Thursday, September 21, 2006

PRESENT: 14 - Councilmembers Reynolds Brown, Goode, Kelly, Kenney, Ramos, Rizzo, DiCicco, Council President Verna, Blackwell, Clarke, Krajewski, Miller, Tasco and O'Neill

Council met, a quorum being present.

Reverend Monsignor Joseph P. Garvin of St. Christopher's Roman Catholic Church was introuced and offered an appropriate prayer.

COUNCILMEMBER BLACKWELL MOVED TO APPROVE THE JOURNAL OF THE MEETING OF SEPTEMBER 14, 2006.

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 No. 060507, which was passed by Council on September 14, 2006, was signed by the Mayor on September 21, 2006. (File No. 060719)

THE COMMUNICATION WAS READ.

- Transmitting a bill constituting the Tenth Supplemental Ordinance to the Restated General Water and Wastewater Revenue Bond Ordinance of 1989, as supplemented; authorizing the Bond Committee, or a majority of them, to issue and sell, from time to time, either at public or private sale in one or more series or subseries, Water and Wastewater Revenue Refunding Bonds of the City of Philadelphia; authorizing approval of the form or forms of Bonds; providing that the Bonds shall bear interest at a prescribed fixed rate or rates or at variable rates which may be payable in different modes, and authorizing agreements to provide credit enhancement or payment or liquidity sources or swap payments (or any combination of the foregoing) for the Bonds and certain outstanding bonds and certain other actions; authorizing the Director of Finance of the City to take certain actions with regard to the sale of such Water and Wastewater Revenue

Refunding Bonds, the investment of proceeds thereof and the City's continuing disclosure obligation; designating the obligations to be refunded from the proceeds of such Water and Wastewater Revenue Refunding Bonds and setting forth the use of proceeds and providing for the application of interest and income earned on such proceeds; determining the sufficiency of the Project Revenues; covenanting the payment of interest and principal (including the payment of any Qualified Swap payments); and supplementing the Restated General Water and Wastewater Revenue Bond Ordinance of 1989. (File No. 060720)

THE COMMUNICATION WAS READ.

- Transmitting a bill authorizing and directing the revision of lines and grades on a portion of City Plan No. 278 by Placing on the City Plan Delaware Avenue from Hellerman Street to Magee Avenue and by Placing Magee Avenue from Delaware Avenue to New State Road, under certain terms and conditions, including he dedication to the City, free and clear of all encumbrances, of the beds of Delaware Avenue and Magee Avenue being placed under authority of this ordinance and also dedication to the City, free and clear of all encumbrances of a portion of the bed of Delaware Avenue between Levick Street and Hellerman Street not previously opened. (File No. 060721)

THE COMMUNICATION WAS READ.

- Transmitting a bill authorizing the revision of lines and grades on a portion of City Plan No. 105 by striking from the City Plan and vacating Ludwick Street from Haverford Avenue to Wallace Street, under certain terms and conditions. (File No. 060722)

THE COMMUNICATION WAS READ.

- Transmitting a bill authorizing the paving of Sunshine Lane and Solar Way, under certain terms and conditions. (File No. 060723)

THE COMMUNICATION WAS READ.

- Transmitting a bill authorizing and directing the revision of lines and grades on a portion of City Plan No. 344 by placing on the City Plan Sunshine Lane and Solar Way and a 50' wide right-of-way for drainage purposes and a variable width right-of-way for drainage purposes under certain terms and conditions, including the dedication to the City, free and clear of all encumbrances, of the beds of Sunshine Lane and Solar Way. (File No. 060724)

THE COMMUNICATION WAS READ.

- Transmitting a bill authorizing the Philadelphia Authority for Industrial Development ("PAID") to file an application with the Office of the Budget, Commonwealth of Pennsylvania, under the Redevelopment Assistance Capital Program, in an aggregate amount not to exceed Five Million One Hundred Fifty

Thousand Dollars ($5,150,000) to assist in the development of Germantown YWCA and Morris Arboretum; and authorizing the City to enter into an agreement with PAID in furtherance of grant requirements; all under certain terms and conditions, accompanied by an explanatory letter from the Director of Commerce. (File No. 060725)

THE COMMUNICATION WAS READ.

- Transmitting a bill authorizing the Philadelphia Authority for Industrial Development ("PAID") to file an application with the Office of the Budget, Commonwealth of Pennsylvania, under the Redevelopment Assistance Capital Program, in an aggregate amount not to exceed Five Hundred Thousand Dollars ($500,000) to assist in the development of Philadelphia University Center for Community Fitness; and authorizing the City to enter into an agreement with PAID in furtherance of grant requirements; all under certain terms and conditions, accompanied by an explanatory letter from the Director of Commerce. (File No. 060726)

THE COMMUNICATION WAS READ.

- Transmitting a bill authorizing the Philadelphia Authority for Industrial Development ("PAID") to file an application with the Office of the Budget, Commonwealth of Pennsylvania, under the Redevelopment Assistance Capital Program, in an aggregate amount not to exceed One Million Dollars ($1,000,000) to assist in the development of Woodlands Arboretum & Botanical Gardens Revitalization Project; and authorizing the City to enter into an agreement with PAID in furtherance of grant requirements; all under certain terms and conditions, accompanied by an explanatory letter from the Director of Commerce. (File No. 060727)

THE COMMUNICATION WAS READ.

- Transmitting a bill authorizing the Philadelphia Authority for Industrial Development ("PAID") to file an application with the Office of the Budget, Commonwealth of Pennsylvania, under the Redevelopment Assistance Capital Program, in an aggregate amount not to exceed Seven Million Dollars ($7,000,000) to assist in the development of North Philadelphia Health System, the Old Metropolitan Opera House and Progress Plaza; and authorizing the City to enter into an agreement with PAID in furtherance of grant requirements; all under certain terms and conditions, accompanied by an explanatory letter from the Director of Commerce. (File No. 060728)

THE COMMUNICATION WAS READ.

INTRODUCTION OF ORDINANCES AND RESOLUTONS

COUNCILMEMBER BLACKWELL MOVED TO SUSPEND THE RULES OF COUNCIL SO AS TO PERMIT THE IMMEDIATE CONSIDERATION OF ALL RESOLUTIONS.

THE MOTION WAS DULY SECONDED AND AGREED TO.

Councilmember Kenney Introduced the following Bill, Sponsored by Councilmembers Kenney and DiCicco:

- **Bill No. 060682:** An Ordinance providing for the submission to the qualified electors of the City of Philadelphia of the proposal set forth in a Resolution approved by Council proposing amendment of the Philadelphia Home Rule Charter to provide for the composition of the City Planning Commission; fixing the date of a special election for such purpose; prescribing the form of ballot question to be voted on; and authorizing the appropriate officers to publish notice and to make arrangements for the special election.

THE BILL WAS REFERRED TO THE COMMITTEE ON LAW AND GOVERNMENT.

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

- **Bill No. 060683:** An Ordinance providing for the submission to the qualified electors of the City of Philadelphia of the proposal set forth in a Resolution approved by Council proposing amendment of the Philadelphia Home Rule Charter to provide for the composition of the Zoning Board of Adjustment; fixing the date of a special election for such purpose; prescribing the form of ballot question to be voted on; and authorizing the appropriate officers to publish notice and to make arrangements for the special election.

THE BILL WAS REFERRED TO THE COMMITTEE ON LAW AND GOVERNMENT.

Councilmember Kenney Introduced the following Bill, Sponsored by Councilmembers Kenney and DiCicco:

- **Bill No. 060684:** An Ordinance providing for the submission to the qualified electors of the City of Philadelphia of the proposal set forth in a Resolution approved by Council proposing amendment of the Philadelphia Home Rule Charter to empower the City Planning Commission to extend the time period within which it must provide recommendations to Council on pending legislation affecting zoning, the City's physical development plan, land subdivision, or authorizing the purchase or sale of real estate; fixing the date of a special election for such purpose; prescribing the form of ballot question to be voted on; and authorizing the appropriate officers to publish notice and to make arrangements for the special election.

THE BILL WAS REFERRED TO THE COMMITTEE ON LAW AND GOVERNMENT.

Councilmember Kenney Introduced the following Bill, Sponsored by Councilmembers Kenney and DiCicco:

Bill No. 060685: An Ordinance amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning," by amending Section 14-102 , entitled "Definitions," by amending Section 14-305, entitled "'C-4' Commercial and 'C-5' Commercial Districts," by removing the incentive gross floor area for the installation of observation rooms or decks in these districts; by amending Section 14-312, entitled "Commercial District Rules and Exceptions for All Districts," by requiring the installation of an observation room or deck on certain newly constructed buildings of a certain height; and by making certain technical changes, all under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

Councilmember Kenney Introduced the following Bill, Sponsored by Councilmembers Kenney and DiCicco:

Bill No. 060686: An Ordinance amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning," by amending Section 14-231, entitled "Residential District Rules and Exceptions," by regulating the installation of satellite dish antennas in residential districts; by making conforming amendments to Section 14-1705, entitled "Appeals to the Zoning Board of Adjustment," and Section 14-1707, entitled "Penalties," by amending definitions and by making certain technical changes, all under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

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

Bill No. 060687: An Ordinance authorizing the Philadelphia Authority for Industrial Development ("PAID") to file an application with the Office of the Budget, Commonwealth of Pennsylvania, under the Redevelopment Assistance Capital Program, in an aggregate amount not to exceed Five Hundred Thousand Dollars ($500,000) to assist in the development of Philadelphia University Center for Community Fitness; and authorizing the City to enter into an agreement with PAID in furtherance of grant requirements; all under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON FINANCE.

Councilmember Blackwell Introduced the following Bill for Councilmember Council President Verna, Sponsored by Councilmember Blackwell:

Industrial Development ("PAID") to file an application with the Office of the Budget, Commonwealth of Pennsylvania, under the Redevelopment Assistance Capital Program, in an aggregate amount not to exceed Two Million Dollars ($2,000,000) to assist in the development of Simeone Automotive Foundation Education Center; and authorizing the City to enter into an agreement with PAID in furtherance of grant requirements; all under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON FINANCE.

Bill No. 060689: An Ordinance authorizing the Commissioner of Public Property on behalf of the City of Philadelphia to execute and deliver to the Philadelphia Authority for Industrial Development, for nominal consideration, a deed conveying fee simple title to a certain tract of City-owned land with the buildings and improvements thereon located at 2501-2515 South Street, Philadelphia, Pennsylvania, for further conveyance at fair market value.

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

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

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

Bill No. 060690: An Ordinance constituting the Tenth Supplemental Ordinance to the Restated General Water and Wastewater Revenue Bond Ordinance of 1989, as supplemented; authorizing the Bond Committee, or a majority of them, to issue and sell, from time to time, either at public or private sale in one or more series or subseries, Water and Wastewater Revenue Refunding Bonds of the City of Philadelphia; authorizing approval of the form or forms of Bonds; providing that the Bonds shall bear interest at a prescribed fixed rate or rates or at variable rates which may be payable in different modes, and authorizing agreements to provide credit enhancement or payment or liquidity sources or swap payments (or any combination of the foregoing) for the Bonds and certain outstanding bonds and certain other actions; authorizing the Director of Finance of the City to take certain actions with regard to the sale of such Water and Wastewater Revenue Refunding Bonds, the investment of proceeds thereof and the City's continuing disclosure obligation; designating the obligations to be refunded from the proceeds of such Water and Wastewater Revenue Refunding Bonds and setting forth the use of proceeds and providing for the application of interest and income earned on such proceeds; determining the sufficiency of the Project Revenues; covenanting the payment of interest and principal (including the payment of any Qualified Swap payments); and supplementing the Restated General Water and Wastewater Revenue Bond Ordinance of 1989.

THE BILL WAS REFERRED TO THE COMMITTEE ON FINANCE.

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

- **Bill No. 060691:**An Ordinance authorizing the Philadelphia Authority for Industrial Development ("PAID") to file an application with the Office of the Budget, Commonwealth of Pennsylvania, under the Redevelopment Assistance Capital Program, in an aggregate amount not to exceed One Million Dollars ($1,000,000) to assist in the development of Woodlands Arboretum & Botanical Gardens Revitalization Project; and authorizing the City to enter into an agreement with PAID in furtherance of grant requirements; all under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON FINANCE.

- **Bill No. 060692:**An Ordinance authorizing and approving (i) the execution and delivery of a Service Agreement between the City of Philadelphia and the Philadelphia Authority for Industrial Development relating to a comprehensive program to improve and enhance the City of Philadelphia's cultural and commercial corridors for the benefit of the residents of the City of Philadelphia, (ii) the issuance by the Philadelphia Authority for Industrial Development of bonds, notes or other evidences of indebtedness in one or more series, to finance or refinance (for debt service savings) the costs of the cultural and commercial corridors program; and (iii) the obligation of the City of Philadelphia to pay in full when due the Service Fee and other amounts payable under the Service Agreement; authorizing certain City officers to take certain actions required to issue bonds, notes or other evidences of indebtedness; covenanting that the City of Philadelphia will make necessary appropriations in each of the City's fiscal years to provide for the Service Fee and other amounts due under the Service Agreement; and covenanting that the City of Philadelphia will make timely payments of the Service Fee and other amounts due under the Service Agreement; all under certain terms and conditions.

THE BILL WAS HEARING NOTICES SENT.

THE BILL WAS REFERRED TO THE COMMITTEE ON FINANCE.

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

- **Bill No. 060693:**An Ordinance authorizing the Philadelphia Authority for Industrial Development ("PAID") to file an application with the Office of the Budget, Commonwealth of Pennsylvania, under the Redevelopment Assistance Capital Program, in an aggregate amount not to exceed Five Million One Hundred Fifty Thousand Dollars ($5,150,000) to assist in the development of Germantown

YWCA and Morris Arboretum; and authorizing the City to enter into an agreement with PAID in furtherance of grant requirements; all under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON FINANCE.

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

Bill No. 060694: An Ordinance authorizing Commerce Bank to construct, operate and maintain a building facade located at 8600 Germantown Avenue at Evergreen Street, Philadelphia, PA 19118, under certain terms and conditions.

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

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

Bill No. 060695: An Ordinance amending Section 22-310 of The Philadelphia Code, entitled "Deferred Retirement Option Plan (DROP)," by defining the employees to whom an extraordinary extension for participants in the DROP program may apply, under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON LABOR AND CIVIL SERVICE.

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

Bill No. 060696: An Ordinance amending Title 22 of The Philadelphia Code, entitled "Public Employees Retirement Code," by amending Section 22-1303, entitled "Exemption from Attachment," to add AFSCME District Council 47 to the list of designated payees to whom a member may direct deductions from benefits payments, all under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON FINANCE.

Councilmember DiCicco Introduced the following Bill, Sponsored by Councilmembers DiCicco and Kenney:

Bill No. 060697: An Ordinance amending Title 14 of The Philadelphia Code, relating to "Zoning and Planning," by amending Chapter 14-1700, entitled "Administration and Enforcement," by amending Section 14-1708, entitled "Procedure for Enactment of Ordinances," under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

Councilmember DiCicco Introduced the following Bill, Sponsored by Councilmembers DiCicco and Kenney:

- **Bill No. 060698:**An Ordinance amending Chapter 14-2000 of The Philadelphia Code, entitled "Special Controls in Areas Abutting Parkways, Historical Shrines and Civic Projects," by adding a new Section regulating the installation of antennas, satellite dish antennas and other modern appurtenances, devices or fixtures on historic properties and in historic districts, and by making certain conforming amendments and technical changes to Section 14-2007, entitled "Historic Buildings, Structures, Sites, Objects and Districts," all under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

Councilmember DiCicco Introduced the following Bill, Sponsored by Councilmembers DiCicco and Kenney:

- **Bill No. 060699:**An Ordinance providing for the submission to the qualified electors of the City of Philadelphia of an amendment to the Philadelphia Home Rule Charter relating to the creation, appointment, powers and duties of an independent Philadelphia Zoning Code Commission, as approved by Resolution of the City Council; fixing the date of a special election for such purpose; prescribing the form of ballot questions to be voted on; and authorizing the appropriate officers to publish notice and to make arrangements for the special election.

THE BILL WAS REFERRED TO THE COMMITTEE ON LAW AND GOVERNMENT.

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

- **Bill No. 060700:**An Ordinance amending Chapter 10-800 of The Philadelphia Code, entitled "Safety," by adding a new Section entitled "Failure to Report Lost or Stolen Firearm," by requiring prompt notification of lost or stolen firearms and imposing penalties.

THE BILL WAS REFERRED TO THE COMMITTEE ON PUBLIC SAFETY.

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

- **Bill No. 060701:**An Ordinance authorizing the Philadelphia Authority for Industrial Development ("PAID") to file an application with the Office of the Budget, Commonwealth of Pennsylvania, under the Redevelopment Assistance Capital Program, in an aggregate amount not to exceed Seven Million Dollars ($7,000,000) to assist in the development of North Philadelphia Health System, the Old Metropolitan Opera House and Progress Plaza; and authorizing the City to enter into an agreement with PAID in furtherance of grant requirements; all under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON FINANCE.

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

Bill No. 060702: An Ordinance authorizing the paving of Sunshine Lane and Solar Way, under certain terms and conditions.

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

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

Bill No. 060703: An Ordinance authorizing and directing the revision of lines and grades on a portion of City Plan No. 344 by placing on the City Plan Sunshine Lane and Solar Way and a 50' wide right-of-way for drainage purposes and a variable width right-of-way for drainage purposes under certain terms and conditions, including the dedication to the City, free and clear of all encumbrances, of the beds of Sunshine Lane and Solar Way.

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

RESOLUTIONS

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

Resolution No. 060704: Resolution proposing an amendment to the Philadelphia Home Rule Charter to empower the City Planning Commission to extend the time period within which it must provide recommendations to Council on pending legislation affecting zoning, the City's physical development plan, land subdivision, or authorizing the purchase or sale of real estate, and providing for the submission of the amendment of the electors of Philadelphia.

WHEREAS, Under Section 6 of the First Class City Home Rule Act (53 P.S. §13106), an amendment to the Philadelphia Home Rule Charter may be proposed by a resolution of the Council of the City of Philadelphia adopted with the concurrence of two-thirds of its elected members; now, therefore,

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA,

That the following amendment to the Philadelphia Home Rule Charter is hereby proposed and shall be submitted to the electors of the City on an election date designated by ordinance:

ARTICLE II LEGISLATIVE BRANCH

The Council - Its Election, Organization, Powers and Duties

* * *

CHAPTER 3 LEGISLATION

* * *

§2-307. Legislation Affecting Zoning, Physical Development Plan, Land Subdivision, or Authorizing the Purchase or Sale of Real Estate.

The Council shall not enact any bill which shall in any manner affect any zoning ordinance, the Physical Development Plan of the City, plans of streets and revisions of such plans, and land subdivision plans or any bill which would authorize the acquisition or sale of City real estate without first receiving the recommendation thereon through the Mayor of the City Planning Commission. The approval of the Commission shall be presumed unless its recommendations are received within forty-five days from the introduction of any bill affecting plans of streets and revisions of such plans, and land subdivision plans, and within thirty days from the introduction of any other bill subject to this section, except that with respect to any particular bill, the Commission may at any time during such forty-five day or thirty day period, as the case may be, vote to extend its review period for up to an additional forty-five days, in which case the approval of the Commission shall be presumed unless its recommendation is received within such extended review period. It shall be the duty of the chief clerk of the Council to submit any such bill to the City Planning Commission immediately upon its introduction.

* * *

APPENDIX

* * *

CHAPTER A-2

§A-200. Schedule.

* * *

(8) The amendment to Section 2-307 of this Charter relating to the City Planning Commission's review of legislation affecting zoning, the City's physical development plan, land subdivision, or authorizing the purchase or sale of real

estate shall take effect January 7, 2008.

* * *

Note:
Bold underlining indicates matter added by this amendment.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS REFERRED TO THE COMMITTEE ON LAW AND GOVERNMENT.

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

Resolution No. 060705: Resolution proposing an amendment to the Philadelphia Home Rule Charter to provide for the composition of the Zoning Board of Adjustment, and providing for the submission of the amendment of the electors of Philadelphia.

WHEREAS, Under Section 6 of the First Class City Home Rule Act (53 P.S. §13106), an amendment to the Philadelphia Home Rule Charter may be proposed by a resolution of the Council of the City of Philadelphia adopted with the concurrence of two-thirds of its elected members; now, therefore,

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA,

That the following amendment to the Philadelphia Home Rule Charter is hereby proposed and shall be submitted to the electors of the City on an election date designated by ordinance:

ARTICLE III EXECUTIVE AND ADMINISTRATIVE BRANCH - ORGANIZATION

* * *

CHAPTER 9 DEPARTMENTAL BOARDS AND COMMISSIONS

* * *

§3-911. Zoning Board of Adjustment.

The Zoning Board of Adjustment shall be composed of five appointed

members and the Commissioner of Licenses and Inspections. The five appointed members shall be comprised of an architect, an urban planner, a traffic engineer, an attorney experienced in land use issues, and a representative of Philadelphia community groups that participate in land use issues.

* * *

APPENDIX

* * *

CHAPTER A-2

§A-200. Schedule.

* * *

(7) The amendment to Section 3-911 of this Charter providing for the composition of the Zoning Board of Adjustment shall take effect January 7, 2008. Members of the Zoning Board of Adjustment who hold office on January 6, 2008 shall continue to hold office until their successors have been appointed, provided that the Mayor may reappoint any such member who meets one of the required categories of membership set forth in amended Section 3-911.

* * *

Note:
Bold underlining indicates matter added by this amendment.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS REFERRED TO THE COMMITTEE ON LAW AND GOVERNMENT.

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

Resolution No. 060706: Resolution proposing an amendment to the Philadelphia Home Rule Charter to provide for the composition of the City Planning Commission, and providing for the submission of the amendment of the electors of Philadelphia.

WHEREAS, Under Section 6 of the First Class City Home Rule Act (53 P.S.

§13106), an amendment to the Philadelphia Home Rule Charter may be proposed by a resolution of the Council of the City of Philadelphia adopted with the concurrence of two-thirds of its elected members; now, therefore,

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA,

That the following amendment to the Philadelphia Home Rule Charter is hereby proposed and shall be submitted to the electors of the City on an election date designated by ordinance:

ARTICLE III EXECUTIVE AND ADMINISTRATIVE BRANCH - ORGANIZATION

* * *

CHAPTER 8 INDEPENDENT BOARDS AND COMMISSIONS

* * *

§3-800. City Planning Commission.

The City Planning Commission shall be composed of six appointed members and the Managing Director, the Director of Finance and the City Representative. Of the appointed members, at least five shall be persons who hold no other public office, position or employment of profit, one shall be an architect, one shall be an urban planner, one shall be a traffic engineer, one shall be an attorney experienced in land use issues, and two shall be representatives of Philadelphia community groups that participate in land use issues.

* * *

APPENDIX

* * *

CHAPTER A-2

§A-200. Schedule.

* * *

(6) The amendment to Section 3-800 of this Charter providing for the composition of the City Planning Commission shall take effect January 7, 2008.

Members of the Planning Commission who hold office on January 6, 2008 shall continue to hold office until their successors have been appointed, provided that the Mayor may reappoint any such member who meets one of the required categories of membership set forth in amended Section 3-800.

* * *

Note:
Strikethrough indicates matter deleted by this amendment.
Bold underlining indicates matter added by this amendment.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS REFERRED TO THE COMMITTEE ON LAW AND GOVERNMENT.

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

Resolution No. 060707: Resolution honoring Keith Primeau on the occasion of his retirement from the Philadelphia Flyers and the National Hockey League.

WHEREAS, On September 14, 2006, Keith Primeau announced that he was retiring from professional hockey after a stellar 16 year career; and

WHEREAS, Keith retired almost 11 months after sustaining a severe concussion which occurred in a game against the Canadians in Montréal on October 25, 2005; and

WHEREAS, Keith Primeau was acquired by the Flyers on January 23, 2000 after spending numerous seasons with the Detroit Red Wings, Hartford Whalers and the Carolina Hurricanes; and

WHEREAS, On May 4, 2000, Keith recorded one of the most memorable goals in Flyers history when he scored the game winner at 12:01 of the fifth overtime period to give the Flyers a 2-1 victory in Game Four of the 2000 Eastern Conference Semifinals. That goal, scored against Pittsburgh, ended the longest game in modern NHL history; and

WHEREAS, On October 23, 2001 Keith received the honor of being named the 13th captain in Flyers history. During his six year career with the Flyers Keith registered 87 goals and 126 assists for 213 points and 414 penalty minutes in 312 regular season games. He also posted 57 points on 18 goals and 39 assists in 128

career Stanley Cup Playoff games, including 16 points recorded during the 2004 Playoffs as the Flyers advanced to the Eastern Conference Finals; and

WHEREAS, Keith also played for the Canadian National Team at the 1998 Olympic Winter Games and appeared in two NHL All-Star Games in 1999 and as a Philadelphia Flyer in 2004; and

WHEREAS, Keith Primeau could be best described as a quintessential Philadelphia athlete, one who is driven by his passion for the game and one who always had the unwavering support of the Flyer faithful; now therefore

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That we honor Keith Primeau on the occasion of his retirement from the Philadelphia Flyers and the National Hockey League.

FURTHER RESOLVED, That an Engrossed copy of this resolution be presented to Keith Primeau as evidence of the sincere sentiments and recognition of this legislative body

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

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

Resolution No. 060708: Resolution calling on the Council Committee on Finance to Hold Hearings for a Call to Action to Stop the Violence by Providing Additional Funding for Job Training Programs, Extended Hours of Operation for School and Recreation Facilities, Extended TANF Benefits for those Working in Schools and Neighborhoods and Tax Credits and other Initiatives for Reintegrating Ex-offenders.

WHEREAS, Youth violence has reached epidemic proportions in the City of Philadelphia resulting in more than 270 murders and more than 1300 shootings just this year; and

WHEREAS, Youth in their teens and early twenties constitute the largest demographic of perpetrators and victims of violence; and

WHEREAS, More funding for keeping Class A Recreation Centers open until 10p.m. on weekdays and 12a.m. on weekends would give youth a constructive alternative to destructive behaviors and violence; and

WHEREAS, More funding from all levels of government is needed for after-school and summer programs; and

WHEREAS, Reducing poverty is a critical factor in reducing crime and violence; and

WHEREAS, More funding is needed for job training programs like the Fleetway Program for training professional car detailers, and the Mantua Community Improvement Committee for training in neighborhood beautification and landscaping; and

WHEREAS, Allowing those receiving TANF benefits to meet work requirements by volunteering in public schools would permit them to obtain work experience while providing much needed support to students and teachers; and

WHEREAS, Young adults and others returning from incarceration, find it difficult to secure transitional housing and jobs and therefore, find it nearly impossible to successfully re-enter their communities; and

WHEREAS, City correctional facilities release some 35,000 ex-offenders back into the community each year; and

WHEREAS, The Work Opportunity Tax Credit of $2400.00 for hiring ex-offenders is an important initiative designed to reduce recidivism; and

WHEREAS, The Federal Government should double the Work Opportunity Tax Credit to employers that hire ex-offenders; and

WHEREAS, Post-release job training, placement, mentoring and other services are essential to reintegrating ex-offenders into communities; now therefore

RESOLVED, THAT THE COUNCIL OF THE CITY OF PHILADELPHIA, Calls on the Council Committee on Finance to Hold Hearings for a Call to Action to Stop the Violence by Providing Additional Funding for Job Training Programs, Extended Hours of Operation for School and Recreation Facilities, Extended TANF Benefits for those Working in Schools and Neighborhoods and Tax Credits and other Initiatives for Reintegrating Ex-offenders.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED & REFERRED TO THE COMMITTEE ON FINANCE.

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

Taylor Ryan on winning the One Million Dollar Grand Prize on the reality television show, "America's Got Talent."

WHEREAS, Bianca Taylor Ryan, the 12 year old resident of Northeast Philadelphia won the debut season of the television reality show, "America's Got Talent" on August 17, 2006; and

WHEREAS, The child prodigy repeatedly performed to standing ovations from the live studio audiences and chose the song, "I am Changing" from the Broadway musical Dream girls as her grand finale selection; and

WHEREAS, Bianca competed and showcased her powerful pipes on shows such as Star Search, earning 12 of 13 stars from the judges and has appeared on Showtime at the Apollo and The Tom Joyner Show; and

WHEREAS, She has performed at several venues such as Madison Square Garden and Lincoln Financial Field and since the age of eight, she has been the regular soloist for the Philadelphia Growl Inline Hockey Team; and

WHEREAS, She has sung the National Anthem for the New Jersey Nets, New York Knicks and Rangers as well as our own Philadelphia 76ers and Eagles and has appeared in commercials for the Chuck E. Cheese restaurant chain and Philadelphia Zoo; and

WHEREAS, The "America's Got Talent" judges Piers Morgan, David Hasselhoff and Brandy Morgan all agreed that Bianca was the "best of the best" when television viewers voted and awarded Bianca the one million dollar grand prize; and

WHEREAS, Bianca, daughter of Shawn and Janette Ryan and sister of Shawn, Isabella and Jagger is a sixth grader at School Lane Charter School and has officially signed a 5 CD recording contract with Syco-Columbia Records; now therefore

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, We raise a ceremonial toast to the exceptional talent and artistic expression of Bianca Taylor Ryan and hopes she rises to stardom and always remembers her Philadelphia roots.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

Councilmember Tasco Introduced the following Resolution for Councilmember Council President Verna, Sponsored by Councilmembers Tasco, Miller, Clarke, DiCicco, Goode, Reynolds Brown, Rizzo, Blackwell, Ramos, Krajewski, Kenney, Kelly and O'Neill:

Resolution No. 060710: Resolution declaring October 2006 as Human Relations Month in the City of Philadelphia.

WHEREAS, The Philadelphia Commission on Human Relations (PCHR), is the agency of city government which enforces civil rights laws and deals with all matters of intergroup conflict within the City; and

WHEREAS, Each year, the Philadelphia Commission on Human Relations coordinates the City's observance of Human Relations Month to celebrate diversity; and

WHEREAS, A highlight of Human Relations Month will be the Philadelphia Commission on Human Relations' Human Rights Awards Luncheon, which will be held on Monday, October 30, 2006, in the Grand Ballroom of the Wyndham Philadelphia at Franklin Plaza; and

WHEREAS, This year's Human Rights Awards Luncheon will honor individuals and organizations whose extraordinary good deeds and initiatives have made outstanding contributions to the promotion of intergroup harmony and cooperation; now therefore

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That the month of October 2006 be declared Human Relations Month in the City of Philadelphia.

FURTHER RESOLVED, That an Engrossed copy of this resolution be presented to the Philadelphia Commission on Human Relations, as an expression of the sincere sentiments of this legislative body.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

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

Resolution No. 060711: Resolution authorizing the Council Committee on Public Health and Human Services to hold hearings regarding the inmate overcrowding and security problems at the Philadelphia Prison System.

WHEREAS, And according to a August 22, 2006 article in The Philadelphia Tribune, various allegations have been made that the Philadelphia Prison System ("Prison System") has serious inmate overcrowding and security problems; and

WHEREAS, To address the overcrowding problem, inmates have been "shuffled" throughout the Prison System and have been housed in various areas including but not limited to sleeping on the floor of the Detention Center; and

WHEREAS, On July 25, 2006, David Rudovsky, Esquire filed a federal lawsuit against the City of Philadelphia alleging that the City is violating the U.S. Constitution for placing inmates in overcrowded prison facilities and subjecting inmates to inhumane conditions and this lawsuit follows Mr. Rudovsky's 1971 federal lawsuit, which was settled in 2000 and based on similar pleadings; and

WHEREAS, In addition to the overcrowding issue, allegations have been made that the Prison System has problems with security lapses and inaccurate headcounts, which led to an inmate escaping from the House of Corrections and a rape suspect being missing for approximately 24 hours; and

WHEREAS, The overcrowding and security issues have created an atmosphere where inmate crime, violence, and riots are more likely to occur and have produced an unsafe and severely stressful work environment for Prison System employees; now therefore, be it

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That the Committee on Public Health and Human Services is authorized to hold hearings regarding the inmate overcrowding and security problems at the Philadelphia Prison System.

FURTHER RESOLVED, That the Committee on Public Health and Human Services is authorized to issue subpoenas as may be necessary to compel the attendance of witnesses and the production of documents to the full extent authorized under Section 2-401 of the Home Rule Charter.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED & REFERRED TO THE COMMITTEE ON PUBLIC HEALTH AND HUMAN SERVICES.

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

- **Resolution No. 060712:** Resolution recognizing September 2006 as Childhood Cancer Awareness Month and honoring The National Children's Cancer Society.

WHEREAS, In 1987, a relatively new and expensive procedure known as bone marrow transplantation (BMT) was gaining prominent recognition as a viable treatment for cancer; and

WHEREAS, Despite this recognition, most insurance companies considered BMTs experimental and would not pay for them. This experimental treatment represented the last hope for the survival of patients who did not respond to traditional chemotherapy. Unless a patient's family was able to pay for this costly experimental treatment, these children were sent home to die; and

WHEREAS, It is for this reason the N.C.C.S. was founded - to ensure that every child with cancer is given a chance at survival. Bone marrow transplants are now routinely performed and covered by insurance, allowing the organization to expand its services to provide additional support; and

WHEREAS, The N.C.C.S. helped push this risky procedure from infancy stage to a widely acceptable form of treatment. Since its inception, the N.C.C.S. has provided over $36 million in direct financial assistance to more than 18,000 children, and supplemental assistance through educational camps, programs and materials to thousands more; and

WHEREAS, The N.C.C.S. now works with more than 200 hospitals and pediatric oncology units throughout the United States. This non-profit, tax-exempt organization has quickly risen to become one of the largest financial aid organizations for children with cancer in the United States; now therefore

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That we hereby recognize September 2006 as Childhood Cancer Awareness Month and honor the National Childhood Cancer Society's dedicated and outstanding battle against childhood cancer.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

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

Resolution No. 060713: Resolution proclaiming September 23, 2006 as John William Coltrane Day in the City of Philadelphia.

WHEREAS, Philadelphia's most noted jazz musician, arranger, composer, cultural humanitarian and Grammy Award Winner, John William Coltrane, was born in Hamlet, North Carolina on September 23, 1926, on the Equinox,. He grew and

realized that the music he was to play existed in the past, present and future also between the notes of conventional notations; and

WHEREAS, In 1944, at the age of 18, Coltrane arrived in Philadelphia at the North Philadelphia train station, and is documented as being one of the major tenor and soprano saxophone players of his era, and today he still remains influential to many younger and older musicians; and

WHEREAS, His musical acumen evolved in Philadelphia and he received wide recognition as an integral member of the renowned Miles Davis Quintet, before forming his own group consisting of Philadelphians, McCoy Tyner on Piano, Elvin Jones on Drums and Jimmy Garrison on Bass; and

WHEREAS, Coltrane was constantly searching, probing and looking for new dimensions and heights to climb, and he humbly asked his audience to reexamine both their ideas of music and themselves; and

WHEREAS, Coltrane wrote, "my goal is to live the truly religious life and express it in my music, I wish for all of us happy and productive lives. My music is the spiritual expression of what I am - my faith, my knowledge, my being"; and

WHEREAS, The TraneStop Resource Institute, was named in the spirit and work ethic of John Coltrane and its emergence in 1979 filled a void and gave the City of Philadelphia and the music community a focused endeavor for sustaining the connection of the music to its uniquely African and American roots; and

WHEREAS, In Coltrane's honor, the TraneStop devotes attention, support and resources to the art form of jazz, conducts town meetings, community concerts, special educational presentations and seminars to improve the conditions of African American Classical Music in Philadelphia and around the world. TraneStop's initiatives not only seek to honor the contributions of John Coltrane but other Philadelphia connected musicians as well; and

WHEREAS, From September 1st thru 3rd of 2006, the TraneStop is presenting "The John Coltrane Jazz Festival" in honor of this great Philadelphian, and featuring, among others, Philadelphia bred, international recording artists, Archie Shepp and Billy Paul and co-hosted by State Representative John Myers and State Senator Leanna Washington; now therefore

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That September 23, 2006 and forevermore be declared "John William Coltrane Day" and that we honor TraneStop for its efforts to ensure jazz preservation through education, advocacy and documentation.

FURTHER RESOLVED, That an Engrossed copy of this resolution be presented to TraneStop Resource Institute, Inc., as further evidencing the sincere admiration and gratitude of this legislative body.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

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

Resolution No. 060714: Resolution recognizing and Honoring Dr. Leonel Fernández Reyna, President of the Dominican Republic on his visit to Philadelphia.

WHEREAS, Leonel Fernández was born in Santo Domingo on December 26, 1953, to José Antonio Fernández-Collado and Yolanda Reyna-Romero; and

WHEREAS, Dr. Fernández went to public schools in New York City for the primary schooling of what would later on bloom into a brilliant professional career; and

WHEREAS, Upon his return to the country, he entered the Universidad Autónoma de Santo Domingo (UASD), establishing his domicile in the residential sector of Villa Juana, where he spent the first years of his youth; and

WHEREAS, At that time, Dr. Fernández felt attracted to the more advanced ideas emerging in the then current political debate, which would soon lead him to study the works of, whom would be his mentor and guide, Professor Juan Bosch; and

WHEREAS, With the help of Professor Juan Bosch and a host of other Dominicans, Dr. Fernández helped found the Dominican Liberation Party (PLD), at the young age of 20, in 1973; and

WHEREAS, In 1978, Dr. Fernández was bestowed a postgraduate honors degree in Law (Magna Cum Laude) entitling him to the "J. Humberto Doucudray" Award, as the most outstanding student of his class; and

WHEREAS, His college thesis, "The Crime of Public Opinion", which later would become one of the most requested books by Law scholars and the mass media, enriched the national bibliography regarding such a complex and novel subject for the nation; and

WHEREAS, From 1983 to 1990, Dr. Fernández's reputation within the

intellectual circles by means of conferences, press articles and debates helped him hold great political positions of responsibility within his party including, apprentice of the party's doctrines, post of intermediate leader, Secretary of International Affairs and Secretary of the Press; and

WHEREAS, For his political and personal merits, in 1994, Dr. Fernández was selected by the Dominican Liberation Party as their vice-presidential candidate; and

WHEREAS, In 1996, an overwhelming majority of the PLD chose him as their candidate for President, in which he emerged successful, thus becoming the first Head of State to emerge from the PLD and one of the youngest statesman in Latin America; and

WHEREAS, After a four-year hiatus, he was elected to a second term of office in the presidential election held on May 16, 2004, with an absolute majority; now therefore

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That we hereby recognize and honor Dr. Leonel Fernández Reyna, President of the Dominican Republic, on his visit to Philadelphia to address the 2006 United States Hispanic Chamber of Commerce Convention.

FURTHER RESOLVED, That an Engrossed copy of this resolution be presented to Dr. Leonel Fernández Reyna, President of the Dominican Republic as a symbol of respect and admiration of this legislative body.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

Councilmember DiCicco Introduced the following Resolution, Sponsored by Councilmembers DiCicco and Kenney:

Resolution No. 060715: Resolution authorizing Council's Committee on Rules to hold public hearings on whether and how the City could implement "impact fees" to address community infrastructure needs derived from new development.

WHEREAS, "Impact fees" are monies charged by a municipality to offset increased capital costs such as water, sewer, drainage, roadways, public safety facilities, libraries, schools and parks derived from and necessary due to new development; and

WHEREAS, Several states including Florida, California, Oregon, Colorado,

Texas, Georgia, Maine, Maryland and Vermont and several municipalities including Chicago, Denver, San Francisco and Palm Beach have assessed impact fees in an effort to recoup costs; and

WHEREAS, Most state's and municipalities that have implemented impact fees have done so by utilizing a relatively simple formula that assesses a development's financial impact on various services and infrastructure needs. These formulas have created uniform expectations for every development; and

WHEREAS, For the past several years, Philadelphia has enjoyed a construction boom that has brought new residents and businesses to the City. While Council welcomes and enjoys this construction, Council also recognizes that some developments have strained the City's services and infrastructure; and

WHEREAS, Developers often negotiate with community groups and local officials in order to secure their approval and obtain the necessary zoning permits or legislation. These negotiations often concentrate on design parameters; however, at times, developers make financial contributions in order to address the community's concerns over the impact of said development. These contributions vary in scale dependent on the neighborhood, the size of the development, the attorney, the Council district and the developer. Since negotiations are undertaken on a project-by-project basis, neither the community nor the developer has a clear set of expectations; and

WHEREAS, In order to encourage additional development while simultaneously insuring appropriate resources for every neighborhood throughout the City, developer and community expectations must be uniform; and

WHEREAS, Impact fees are one way to create uniformity. However, there is a recognition that the fees may discourage development or disenfranchise communities. In addition, if impact fees are appropriate, it is unclear which services and infrastructure needs they should address in the City or the most appropriate way to create the necessary formulas to address these needs; now, therefore be it

RESOLVED, THAT THE COUNCIL OF THE CITY OF PHILADELPHIA, Authorizes Council's Committee on Rules to hold public hearings on whether and how the City could implement "impact fees" to address community infrastructure needs derived from new development.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED & REFERRED TO THE COMMITTEE ON RULES.

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

Resolution No. 060716: Resolution proposing an amendment to the Philadelphia Home Rule Charter to provide for the creation, appointment, powers and duties of a Zoning Code Commission, and providing for the submission of the amendment to the electors of Philadelphia.

WHEREAS, Under Section 6 of the First Class City Home Rule Act (53 P.S. §13106), an amendment to the Philadelphia Home Rule Charter may be proposed by a resolution of the Council of the City of Philadelphia adopted with the concurrence of two-thirds of its elected members; now therefore

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA,
That the following amendment to the Philadelphia Home Rule Charter is hereby proposed and shall be submitted to the electors of the City on an election date designated by ordinance:

ARTICLE III - EXECUTIVE AND ADMINISTRATIVE BRANCH - ORGANIZATION
CHAPTER 1
OFFICERS, DEPARTMENTS, BOARDS,
COMMISSIONS AND OTHER AGENCIES

Section 3-100. Executive and Administrative Officers, Departments, Boards, Commissions and Agencies Designated. The executive and administrative work of the City shall be performed by:

* * *

(e) The following independent boards and commissions, which, except for the Board of Trustees of the Free Library of Philadelphia, are hereby created:

City Planning Commission;
Commission on Human Relations;
Board of Trustees of the Free Library of Philadelphia;
Board of Pensions and Retirement;
Civil Service Commission;
Philadelphia Tax Reform Commission and its Advisory Committee;
Board of Ethics[.]; and
Zoning Code Commission.

* * *

CHAPTER 8
INDEPENDENT BOARDS
AND COMMISSIONS

* * *

SECTION 3-807. Zoning Code Commission. The Zoning Code Commission

shall be composed of nine members, selected as follows:

(a) Three members shall be appointed by the Mayor;

(b) Three members shall be appointed by the Council President;

(c) Executive Director City Planning Commission

(d) Commissioner of Licenses and Inspections

(e) Chairman of the Zoning Board of Adjustment

(e) All appointments to the Commission shall be made within sixty days after the Commission is first created.

(f) No appointed member of the Commission, while serving as a member, shall seek or hold a position as an elected public official within the Commonwealth, or as an officer of a political party.

(g) Vacancies on the Commission shall be filled within 30 days by the appointing authority who originally appointed the member whose seat has become vacant.

* * *

ARTICLE IV
EXECUTIVE AND ADMINISTRATIVE
BRANCH POWERS AND DUTIES

The Mayor, The City Representative and
Departments, Boards and Commissions under the Mayor

* * *

CHAPTER 10
ZONING CODE COMMISSION

SECTION 4-900. Powers and Duties.

(a) Within sixty days after its creation, the Zoning Code Commission shall convene its first meeting in the City Council chambers and thereafter the Commission shall meet at least monthly, or no less than 10 times per year, at such times and at such places as determined by the Commission. The Commission shall conduct a comprehensive analysis of and make recommendations regarding reforms to the Philadelphia Zoning Code. The Commission shall analyze the Zoning Code to determine each section's intent, its impact on residential, commercial and industrial development, the costs associated with the Zoning Board of Adjustment including its current caseload and whether the Code may be consolidated or simplified to make it more consistent and easy to understand and to reduce the number of hearings heard by the Zoning Board of Adjustment while still maintaining community input and neighborhood controls. The Commission shall also compare the Zoning Code to the zoning code in jurisdictions that have experienced growth in residents and businesses, using accepted models of

analysis. The Commission's work shall be guided by the principles that Philadelphia's Zoning Code should be consistent and easy to understand, and should enhance and improve Philadelphia's development approval process while encouraging positive development and protecting the character of Philadelphia's neighborhoods. The Commission shall, subject to the availability of appropriations, appoint and fix the compensation of an executive director and such other staff as may be required for the proper conduct of its work (provided that the appointment of an executive director shall require a vote of two-thirds of all the members of the Commission), and it shall invite the participation of any staff or Commission members of each of the appointing authorities listed in subsections 3-807(a), (b) and (c), as well as utilize any available resources, studies or reports of any such appointing authority. The Commission may also, subject to the availability of appropriations, retain as consultants any organization or individual with regionally or nationally recognized expertise in city planning or zoning. All departments, boards, commissions and other City agencies shall cooperate fully with the Commission in the performance of its duties and responsibilities and shall provide any and all documents, data, analyses or other information related to construction, development and zoning requested by the Commission, except documents the nondisclosure of which is legally privileged or which have been prepared for or by the Law Department for use in actions or proceedings to which the City is or may be a party, and provided that the Commission shall maintain the confidentiality of any documents, data, analyses or other related information upon the written request by any City agency that the material being provided to the Commission be treated as confidential. The Commission shall hold at least two public hearings in the Council chambers to receive testimony from the public concerning zoning code reform. These hearings shall be in addition to those hearings required for the consideration of any legislation the Commission submits to Council.

(b) On or before June 30, 2008, unless Council by a resolution adopted by a two-thirds vote of all the members of the Council approves an extension, the Commission shall by a vote of two-thirds of all members of the Commission adopt a written report containing specific recommendations solely related to proposed changes to the Philadelphia Zoning Code, ("Zoning Code Proposals"), including drafts of all legislation required to implement the Zoning Code Proposals, and recommendations on how to proceed with a comprehensive revision of the City's zoning maps ("Zoning Map Proposals"). The Commission shall provide copies of its report to each of the Commission's appointing authorities and to each member of Council and to the Clerk of Council, and the Commission shall see to it that copies are provided to all public libraries in the City and that a copy is posted on the City's official Internet site. The Commission shall also publish and distribute with its report any minority report adopted by three or more members of the Commission.

(c) After issuing its report, the Commission shall thereafter be reconvened

only as directed by a resolution of the Council adopted by a two-thirds vote of all the members of the Council, provided that no such resolution reconvening the Commission shall be adopted until at least five years have elapsed since the date the Commission adopted its last report. Within sixty days after adoption of such a resolution, new members of the Commission shall be appointed in accordance with the appointment process set forth in Section 3-807, provided that any former member of the Commission may be reappointed as a member of the Commission.

(d) Within one hundred twenty days after the Commission issues its report, Council shall either enact into law, reject or table the Commission's Zoning Code Proposals in their entirety.

(e) Within sixty days of any adoption by Council of the Commission's Zoning Code Proposals, the Philadelphia City Planning Commission shall adopt or reject the Commission's Zoning Map Proposals in their entirety. If the Philadelphia City Planning Commission rejects the Commission's Zoning Map Proposals, the Philadelphia City Planning Commission shall simultaneously adopt an alternate proposed comprehensive revision of the City's zoning maps.

* * *

Explanation:

Italics indicate new matter added.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED & REFERRED TO THE COMMITTEE ON LAW AND GOVERNMENT.

Councilmember DiCicco Introduced the following Resolution for Councilmember Council President Verna, Sponsored by Councilmembers DiCicco, Kenney, Tasco, Rizzo, Goode, Blackwell, Reynolds Brown, Ramos, Clarke, Krajewski, Kelly, Miller and O'Neill:

Resolution No. 060717: Resolution designating the week of Monday, October 2, 2006 through Monday, October 9, 2006 as "Christopher Columbus Week" in celebration of the festivities commemorating Columbus' historic voyage to the New World and recognizing the 50th Anniversary of the Philadelphia Columbus Day Parade.

WHEREAS, More than 500 years ago, a courageous Italian visionary set out on what would become one of the most momentous journeys in the annals of history. Christopher Columbus and the maps he charted to the "New World" were guiding lights to every ship that came to America; and

WHEREAS, The dauntless spirit of this great navigator from Genoa helped shape the destiny of the land that became the United States of America. Christopher Columbus was a man of strength, commitment and determination, qualities that

are among the basic principles upon which the United States is founded; and

WHEREAS, The annual Philadelphia Columbus Day Parade began in South Philadelphia in 1957, and has since become one of the City's premier celebrations. This year marks the 50th anniversary of the parade, which fosters a spirit of multiculturalism and respect for the numerous ethnic heritages in the region. This year's parade highlights Italian and Italian American fraternal and social organizations, Mummer's string bands, award winning high school bands from Pennsylvania and New Jersey, elite African American stepping groups and Dixieland music; and

WHEREAS, In addition to the annual parade, Columbus Day festivities include a gala dinner and an Italian Festival showcasing the culture and cuisine of the people of Italy; now therefore

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That we hereby designate the week of October 2, 2006 through October 9, 2006 as "Christopher Columbus Week" for the annual Columbus Day Parade and Italian Festival saluting the five hundredth and fourteenth anniversary of Columbus' historic voyage to America.

FURTHER RESOLVED, That Engrossed copies of this resolution be presented to the Philadelphia Columbus Day Committee and Parade Marshall SeverinoVerna, Jr., as evidence of the sincere sentiments of this legislative body.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

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

Resolution No. 060718: 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 Seventh, Eighteenth, Nineteenth, Twenty-third, Thirty-seventh & Forty-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.

WHEREAS, Chapter 16-400 of The Philadelphia Code relating to vacant

property, grants the City the power to convey certain classes of real property to the Redevelopment Authority of the City of Philadelphia, without consideration, to implement the public purpose set forth in that Chapter; and

WHEREAS, The Vacant Property Review Committee has recommended acceptance and disposition of the vacant property listed below; now therefore

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA

SECTION 1. The Commissioner of Public Property is hereby authorized to execute and deliver to the Redevelopment Authority of the City of Philadelphia, without consideration, deed conveying conditional fee simple title to 528, 532, 534 & 536 W. Dauphin Street, 3132 (parcel A), 3132 (parcel B) 3424 & 3426 N. Franklin Street, 2900 N. Front Street, 1709-15 Gillingham Street, 205 E. Lippincott Street, 2440-44 Mascher Street, 2018 Orthodox Street, 4563 Palethorp Street, 3029 N. Water Street, 1724 & 1945 Waterloo Street & 307 E. William Street pursuant to Chapter 16-400 of The Philadelphia Code, under certain terms and conditions.

SECTION 2. The Redevelopment Authority is hereby authorized to dispose of the aforementioned property for rehabilitation and/or improvements under certain terms and conditions pursuant to Chapter 16-400 of The Philadelphia Code.

SECTION 3. The City Solicitor is hereby authorized to prepare or to approve all instruments and documents and to include in such instruments and documents such terms and conditions as are necessary to effectuate the purpose of Chapter 16-400 of The Philadelphia Code.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

CONSIDERATION OF THE CALENDAR

BILLS ON FINAL PASSAGE

Bill No. 060445-A, as amended: An Ordinance to amend the Institutional Development District Master Plan of Temple University by allowing for the construction of a new building to be used for the Fox School of Business and Management.

THE BILL WAS READ.

THE BILL WAS PASSED.

The Ayes and Nays were as follows:

Ayes: *14 - Councilmembers Reynolds Brown, Goode, Kelly, Kenney, Ramos, Rizzo, DiCicco, Council President Verna, Blackwell, Clarke, Krajewski, Miller, Tasco and O'Neill*

Nays: *0*

Bill No. 060467-A, as amended: An Ordinance authorizing the owner of 7252 Marsden Street at the southwest corner of Cottman Avenue, Philadelphia, PA 19135, to construct, own and maintain an addition on the south public sidewalk of Cottman Avenue adjacent to the property, under certain terms and conditions.

THE BILL WAS READ.

THE BILL WAS PASSED.

The Ayes and Nays were as follows:

Nays: *0*

Ayes: *14 - Councilmembers Reynolds Brown, Goode, Kelly, Kenney, Ramos, Rizzo, DiCicco, Council President Verna, Blackwell, Clarke, Krajewski, Miller, Tasco and O'Neill*

BILLS ON SECOND READING AND FINAL PASSAGE

Bill No. 050575, as amended: An Ordinance authorizing the Commissioner of Public Property, on behalf of The City of Philadelphia, to enter into an agreement to sublease from the Philadelphia Municipal Authority a building located at 4508 Chestnut Street, under certain terms and conditions.

Councilmember Blackwell Moved That Bill No. 050575 Be Withdrawn.

THE MOTION WAS DULY SECONDED AND AGREED TO.

THE BILL WAS WITHDRAWN.

Bill No. 060204: An Ordinance authorizing the Commissioner of Public Property to execute and deliver to the Philadelphia Authority for Industrial Development, for nominal consideration, a deed conveying fee simple title to a certain tract of City-owned land with buildings and improvements thereon, situate 8011 Frankford Avenue in the City of Philadelphia, for further conveyance at fair market value.

THE BILL WAS READ.

THE BILL WAS PASSED.

The Ayes and Nays were as follows:

Ayes: *14 - Councilmembers Reynolds Brown, Goode, Kelly, Kenney, Ramos, Rizzo, DiCicco, Council President Verna, Blackwell, Clarke, Krajewski, Miller, Tasco and O'Neill*

Nays: *0*

Bill No. 060503: An Ordinance authorizing transfers in appropriations for Fiscal Year 2007 within the Grants Revenue Fund from the Director of Finance - Provision for Other Grants to the Personnel Director.

THE BILL WAS READ.

THE BILL WAS PASSED.

The Ayes and Nays were as follows:

Ayes: *14 - Councilmembers Reynolds Brown, Goode, Kelly, Kenney, Ramos, Rizzo, DiCicco, Council President Verna, Blackwell, Clarke, Krajewski, Miller, Tasco and O'Neill*

Nays: *0*

Bill No. 060287: An Ordinance providing for the submission to the qualified electors of the City of Philadelphia of an amendment to Article VIII, Chapter 5 of the Philadelphia Home Rule Charter, entitled "Referenda Approved by the Voters," by adding a new section providing that the citizens of Philadelphia urge the United States to begin an immediate withdrawal of its troops from Iraq, beginning with the National Guard and Reserve and ending with a total withdrawal of U.S. forces by the end of year 2006; fixing the date of a special election for such purpose; prescribing the form of ballot questions to be voted on; and authorizing the appropriate officers to publish notice and to make arrangements for the special election.

Councilmember Blackwell Moved That Bill No. 060287 Be Withdrawn.

THE MOTION WAS DULY SECONDED AND AGREED TO.

THE BILL WAS WITHDRAWN.

DISCUSSION - COUNCILMEMBERS CLARKE, BROWN AND RAMOS - COUNCILMEMBER CLARKE ASKS THAT BILL NO. 060485 NOT BE VOTED AT THIS TIME AND BE HELD - FURTHER DISCUSSION ENSUED REGARDING PARK REFORM - (SEE NOTES OF TESTIMONY)

SPEECHES

COUNCILMEMBER BLACKWELL - HOUSING REORGANIZATION - UNION BUSTING - (SEE NOTES OF TESTIMONY)

COUNCILMEMBER MILLER - RALLY IN HARRISBURG ON TUESDAY, SEPTEMBER 26, 2006 - ENACT LAWS AND CONTROL OVER ITS WEAPON LAWS - (SEE NOTES OF TESTIMONY)

COUNCILMEMBER TASCO - PHILADELPHIA INQUIRER ARTICLE - PHILADELPHIA STANDS NUMBER 1 IN VIOLENT CRIMES AND 5TH IN TERMS OF THE OVERALL CRIME RATE OF OTHER CITIES - (SEE NOTES OF TESTIMONY)

COUNCILMEMBER TASCO MOVED TO ADJOURN.

THE MOTION WAS DULY SECONDED AND AGREED TO.