

Thursday, February 10, 2011

PRESENT: 17 - Councilmembers Blackwell, Clarke, Council President Verna, DiCicco, Goode, Green, Greenlee, Jones, Kelly, Kenney, Krajewski,

Miller, O'Neill, Reynolds Brown, Rizzo, Sanchez and Tasco

Council met, a quorum being present

Reverend Dr. Lorina Marshall Blake of Vine Memorial Baptist Church was introduced and offered an appropriate prayrer.

COUNCILMEMBER TASCO MOVED TO APPROVE THE JOURNAL

of the meeting of February 3, 2011.

THE MOTION WAS DULY SECONDED AND AGREED TO.

COMMUNICATIONS

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

•	Transmitting	a	messa	ige a	dvising	Cou	ncil	that	Bill	No.	10007	79,	which	was
	passed by C	oun	cil on	Janua	ry 27,	2011,	was	signe	ed by	the	Mayor	on	Februar	y 9,
	2011. (File N	o. 11	10097)											

THE COMMUNICATION WAS READ.

•	Transmitting	a	messa	age	advis	ing	Cour	ncil	that	Bill	No.	10078	30,	which	wa	
	passed by Co	oun	cil on	Feb	ruary	3,	2011,	was	sign	ed b	y the	Mayor	on	Februar	y 9)
	2011. (File No	o. 11	10098)													

THE COMMUNICATION WAS READ.

•	Transmitting	a	bill	amen	ding	Cha	pter	20-10	000 of	Th	e P	hilade	lphia	Code,
	entitled "Polit	tical	Con	tributio	ons a	ınd E	Expe	nditures	," by	v cla	rifyin	g tha	t no	person
	shall make	ex	cess	contr	ibutio	ns	to	candida	ates	thro	ugh	anoth	ner p	olitical
	committee and	d b	y rev	vising	the	form	of	notice	that	the	Board	d of	Ethic	s shall
	provide of the	cont	ributio	on limi	ts, all	under	r cer	tain tern	ns and	conc	litions	5,		

accompanied by an explanatory letter from the Chair of the Board of Ethics. (File No. 110100)

THE COMMUNICATION WAS READ.

Transmitting a bill amending Section 20-606 of The Philadelphia Code, entitled "Board of Ethics," by further providing for administrative adjudication, under certain terms and conditions, accompanied by an explanatory letter from the Chair of the Board of Ethics. (File No. 110101)

THE COMMUNICATION WAS READ.

Transmitting a bill authorizing the revision of lines and grades on a portion of City Plan No. 188 by striking from the City Plan and vacating the northwesterly and southeasterly ten feet wide portions of Cedar Street from Tioga Street to appoint approximately two-hundred eighty-seven feet northeastwardly therefrom and reserving and placing on the City Plan rights of way for various utility purposes within the lines of the portions of Cedar Street being stricken, under certain terms and conditions, accompanied by an explanatory letter from the Streets Commissioner. (File No. 110102)

THE COMMUNICATION WAS READ.

Transmitting a bill amending Section 2 of an Ordinance (Bill No. 080637) approved November 19, 2008, entitled "An Ordinance Authorizing and directing the revision of lines and grades on a portion of City Plan Nos. 34-S and 41-S by striking from the City Plan and vacating the legally open portions of Packer Avenue from Christopher Columbus Boulevard to the Pierhead Line of the Delaware River and by reserving and placing on the City Plan a right-of-way for drainage purposes, water main purposes, and public utility purposes within the lines of Packer Avenue being stricken from the City Plan, all under certain terms and conditions," by extending the period for compliance with the terms and conditions stated therein, accompanied by an explanatory letter from the Streets Commissioner. (File No. 110103)

THE COMMUNICATION WAS READ.

Transmitting a bill amending Section 2 of an Ordinance approved November 13, 2002, entitled "An Ordinance Authorizing the revision of lines and grades on a portion of City Plan No. 258 by striking from the City Plan and vacating Brill Street from Torresdale Avenue to Harbison Avenue, by striking from the City Plan and vacating a certain triangular section of Harbison Avenue, and by reserving and placing on the City Plan a right-of-way for drainage purposes, water main purposes, and gas main purposes, under certain terms and conditions," by extending the period for compliance with the terms and conditions stated therein, accompanied by an explanatory letter from the Streets

THE COMMUNICATION WAS READ.
Transmitting a bill authorizing the revision of lines and grades on a portion of City Plan No. 63 by relocating the northeasterly curblines of the Benjamin Franklin Parkway, from Twentieth Street to Twenty-First Street, two feet southwestwardly and relocating portions of certain curblines within the area bounded by the Benjamin Franklin Parkway, Twenty-First Street, Pennsylvania Avenue, and Twentieth Street to establish certain curb bump-outs and corner radii, under certain terms and conditions, accompanied by an explanatory letter from the Streets Commissioner. (File No. 110105)
THE COMMUNICATION WAS READ.
Transmitting a bill authorizing the Procurement Commissioner to enter into a contract for the construction of a sewer and appurtenant work in the 800 Block of Asbury Terrace, accompanied by an explanatory letter from the Water Commissioner. (File No. 110106)
THE COMMUNICATION WAS READ.
INTRODUCTION OF BILLS AND RESOLUTIONS
Councilmember Kenney Introduced and Referred the following Bill, Sponsored by Councilmember Kenney:
Bill No. 110070: An Ordinance Amending certain Sections of Title 3 ("Air Management Code") of The Philadelphia Code relating to license and permit fees and other charges by modifying the amount of such fees, under certain terms and conditions.
THE BILL WAS REFFERED TO THE COMMITTEE ON PUBLIC HEALTH AND HUMAN SERVICES.
Councilmember Blackwell Introduced and Ordered Placed On Next Week's Final Passage Calendar the following Resolution, Sponsored by Councilmembers Blackwell and Kenney:
Resolution No. 110085: Resolution Recognizing the Week of February 20, 2011, as Frances Harper Week in Commemoration of the 100th Anniversary of her Death on February 22, 1911, in Philadelphia, and Honoring her as a Writer Lecturer and Political Activist, who Promoted Abolition, Civil Rights, Women's Rights, and Temperance, Nationally and in the Greater Philadelphia Region.
Councilmember Blackwell Introduced and Ordered Placed On Next Week's Final Passage Calendar the following Resolution, Sponsored by Councilmember Blackwell:
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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 Twenty-seventh and Fifty-first 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.

Councilmember Krajewski Introduced and Referred the following Bill, Sponsored by Councilmember Krajewski:

Bill No. 110071: An Ordinance Amending Section 2 of an Ordinance approved November 13, 2002, entitled "An Ordinance authorizing the revision of lines and grades on a portion of City Plan No. 258 by striking from the City Plan and vacating Brill Street from Torresdale Avenue to Harbison Avenue, by striking from the City Plan and vacating a certain triangular section of Harbison Avenue, and by reserving and placing on the City Plan a right-of-way for drainage purposes, water main purposes, and gas main purposes, under certain terms and conditions," by extending the period for compliance with the terms and conditions stated therein.

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

Councilmember Tasco Introduced and Referred the following Bill, Sponsored by Councilmember Tasco:

Bill No. 110072: An Ordinance Amending Section 20-606 of The Philadelphia Code, entitled "Board of Ethics," by further providing for administrative adjudication, under certain terms and conditions.

THE BILL WAS REFFERED TO THE COMMITTEE OF THE WHOLE.

Councilmember Tasco Introduced and Referred the following Bill, Sponsored by Councilmember Tasco:

Bill No. 110073: An Ordinance Amending Chapter 20-1000 of The Philadelphia Code, entitled "Political Contributions and Expenditures," by clarifying that no person shall make excess contributions to candidates through another political committee and by revising the form of notice that the Board of Ethics shall provide of the contribution limits, all under certain terms and conditions.

THE BILL WAS REFFERED TO THE COMMITTEE OF THE WHOLE.

Councilmember Tasco Introduced and Referred the following Bill for Councilmember Council President Verna, Sponsored by Councilmember Tasco: Bill No. 110074: An Ordinance Amending Section 2 of an Ordinance (Bill No. 080637) approved November 19, 2008, entitled "An Ordinance authorizing and directing the revision of lines and grades on a portion of City Plan Nos. 34-S and 41-S by striking from the City Plan and vacating the legally open portions of Packer Avenue from Christopher Columbus Boulevard to the Pierhead Line of the Delaware River and by reserving and placing on the City Plan a right-of-way for drainage purposes, water main purposes, and public utility purposes within the lines of Packer Avenue being stricken from the City Plan, all under certain terms and conditions," by extending the period for compliance with the terms and conditions stated therein THE BILL WAS REFFERED TO THE COMMITTEE ON STREETS AND SERVICES. Councilmember Tasco Introduced and Referred the following Bill for Councilmember Council President Verna, Sponsored by Councilmember Tasco: Bill No. 110075: An Ordinance Authorizing the construction of a sewer and appurtenant work, required to alleviate unsanitary conditions in a portion of Asbury Terrace. THE BILL WAS REFFERED TO THE COMMITTEE ON STREETS AND SERVICES. Councilmember Tasco Introduced and Ordered Placed On Next Week's Final Passage Calendar the following Resolution for Councilmember Council President Verna, Sponsored by Councilmember Tasco: **Resolution No. 110087:** 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 Thirty-sixth Ward of the City 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. Councilmember Miller Introduced and Referred the following Bill, Sponsored by Councilmember Miller: Bill No. 110076: An Ordinance Establishing a parking regulation on 21st street, east side. Chew avenue to Conlyn street.

THE BILL WAS REFFERED TO THE COMMITTEE ON STREETS AND SERVICES. Councilmember Miller Introduced and Referred the following Bill, Sponsored by Councilmember Miller: Bill No. 110077: An Ordinance Establishing a parking regulation on Smedley street, both sides, Tioga street to Ontario street. THE BILL WAS REFERRED TO THE COMMITTEE ON STREETS AND SERVICES. Councilmember Miller Introduced and Referred the following Bill, Sponsored by Councilmember Miller: Bill No. 110078: An Ordinance Establishing a parking regulation on Olney avenue, north side, Broad street to 15th street. THE BILL WAS REFFERED TO THE COMMITTEE ON STREETS AND SERVICES. Councilmember Miller Introduced and Referred the following Bill, Sponsored by Councilmember Miller: Bill No. 110079: An Ordinance Establishing a parking regulation on Sydenham street, both sides, Venango street to Erie avenue. THE BILL WAS REFFERED TO THE COMMITTEE ON STREETS AND SERVICES. Councilmember Miller Introduced and Referred the following Bill, Sponsored by Councilmember Miller: Bill No. 110080: An Ordinance Establishing a parking regulation on, 17th street, east side, Clearfield street to Allegheny avenue. THE BILL WAS REFFERED TO THE COMMITTEE ON STREETS AND SERVICES. Councilmember Miller Introduced and Ordered Placed On Next Week's Final Passage Calendar the following Resolution, Sponsored by Councilmember Miller: Resolution No. 110088: Resolution Authorizing City Council's Committee on Public Safety to hold a public hearing to investigate the challenges and barriers effecting individuals with criminal records. Councilmember Miller Introduced and Ordered Placed On Next Week's Final Passage Calendar the following Resolution, Sponsored by Councilmember Miller: **Resolution No. 110089:** Resolution Endorsing and supporting an application by Nolen Properties LLC for a grant of federal Neighborhood Stabilization Program Round 3 funds from the Pennsylvania Housing Finance Agency.

Councilmember Sanchez Introduced and Referred the following Bill, Sponsored by Councilmember Sanchez:
Bill No. 110081: An Ordinance Amending Chapter 9-200 of The Philadelphia Code, entitled "Commercial Activities on Streets," by amending Section 9-203, entitled "Street Vendors," and Section 9-205, entitled "Sidewalk Sales," by prohibiting street vending and sidewalk sales within the area bounded by and including both sides of E. Tioga Street, Kensington Avenue, E. Ontario Street, Potter Street, "I" Street, E. Westmoreland Street, "F" Street, Kensington Avenue, E. Monmouth Street, and Emerald Street, providing for certain exceptions and making certain technical changes, all under certain terms and conditions.
THE BILL WAS REFFERED TO THE COMMITTEE ON STREETS AND SERVICES.
Councilmember Sanchez Introduced and Referred the following Bill, Sponsored by Councilmember Sanchez:
Bill No. 110082: An Ordinance Establishing a parking regulation on Wyoming avenue, south side, Mascher street to Palethorp street.
THE BILL WAS REFFERED TO THE COMMITTEE ON STREETS AND SERVICES.
Councilmember Jones Introduced and Ordered Placed On Next Week's Final Passage Calendar the following Resolution, Sponsored by Councilmembers Jones and Kenney:
Resolution No. 110090: Resolution Honoring Author Dr. Sulayman Clark, author of "The Rains: Voices for American Liberty."
Councilmember Goode Introduced and Ordered Placed On Next Week's Final Passage Calendar the following Resolution, Sponsored by Councilmember Goode:
Resolution No. 110091: Resolution Authorizing the Committee on Commerce and Economic Development to hold hearings on Resolution No. 090724 to investigate whether the School District of Philadelphia has failed to comply with the Philadelphia 21st Century Minimum Wage and Benefits Standard, and to recommend an appropriate remedy for any such failure.
Councilmember Reynolds Brown Introduced and Ordered Placed On Next Week's Final Passage Calendar the following Resolution, Sponsored by Councilmember Reynolds Brown:
Resolution No. 110092: Resolution Recognizing and Congratulating women and girls throughout the world on the 100th celebration of International Women's Day.

	mber Reynolds Brown Introduced and Ordered Placed On Next Week's Final lendar the following Resolution, Sponsored by Councilmember Reynolds											
Ď	Resolution No. 110093: Resolution Recognizing, honoring and celebrating Nicole Cashman and Cashman and Associates Public Relations and Special Events on their 10th Anniversary.											
	mber DiCicco Introduced and Referred the following Bill, Sponsored by mber DiCicco:											
D.	Bill No. 110083: An Ordinance Amending Section 14-1607 of The Philadelphia Code, entitled "Special District Controls for the Center City Commercial Area," and Section 14-1605 of The Philadelphia Code, entitled "Regulated Uses," and Section 14-305 of The Philadelphia Code, entitled "'C-4' Commercial and 'C-5' Commercial Districts," by adding to all Sections special provisions relating to the area bounded by Chestnut Street, 12th Street, 13th Street, and Sansom Street, all under certain terms and conditions.											
THE BILL W	AS REFFERED TO THE COMMITTEE ON RULES.											
	mber Clarke Introduced and Referred the following Bill, Sponsored by mbers Clarke and Sanchez:											
	Bill No. 110084: An Ordinance Amending Chapter 1, Subcode "PM" (The Philadelphia Property Maintenance Code) and Chapter 4-200.0, Subcode "A" (The Philadelphia Administrative Code) of Title 4 of The Philadelphia Code, by amending Section PM-102.0, entitled "Licensing," to provide for exemptions for certain vacant property uses; and by amending Section A-906 of Subcode "A," entitled "Property Maintenance Code Fees," to reduce the license fees charged to own a vacant lot, vacant building or vacant wharf; all under certain terms and conditions.											
THE BILL W	AS REFFERED TO THE COMMITTEE ON LICENSES AND INSPECTIONS.											
	mber Clarke Introduced and Ordered Placed On Next Week's Final Passage are following Resolution, Sponsored by Councilmember Clarke:											
<u> </u>	Resolution No. 110094: 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 Sixteenth, Eighteenth, Twenty-eighth, 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.

Councilmember Clarke Introduced and Ordered Placed On Next Week's Final Passage Calendar the following Resolution, Sponsored by Councilmember Clarke:

Resolution No. 110095: Resolution Recognizing and honoring The Philadelphia OIC for its dedication to the elimination of poverty, unemployment and illiteracy to insuring a meaningful and productive quality of life for youth, adults and families within the Philadelphia community.

Councilmember Clarke Introduced and Moved to Be Placed on This Week's Final Passage Calendar - Rules Suspended the following Resolution, Sponsored by Councilmember Clarke:

Resolution No. 110096: Resolution Requesting the Mayor to return to Council Bill No. 100722, entitled "An Ordinance Amending Chapter 10-818 of The Philadelphia Code to provide that no person shall carry a firearm on public streets or public property unless the person is licensed to carry such firearm by a political subdivision of the Commonwealth of Pennsylvania, regardless of whether the person possesses a license issued in another state, under certain terms and conditions," for the purpose of reconsideration by the Council of the vote by which said bill passed Council.

THE MOTION WAS DULY SECONDED AND AGREED TO.

CONSIDERATION OF THE CALENDAR

PUBLIC COMMENT

The following persons provided public comment on February 10, 2011:

Name and Comment Subject

Fred Fisher (100128) Sandra White Stewart (100128)

See Notes of Testimony for full comment.

BILLS AND RESOLUTIONS ON FINAL PASSAGE

Ď	Resolution No. 110061: Resolution Calling for Public Hearings before the City Council Committee on Education to Discuss the Possibility of Using City Health and Social Service Agencies to Compliment School District Nurse and Guidance Counselor Resources in Public Schools.
THE RESOL	UTION WAS ADOPTED & REFERRED TO THE COMMITTEE ON EDUCATION.
DISCUSSIO OF TESTIM	ON - COUNCILMEMBER GREEN - RESOLUTION NO. 110062 - (SEE NOTES MONY).
D	Resolution No. 110062: Resolution Declaring February 15 as "Electronic Numerical Integrator And Computer (ENIAC) Day" in Philadelphia and honoring the University of Pennsylvania School of Engineering and Applied Sciences.
THE RESOL	UTION WAS ADOPTED.
D	Resolution No. 110064: Resolution Recognizing, Honoring, Celebrating, and Thanking Leonard Thomas on the Occasion of his Retirement as a United States postal worker and letter carrier for City Hall.
THE RESOL	UTION WAS ADOPTED.
Ľ	Bill No. 100750-A: An Ordinance To amend the Institutional Development District Master Plan of Holy Family University, located at 4500 Grant Avenue, by allowing for the construction of a new administrative building.
THE BILL W	AS READ.
COUNCILM	MEMBER KRAJEWSKI MOVED TO AMEND BILL NO. 100750 (SEE FILE).
COUNCILN AMENDMI	MEMBER KRAJEWSKI MOVED FOR THE ADOPTION OF THE ENT.
THE MOTI	ON WAS DULY SECONDED AND AGREED TO.
THE AMEN	NDMENT TO BILL NO. 100750 WAS ADOPTED.
Ď	Bill No. 100750-A, as amended: An Ordinance To amend the Institutional Development District Master Plan of Holy Family University, located at 4500 Grant Avenue, by allowing for the construction of a new administrative building.
THE BILL W	AS AMENDED.
THE BILL W	AS ORDERED PLACED ON FINAL PASSAGE CALENDAR FOR NEXT MEETING
Ď	Resolution No. 110096: Resolution Requesting the Mayor to return to Council Bill No. 100722, entitled "An Ordinance Amending Chapter 10-818 of The

Philadelphia Code to provide that no person shall carry a firearm on public streets or public property unless the person is licensed to carry such firearm by a political subdivision of the Commonwealth of Pennsylvania, regardless of whether the person possesses a license issued in another state, under certain terms and conditions," for the purpose of reconsideration by the Council of the vote by which said bill passed Council.

THE RESOLUTION WAS READ.

The Ayes and Nays were as follows:

Ayes: 16 - Councilmembers Blackwell, Clarke, DiCicco, Goode, Green, Greenlee, Jones, Kelly,

Kenney, Krajewski, Miller, O'Neill, Reynolds Brown, Rizzo, Sanchez and Tasco

Nays: 1 - Councilmember Council President Verna

THE RESOLUTION WAS ADOPTED.

SPECIAL BUSINESS

Councilmember Tasco

moved that the rules of Council be suspended to permit consideration at this time of Special Business related to the re-call of Bill No. 100722.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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:

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

February 10, 20100

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

I am returning herewith as requested by your Resolution adopted February 10, 2011, Bill No. 100722, entitled "An Ordinance amending Chapter 10-818 of The Philadelphia Code to provide that no personal shall carry a firearm on public streets or public property unless the person is licensed to carry such firearm by a political subdivision of the Commonwealth of Pennsylvania, regardless of

whether the person possesses a license issued in another state, under certain terms and conditions," for the purpose of reconsideration by the Council of the vote by which said bill passed Council

Respectfully submitted, Michael A. Nutter Mayor (File No. 110099)

THE COMMUNICATION WAS READ.

Councilmember Clarke

moved that the vote by which Bill No. 100722 pass Council be reconsidered.

THE MOTION WAS DULY SECONDED AND AGREED TO.

Bill No. 100722-A: An Ordinance Amending Chapter 10-818 of The Philadelphia Code to provide that no person shall carry a firearm on public streets or public property unless the person is licensed to carry such firearm by a political subdivision of the Commonwealth of Pennsylvania, regardless of whether the person possesses a license issued in another state, under certain terms and conditions.

THE BILL WAS RECONSIDERED.

The Ayes and Nays were as follows:

Nays:

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

THE BILL WAS READ.

THE BILL AGAIN, BEING BEFORE THE COUNCIL, COUNCILMEMBER CLARKE MOVED TO AMEND BILL NO. 100722 (SEE FILE).

COUNCILMEMBER CLARKE MOVED FOR THE ADOPTION OF THE AMENDMENT.

THE MOTION WAS DULY SECONDED AND AGREED TO.

THE AMENDMENT TO BILL NO. 100722 WAS ADOPTED.

Bill N	No.	100722	-A,	as	amende	d: An	Ordina	ance	Amer	ding	Chap	ter 1	J-818	of
The P	hila	delphia	Code	e to	provid	e that	no pers	on sh	nall ca	arry a	firea	ırm on	pub	lic
streets	or	public	prop	erty	unless	the pers	son is 1	icense	ed to	carry	such	firear	m by	a
politica	al	subdivis	sion	of	the (Commo	nwealth	of	Penn	sylvan	ia,	regardl	ess	of
whethe	er th	e person	poss	esse	s a licen	se issue	d in anot	her st	ate, ur	ider ce	rtain			

THE BILL WAS AMENDED.

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

SPEECHES

COUNCILMEMBER JONES - (SEE NOTEST OF TESTIMONY).

COUNCILMEMBER CLARKE MOVED TO ADJOURN

THE MOTION WAS DULY SECONDED AND AGREED TO.