

JOURNAL OF THE CITY COUNCIL OF PHILADELPHIA



Thursday, March 12, 2009

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 Alexander Masluk of St Martha Roman Catholic Church was introduced and offered an appropriate prayer.

COUNCILMEMBER TASCO MOVED TO APPROVE THE JOURNAL
of the meeting of March 5, 2009.

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. 080881, 080949, 090004, 090005 and 090006, which were passed by Council on March 5, 2009, were signed by the Mayor on March 11, 2009. (File No. 090203)

THE COMMUNICATION WAS READ.

- Transmitting a message advising Council that Bill Nos. 090065, 090066, 090067 and 090068, which were passed by Council on March 5, 2009, was signed by the Mayor on March 9, 2009. (File No. 090204)

THE COMMUNICATION WAS READ.

- Transmitting a bill approving the redevelopment contract and disposition supplement of the Redevelopment Authority of the City of Philadelphia for the redevelopment and urban renewal of a portion of the 44th and Aspen Urban Renewal Area designated as Parcel Nos. 110 & 111 also sometimes identified by house number and street address for Parcel No. 110 as 806-816 North

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Forty-seventh street and for Parcel No. 111 as 820 North Forty-seventh street; authorizing the Redevelopment Authority to execute the redevelopment contract with Brown Street Associates, L.P. and to take such action as may be necessary to effectuate the redevelopment contract and disposition supplement, accompanied by an explanatory letter from the Executive Director of the Redevelopment Authority. (File No. 090205)

THE COMMUNICATION WAS READ.

- Transmitting a bill approving the redevelopment contract and disposition supplement of the Redevelopment Authority of the City of Philadelphia for the redevelopment and urban renewal of a portion of the Mantua Urban Renewal Area, designated as Parcel Nos. 264, 265, 266, 267 & 268 and also sometimes identified by house numbers and street addresses for Parcel No. 264 as 3423-3425 Wallace street, for Parcel No. 265 as 3505-3523 Wallace street including 644, 648-654 North Thirty-fifth street, for Parcel No. 266 as 633 North Thirty-sixth street, Parcel No. 267 as 639-641 North Thirty-sixth street and for Parcel No. 268 as 3527-3531 Wallace street including 655 North Thirty-sixth street; and authorizing the Redevelopment Authority to execute the redevelopment contract with Philadelphia Housing Authority to take such action as may be necessary to effectuate the redevelopment contract and disposition supplement, accompanied by an explanatory letter from the Executive Director of the Redevelopment Authority. (File No. 090206)

THE COMMUNICATION WAS READ.

- Transmitting a bill amending Title 22 of The Philadelphia Code, entitled "Public Employees Retirement Code," by amending Section 22-310, entitled "Deferred Retirement Option Plan (DROP)," by revising the interest rate applied to DROP account balances; under certain terms and conditions. (File No. 090207)

THE COMMUNICATION WAS READ.

- Transmitting a bill amending Section 22-311 of The Philadelphia Code, entitled "Cost-of-Living Measures for Retirees, Beneficiaries and Survivors," by amending the provisions governing when deposits are made into the Pension Adjustment Fund; all under certain terms and conditions. (File No. 090208)

THE COMMUNICATION WAS READ.

INTRODUCTION OF BILLS AND RESOLUTIONS

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



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Property to hold public hearings to explore creating an independent and non-partisan commission to create a detailed inventory of public property and make non-binding recommendations for the potential closures of City buildings.

THE RESOLUTION WAS READ.

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

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

- 📄 **Resolution No. 090194:** Resolution Approving the redevelopment contract and disposition supplement of the Redevelopment Authority of the City of Philadelphia for the redevelopment and urban renewal of a portion of the 44th and Aspen Urban Renewal Area designated as Parcel Nos. 110 & 111 also sometimes identified by house number and street address for Parcel No. 110 as 806-816 North Forty-seventh street and for Parcel No. 111 as 820 North Forty-seventh street; authorizing the Redevelopment Authority to execute the redevelopment contract with Brown Street Associates, L.P. and to take such action as may be necessary to effectuate the redevelopment contract and disposition supplement.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

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

- 📄 **Resolution No. 090195:** Resolution Approving the redevelopment contract and disposition supplement of the Redevelopment Authority of the City of Philadelphia for the redevelopment and urban renewal of a portion of the Mantua Urban Renewal Area, designated as Parcel Nos. 264, 265, 266, 267 & 268 and also sometimes identified by house numbers and street addresses for Parcel No. 264 as 3423-3425 Wallace street, for Parcel No. 265 as 3505-3523 Wallace street including 644, 648-654 North Thirty-fifth street, for Parcel No. 266 as 633 North Thirty-sixth street, Parcel No. 267 as 639-641 North Thirty-sixth street and for Parcel No. 268 as 3527-3531 Wallace street including 655 North Thirty-sixth street; and authorizing the Redevelopment Authority to execute the redevelopment contract with Philadelphia Housing Authority to take such action as may be necessary to effectuate the redevelopment contract and disposition supplement.

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THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

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

- 📄 **Resolution No. 090196:** Resolution Honoring and Recognizing One Day At A Time (ODAAT) for Twenty-five Years of Dedicated Service to the Prevention of Drug Abuse.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

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

- 📄 **Bill No. 090186:** An Ordinance Authorizing the installation of all-way stop signs at the intersection of Jackson Street and Higbee Street.

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

Councilmember Tasco Introduced (By Request) the following Bill, Sponsored by Councilmember Tasco:

- 📄 **Bill No. 090187:** An Ordinance Amending Section 22-311 of The Philadelphia Code, entitled "Cost-of-Living Measures for Retirees, Beneficiaries and Survivors," by amending the provisions governing when deposits are made into the Pension Adjustment Fund; all under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON FINANCE.

Councilmember Tasco Introduced (By Request) the following Bill, Sponsored by Councilmember Tasco:

- 📄 **Bill No. 090188:** An Ordinance Amending Title 22 of The Philadelphia Code, entitled "Public Employees Retirement Code," by amending Section 22-310, entitled "Deferred Retirement Option Plan (DROP)," by revising the interest rate applied to DROP account balances; under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON FINANCE.

Councilmember Tasco Introduced the following Resolution for Councilmember Council President Verna, Sponsored by Councilmember Tasco:

- 📄 **Resolution No. 090197:** Resolution Authorizing the Commissioner of Public


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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 Thirty-sixth 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.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.


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

 **Resolution No. 090198:** Resolution Proclaiming March 2009 as “Deaf History Month”.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.


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

 **Resolution No. 090199:** 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 Twelfth and Thirteenth 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.

Councilmember Green Introduced the following Bill, Sponsored by Councilmembers Green, DiCicco, Goode, Krajewski, Jones and Kelly:

 **Bill No. 090189:** An Ordinance Providing for the submission to the qualified electors of the City of Philadelphia a proposal to adopt a tax on real property dedicated for the sole purpose of funding public libraries; fixing the date of a

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special election for such purpose; prescribing the form of ballot questions to be voted on; authorizing the appropriate officers to publish notice and to make arrangements for the special election; and amending Chapter 19-1300 of The Philadelphia Code, entitled "Real Estate Taxes," to provide for the tax and to provide for a corresponding adjustment in the existing real property tax rates upon approval by the voters; all under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON FINANCE.

- 📄 **Resolution No. 090200:** Resolution Authorizing the Committee on Streets and Services to hold hearings to investigate the benefits and feasibility of either temporarily or permanently closing certain City streets to vehicular traffic in cooperation with local business in order to help boost retail and restaurant sales in Philadelphia, as well as create a more positive pedestrian experience.

THE RESOLUTION WAS READ.

DISCUSSION - RESOLUTION NO. 090200 - COUNCILMEMBER GREEN. (SSE NOTES OF TESTIMONY).

- 📄 **Resolution No. 090200:** Resolution Authorizing the Committee on Streets and Services to hold hearings to investigate the benefits and feasibility of either temporarily or permanently closing certain City streets to vehicular traffic in cooperation with local business in order to help boost retail and restaurant sales in Philadelphia, as well as create a more positive pedestrian experience.

THE RESOLUTION WAS ADOPTED & REFERRED TO THE COMMITTEE ON STREETS AND SERVICES.

Councilmember Reynolds Brown Introduced the following Bill, Sponsored by Councilmembers Reynolds Brown, Kenney and Jones:

- 📄 **Bill No. 090190:** An Ordinance Amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning," by amending Chapter 14-1400, entitled "Parking and Loading Facilities," by adding a new subsection providing for bicycle parking, under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

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

- 📄 **Bill No. 090191:** An Ordinance Amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning," to prohibit the transfer of special approvals provided by the Zoning Board of Adjustment.

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THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

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

- 📄 **Bill No. 090192:** An Ordinance Renaming and designating the park located at the intersection of Germantown Avenue, York Street, and N. 8th Street as the "Danny Boyle Community Park".

THE BILL WAS REFERRED TO THE COMMITTEE ON PARKS, RECREATION AND CULTURAL AFFAIRS.

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

- 📄 **Resolution No. 090201:** 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-second 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.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

Councilmember Rizzo Introduced the following Resolution, Sponsored by Councilmembers Rizzo and Jones:

- 📄 **Resolution No. 090202:** Resolution Honoring and commending and thanking St. Timothy's Episcopal Church on the occasion of its 150th Anniversary.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

REPORTS FROM COMMITTEES

COMMITTEE ON RULES

- 📄 **Bill No. 080954, as amended:** An Ordinance To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within


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an area bounded by Broad Street, 15th Street, Oxford Street and Cecil B. Moore Avenue; amending Section 14-1402 of The Philadelphia Code, entitled “Parking in Residential Districts;” amending Section 14-305 of The Philadelphia Code, entitled “C-4 Commercial and C-5 Commercial Districts;” and by amending Section 14-1620 of The Philadelphia Code, entitled “Avenue of the Arts North Special District Controls,” all under certain terms and conditions.

COUNCILMEMBER KENNEY MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 080954.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

 **Bill No. 090166:** An Ordinance To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Front Street, Oregon Avenue, the Delaware River and a Railroad ROW, also known as the Northern boundary of the Philadelphia Naval Base.

THE BILL WAS READ.

Councilmember Kenney


Moved that at the request of the sponsor, Bill No. 090166 be withdrawn.

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: 0

 **Bill No. 090166:** An Ordinance To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Front Street, Oregon Avenue, the Delaware River and a Railroad ROW, also known as the Northern boundary of the Philadelphia Naval Base.

THE BILL WAS WITHDRAWN.

COMMITTEE ON FINANCE

 **Bill No. 090007:** An Ordinance Amending Section 19-203 of The Philadelphia Code, entitled “Payroll Deductions,” to add the Friends of the Free Library Philadelphia to the list of designated payees to whom an employee may direct payroll deductions; all under certain terms and conditions.

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PERMIT CONSIDERATION THIS DAY OF BILL NO. 090007.

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. 080954, 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 Broad Street, 15th Street, Oxford Street and Cecil B. Moore Avenue; amending Section 14-1402 of The Philadelphia Code, entitled "Parking in Residential Districts;" amending Section 14-305 of The Philadelphia Code, entitled "C-4 Commercial and C-5 Commercial Districts;" and by amending Section 14-1620 of The Philadelphia Code, entitled "Avenue of the Arts North Special District Controls," all under certain terms and conditions.

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

📄 **Bill No. 090007:** An Ordinance Amending Section 19-203 of The Philadelphia Code, entitled "Payroll Deductions," to add the Friends of the Free Library Philadelphia to the list of designated payees to whom an employee may direct payroll deductions; all 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. 090003:** An Ordinance Authorizing the extension of the extended trial program authorized by Bill No. 060799 under which advance approval is given to the Philadelphia Facilities Management Corporation to enter into certain contracts and transactions arising thereunder for the purchase, storage, distribution, transportation and/or transmission of natural and other gas on behalf of the Philadelphia Gas Works, subject to 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. 090095:** An Ordinance Amending Title 17 of The Philadelphia Code, entitled “Contracts and Procurement,” by creating new requirements relating to the submission of an Economic Opportunity Plan.

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

RESOLUTIONS

📄 **Resolution No. 090173:** Resolution Approving the redevelopment contract and disposition supplement of the Redevelopment Authority of the City of Philadelphia for the redevelopment and urban renewal of a portion of the Point Breeze East Urban Renewal Area, designated as Parcel No. 99 and also sometimes identified by house addresses and street addresses as 1133 South Dorrance street; authorizing the Redevelopment Authority to execute the redevelopment contract with 1133 South Dorrance, LLC and to take such action as may be necessary to effectuate the redevelopment contract and disposition supplement.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

SPEECHES

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

COUNCILMEMBER CLARKE MOVED TO ADJOURN

THE MOTION WAS DULY SECONDED AND AGREED TO.