled "An Ordinance authorizing and directing the revision of lines and grades on a portion of City Plan Nos. 52-S and 53-S by placing on the City Plan Twenty-sixth Street from Penrose Avenue southwardly approximately one-thousand eight-hundred thirty-two feet to a dead-end, and the dedication to the City, free and clear of all encumbrances, of the bed of said Twenty-sixth Street, all under certain terms and conditions," by extending the period for compliance with the terms and conditions stated therein.

COUNCILMEMBER DICICCO MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 100220.

THE MOTION WAS DULY SECONDED AND AGREED TO.

THE BILL WAS ORDERED PLACED ON THIS DAY'S FIRST READING CALENDAR.

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☐ **Bill No. 100227:** An Ordinance Authorizing the revision of lines and grades on a portion of City Plan No. 123 by relocating the northerly houseline of Montgomery Avenue from Fifteenth Street to Broad Street, thereby reducing the width of said Montgomery Avenue and relocating the easterly houseline of Fifteenth Street from Montgomery Avenue to a point approximately three-hundred thirty-one feet northwardly therefrom, thereby reducing the width of said Fifteenth Street, under certain terms and conditions.

COUNCILMEMBER DICICCO MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 100227.

THE MOTION WAS DULY SECONDED AND AGREED TO.

THE BILL WAS ORDERED PLACED ON THIS DAY'S FIRST READING CALENDAR.

COMMITTEE ON PUBLIC HEALTH AND HUMAN SERVICES

☐ **Bill No. 100185:** An Ordinance Amending Section 10-602 of The Philadelphia Code, known as the "Clean Indoor Air Worker Protection Law," by providing a limited period of time, expiring June 30, 2010, during which a Private Club, as defined, may apply for and obtain a waiver of the provisions of the Section prohibiting smoking in certain places, under certain terms and conditions.

COUNCILMEMBER TASCO MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 100185.

THE MOTION WAS DULY SECONDED AND AGREED TO.

THE BILL WAS ORDERED PLACED ON THIS DAY'S FIRST READING CALENDAR.

CONSIDERATION OF THE CALENDAR

BILLS ON FIRST READING

☐ **Bill No. 090905:** An Ordinance Authorizing the revision of lines and grades on a portion of City Plan No. 322 by relocating the southeasterly curblineline of State Road, from Pennypack Street to Linden Avenue, twelve feet northwestwardly, under certain terms and conditions.

THE BILL WAS ORDERED PLACED ON NEXT WEEK'S SECOND READING CALENDAR.

☐ **Bill No. 090908:** An Ordinance Amending Section 2 of an Ordinance (Bill No. 070392) approved September 20, 2007, entitled "An Ordinance authorizing and directing the revision of lines and grades on a portion of City Plan No. 271 by striking from the City Plan and vacating the legally open portions of Lewellen

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Street from Delaware Avenue to Canal Street, under certain terms and conditions,” by extending the period for compliance with the terms and conditions stated therein.

THE BILL WAS ORDERED PLACED ON THIS DAY'S SECOND READING CALENDAR.

- ☐ **Bill No. 090924:** An Ordinance Authorizing the revision of lines and grades on a portion of City Plan No. 55 by striking from the City Plan and vacating the legally open portions of Adams Avenue from Aramingo Avenue to the northwesterly right-of-way line of the Delaware Expressway and reserving and placing on the City Plan a right-of-way for drainage purposes within a portion of Adams Avenue being stricken, under certain terms and conditions.

THE BILL WAS ORDERED PLACED ON NEXT WEEK'S SECOND READING CALENDAR.

- ☐ **Bill No. 100100:** An Ordinance Amending Section 9-213 of The Philadelphia Code, entitled “Farmers' Markets,” by adding as a permissible location the sidewalk of the east side of South Broad Street between Porter and Ritner Streets, all under certain terms and conditions.

THE BILL WAS ORDERED PLACED ON NEXT WEEK'S SECOND READING CALENDAR.

- ☐ **Bill No. 100157:** An Ordinance Authorizing the revision of lines and grades on a portion of City Plan Nos. 11-S, 42, 269, and 308 by relocating the houselines and curblines of South Street from a point approximately one-hundred seventy feet northwest of Convention Avenue to the northwesterly Pierhead and Bulkhead Line of the Schuylkill River and from the southeasterly Pierhead and Bulkhead Line of the Schuylkill River to Twenty-seventh Street so as to increase the width of South Street for the purpose of constructing a new bridge crossing the Schuylkill River and by placing on the City Plan a variable width right-of-way for drainage purposes adjacent to the southwesterly side of South Street northwest of Schuylkill Avenue and authorizing the opening of the said widened portions of South Street extending through property owned by the City.

THE BILL WAS ORDERED PLACED ON NEXT WEEK'S SECOND READING CALENDAR.

- ☐ **Bill No. 100220:** An Ordinance Amending Section 2 of an Ordinance (Bill No. 080279) approved April 28, 2008, entitled “An Ordinance authorizing and directing the revision of lines and grades on a portion of City Plan Nos. 52-S and 53-S by placing on the City Plan Twenty-sixth Street from Penrose Avenue southwardly approximately one-thousand eight-hundred thirty-two feet to a dead-end, and the dedication to the City, free and clear of all encumbrances, of the bed of said Twenty-sixth Street, all under certain terms and conditions,” by extending the period for compliance with the terms and conditions stated therein.

THE BILL WAS ORDERED PLACED ON NEXT WEEK'S SECOND READING CALENDAR.

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📄 **Bill No. 100227:** An Ordinance Authorizing the revision of lines and grades on a portion of City Plan No. 123 by relocating the northerly houseline of Montgomery Avenue from Fifteenth Street to Broad Street, thereby reducing the width of said Montgomery Avenue and relocating the easterly houseline of Fifteenth Street from Montgomery Avenue to a point approximately three-hundred thirty-one feet northwardly therefrom, thereby reducing the width of said Fifteenth Street, under certain terms and conditions.

THE BILL WAS ORDERED PLACED ON NEXT WEEK'S SECOND READING CALENDAR.

BILLS ON SECOND READING AND FINAL PASSAGE

📄 **Bill No. 100212, as amended:** An Ordinance Amending Section 20-304, entitled "Compensation for Members of Boards, Commissions, Committees and Councils," by revising the compensation for members of the Board of Revision of Taxes, under certain terms and conditions.

THE BILL WAS READ.

THE BILL WAS PASSED.

The Ayes and Nays were as follows:

Ayes: 16 - Councilmembers Clarke, Council President Verna, DiCicco, Goode, Green, Greenlee, Jones, Kelly, Kenney, Krajewski, Miller, O'Neill, Reynolds Brown, Rizzo, Sanchez and Tasco

Nays: 1 - Councilmember Blackwell

📄 **Bill No. 090837:** An Ordinance To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Wayne Avenue, Walnut Lane and Penn Central Rail Road Right-of-Way.

THE BILL WAS READ.

THE BILL WAS PASSED.

The Ayes and Nays were as follows:

Ayes: 17 - Councilmembers Blackwell, Clarke, Council President Verna, DiCicco, Goode, Green, Greenlee, Jones, Kelly, Kenney, Krajewski, Miller, O'Neill, Reynolds Brown, Rizzo, Sanchez and Tasco

Nays: 0

📄 **Bill No. 100096, as amended:** An Ordinance To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by 59th Street, Lancaster Avenue, 62nd Street, Woodbine Avenue, and Upland Way.

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THE BILL WAS READ.

THE BILL WAS PASSED.

The Ayes and Nays were as follows:

Ayes: 17 - Councilmembers Blackwell, Clarke, Council President Verna, DiCicco, Goode, Green, Greenlee, Jones, Kelly, Kenney, Krajewski, Miller, O'Neill, Reynolds Brown, Rizzo, Sanchez and Tasco

Nays: 0

Bill No. 100133-A: An Ordinance To amend the Institutional Development District Master Plan of Temple University, by allowing for the construction of additions to Pearson and McGonigle Halls which are located at 1800 N. Broad Street.

THE BILL WAS READ.

COUNCILMEMBER CLARKE MOVED TO AMEND BILL NO. 100133 (SEE FILE).

COUNCILMEMBER CLARKED MOVED FOR THE ADOPTION OF THE AMENDMENT.

THE MOTION WAS DULY SECONDED AND AGREED TO.

THE AMENDMENT TO BILL NO. 100133 WAS ADOPTED.

Bill No. 100133-A, as amended: An Ordinance To amend the Institutional Development District Master Plan of Temple University, by allowing for the construction of additions to Pearson and McGonigle Halls which are located at 1800 N. Broad Street.

THE BILL WAS AMENDED.

THE BILL WAS ORDERED PLACED ON FINAL PASSAGE CALENDAR FOR NEXT MEETING..

Bill No. 100161: An Ordinance Amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning," by amending Section 14-703.2, entitled "Passive Recreation District (REC-P)," by revising the rules and regulations that apply within passive recreation districts, under certain terms and conditions.

THE BILL WAS READ.

THE BILL WAS PASSED.

The Ayes and Nays were as follows:

Ayes: 17 - Councilmembers Blackwell, Clarke, Council President Verna, DiCicco, Goode, Green, Greenlee, Jones, Kelly, Kenney, Krajewski, Miller, O'Neill, Reynolds Brown, Rizzo, Sanchez and Tasco

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Nays: 0

☐ **Bill No. 100184:** An Ordinance Amending Section 19-513 of The Philadelphia Code, entitled “Tax Amnesty Program,” by providing for treatment of additions to tax, and making technical amendments, under certain terms and conditions.

THE BILL WAS READ.

THE BILL WAS PASSED.

The Ayes and Nays were as follows:

Ayes: 17 - Councilmembers Blackwell, Clarke, Council President Verna, DiCicco, Goode, Green, Greenlee, Jones, Kelly, Kenney, Krajewski, Miller, O'Neill, Reynolds Brown, Rizzo, Sanchez and Tasco

Nays: 0

☐ **Bill No. 100186:** An Ordinance Further amending Bill No. 090325, entitled “An Ordinance approving the Fiscal Year 2010 Capital Budget providing for expenditures for the capital purposes of the Philadelphia Gas Works (including the supplying of funds in connection therewith) subject to certain constraints and conditions, and acknowledging receipt of the Forecast of Capital Budgets for Fiscal Years 2011 through 2015,” as previously amended by Bill No. 090705, by approving a further amended Capital Budget for Fiscal Year 2010.

THE BILL WAS READ.

THE BILL WAS PASSED.

The Ayes and Nays were as follows:

Ayes: 17 - Councilmembers Blackwell, Clarke, Council President Verna, DiCicco, Goode, Green, Greenlee, Jones, Kelly, Kenney, Krajewski, Miller, O'Neill, Reynolds Brown, Rizzo, Sanchez and Tasco

Nays: 0

☐ **Bill No. 090923, as amended:** An Ordinance Amending Title 4 of The Philadelphia Code, entitled “The Philadelphia Building Construction and Occupancy Code,” by amending Subcode “B” (“The Philadelphia Building Code”), by adding a provision requiring that certain buildings have roof coverings that are white in color or Energy Star rated as highly reflective; and by making conforming amendments to Subcode “R” (“The Philadelphia Residential Code”); all under certain terms and conditions.

THE BILL WAS READ.

THE BILL WAS PASSED.

The Ayes and Nays were as follows:

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Ayes: 17 - Councilmembers Blackwell, Clarke, Council President Verna, DiCicco, Goode, Green, Greenlee, Jones, Kelly, Kenney, Krajewski, Miller, O'Neill, Reynolds Brown, Rizzo, Sanchez and Tasco

Nays: 0

SPEECHES

COUNCILMEMBERS BROWN, JONES AND BLACKWELL - (SEE NOTES OF TESTIMONY).

COUNCILMEMBER CLARKE MOVED TO ADJOURN

THE MOTION WAS DULY SECONDED AND AGREED TO.