

JOURNAL OF THE CITY COUNCIL OF PHILADELPHIA



Thursday, November 13, 2008

EXCUSED: 2 - Councilmembers O'Neill and Tasco

PRESENT: 15 - Councilmembers Blackwell, Clarke, Council President Verna, DiCicco, Goode, Green, Greenlee, Jones, Kelly, Kenney, Krajewski, Miller, Reynolds Brown, Rizzo and Sanchez

Council met, a quorum being present.

Pastor Charles Quann of Bethlehem Baptist Church was introduced and offered an appropriate prayer.

COUNCILMEMBER CLARKE MOVED TO APPROVE THE JOURNAL

THE MOTION WAS DULY SECONDED AND AGREED TO.

Councilmember Clarke requested leave of absence for

Councilmember Tasco

THE REQUEST WAS GRANTED.

Councilmember Rizzo requested leave of absence for

Councilmember O'Neill

THE REQUEST WAS GRANTED.

COMMUNICATIONS

The Sergeant-at-Arms present a message from the Mayor as follows:

- Transmitting a resolution finding that a negotiated private sale of General Obligation Bonds is in the best financial interest of the City of Philadelphia. (File No. 080891)

THE COMMUNICATION WAS READ.

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- Transmitting a bill amending Chapter 19-3200, entitled “Keystone Opportunity Zone And Economic Development District,” by providing for additional properties to be added to certain subzones; providing for extensions of the term of benefits for certain properties; and making related and technical changes; all under certain terms and conditions. (File No. 080892)

THE COMMUNICATION WAS READ.

- Transmitting a bill authorizing the Commissioner of Public Property, on behalf of the City, to convey to the Philadelphia Authority for Industrial Development the parcels of land owned by the City in Pike and Monroe Counties, Pennsylvania, that were formerly used by the City to operate Camp William Penn (formally known as Camp Happy), for further conveyance to the Commonwealth of Pennsylvania, acting by and through the Department of Conservation and Natural Resources, for fair market value, under certain terms and conditions. (File No. 080893)

THE COMMUNICATION WAS READ.

- Transmitting a bill authorizing the Commissioner of Public Property, on behalf of the City, to enter into a second amendment to an existing lease between RedGap Limited Partnership and the City for the City's use of certain space located at 4000 North American Street, under certain terms and conditions. (File No. 080894)

THE COMMUNICATION WAS READ.

- Transmitting a bill authorizing the Department of Public Property to enter into a franchise agreement with Verizon Pennsylvania, Inc., pursuant to which Verizon shall have the right to operate and maintain a cable television service within the City of Philadelphia through its cable television system in and along the public rights-of-way and streets of the City, under certain terms and conditions. (File No. 080895)

THE COMMUNICATION WAS READ.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

- Resolution No. 080884:** 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

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improvements thereon, situate in the Third, Sixth, Twenty-fourth and Forty-fourth 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 Krajewski Introduced the following Bill, Sponsored by Councilmember Krajewski:

- ☐ **Bill No. 080874:** An Ordinance To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Tacony Street, Homestead Street, Milnor Street extended, and Dark Run Lane.

THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

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

- ☐ **Resolution No. 080885:** Resolution Proclaiming November 2008 as “American Diabetes Month”.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

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

- ☐ **Resolution No. 080886:** 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 Eleventh and Twelfth 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.

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THE RESOLUTION WAS ADOPTED.

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

- 📄 **Bill No. 080875:** An Ordinance Authorizing the Commissioner of Public Property, on behalf of the City, to convey to the Philadelphia Authority for Industrial Development the parcels of land owned by the City in Pike and Monroe Counties, Pennsylvania, that were formerly used by the City to operate Camp William Penn (formally known as Camp Happy), for further conveyance to the Commonwealth of Pennsylvania, acting by and through the Department of Conservation and Natural Resources, for fair market value, under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE OF THE WHOLE.

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

- 📄 **Bill No. 080876:** An Ordinance Authorizing the Commissioner of Public Property, on behalf of the City, to enter into a second amendment to an existing lease between RedGap Limited Partnership and the City for the City's use of certain space located at 4000 North American Street, under certain terms and conditions.

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

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

- 📄 **Resolution No. 080887:** Resolution Calling on the Administration to obtain an independent impact study before eliminating any engine or ladder company.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

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

- 📄 **Resolution No. 080888:** Resolution Authorizing the Committee on Law and Government to investigate how the City through its procurement process can save taxpayer dollars by joint purchasing with other governmental bodies and agencies.

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THE RESOLUTION WAS READ.

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

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

Bill No. 080877: An Ordinance To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Girard Avenue, Front Street, Spring Garden Street and Sixth Street.

THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

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

Bill No. 080878: An Ordinance Amending Chapter 10-700 of The Philadelphia Code, entitled "Refuse and Littering," by amending the provisions of Section 10-723.2 to prohibit the door-to-door distribution of handbills unless they are handed directly to an occupant; all under certain terms and conditions.

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

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

Resolution No. 080889: Resolution Authorizing the Commissioner of Public Property to execute and deliver to the Redevelopment Authority of the City of Philadelphia, without consideration, deeds conveying conditional fee simple title to certain City-owned lots or pieces of ground with the buildings and improvements thereon, situate in the Thirty-first 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.

DISCUSSION - COUNCILMEMBER CLARKE - MAKES AN ANNOUNCEMENT - (SEE NOTES OF TESTIMONY)

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

- 📄 **Bill No. 080879:** An Ordinance Authorizing the Department of Public Property to enter into a franchise agreement with Verizon Pennsylvania, Inc., pursuant to which Verizon shall have the right to operate and maintain a cable television service within the City of Philadelphia through its cable television system in and along the public rights-of-way and streets of the City, under certain terms and conditions.

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

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

- 📄 **Bill No. 080880:** An Ordinance Authorizing the installation of all-way stop signs at the intersection of 22nd Street and Cherry Street.

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

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

- 📄 **Bill No. 080881:** An Ordinance To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Spring Garden Street, Broad Street, Buttonwood Street and 15th Street.

THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

Councilmember Clarke Introduced (By Request) the following Bill for Councilmember Council President Verna, Sponsored by Councilmember Clarke:

- 📄 **Bill No. 080882:** An Ordinance Amending Chapter 19-3200, entitled “Keystone Opportunity Zone And Economic Development District,” by providing for additional properties to be added to certain subzones; providing for extensions of the term of benefits for certain properties; and making related and technical changes; all under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON FINANCE.

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

- 📄 **Bill No. 080883:** An Ordinance Amending Sections of an Ordinance (Bill No.

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080383) approved June 5, 2008, entitled “An Ordinance authorizing Arch Street Hotel Partners, LLC to construct, own and maintain various encroachments at 1421 Arch Street, all under certain terms and conditions,” by extending the period for compliance and revising the extent of the encroachment, all under certain terms and conditions.

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

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

 **Resolution No. 080890:** Resolution Authorizing City Council's Committee on Fiscal Stability to hold hearings regarding the feasibility and benefits of implementing a coordinated municipal advertising program in Philadelphia.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED & REFERRED TO THE COMMITTEE ON FISCAL STABILITY AND INTERGOVERNMENTAL COOPERATION.

CONSIDERATION OF THE CALENDAR

BILL ON FINAL PASSAGE

 **Bill No. 080622-AA, as amended:** An Ordinance Amending Title 9 of The Philadelphia Code, entitled “Regulation Of Businesses, Trades And Professions,” by adding a new Chapter regulating the erection, use and inspection of tower cranes, all under certain terms and conditions.

THE BILL WAS READ.

THE BILL WAS PASSED.

The Ayes and Nays were as follows:

Ayes: 15 - Councilmembers Blackwell, Clarke, Council President Verna, DiCicco, Goode, Green, Greenlee, Jones, Kelly, Kenney, Krajewski, Miller, Reynolds Brown, Rizzo and Sanchez

Nays: 0

BILLS ON SECOND READING AND FINAL PASSAGE

 **Bill No. 080376, as amended:** An Ordinance Establishing a neighborhood improvement district in an area that generally includes Cheltenham Avenue with boundaries of Wadsworth Avenue on the west and Broad Street on the east, Ogontz Avenue with boundaries of Cheltenham Avenue on the north and 67th Avenue on the south and Wadsworth Avenue with boundaries of Cheltenham

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Avenue on the northeast and Michener Avenue on the southwest; to be known as The Greater Cheltenham Avenue Business Improvement District; designating Greater Cheltenham Avenue Business Improvement District Inc., a Pennsylvania nonprofit corporation, as the Neighborhood Improvement District Management Association for the District; approving a 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 Greater Cheltenham Avenue Business Improvement District Inc. relating to the District; and authorizing Greater Cheltenham Avenue Business Improvement District Inc., to assess property owners within the District a special property assessment fee to be used in accordance with the approved 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: 15 - Councilmembers Blackwell, Clarke, Council President Verna, DiCicco, Goode, Green, Greenlee, Jones, Kelly, Kenney, Krajewski, Miller, Reynolds Brown, Rizzo and Sanchez

Nays: 0

 **Bill No. 080741:** An Ordinance

To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Eleventh Street, Filbert Street, Tenth Street and Market Street.

THE BILL WAS READ.

THE BILL WAS PASSED.

The Ayes and Nays were as follows:

Abstain: 1 - Councilmember Jones

Ayes: 14 - Councilmembers Blackwell, Clarke, Council President Verna, DiCicco, Goode, Green, Greenlee, Kelly, Kenney, Krajewski, Miller, Reynolds Brown, Rizzo and Sanchez

Nays: 0

DISCUSSION - COUNCILMEMBER JONES - (SEE NOTES OF TESTIMONY)

 **Bill No. 080742:** An Ordinance Amending Chapter 14-400 of The Philadelphia Code, entitled “Commercial Entertainment District,” by adding provisions relating to proposed projects in the Center City area and relating to public art, by providing for revised effective dates, and by making technical changes, all under

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THE BILL WAS READ.

THE BILL WAS PASSED.

The Ayes and Nays were as follows:

Ayes: 15 - Councilmembers Blackwell, Clarke, Council President Verna, DiCicco, Goode, Green, Greenlee, Jones, Kelly, Kenney, Krajewski, Miller, Reynolds Brown, Rizzo and Sanchez

Nays: 0

SPEECHES

COUNCILMEMBER KELLY, JONES, BROWN, BLACKWELL AND KENNEY - (SEE NOTES OF TESTIMONY).

COUNCILMEMBER CLARKE MOVED TO ADJOURN

THE MOTION WAS DULY SECONDED AND AGREED TO.