## Thursday, December 13, 2007

PRESENT: 17 - Councilmembers Reynolds Brown, Greenlee, Goode, Kelly, Campbell, Kenney, Ramos, Rizzo, Savage, DiCicco, Council President Verna, Blackwell, Clarke, Krajewski, Miller, Tasco and O'Neill

Council met, a quorum being present

His Eminence John Cardinal Foley was introduced and offered an appropriate prayer

COUNCILMEMBER BLACKWELL MOVED TO APPROVE THE JOURNAL
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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. 070827, which was passed by Council on November 29, 2007, was signed by the mayor on December 7, 2007. (File No. 071142)

THE COMMUNICATION WAS READ.

- Transmitting a message advising Council that Bill Nos. 060633, 070338, 070695, 070819, 070869, 070873, 070878, 070904, 070905, 070906, 070935, 070939, 070945 and 070958, which were passed by Council on November 29, 2007, were signed by the Mayor on December 13, 2007. (File No. 071143)

THE COMMUNICATION WAS READ.

- Transmitting a message advising Council that Bill No. 070936, which was passed by Council on December 13, 2007, was signed by the Mayor on December 13, 2007. (File No. 071145)

THE COMMUNICATION WAS READ.

- Transmitting a resolution approving the redevelopment contract of the Redevelopment Authority of the City of Philadelphia for the redevelopment and urban renewal of a portion of the Ellsworth Urban Renewal Area, Unit No. 2, designated as Parcel No. 5C and also sometimes identified by house number and street address as 2025 Federal street; and authorizing the Redevelopment Authority to execute the redevelopment contract with AJK Investments, LP and to take such action as may be necessary to effectuate the redevelopment contract, accompanied by an explanatory letter from the Executive Director of the Redevelopment Authority. (File No. 071146)

THE COMMUNICATION WAS READ.

- Transmitting a resolution approving the redevelopment contract of the Redevelopment Authority of the City of Philadelphia for the redevelopment and urban renewal of a portion of the Old City Redevelopment Area, Unit No. 2 designated as Parcel No. 3, also sometimes identified by house number and street addresses as 149 South Hancock street; authorizing the Redevelopment Authority to execute the redevelopment contract with 149 S. Hancock Street Associates, Inc. and to take such action as may be necessary to effectuate the redevelopment contract, accompanied by an explanatory letter from the Executive Director of the Redevelopment Authority. (File No. 071147)

THE COMMUNICATION WAS READ.

- Transmitting a 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 New Kensington - Fishtown Urban Renewal Area, designated as Parcel No. 97 also sometimes identified by respective house number and street address as 423 East Flora street; authorizing the Redevelopment Authority to execute the redevelopment contract with Denise Kelly 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. 071148)

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

## RESOLUTIONS

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

- **Resolution No. 071125:** Resolution Approving the redevelopment contract of the Redevelopment Authority of the City of Philadelphia for the redevelopment and urban renewal of a portion of the Ellsworth Urban Renewal Area, Unit No. 2, designated as Parcel No. 5C and also sometimes identified by house number and street address as 2025 Federal street; and authorizing the Redevelopment Authority to execute the redevelopment contract with AJK Investments, LP and to take such action as may be necessary to effectuate the redevelopment contract.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

Councilmember Greenlee Introduced the following Resolution for Councilmember Greenlee, Sponsored by :

- **Resolution No. 071126:** 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 Fourth 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.

*The Ayes and Nays were as follows:*

| | |
|---|---|
| *Ayes:* | *16 - Councilmembers Reynolds Brown, Greenlee, Goode, Kelly, Kenney, Ramos, Savage, Rizzo, DiCicco, Council President Verna, Blackwell, Clarke, Krajewski, Miller, Tasco and O'Neill* |
| *Nays:* | *0* |
| *Abstain:* | *1 - Councilmember Campbell* |

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

The Violence Free Alliance (VFA) - For their vision that through a collaboration of diverse organizations dedicated to addressing the current entrenched epidemic of violence in the City of Philadelphia and by implementing a comprehensive long term multifaceted approach - Strong enough to ultimately create Neighborhoods of Living Hope.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

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

**Resolution No. 071128:** 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-first, Thirty-seventh and Forty-third 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 Savage Introduced the following Resolution, Sponsored by Councilmember Savage:

**Resolution No. 071129:** Resolution Authorizing the use of Neighborhood Transformation Initiative bond proceeds for the acquisition of 3051, 3053 Hutchinson Street and 3059, 3061, 3068 Percy Street.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

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

**Resolution No. 071130:** Resolution Approving the redevelopment contract of the Redevelopment Authority of the City of Philadelphia for the redevelopment and urban renewal of a portion of the Old City Redevelopment Area, Unit No. 2 designated as Parcel No. 3, also sometimes identified by house number and street addresses as 149 South Hancock street; authorizing the Redevelopment

Authority to execute the redevelopment contract with 149 S. Hancock Street Associates, Inc. and to take such action as may be necessary to effectuate the redevelopment contract.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

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

- **Resolution No. 071131:** Resolution Declaring January 6, 2008 Three Kings Day in the City of Philadelphia.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

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

- **Resolution No. 071132:** Resolution Calling on the United States Congress and the President of the United States to Declare March 31st a National Holiday in honor of the late great Farm Worker leader Cesar E. Chavez.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

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

- **Resolution No. 071133:** Resolution Honoring and Commending Reverend Ellis I. Washington on his election as the President of the Black Clergy of Philadelphia and Vicinity.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

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

- **Resolution No. 071134:** Resolution Authorizing the Committee on Education to hold public hearings on the situation at the Thomas Mifflin Elementary School.

THE RESOLUTION WAS READ.

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

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

- **Resolution No. 071135:** Resolution Honoring Mitchell Allen for his lifetime of exceptional, long-standing commitment and his tireless dedication to improve the quality of life for the youth throughout Philadelphia.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

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

- **Resolution No. 071136:** Resolution Honoring the African Episcopal Church of St. Thomas on the occasion of their 215th Year Anniversary.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

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

- **Resolution No. 071137:** 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 Twenty-eighth and Forty-seventh 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 Clarke Introduced the following Resolution, Sponsored by Councilmember Clarke:

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

- **Resolution No. 071139:** 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 New Kensington - Fishtown Urban Renewal Area, designated as Parcel No. 97 also sometimes identified by respective house number and street address as 423 East Flora street; authorizing the Redevelopment Authority to execute the redevelopment contract with Denise Kelly 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 Clarke Introduced the following Resolution, Sponsored by Councilmember Clarke:

- **Resolution No. 071140:** 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, Twenty-eighth, Thirty-second and Thirty-seventh 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 Rizzo Introduced the following Resolution, Sponsored by Councilmember Rizzo:

- **Resolution No. 071141:** Resolution Recognizing, honoring and celebrating The Traffic Club of Philadelphia on the occasion of their 100th Year Anniversary.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

## CONSIDERATION OF THE CALENDAR

## BILLS ON FINAL PASSAGE

DISCUSSION - COUNCILMEMBERS BROWN, O'NEILL AND GOODE - BILL NOS 070955-AA AND 070956-A - BEING HELD - FOX CHASE CANCER CENTER - (SEE NOTES OF TESTIMONY)

- **Bill No. 050341-AA, as amended:** An Ordinance Amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning," by amending Chapter 14-1600, entitled "Miscellaneous," by adding a new Section, entitled "Lower and Central Germantown Special District Controls," all under certain terms and conditions.

THE BILL WAS READ.

THE BILL WAS PASSED.

*The Ayes and Nays were as follows:*

*Ayes:* *17 - Councilmembers Reynolds Brown, Greenlee, Goode, Campbell, Kelly, Kenney, Ramos, Savage, Rizzo, DiCicco, Council President Verna, Blackwell, Clarke, Krajewski, Miller, Tasco and O'Neill*

*Nays:* *0*

DISCUSSION - COUNCILMEMBER O'NEILL HOLDS OFF ON CALLING UP BILL NO. 070955-AA AT THIS TIME - (SEE NOTES OF TESTIMONY)

- **Bill No. 040904-AAAA, as amended:** An Ordinance Amending Title 9 of The Philadelphia Code, entitled "Regulation of Businesses, Trades and Professions," by adding a new Chapter requiring dentists to post and distribute certain information concerning the use of mercury in dental procedures, and requiring dentists to install systems that permit the recycling of mercury waste; all under certain terms and conditions.

THE BILL WAS READ.

THE BILL WAS PASSED.

*The Ayes and Nays were as follows:*

*Ayes:* *17 - Councilmembers Reynolds Brown, Greenlee, Goode, Campbell, Kelly, Kenney, Ramos, Savage, Rizzo, DiCicco, Council President Verna, Blackwell, Clarke, Krajewski, Miller, Tasco and O'Neill*

*Nays:* *0*

**Bill No. 070203-A, as amended:** An Ordinance Amending Chapter 19-1300 of The Philadelphia Code, entitled "Real Estate Taxes," to provide for a homestead exemption with respect to City real property tax, under certain terms and conditions.

THE BILL WAS READ.

THE BILL WAS PASSED.

*The Ayes and Nays were as follows:*

*Ayes:* *17 - Councilmembers Reynolds Brown, Greenlee, Goode, Campbell, Kelly, Kenney, Ramos, Savage, Rizzo, DiCicco, Council President Verna, Blackwell, Clarke, Krajewski, Miller, Tasco and O'Neill*

*Nays:* *0*

**Bill No. 071005-A, as amended:** An Ordinance Amending Title 7 of The Philadelphia Code, entitled "Housing Code," by adding a new Chapter establishing inclusionary affordable housing requirements, by requiring that certain developments, consisting of a certain number of dwelling units, provide a certain percentage of those units for affordable housing or provide other options for affordable housing, all under certain terms and conditions.

THE BILL WAS READ.

THE BILL WAS PASSED.

*The Ayes and Nays were as follows:*

*Ayes:* *12 - Councilmembers Reynolds Brown, Greenlee, Goode, Campbell, Kenney, Ramos, Savage, DiCicco, Blackwell, Clarke, Miller and Tasco*

*Nays:* *5 - Councilmembers Kelly, Rizzo, Council President Verna, Krajewski and O'Neill*

## BILLS ON SECOND READING AND FINAL PASSAGE

**Bill No. 050303:** An Ordinance Amending Chapter 19-1300 of The Philadelphia Code, entitled "Real Estate Taxes," by providing for an Economic Opportunity Plan as a condition for the grant of certain tax abatements, under certain terms and conditions.

THE BILL WAS READ.

THE BILL WAS PASSED.

*The Ayes and Nays were as follows:*

*Nays:* *0*

*Ayes:* *17 - Councilmembers Reynolds Brown, Greenlee, Goode, Campbell, Kelly, Kenney, Ramos, Savage, Rizzo, DiCicco, Council President Verna, Blackwell, Clarke, Krajewski, Miller, Tasco and O'Neill*

**Bill No. 070540, as amended:** An Ordinance Reestablishing a neighborhood improvement district in an area that generally includes both sides of Frankford Avenue from Torresdale Avenue to Bridge Street and certain side streets including portions of Kensington Avenue, Foulkrod Street, Gillingham Street, Griscom Street, Margaret Street, Meadow Street, Orthodox Street, Paul Street, Pratt Street, Darrah Street, and Unity Street, to be known as the Frankford Special Services District ("District"); designating the Frankford Special Services District of Philadelphia ("the Authority"), an Authority established pursuant to the Municipality Authorities Act of 1945, as the Neighborhood Improvement District Management Association for the District; approving a final plan for the District, including a list of proposed improvements and their estimated cost, and providing for assessment fees to be levied on property owners within the District; authorizing the Director of Commerce, on behalf of the City, to execute an agreement with the Authority relating to the District; and authorizing the Authority to assess property owners within the District a special property assessment fee to be used in accordance with the approved final plan; all in accordance with the provisions of the Community and Economic Improvement Act, and under certain terms and conditions.

THE BILL WAS READ.

THE BILL WAS PASSED.

*The Ayes and Nays were as follows:*

*Ayes:* *17 - Councilmembers Reynolds Brown, Greenlee, Goode, Campbell, Kelly, Kenney, Ramos, Savage, Rizzo, DiCicco, Council President Verna, Blackwell, Clarke, Krajewski, Miller, Tasco and O'Neill*

*Nays:* *0*

**Bill No. 070940:** An Ordinance Authorizing transfers in appropriations for Fiscal Year 2007 within the Water Fund from certain or all City offices, departments, boards and commissions to certain or all City offices, departments, boards and commissions.

THE BILL WAS READ.

THE BILL WAS PASSED.

*The Ayes and Nays were as follows:*

*Ayes:* *17 - Councilmembers Reynolds Brown, Greenlee, Goode, Campbell, Kelly, Kenney, Ramos, Savage, Rizzo, DiCicco, Council President Verna, Blackwell, Clarke, Krajewski, Miller, Tasco and O'Neill*

*Nays:* *0*

**Bill No. 070941:** An Ordinance Authorizing transfers in appropriations for Fiscal Year 2007 within the Aviation Fund from certain or all City offices, departments, boards and commissions to certain or all City offices, departments, boards and commissions.

THE BILL WAS READ.

THE BILL WAS PASSED.

*The Ayes and Nays were as follows:*

*Ayes:* *17 - Councilmembers Reynolds Brown, Greenlee, Goode, Campbell, Kelly, Kenney, Ramos, Savage, Rizzo, DiCicco, Council President Verna, Blackwell, Clarke, Krajewski, Miller, Tasco and O'Neill*

*Nays:* *0*

**Bill No. 070942:** An Ordinance Authorizing transfers in appropriations for Fiscal Year 2007 from the General Fund, certain or all City offices, departments, boards and commissions and from the Grants Revenue Fund, the Director of Finance - Provision for Other Grants and from the Community Development Fund, the Director of Finance - Community Development Block Grant - to be Allocated to the General Fund, certain or all City offices, departments, boards and commissions.

THE BILL WAS READ.

THE BILL WAS PASSED.

*The Ayes and Nays were as follows:*

*Nays:* *0*

*Ayes:* *17 - Councilmembers Reynolds Brown, Greenlee, Goode, Campbell, Kelly, Kenney, Ramos, Savage, Rizzo, DiCicco, Council President Verna, Blackwell, Clarke, Krajewski, Miller, Tasco and O'Neill*

DISCUSSION - BILL NO. 070994 - COUNCILMEMBERS DICICCO, RAMOS, GOODE, CAMPBELL - DICICCO REQUEST THAT BILL NO. 070994 BE HELD - THE UNIONS AND BUILDING TRADES ARE ONLY 8.2 PERCENT MINORITY AND ONLY 6 PERCENT BLACK - (SEE NOTES OF TESTIMONY)

**Bill No. 070994-A, as amended:** An Ordinance Authorizing the Director of Finance, Commissioner of Public Property and other officials of the City to

execute either directly or through the Philadelphia Authority for Industrial Development various agreements, instruments of conveyance and other transactional documents by and among the City, the Commonwealth of Pennsylvania and the Pennsylvania Convention Center Authority related to the development, construction, financing, operation and management of an expanded Pennsylvania Convention Center and including the defeasance of outstanding Pennsylvania Convention Center Authority bonds, the release of the lien of the Trust Indenture dated as of December 15, 1989, as amended and supplemented, relating to such bonds, the termination of the existing Lease and Service Agreement, the sale of the existing Convention Center building and improvements to the Philadelphia Authority for Industrial Development for further conveyance to the Commonwealth of Pennsylvania, or its designee and the execution of a long term ground lease of the land under the existing Convention Center to the Commonwealth of Pennsylvania; all under certain terms and conditions.

THE BILL WAS TABLED.

**Bill No. 070936:** An Ordinance Approving the fourteenth amendment of the redevelopment proposal for the Mantua Urban Renewal Area, being the area beginning at the intersection of Fortieth street and Spring Garden street, including the eleventh amendment to the urban renewal plan and the relocation plan, as amended, which provides, inter alia, for the additional land acquisition of approximately eight (8) properties for residential and related uses; the provision of certain relocation services, as required by law and declaring that condemnation is not imminent with respect to the Project.

THE BILL WAS READ.

THE BILL WAS PASSED.

*The Ayes and Nays were as follows:*

*Ayes:* *17 - Councilmembers Reynolds Brown, Greenlee, Goode, Campbell, Kelly, Kenney, Ramos, Savage, Rizzo, DiCicco, Council President Verna, Blackwell, Clarke, Krajewski, Miller, Tasco and O'Neill*

*Nays:* *0*

**Bill No. 070943:** An Ordinance Approving the second amendment of the redevelopment proposal for the Wister III Urban Renewal Area, being the area generally bounded by Wakefield street and Baynton street, between Wister street and Shedaker street, on the north; Shedaker street and Logan street on the east; Greene street on the south and Queen lane and Bringhurst street, between Germantown avenue and Wakefield street, on the west, including the second amendment to the urban renewal plan and the relocation plan, which provides, inter alia, for the additional land acquisition of approximately three (3)

properties for residential and related uses; the provision of certain relocation services, as required by law; and declaring that condemnation is not imminent with respect to the Project.

THE BILL WAS READ.

THE BILL WAS PASSED.

*The Ayes and Nays were as follows:*

*Ayes:* *17 - Councilmembers Reynolds Brown, Greenlee, Goode, Campbell, Kelly, Kenney, Ramos, Savage, Rizzo, DiCicco, Council President Verna, Blackwell, Clarke, Krajewski, Miller, Tasco and O'Neill*

*Nays:* *0*

**Bill No. 070944:** An Ordinance Approving the eighth amendment of the redevelopment proposal for the Morton Urban Renewal Area, being the area generally bounded by Germantown avenue on the southwest, High street on the northwest, Belfield avenue and Musgrave street on the northeast, the Chestnut Hill Branch of the Reading Railroad on the east, and Chelten avenue on the southeast, including the eighth amendment to the urban renewal plan and the amended relocation plan, which provides, inter alia, for the additional land acquisition of approximately ten (10) properties for residential and related uses; the provision of certain relocation services, as required by law; and declaring that condemnation is not imminent with respect to the Project.

THE BILL WAS READ.

THE BILL WAS PASSED.

*The Ayes and Nays were as follows:*

*Ayes:* *17 - Councilmembers Reynolds Brown, Greenlee, Goode, Campbell, Kelly, Kenney, Ramos, Savage, Rizzo, DiCicco, Council President Verna, Blackwell, Clarke, Krajewski, Miller, Tasco and O'Neill*

*Nays:* *0*

**Bill No. 070946:** An Ordinance Approving the tenth amendment of the redevelopment proposal for the Nicetown Urban Renewal Area, being the area beginning at the intersection of the easterly side of Broad street and the northerly side of Wingohocking street, projected, including the tenth amendment to the urban renewal plan and the amended relocation plan, which provides, inter alia, for the additional land acquisition of approximately nineteen ( 19 ) properties for residential and related uses; the provision of certain relocation services, as required by law; and declaring that condemnation is not imminent with respect to the Project.

THE BILL WAS READ.

THE BILL WAS PASSED.

*The Ayes and Nays were as follows:*

*Ayes:* *17 - Councilmembers Reynolds Brown, Greenlee, Goode, Campbell, Kelly, Kenney, Ramos, Savage, Rizzo, DiCicco, Council President Verna, Blackwell, Clarke, Krajewski, Miller, Tasco and O'Neill*

*Nays:* *0*

**Bill No. 070948:** An Ordinance Amending Section 14-102 of The Philadelphia Code, entitled "Definitions," by amending the definition of "Night Club," all under certain terms and conditions.

THE BILL WAS READ.

THE BILL WAS PASSED.

*The Ayes and Nays were as follows:*

*Nays:* *0*

*Ayes:* *17 - Councilmembers Reynolds Brown, Greenlee, Goode, Campbell, Kelly, Kenney, Ramos, Savage, Rizzo, DiCicco, Council President Verna, Blackwell, Clarke, Krajewski, Miller, Tasco and O'Neill*

**Bill No. 070957:** An Ordinance Approving the fourth amendment of the redevelopment proposal for the Brewerytown Urban Renewal Area, being the area generally bounded by Oxford street on the north, Dover street and Twenty-ninth street on the east, Harper street and Poplar street on the south, Thirty-third street on the west and the Amtrak Railroad right-of-way on the northwest, including the fourth amendment to the urban renewal plan and the second amendment to the relocation plan, which provides, inter alia, for the additional land acquisition of approximately eight (8) properties for residential and related uses; the provision of certain relocation services, as required by law and declaring that condemnation is not imminent with respect to the Project.

THE BILL WAS READ.

THE BILL WAS PASSED.

*The Ayes and Nays were as follows:*

*Ayes:* *17 - Councilmembers Reynolds Brown, Greenlee, Goode, Campbell, Kelly, Kenney, Ramos, Savage, Rizzo, DiCicco, Council President Verna, Blackwell, Clarke, Krajewski, Miller, Tasco and O'Neill*

*Nays:* *0*

**Bill No. 070998:** An Ordinance Approving the plan, estimated costs and proposed method of assessment and charges of the Center City District for and concerning business improvements and administrative services to the central

business district of the City of Philadelphia for 2008-2012; and approving estimated costs for debt service through 2025; all under certain terms and conditions.

THE BILL WAS READ.

THE BILL WAS PASSED.

*The Ayes and Nays were as follows:*

*Ayes:* *17 - Councilmembers Reynolds Brown, Greenlee, Goode, Campbell, Kelly, Kenney, Ramos, Savage, Rizzo, DiCicco, Council President Verna, Blackwell, Clarke, Krajewski, Miller, Tasco and O'Neill*

*Nays:* *0*

**Bill No. 071081:** An Ordinance Amending Chapter 19-3200, entitled "Keystone Opportunity Zone and Economic Development District," by renaming said Chapter "Keystone Opportunity Zone, Economic Development District, And Strategic Development Area," to provide for the contingent exemption, abatement or credit of certain taxes within a specified geographic area, under certain terms and conditions.

THE BILL WAS READ.

THE BILL WAS PASSED.

*The Ayes and Nays were as follows:*

*Ayes:* *17 - Councilmembers Reynolds Brown, Greenlee, Goode, Campbell, Kelly, Kenney, Ramos, Savage, Rizzo, DiCicco, Council President Verna, Blackwell, Clarke, Krajewski, Miller, Tasco and O'Neill*

*Nays:* *0*

**Bill No. 071082:** An Ordinance Authorizing The Philadelphia Municipal Authority, incorporated pursuant to the "Municipality Authorities Act of 1945," P.L. 382, as amended (the "Act"), and an ordinance of Council, approved December 23, 1975, to acquire, hold, construct, improve, maintain, operate, own and lease, either in the capacity of lessor or lessee, to the City of Philadelphia or to others, the real property, facilities, equipment and the improvements thereon located at 91 North 48th Street, Philadelphia, Pennsylvania, for a secure residential detention facility providing educational, health and social services to juveniles in the City of Philadelphia and to be known as the New Youth Center Facility (the "Project"), and to exercise with respect to such Project all powers granted by the Act, subject to certain terms and conditions; and further, authorizing an amendment to the Articles of Incorporation of The Philadelphia Municipal Authority to extend the term of its existence to the year 2054.

THE BILL WAS READ.

THE BILL WAS PASSED.

*The Ayes and Nays were as follows:*

*Nays:* *0*

*Ayes:* *17 - Councilmembers Reynolds Brown, Greenlee, Goode, Campbell, Kelly, Kenney, Ramos, Savage, Rizzo, DiCicco, Council President Verna, Blackwell, Clarke, Krajewski, Miller, Tasco and O'Neill*

**Bill No. 071083, as amended:** An Ordinance Authorizing the Commissioner of Public Property, on behalf of the City and in cooperation with The Philadelphia Municipal Authority (the "Authority"), to undertake a project consisting of the acquisition, design, construction, equipping and leasing of a youth center facility (the "Project") at 91 North 48th Street (the "Property"); authorizing and approving: (i) the sale of the Property by the City to the Authority; (ii) the entering into, execution and delivery of a Lease of the Project from the Authority to the City; (iii) the issuance by the Authority of lease revenue bonds in one or more series, to pay the acquisition price and costs of the Project, and arrangement of interim financing in connection therewith; (iv) the provisions for establishment of credit enhancement, exchange agreements and swaps; (v) the assignment of the Lease by the Authority to a trustee; (vi) the obligation of the City to pay all obligations of the Authority incurred in connection with the issuance of the lease revenue bonds and interim financing, if any (including payments related to any credit enhancement) in the form of rent under the Lease when due; authorizing the Director of Finance and other officers of the City to take such other actions as may be necessary or appropriate to accomplish the intent and purpose of this Ordinance; covenanting that the City will make necessary appropriations in each of the City's fiscal years to provide for rental payments due under the Lease; and covenanting that the City will make rental payments due under the Lease; all under certain terms and conditions.

THE BILL WAS READ.

THE BILL WAS PASSED.

*The Ayes and Nays were as follows:*

*Nays:* *0*

*Ayes:* *17 - Councilmembers Reynolds Brown, Greenlee, Goode, Campbell, Kelly, Kenney, Ramos, Savage, Rizzo, DiCicco, Council President Verna, Blackwell, Clarke, Krajewski, Miller, Tasco and O'Neill*

**Bill No. 070987:** An Ordinance Establishing a parking regulation on Douglas street, west side, Brandwine street to Spring Garden street.

THE BILL WAS READ.

THE BILL WAS PASSED.

*The Ayes and Nays were as follows:*

*Ayes:* *17 - Councilmembers Reynolds Brown, Greenlee, Goode, Campbell, Kelly, Kenney, Ramos, Savage, Rizzo, DiCicco, Council President Verna, Blackwell, Clarke, Krajewski, Miller, Tasco and O'Neill*

*Nays:* *0*

**Bill No. 070988:** An Ordinance Authorizing and directing the revision of lines and grades on a portion of City Plan No. 17-S by striking from the City Plan and vacating Oakford Street from Thirtieth Street to Thirty-first Street, under certain terms and conditions.

THE BILL WAS READ.

THE BILL WAS PASSED.

*The Ayes and Nays were as follows:*

*Ayes:* *17 - Councilmembers Reynolds Brown, Greenlee, Goode, Campbell, Kelly, Kenney, Ramos, Savage, Rizzo, DiCicco, Council President Verna, Blackwell, Clarke, Krajewski, Miller, Tasco and O'Neill*

*Nays:* *0*

**Bill No. 070989:** An Ordinance Authorizing and directing the revision of lines and grades on a portion of City Plan Nos. 387 and 402 by striking from the City Plan and vacating the westerly thirty-two feet wide and variable width portion of Island Avenue from a point approximately nine-hundred one feet south of Penrose Avenue to a point approximately one-hundred two feet south of Escort Street and by placing on the City Plan a right-of-way for drainage purposes, water main purposes, gas main purposes, and public utility purposes within the lines of the portion of Island Avenue being stricken from the City Plan by authority of this Ordinance.

THE BILL WAS READ.

THE BILL WAS PASSED.

*The Ayes and Nays were as follows:*

*Ayes:* *17 - Councilmembers Reynolds Brown, Greenlee, Goode, Campbell, Kelly, Kenney, Ramos, Savage, Rizzo, DiCicco, Council President Verna, Blackwell, Clarke, Krajewski, Miller, Tasco and O'Neill*

*Nays:* *0*

**Bill No. 070990:** An Ordinance Amending Section 2 of an Ordinance (Bill No. 020430) approved November 13, 2002, entitled "An Ordinance authorizing the revision of lines and grades on a portion of City Plan No. 312 by striking from

the City Plan and vacating the legally open portions of Jackson Street from Pearson Street to Aubrey Street, under certain terms and conditions," by extending the period for compliance with the terms and conditions stated therein.

THE BILL WAS READ.

THE BILL WAS PASSED.

*The Ayes and Nays were as follows:*

*Ayes:* *17 - Councilmembers Reynolds Brown, Greenlee, Goode, Campbell, Kelly, Kenney, Ramos, Savage, Rizzo, DiCicco, Council President Verna, Blackwell, Clarke, Krajewski, Miller, Tasco and O'Neill*

*Nays:* *0*

**Bill No. 070991:** An Ordinance Authorizing Evangelismos of Theotokos Greek Orthodox Church to legalize the construction, operation and maintenance of an existing raised platform entrance which consists of two exterior stairs, a handicapped entrance ramp and a raised platform landing providing ingress/egress from the church located on the eastern part of 6501-05 Bustleton Avenue, under certain terms and conditions.

THE BILL WAS READ.

THE BILL WAS PASSED.

*The Ayes and Nays were as follows:*

*Ayes:* *17 - Councilmembers Reynolds Brown, Greenlee, Goode, Campbell, Kelly, Kenney, Ramos, Savage, Rizzo, DiCicco, Council President Verna, Blackwell, Clarke, Krajewski, Miller, Tasco and O'Neill*

*Nays:* *0*

**Bill No. 070992:** An Ordinance Authorizing LaSalle University to construct, own and maintain, an overhead pedestrian bridge crossing the 5600 block of E. Wister Street connecting the Main Campus with Germantown Hospital, under certain terms and conditions.

THE BILL WAS READ.

THE BILL WAS PASSED.

*The Ayes and Nays were as follows:*

*Ayes:* *17 - Councilmembers Reynolds Brown, Greenlee, Goode, Campbell, Kelly, Kenney, Ramos, Savage, Rizzo, DiCicco, Council President Verna, Blackwell, Clarke, Krajewski, Miller, Tasco and O'Neill*

*Nays:* *0*

**Bill No. 070993:** An Ordinance Authorizing and directing the revision of lines and grades on a portion of City Plan Nos. 361 and 367 by placing on the City Plan a fifteen feet wide right-of-way for drainage purposes adjacent to the northwesterly side of Bustleton Avenue and extending from Scotchbrook Drive to a point approximately six-hundred seventy-one feet northeastwardly therefrom, under certain terms and conditions.

THE BILL WAS READ.

THE BILL WAS PASSED.

*The Ayes and Nays were as follows:*

*Ayes:* *17 - Councilmembers Reynolds Brown, Greenlee, Goode, Campbell, Kelly, Kenney, Ramos, Savage, Rizzo, DiCicco, Council President Verna, Blackwell, Clarke, Krajewski, Miller, Tasco and O'Neill*

*Nays:* *0*

**Bill No. 070995:** An Ordinance Amending an Ordinance (Bill No. 060935) approved February 22, 2007, entitled "Granting permission to Aruna Patel, owner and operator of the newsstand located on the northeast corner of Ninth and Chestnut Streets, to construct, use and maintain conduits for fiber optic facilities in, under and across the northeast corner of Ninth and Chestnut Streets, for the purpose of supplying telephone service to said newsstand," by deleting Section 5 it in its entirety.

THE BILL WAS READ.

THE BILL WAS PASSED.

*The Ayes and Nays were as follows:*

*Ayes:* *17 - Councilmembers Reynolds Brown, Greenlee, Goode, Campbell, Kelly, Kenney, Ramos, Savage, Rizzo, DiCicco, Council President Verna, Blackwell, Clarke, Krajewski, Miller, Tasco and O'Neill*

*Nays:* *0*

**Bill No. 070996:** An Ordinance Amending an Ordinance (Bill No. 060937) approved February 22, 2007, entitled "Granting permission to Ashwin B. Patel and Rams Newsstand, owner and operator of the newsstand located on the southwest corner of Tenth and Chestnut Streets, to construct, use and maintain conduits for fiber optic facilities in, under and across the southwest corner of Tenth and Chestnut Streets, for the purpose of supplying electrical service and telephone service to said newsstand," by deleting Section 5 it in its entirety.

THE BILL WAS READ.

THE BILL WAS PASSED.

*The Ayes and Nays were as follows:*

*Nays:* *0*

*Absent:* *1 - Councilmember Tasco*

*Ayes:* *16 - Councilmembers Reynolds Brown, Greenlee, Goode, Campbell, Kelly, Kenney, Ramos, Savage, Rizzo, DiCicco, Council President Verna, Blackwell, Clarke, Krajewski, Miller and O'Neill*

**Bill No. 070997:** An Ordinance Authorizing and directing the revision of lines and grades on a portion of City Plan No. 97 by striking from the City Plan and vacating Reese Street from Kater Street to Bainbridge Street, under certain terms and conditions.

THE BILL WAS READ.

THE BILL WAS PASSED.

*The Ayes and Nays were as follows:*

*Absent:* *1 - Councilmember Tasco*

*Ayes:* *16 - Councilmembers Reynolds Brown, Greenlee, Goode, Campbell, Kelly, Kenney, Ramos, Savage, Rizzo, DiCicco, Council President Verna, Blackwell, Clarke, Krajewski, Miller and O'Neill*

*Nays:* *0*

**Bill No. 071006:** An Ordinance Amending Section 2 of an Ordinance (Bill No. 050516) approved June 29, 2005, entitled "An Ordinance authorizing and directing the revision of lines and grades on a portion of City Plan No. 120 by striking from the City Plan and vacating Harlan Street, Stewart Street, and Nassau Street, each from 21st Street to 22nd Street and by reserving and placing on City Plan a right-of-way for gas main purposes within the beds of Stewart Street and Nassau Street being stricken under authority of this Ordinance, all under certain terms and conditions", by extending the period for compliance with the terms and conditions stated therein.

THE BILL WAS READ.

THE BILL WAS PASSED.

*The Ayes and Nays were as follows:*

*Absent:* *1 - Councilmember Tasco*

*Ayes:* *16 - Councilmembers Reynolds Brown, Greenlee, Goode, Campbell, Kelly, Kenney, Ramos, Savage, Rizzo, DiCicco, Council President Verna, Blackwell, Clarke, Krajewski, Miller and O'Neill*

*Nays:* *0*

**Bill No. 071007:** An Ordinance Authorizing the Water Commissioner, on behalf of the City, to enter into an agreement with the owners of 4641 East Roosevelt Boulevard for the grant of a right-of-way to the City for drainage and sewer purposes through the property along the Tacony Creek from approximately 550 feet east of Whitaker Avenue to approximately 750 feet west of former "I" Street, under certain terms and conditions.

THE BILL WAS READ.

THE BILL WAS PASSED.

*The Ayes and Nays were as follows:*

*Nays:* *0*

*Absent:* *1 - Councilmember Tasco*

*Ayes:* *16 - Councilmembers Reynolds Brown, Greenlee, Goode, Campbell, Kelly, Kenney, Ramos, Savage, Rizzo, DiCicco, Council President Verna, Blackwell, Clarke, Krajewski, Miller and O'Neill*

**Bill No. 070390:** An Ordinance Amending Section 9-605 of The Philadelphia Code, related to "Towing," by increasing the fees charged for the licensure of tow trucks involved in towing operation; and making technical changes; all under certain terms and conditions.

THE BILL WAS READ.

THE BILL WAS PASSED.

*The Ayes and Nays were as follows:*

*Ayes:* *17 - Councilmembers Reynolds Brown, Greenlee, Goode, Campbell, Kelly, Kenney, Ramos, Savage, Rizzo, DiCicco, Council President Verna, Blackwell, Clarke, Krajewski, Miller, Tasco and O'Neill*

*Nays:* *0*

**Bill No. 070556:** An Ordinance Amending Bill No. 040595 (approved June 15, 2005), entitled "An Ordinance amending Title 9 of The Philadelphia Code ("Regulation of Businesses, Trades and Professions") by amending Section 9-605 ("Towing") to prohibit certain towing upon the establishment of a rotational towing system; to define the parameters of the rotational system; and to make certain technical changes; all under certain terms and conditions," to repeal the effective date provision of that ordinance; and amending Section 9-605 to revise the terms pursuant to which a rotational towing system may be established and towers may operate and provisions regarding the fees that towers may charge; all under certain terms and conditions.

THE BILL WAS READ.

THE BILL WAS PASSED.

*The Ayes and Nays were as follows:*

*Ayes:* *17 - Councilmembers Reynolds Brown, Greenlee, Goode, Campbell, Kelly, Kenney, Ramos, Savage, Rizzo, DiCicco, Council President Verna, Blackwell, Clarke, Krajewski, Miller, Tasco and O'Neill*

*Nays:* *0*

**Bill No. 070679:** An Ordinance Amending Chapter 10-1200 of The Philadelphia Code, entitled "Posting of Signs," by authorizing code officials to issue a single code violation notice for multiple sign violations by the same person, in certain circumstances, and making certain technical changes, all under certain terms and conditions.

THE BILL WAS READ.

THE BILL WAS PASSED.

*The Ayes and Nays were as follows:*

*Ayes:* *17 - Councilmembers Reynolds Brown, Greenlee, Goode, Campbell, Kelly, Kenney, Ramos, Savage, Rizzo, DiCicco, Council President Verna, Blackwell, Clarke, Krajewski, Miller, Tasco and O'Neill*

*Nays:* *0*

**Bill No. 070870:** An Ordinance Amending Title 4 of The Philadelphia Code, entitled, "The Philadelphia Building Construction and Occupancy Code," by amending Subcode "F" ("The Philadelphia Fire Code"), by adding a new subsection requiring the installation of carbon monoxide alarms in all new and existing R-3 and R-4 occupancies; by making conforming amendments to Subcode "B" ("The Philadelphia Building Code"), Subcode "EB" ("The Philadelphia Existing Building Code") and Subcode "R" ("The Philadelphia Residential Code"); and by making certain technical changes, all under certain terms and conditions.

THE BILL WAS READ.

THE BILL WAS PASSED.

*The Ayes and Nays were as follows:*

*Ayes:* *17 - Councilmembers Reynolds Brown, Greenlee, Goode, Campbell, Kelly, Kenney, Ramos, Savage, Rizzo, DiCicco, Council President Verna, Blackwell, Clarke, Krajewski, Miller, Tasco and O'Neill*

*Nays:* *0*

**Bill No. 070876, as amended:** An Ordinance Amending Section 9-618 of The Philadelphia Code, entitled "Sale of Spray Paint Containers, Indelible Markers and Etching Acid," by requiring proof of lawful age prior to any purchase of spray paint or indelible marker, by requiring sellers to make a record of such age prior to any sale, and by requiring appropriate programming of electronic equipment to ensure compliance, all under certain terms and conditions.

THE BILL WAS READ.

THE BILL WAS PASSED.

*The Ayes and Nays were as follows:*

*Ayes:* *17 - Councilmembers Reynolds Brown, Greenlee, Goode, Campbell, Kelly, Kenney, Ramos, Savage, Rizzo, DiCicco, Council President Verna, Blackwell, Clarke, Krajewski, Miller, Tasco and O'Neill*

*Nays:* *0*

**Bill No. 070914:** An Ordinance Amending Chapter 10-200 of The Philadelphia Code, entitled "Ethnic Intimidation And Institutional Vandalism," by adding a section prohibiting the display of symbols of racial animus, under certain terms and conditions.

THE BILL WAS READ.

THE BILL WAS PASSED.

*The Ayes and Nays were as follows:*

*Ayes:* *17 - Councilmembers Reynolds Brown, Greenlee, Goode, Campbell, Kelly, Kenney, Ramos, Savage, Rizzo, DiCicco, Council President Verna, Blackwell, Clarke, Krajewski, Miller, Tasco and O'Neill*

*Nays:* *0*

**Bill No. 070999:** An Ordinance Authorizing the President of the Fairmount Park Commission and the Executive Director of Fairmount Park, on behalf of the City of Philadelphia, to enter into a ground lease with the Philadelphia Authority for Industrial Development, under which the City would lease Belmont Mansion and appurtenant buildings, grounds and facilities (collectively, the "Belmont Mansion Complex") to PAID and pursuant to which PAID would enter into a ground sublease with the American Women's Heritage Society, under which AWHS would occupy, operate, and help maintain the Belmont Mansion Complex and develop and operate a museum about the Underground Railroad, under certain terms and conditions.

THE BILL WAS READ.

THE BILL WAS PASSED.

*The Ayes and Nays were as follows:*

*Ayes:* *17 - Councilmembers Reynolds Brown, Greenlee, Goode, Campbell, Kelly, Kenney, Ramos, Savage, Rizzo, DiCicco, Council President Verna, Blackwell, Clarke, Krajewski, Miller, Tasco and O'Neill*

*Nays:* *0*

**Bill No. 071085:** An Ordinance Authorizing the President of the Fairmount Park Commission and the Executive Director of Fairmount Park, on behalf of the City of Philadelphia, to enter into a lease with the Overbrook Park Civic Association ("OPCA") under which the City would lease Rose Recreation Center and appurtenant grounds and facilities to OPCA to occupy and maintain and use to operate programs benefiting the community, under various provisions.

THE BILL WAS READ.

THE BILL WAS PASSED.

*The Ayes and Nays were as follows:*

*Ayes:* *17 - Councilmembers Reynolds Brown, Greenlee, Goode, Campbell, Kelly, Kenney, Ramos, Savage, Rizzo, DiCicco, Council President Verna, Blackwell, Clarke, Krajewski, Miller, Tasco and O'Neill*

*Nays:* *0*

**Bill No. 071002:** An Ordinance Amending Title 15 of The Philadelphia Code, entitled "Parks and Recreation," by requiring the Department of Recreation to provide ten percent of all program activities and budgetary expenditures at one Class A Recreation Center to children with autistic disorders, under certain terms and conditions.

THE BILL WAS READ.

THE BILL WAS PASSED.

*The Ayes and Nays were as follows:*

*Ayes:* *17 - Councilmembers Reynolds Brown, Greenlee, Goode, Campbell, Kelly, Kenney, Ramos, Savage, Rizzo, DiCicco, Council President Verna, Blackwell, Clarke, Krajewski, Miller, Tasco and O'Neill*

*Nays:* *0*

## COMMUNICATIONS

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

- Transmitting a message advising Council that Bill No. 070937, which was passed by Council on November 29, 2007, was signed by the Mayor on December 13, 2007. (File No. 071144)

THE COMMUNICATION WAS READ.

DISCUSSION - COUNCILMEMBER SAVAGE - RESOLUTION NO. 070355 - L&I PERMIT PROCESS - (SEE NOTES OF TESTIMONY)

## RECESS

COUNCIL PRESIDENT VERNA RECESS THE COUNCIL SESSION AT 12:24 P.M. UNTIL 2:30 P.M.

CITY COUNCIL RESUMES SESSION AT 9:45 P.M.

- **Bill No. 070955-AA, 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 Burholme Avenue, Napfle Avenue, Burholme Avenue, Hartel Avenue, Hasbrook Avenue, Central Avenue, Cottman Avenue, Fillmore Avenue and Shelmire Avenue (Extended).

THE BILL WAS READ.

THE BILL WAS PASSED.

*The Ayes and Nays were as follows:*

*Absent:* *1 - Councilmember Kenney*

*Ayes:* *16 - Councilmembers Reynolds Brown, Greenlee, Goode, Campbell, Kelly, Ramos, Savage, Rizzo, DiCicco, Council President Verna, Blackwell, Clarke, Krajewski, Miller, Tasco and O'Neill*

*Nays:* *0*

## COMMUNICATION

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

- Transmitting a message advising Council that Bill No. 070936, which was passed by Council on December 13, 2007, was signed by the Mayor on December 13, 2007. (File No. 071145)

THE COMMUNICATION WAS READ.

## BILLS ON SECOND READING AND FINAL PASSAGE

**Bill No. 070994-A, as amended:** An Ordinance Authorizing the Director of Finance, Commissioner of Public Property and other officials of the City to execute either directly or through the Philadelphia Authority for Industrial Development various agreements, instruments of conveyance and other transactional documents by and among the City, the Commonwealth of Pennsylvania and the Pennsylvania Convention Center Authority related to the development, construction, financing, operation and management of an expanded Pennsylvania Convention Center and including the defeasance of outstanding Pennsylvania Convention Center Authority bonds, the release of the lien of the Trust Indenture dated as of December 15, 1989, as amended and supplemented, relating to such bonds, the termination of the existing Lease and Service Agreement, the sale of the existing Convention Center building and improvements to the Philadelphia Authority for Industrial Development for further conveyance to the Commonwealth of Pennsylvania, or its designee and the execution of a long term ground lease of the land under the existing Convention Center to the Commonwealth of Pennsylvania; all under certain terms and conditions.

THE BILL WAS READ.

COUNCILMEMBER MILLER MOVED TO AMEND BILL NO. 070994

PROPOSED AMENDMENT TO BILL NO. 070994

* * *

Authorizing the Director of Finance, Commissioner of Public Property and other officials of the City to execute either directly or through the Philadelphia Authority for Industrial Development various agreements, instruments of conveyance and other transactional documents by and among the City, the Commonwealth of Pennsylvania and the Pennsylvania Convention Center Authority related to the development, construction, financing, operation and management of an expanded Pennsylvania Convention Center and including the defeasance of outstanding Pennsylvania Convention Center Authority bonds, the release of the lien of the Trust Indenture dated as of December 15, 1989, as amended and supplemented, relating to such bonds, the termination of the existing Lease and Service Agreement, the sale of the existing Convention Center building and improvements to the Philadelphia Authority for Industrial Development for further conveyance to the Commonwealth of Pennsylvania, or its designee and the execution of a long term ground lease of the land under the existing Convention Center to the Commonwealth of Pennsylvania; all under certain terms and conditions.

WHEREAS, By agreement dated December 14, 1989 (authorized by Bill No. 533 of 1989) City and the Pennsylvania Convention Center Authority (the "Authority") entered into a Lease and Service Agreement, as amended and supplemented (the "Original Lease and Service Agreement") pursuant to which, among other things, the City leased certain real property to the Authority (the "Land") and provided for the design, development, construction, operation and management of the Pennsylvania Convention Center (the "Original Convention Center") and payment by the City to the Authority of a certain service fee (the "Service Fee"). The Original Lease and Service Agreement provided that upon its termination, title to all buildings, improvements and fixtures (the "Improvements") would automatically vest in the City without the need for any further action; and

WHEREAS**,** the City, the Authority and the Commonwealth of Pennsylvania (the "Commonwealth") desire to expand and renovate the Original Convention Center (the "Convention Center Project"), and will undertake, or have undertaken, the development, design, construction, and operation of the expansion and renovation of the Original Convention Center consisting of the following:

acquisition of land for the expansion project by the Commonwealth, demolition, site preparation and the design and construction of an approximately 960,000 square foot expansion of the Original Convention Center (the "Expanded Portion," and together with the Original Convention Center, the "Convention Center"). The Expanded Portion will begin at the westerly wall of the Original Convention Center at 13th Street and proceed west to Broad Street and north from Arch Street to Race Street, excluding the Liberty Title

Building; and

renovation of the Original Convention Center to accommodate new elevators and support space including the purchase and installation of furniture, furnishings and equipment (FF&E) for the Expanded Portion. The renovation of the Original Convention Center consists of demolishing and reconstructing approximately 30,000 square feet of the back of the Original Convention Center support spaces; and

WHEREAS, in support of the Convention Center Project, City Council has authorized or is currently considering certain legislation, including; amending Title 14 of the The Philadelphia Code by adding a new Section 14-1632 entitled Convention Center Expansion Area Special District Controls; authorizing the Commonwealth to construct, own and maintain an overbuild on 13th Street between Race and Arch Streets; conveying the City's interest in 1328 Race Street to the Philadelphia Authority for Industrial Development (the "PAID") for further transfer to the Commonwealth; authorizing the revision of lines and grades of streets, alleys and passageways within the Expanded Portion boundaries; and authorizing the Commonwealth to construct, own and maintain encroachments into the right-of-way of the east side of North Broad Street between Arch and Race and the south side of Race between North Broad and 12th Streets; and

WHEREAS**,** under and pursuant to the terms and conditions of a Convention Center Agreement (the "Convention Center Agreement"), the City, the Commonwealth and the Authority intend to set forth the various roles and responsibilities of each of the parties relative to the ongoing management of the Convention Center and the undertaking of the Convention Center Project; and

WHEREAS**,** the Convention Center Agreement shall terminate upon the first to occur of: (i) the defeasance of the outstanding Authority bonds used to finance the Original Convention Center and the release of the lien of the Trust Indenture dated as of December 15, 1989, as amended and supplemented, relating to such bonds (the "Defeasance of Convention Center Bonds") or (ii) June 30, 2008. Upon Defeasance of Convention Center Bonds, the Original Lease and Service Agreement shall terminate and the Authority shall surrender to the City the Land and the Improvements and as otherwise provided among the parties in an agreement of termination of the Original Lease and Service Agreement ("Termination of the Lease and Service Agreement"); and

WHEREAS**,** upon the Defeasance of Convention Center Bonds and the surrender to the City of the Original Convention Center Land and Improvements, the City shall transfer the Improvements to PAID for further transfer to the Commonwealth, or its designee for nominal consideration and shall enter into a ground lease for nominal consideration (the "Ground Lease") with the Commonwealth, or its designee as tenant for the Land; and

WHEREAS**,** a new operating agreement substantially in the form attached as Exhibit B, defining the rights and responsibilities of the City, the Commonwealth and the Authority with regard to the Convention Center Project (the "New Operating Agreement") will be effective upon the expiration of the term of the Convention Center Agreement

pursuant to which the City, will be required to pay an annual service fee to the Authority of $17,486,522.00 in Fiscal Year 2008-09 and $15,000,000.00 in Fiscal Year 2009-10 and thereafter in each fiscal year for the term of the New Operating Agreement; NOW THEREFORE,

*THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:*

Section 1. The Director of Finance is authorized to enter into the Convention Center Agreement among the Commonwealth, the Authority and the City (substantially in the form attached as Exhibit A) which sets forth the various roles and responsibilities of each of the parties thereto relative to the ongoing management of the Convention Center and the undertaking of the Convention Center Project and which terminates on the effective date of the New Operating Agreement, provided that the Convention Center Agreement shall include the following provisions:

(a) The Authority shall enter into a Project Labor Agreement (Agreement) applicable to the Convention Center Project, which Agreement shall include provisions: (i) recognizing that participation by minority and women workforce is an important value for the project; (ii) requiring any union on the project to commit to achieving the aspirational goals in the approved Economic Opportunity Plan for workforce utilization of 40% minority (25% African-American; 10% Hispanic-American and 5% Asian-American), and 10% women; (iii) providing a process for minority and women inclusion through apprenticeship and training programs for previous non-union employees; (iv) requiring at least 350 new apprentices/trainees to be employed through the unions, with quarterly progress reports on compliance with these goals filed with City Council.

(b) The Agreement shall require each participating labor union to agree to identify its membership and the demographics of its membership, to the extent permitted by law.

(c) No labor union shall be permitted to execute the Agreement unless it has entered into a Diversity Plan approved by Council by resolution, which Plan sets forth long-term inclusionary goals for minorities and women to the extent permitted by law, and providing sanctions for non-compliance..

Section 2. The Director of Finance is authorized to enter into the New Operating Agreement among the Commonwealth, the Authority and the City (substantially in the form attached as Exhibit B) which provides inter alia, for the payment by City to PCCA of $17,486,522.00 in Fiscal Year 2008-09 and $15,000,000.00 in Fiscal Year 2009-10 and in each fiscal year thereafter during the term of the New Operating Agreement, but not to extend beyond December 31, 2032. Council agrees to make appropriations in each of the City's fiscal years to provide for payments due under the New Operating Agreement and to

the extent not appropriated in one fiscal year to appropriate in the next fiscal year.

Section 3. The Director of Finance and Commissioner of Public Property are authorized to enter into a Termination of Lease and Service Agreement between the Authority and the City providing for, among other things, the termination of the Original Lease and Service Agreement, the Defeasance of Convention Center Bonds and as otherwise required under the terms of the Original Lease and Service Agreement.

Section 4. The Commissioner of Public Property is authorized to execute and deliver a special warranty deed conveying for nominal consideration the Original Convention Center Improvements to the PAID for further conveyance to the Commonwealth, or its designee at nominal consideration.

Section 5. The Commissioner of Public Property is authorized to enter into a Ground Lease agreement for nominal consideration between City, as landlord and the Commonwealth or its designee, as tenant for the Original Convention Center Land generally bounded by Arch Street, Race Street, 13th Street and 11th Street for a term equal to that of the New Operating Agreement and providing upon termination that title to the Original Convention Center Land and Improvements revert back to the City or its designee.

Section 6. The Director of Finance, Commissioner of Public Property and other officials of the City are authorized to take all actions necessary to accomplish the intent and purpose of this Ordinance.

Section 7. The City Solicitor is hereby authorized to review and to approve all instruments and documents necessary to effectuate this Ordinance, which instruments and documents shall contain such terms and conditions as the City Solicitor shall deem necessary and proper to protect the interests of the City of Philadelphia and carry out the purpose of this Ordinance.

Section 8**.** The Chief Clerk of City Council shall keep on file all exhibits referenced in this Ordinance and shall make them available for inspection by the public
during regular office hours.

* * *

THE AMENDMENT WAS READ

COUNCILMEMBER MILLER MOVED FOR THE ADOOPTION OF THE AMENDMENT

THE MOTION WAS DULY SECONDED AND AGREED TO

THE AMENDMENT TO BILL NO. 070994 WAS ADOPTED

DISCUSSION - COUNCILMEMBER TASCO - BILL NO. 070994 AMENDMENT - CALLS FOR AN EXPLANATION OF THE AMENDMENT FROM THE CITY SOLICITOR ROMULO DIAZ FOR THE RECORD - (SEE NOTES OF TESTIMONY)

**Bill No. 070994-A, as amended:** An Ordinance Authorizing the Director of Finance, Commissioner of Public Property and other officials of the City to execute either directly or through the Philadelphia Authority for Industrial Development various agreements, instruments of conveyance and other transactional documents by and among the City, the Commonwealth of Pennsylvania and the Pennsylvania Convention Center Authority related to the development, construction, financing, operation and management of an expanded Pennsylvania Convention Center and including the defeasance of outstanding Pennsylvania Convention Center Authority bonds, the release of the lien of the Trust Indenture dated as of December 15, 1989, as amended and supplemented, relating to such bonds, the termination of the existing Lease and Service Agreement, the sale of the existing Convention Center building and improvements to the Philadelphia Authority for Industrial Development for further conveyance to the Commonwealth of Pennsylvania, or its designee and the execution of a long term ground lease of the land under the existing Convention Center to the Commonwealth of Pennsylvania; all under certain terms and conditions.

THE BILL WAS AMENDED.

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

## SPEECHES

COUNCILMEMBER TASCO - THANKS COUNCILMEMBERS CAMPBELL, SAVAGE AND RAMOS FOR THIER HARD WORK FOR THEIR CONSTITUENTS AND THAT THEY WILL BE MISSED - (SEE NOTES OF TESTIMONY)

COUNCILMEMBER CAMPBELL - THANKS EVERY SINGLE COUNCILMEMBER FOR THEIR TREMENDOUS SUPPORT THEY GAVE HER AND THE FOURTH DISTRICT - SHE WILL BE HUMBLY GRATEFUL - (SEE NOTES OF TESTIMONY)

COUNCILMEMBER SAVAGE - THANKS THE COUNCIL FOR THIER KIND WORDS AND SUPPORT - (SEE NOTES OF TESTIMONY)

COUNCILMEMBER REAMOS - BISHOP IN ROME THAT HE REACHED OUT TO - (SEE NOTES OF TESTIMONY)

COUNCIL PRESIDENT VERNA - STANDING ROUND OF APPLAUSE FOR CAMPBELL, SAVAGE AND RAMOS - (SEE NOTES OF TESTIMONY)

COUNCILMEMBER O'NEILL - LOSING THREE CLASS ACTS - (SEE NOTES OF TESTIMONY)

COUNCILMEMBER DICICCO - PAYING ATTENTION TO WHERE I AM SITTING - (SEE NOTES OF TESTIMONY)

COUNCILMEMBER CAMPBELL - THANKS COUNCIL PRESIDENT VERNA - (SEE NOTES OF TESTIMONY)

COUNCILMEMBER TASCO MOVED TO ADJOURN
{\RTF1\ANSI\ANSICPG1252\DEFF0\DEFLANG1033{\FONTTBL{\F0\FNIL\FCHARSET0 TIMES NEW ROMAN;}}
\VIEWKIND4\UC1\PARD\F0\FS23 COUNCILMEMBER TASCO STATES: "THERE WILL BE A SPECIAL COUNCIL SESSION ON WEDNESDAY, DECEMBER 19, 2007"
\PAR }
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THE MOTION WAS DULY SECONDED AND AGREED TO.