

JOURNAL OF THE CITY COUNCIL OF PHILADELPHIA



Thursday, March 6, 2008

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

Council met, a quorum being present.

Pastor Willie Singletary of City of Refuge Church was introduced and offered an appropriate prayer.

COUNCILMEMBER TASCO MOVED TO APPROVE THE JOURNAL
of the meeting of February 28, 2008

THE MOTION WAS DULY SECONDED AND AGREED TO.

COMMUNICATIONS

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

- Transmitting a resolution approving submission of a Sewage Facilities Planning Module to the Pennsylvania Department of Environmental Protection proposing a revision to the Official Sewage Facilities Plan of the City regarding disposal of sewage from properties located along River Road. (File No. 080268)

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 Tioga Urban Renewal Area, designated as Parcel Nos. 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65 & 66 also sometimes identified by house number and street address for Parcel No. 52 as 1600-1602 West Erie avenue; for Parcel No. 53 as 1628-1630 West Erie avenue; for Parcel No. 54 as 1640-1642 West Erie avenue; for Parcel No. 55 as 1620 West Ontario street; for Parcel No. 56 as 1622 West Ontario street;

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for Parcel No. 57 as 1702-1704 West Ontario street; for Parcel No. 58 as 1501-1503 West Tioga street; for Parcel No. 59 as 1614 West Tioga street; for Parcel No. 60 as 3316-3332 North Fifteenth street; for Parcel No. 61 as 3336-3342 North Fifteenth street; for Parcel No. 62 as 3346 North Fifteenth street; for Parcel No. 63 as 3516-3520 North Fifteenth street; for Parcel No. 64 as 3627-3631 North Fifteenth street; for Parcel No. 65 as 3635 North Fifteenth street and for Parcel No. 66 as 3639 North Fifteenth street; authorizing the Redevelopment Authority to execute the amended redevelopment contract with New Life Affordable Housing Phase, II, L.P. and to take such action as may be necessary to effectuate the amended redevelopment contract, accompanied by an explanatory letter from the Executive Director of the Redevelopment Authority. (File No. 080269)

THE COMMUNICATION WAS READ.

- ☐ Transmitting a bill authorizing the revision of lines and grades on a portion of City Plan Nos. 240 and 296 by placing on the City Plan River Road from the existing northwesterly terminus of Nixon Street to a point approximately ten feet southeast of the Philadelphia-Montgomery County Line; by placing on the City Plan a right of way for drainage purposes, water main purposes, gas main purposes, public utility purposes, and emergency access purposes extending from the northwesterly terminus of River Road to the Philadelphia-Montgomery County Line; and by placing on the City Plan a right of way for drainage purposes and a pumping station on the southwesterly side of the proposed River Road approximately two-thousand one-hundred fifty-nine feet northwest of the existing terminus of Nixon Street; authorizing the opening of the unopened portions of the proposed River Road and the vacating of certain portions of the existing River Road (also known as Nixon Street); and authorizing the acquisition of the said required rights of way by condemnation or agreement; all under certain terms and conditions. (File No. 080270)

THE COMMUNICATION WAS READ.

- ☐ Transmitting a bill authorizing the construction of a sanitary sewer and appurtenant work in a portion of River Road from the Montgomery County Line to Port Royal Avenue and in Nixon Street from Port Royal Avenue to approximately 800 feet north of Shawmont Avenue. (File No. 080271)

THE COMMUNICATION WAS READ.

- ☐ Transmitting a bill authorizing the paving of River Road from the existing northwesterly terminus of Nixon Street to a point approximately ten feet southeast of the Philadelphia-Montgomery County Line. (File No. 080272)

THE COMMUNICATION WAS READ.

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- Transmitting a bill to amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by the County Line, a Railroad R.O.W., Shawmont Avenue and the Schuylkill River, and approving a Master Plan of Development. (File No. 080273)

THE COMMUNICATION WAS READ.

- Transmitting a bill amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning," by amending Chapter 14-1600 entitled "Miscellaneous" by adopting a new §14-1635 entitled "River Road District Controls," under certain terms and conditions. (File No. 080274)

THE COMMUNICATION WAS READ.

- Transmitting a bill 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 and Sharswood Street, each from Nineteenth Street to Twentieth Street, and placing on the City Plan in a new location Harlan Street from Nineteenth Street to Twentieth Street, all under certain terms and conditions, including the dedication to the City, free and clear of all encumbrances, of the bed of the relocated Harlan Street. (File No. 080275)

THE COMMUNICATION WAS READ.

INTRODUCTION OF ORDINANCES AND RESOLUTONS

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

- Bill No. 080244:** An Ordinance Amending Chapter 12-2700 of The Philadelphia Code, entitled "Permit Parking Districts," by restoring the permit parking and renewal fees, within certain permit parking districts to their pre-2007 levels.

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

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

- Bill No. 080245:** An Ordinance Naming and designating the "Robin Hood Dell East" located at Ridge Avenue and Huntingdon Drive as the "Georgie Woods Entertainment Center."

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

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

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portion of City Plan Nos. 240 and 296 by placing on the City Plan River Road from the existing northwesterly terminus of Nixon Street to a point approximately ten feet southeast of the Philadelphia-Montgomery County Line; by placing on the City Plan a right-of-way for drainage purposes, water main purposes, gas main purposes, public utility purposes, and emergency access purposes extending from the northwesterly terminus of River Road to the Philadelphia-Montgomery County Line; and by placing on the City Plan a right-of-way for drainage purposes and a pumping station on the southwesterly side of the proposed River Road approximately two-thousand one-hundred fifty-nine feet northwest of the existing terminus of Nixon Street; authorizing the opening of the unopened portions of the proposed River Road and the vacating of certain portions of the existing River Road (also known as Nixon Street); and authorizing the acquisition of the said required rights-of-way by condemnation or agreement; all under certain terms and conditions.

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

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

Bill No. 080247: An Ordinance Authorizing the construction of sanitary sewers and appurtenant work in portions of River Road and Nixon Street.

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

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

Bill No. 080248: An Ordinance Authorizing the paving of River Road from the existing northwesterly terminus of Nixon Street to a point approximately ten feet southeast of the Philadelphia-Montgomery County Line.

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

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

Bill No. 080249: An Ordinance To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by the County Line, a Railroad R.O.W., Shawmont Avenue and the Schuylkill River, and approving a Master Plan of Development.

THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

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

Bill No. 080250: An Ordinance Amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning," by amending Chapter 14-1600, entitled

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“Miscellaneous,” by adopting a new Section 14-1635, entitled "River Road District Controls," under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

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

-  **Bill No. 080251:** An Ordinance Establishing a neighborhood improvement district in an area that generally includes the east and west sides of Aramingo Avenue starting at 2700 Aramingo Avenue to 3995 Aramingo Avenue and the following blocks of streets: 2345 to 2363 E. Allegheny Avenue; 3300 to 3700 Gaul Street; 3300 to 3700 East Side Tulip Street; 3300 to 3400 Memphis Street; 2201 to 2270 E. Butler Street; 2230 to 2701 Castor Avenue; 2500 E. Ontario Street; 3701 to 3801 Sepviva Street; 3740 E. Thompson Street; 2400 to 2627 E. Tioga Street; 2335 to 2501 E. Westmoreland Street; 2415 to 2651 Wheatsheaf Lane; to be known as the Aramingo Avenue Shopping District; designating Impact Community Development Corporation, 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 Impact Community Development Corporation, relating to the District; and authorizing Impact Community Development Corporation 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 REFERRED TO THE COMMITTEE ON RULES.

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

-  **Bill No. 080252:** An Ordinance Authorizing and directing the revision of curb lines and grades on a portion of City Plan No. 97 by relocating the easterly curb line of Broad street approximately nine feet six inches eastwardly, from a point approximately seventy-seven feet one inch south of the south curb line of Fitzwater street to a point approximately one hundred twelve feet two inches south of the south curb line of Fitzwater street, under certain terms and conditions.

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

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

- 📄 **Bill No. 080253-A:** An Ordinance To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Front Street, Lombard Street, 2nd Street, and Pine Street.

THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

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

- 📄 **Bill No. 080254:** 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 and Sharswood Street, each from Nineteenth Street to Twentieth Street, and placing on the City Plan in a new location Harlan Street from Nineteenth Street to Twentieth Street, all under certain terms and conditions, including the dedication to the City, free and clear of all encumbrances, of the bed of the relocated Harlan Street.

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

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

- 📄 **Bill No. 080255:** An Ordinance To amend the Institutional Development District Master Plan of Community College of Philadelphia by allowing for the construction of a new building to be used for additional classroom space, dining and educational space at the College.

THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

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

- 📄 **Bill No. 080256:** An Ordinance To amend the Institutional Development District Master Plan of Community College of Philadelphia by allowing for the construction of an addition to an already existing building to be used for additional classroom and educational space at the College.

THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

RESOLUTIONS

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Councilmember Kenney Introduced the following Resolution for Councilmember Council President Verna, Sponsored by Councilmembers Kenney, Goode, Jones, Greenlee, Tasco, Blackwell, Rizzo, Sanchez, DiCicco, Reynolds Brown, Green, Miller and Krajewski:

- ☐ **Resolution No. 080257:** Resolution Recognizing the Anita C. Carboni Athletic Association On Its Many Contributions to the Children of Our Community.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

Councilmember Krajewski Introduced the following Resolution, Sponsored by Councilmembers Krajewski and Green:

- ☐ **Resolution No. 080258:** Resolution Recognizing PECO Energy's Worker Safety Program that averted a tragedy on February 27, 2008 when two linemen were rescued atop a 130 foot pole tower.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

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

- ☐ **Resolution No. 080259:** Resolution Declaring March 31 to April 4 as National Youth Violence Prevention Week and commending the leadership of the Pennsylvania Department of Health's PIRIS Project.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

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

- ☐ **Resolution No. 080260:** 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 Tioga Urban Renewal Area, designated as Parcel Nos. 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65 & 66 also sometimes identified by house numbers and street addresses for Parcel No. 52 as 1600-1602 West Erie avenue; for Parcel No. 53 as 1628-1630 West Erie avenue; for Parcel No. 54 as 1640-1642 West Erie avenue; for Parcel No. 55 as 1620 West Ontario street; for Parcel No. 56 as 1622 West Ontario street; for Parcel No. 57 as 1702-1704 West Ontario street; for Parcel No. 58 as 1501-1503 West Tioga street; for Parcel No. 59 as 1614

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West Tioga street; for Parcel No. 60 as 3316-3332 North Fifteenth street; for Parcel No. 61 as 3336-3342 North Fifteenth street; for Parcel No. 62 as 3346 North Fifteenth street; for Parcel No. 63 as 3516-3520 North Fifteenth street; for Parcel No. 64 as 3627-3631 North Fifteenth street; for Parcel No. 65 as 3635 North Fifteenth street and for Parcel No. 66 as 3639 North Fifteenth street; authorizing the Redevelopment Authority to execute the amended redevelopment contract with New Life Affordable Housing Phase, II, L.P. and to take such action as may be necessary to effectuate the amended redevelopment contract.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

Councilmember Sanchez Introduced the following Resolution, Sponsored by Councilmembers Sanchez and Greenlee:

- ☐ **Resolution No. 080261:** Resolution Authorizing the Council Committee on Education to hold hearings to investigate the present state of secondary education in Philadelphia public schools, and explore ways to improve educational achievement in compliance with the federal No Child Left Behind Act.

THE RESOLUTION WAS READ.

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

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

- ☐ **Resolution No. 080262:** Resolution Authorizing the Committee on Commerce and Economic Development to hold hearings to inquire and investigate the missions, agreements, funding, policies, structure, business plans, operating and capital budgets, coordination efforts and effectiveness of various economic development departments, authorities and agencies operating in the City of Philadelphia.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

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

- ☐ **Resolution No. 080263:** Resolution Authorizing the Committee on Licenses and Inspections to hold hearings to investigate the causes of the large number of false burglar alarm activations in Philadelphia, to examine the fiscal impact of

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these false activations and to propose solutions to reduce the number false activations and their negative impact on the City's financial resources and policing capabilities.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED & REFERRED TO THE COMMITTEE ON LICENSES AND INSPECTIONS.

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

- 📄 **Resolution No. 080264:** Resolution Approving submission of a Sewage Facilities Planning Module to the Pennsylvania Department of Environmental Protection proposing a revision to the Official Sewage Facilities Plan of the City regarding disposal of sewage from properties located along River Road.

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

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

- 📄 **Resolution No. 080265:** Resolution Authorizing the Committee on Commerce and Economic Development to hold hearings on the study of lending disparities recently released by the City Treasurer.

THE RESOLUTION WAS READ.

DISCUSSION - COUNCILMEMBER GOODE - RESOLUTION NO. 080265 - ON TUESDAY THE CITY TREASURER RELEASED THE LATEST COMPREHENSIVE STUDY ON LENDING DISPARITIES - (SEE NOTES OF TESTIMONY)

- 📄 **Resolution No. 080265:** Resolution Authorizing the Committee on Commerce and Economic Development to hold hearings on the study of lending disparities recently released by the City Treasurer.

THE RESOLUTION WAS ADOPTED & REFERRED TO THE COMMITTEE ON COMMERCE & ECONOMIC DEVELOPMENT.

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

- 📄 **Resolution No. 080266:** Resolution Calling on the Committee on the Environment and the Committee on Commerce and Economic Development to hold joint hearings on adopting a Green Job Corps to help Philadelphia create a qualified, trained workforce to support local green businesses and contractors.

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THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED & REFERRED TO THE COMMITTEE ON COMMERCE & ECONOMIC DEVELOPMENT.

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

- 📄 **Resolution No. 080267:** Resolution Initiating action to establish a neighborhood improvement district in an area that generally includes the east and west sides of Aramingo Avenue starting at 2700 Aramingo Avenue to 3995 Aramingo Avenue and the following blocks of streets: 2345 to 2363 E. Allegheny Avenue; 3300 to 3700 Gaul Street; 3300 to 3700 East Side Tulip Street; 3300 to 3400 Memphis Street; 2201 to 2270 E. Butler Street; 2230 to 2701 Castor Avenue; 2500 E. Ontario Street; 3701 to 3801 Sepviva Street; 3740 E. Thompson Street; 2400 to 2627 E. Tioga Street; 2335 to 2501 E. Westmoreland Street; 2415 to 2651 Wheatsheaf Lane; to be known as the Aramingo Avenue Shopping District; and for which Impact Community Development Corporation, a Pennsylvania nonprofit corporation, would serve as the Neighborhood Improvement District Management Association; approving a preliminary plan for and report concerning the District; and authorizing and directing the Committee on Rules and the Clerk of Council to take all actions that are required by the Community and Economic Improvement Act prior to enactment of an ordinance that would formally establish the District.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

REPORTS FROM COMMITTEES

COMMITTEE ON FINANCE

- 📄 **Bill No. 080136:** An Ordinance Authorizing the Free Library of Philadelphia, on behalf of the City of Philadelphia to accept a grant from the Commonwealth of Pennsylvania Department of Education for renovations to the Central Library Branch of the Free Library at 1901 Vine Street, pursuant to terms and conditions established by the Commonwealth.

COUNCILMEMBER TASCO MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 080136.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

COMMITTEE ON APPROPRIATIONS

- ☐ **Bill No. 080150:** An Ordinance Authorizing transfers in appropriations for Fiscal Year 2008 within the Grants Revenue Fund from the Director of Finance - Provision for Other Grants to the Law Department and the Board of Trustees of the Free Library of Philadelphia.

THE BILL WAS ORDERED PRINTED AND PLACED ON NEXT FIRST READING CALENDAR.

- ☐ **Bill No. 080151:** An Ordinance Authorizing transfers in appropriations for Fiscal Year 2008 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 to the General Fund, certain or all City offices, departments, boards and commissions.

THE BILL WAS ORDERED PRINTED AND PLACED ON NEXT FIRST READING CALENDAR.

- ☐ **Bill No. 080152:** An Ordinance Authorizing transfers in appropriations for Fiscal Year 2008 within the Aviation Fund from the Managing Director - Office of Fleet Management to the Managing Director - Office of Fleet Management.

THE BILL WAS ORDERED PRINTED AND PLACED ON NEXT FIRST READING CALENDAR.

- ☐ **Bill No. 080153:** An Ordinance Authorizing transfers in appropriations for Fiscal Year 2008 within the Water Fund from the Managing Director - Office of Fleet Management to the Managing Director - Office of Fleet Management.

THE BILL WAS ORDERED PRINTED AND PLACED ON NEXT FIRST READING CALENDAR.

COMMITTEE ON STREETS & SERVICES

- ☐ **Bill No. 080019:** An Ordinance Amending Bill No. 070263 (approved September 20, 2007), entitled "An Ordinance authorizing Northern Star Developments LLC, 5 Eiker Road, Cranberry, NJ 08512, owner of the property at 1617 N. 2nd Street, Philadelphia, PA 19122, to construct, own and maintain multi-level bays and balconies as part of the Oxford Mews residential development project, under certain terms and conditions," by providing that the Bill shall take effect immediately, and by extending the time for compliance with the conditions stated therein.

COUNCILMEMBER SANCHEZ MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 080019.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

 **Bill No. 080030:** An Ordinance Authorizing the paving of St. Thomas Drive, under certain terms and conditions.

COUNCILMEMBER SANCHEZ MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 080030.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

 **Bill No. 080031:** An Ordinance Authorizing the paving of Cates Way, under certain terms and conditions.

COUNCILMEMBER SANCHEZ MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 080031.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

 **Bill No. 080081:** An Ordinance Granting permission to Shailesh Tilwawala, owner and operator of the newsstand located on the northeast corner of Eighth Street and Market Street, to construct, use and maintain conduits for fiber optic facilities in, under and across the northeast corner of Eighth Street and Market Street, for the purpose of supplying electrical service and telephone service to said newsstand.

COUNCILMEMBER SANCHEZ MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 080081.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

 **Bill No. 080086, as amended:** An Ordinance Amending Title 9 of The Philadelphia Code, by amending Section 9-203 relating to Street Vendors and Section 9-205 relating to Sidewalk Sales, by prohibiting street and sidewalk vending on certain portions of 17th Street.

COUNCILMEMBER SANCHEZ MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 080086.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

 **Bill No. 080131, as amended:** An Ordinance Authorizing and directing the revision of lines and grades on a portion of City Plan Nos. 305 and 306 by

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placing on the City Plan Delaware Avenue from Lewis Street to Buckius Street; authorizing the opening of said Delaware Avenue from Lewis Street to Buckius Street, the opening of the unopened portions of Delaware Avenue (currently on the City Plan, partially opened) from the northeasterly side of Lewis Street to a point approximately two-hundred five feet southwestwardly therefrom, and the opening of the unopened portions of Buckius Street (currently on the City Plan, partially opened) from Delaware Avenue to Bath Street; and authorizing the acquisition of certain slope easements adjacent to the right-of-way lines of Delaware Avenue as proposed to be placed on the City Plan and opened by authority of this Ordinance.

COUNCILMEMBER SANCHEZ MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 080131.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

COMMITTEE ON COMMERCE & ECONOMIC DEVELOPMENT

 **Bill No. 080023:** An Ordinance Amending Chapter 17-1500 of The Philadelphia Code, entitled "Annual Disparity Study and Participation Goals," by requiring certain additional information to be included in the Finance Director's required annual report, under certain terms and conditions.

COUNCILMEMBER GOODE MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 080023.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

CONSIDERATION OF THE CALENDAR

BILLS ON FIRST READING

 **Bill No. 080136:** An Ordinance Authorizing the Free Library of Philadelphia, on behalf of the City of Philadelphia to accept a grant from the Commonwealth of Pennsylvania Department of Education for renovations to the Central Library Branch of the Free Library at 1901 Vine Street, pursuant to terms and conditions established by the Commonwealth.

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

 **Bill No. 080019:** An Ordinance Amending Bill No. 070263 (approved September 20, 2007), entitled "An Ordinance authorizing Northern Star

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Developments LLC, 5 Eiker Road, Cranberry, NJ 08512, owner of the property at 1617 N. 2nd Street, Philadelphia, PA 19122, to construct, own and maintain multi-level bays and balconies as part of the Oxford Mews residential development project, under certain terms and conditions,” by providing that the Bill shall take effect immediately, and by extending the time for compliance with the conditions stated therein.

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

 **Bill No. 080030:** An Ordinance Authorizing the paving of St. Thomas Drive, under certain terms and conditions.

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

 **Bill No. 080031:** An Ordinance Authorizing the paving of Cates Way, under certain terms and conditions.

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

 **Bill No. 080081:** An Ordinance Granting permission to Shailesh Tilwawala, owner and operator of the newsstand located on the northeast corner of Eighth Street and Market Street, to construct, use and maintain conduits for fiber optic facilities in, under and across the northeast corner of Eighth Street and Market Street, for the purpose of supplying electrical service and telephone service to said newsstand.

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

 **Bill No. 080086:** An Ordinance Amending Title 9 of The Philadelphia Code, by amending Section 9-203 relating to Street Vendors and Section 9-205 relating to Sidewalk Sales, by prohibiting street and sidewalk vending on certain portions of 17th Street.

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

 **Bill No. 080131:** An Ordinance Authorizing and directing the revision of lines and grades on a portion of City Plan Nos. 305 and 306 by placing on the City Plan Delaware Avenue from Lewis Street to Buckius Street; authorizing the opening of said Delaware Avenue from Lewis Street to Buckius Street, the opening of the unopened portions of Delaware Avenue (currently on the City Plan, partially opened) from the northeasterly side of Lewis Street to a point approximately two-hundred five feet southwestwardly therefrom, and the opening of the unopened portions of Buckius Street (currently on the City Plan, partially opened) from Delaware Avenue to Bath Street; and authorizing the acquisition of certain slope easements adjacent to the right-of-way lines of Delaware Avenue as proposed to be placed on the City Plan and opened by authority of this Ordinance.

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

- ☐ **Bill No. 080132:** 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 ORDERED PLACED ON NEXT WEEK'S SECOND READING CALENDAR.

- ☐ **Bill No. 080133:** 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 ORDERED PLACED ON NEXT WEEK'S SECOND READING CALENDAR.

- ☐ **Bill No. 080023:** An Ordinance Amending Chapter 17-1500 of The Philadelphia Code, entitled "Annual Disparity Study and Participation Goals," by requiring certain additional information to be included in the Finance Director's required annual report, under certain terms and conditions.

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

BILLS ON SECOND READING AND FINAL PASSAGE

- ☐ **Bill No. 080084, as amended:** An Ordinance Authorizing the President of the Fairmount Park Commission, the Executive Director of Fairmount Park, and the Public Property Commissioner, on behalf of the City of Philadelphia, to enter into a lease with the Philadelphia Authority for Industrial Development ("PAID"), to lease City-owned land south of Shelmire Avenue adjacent to the campus of the Fox Chase Cancer Center, Inc. ("Fox Chase") to PAID, under which PAID will enter into a sublease with the Fairmount Park Conservancy ("Conservancy"), a Pennsylvania nonprofit corporation, under which the Conservancy would enter into a sub-sublease and other agreements with Fox Chase, pursuant to which Fox Chase will construct, maintain, and operate cancer research and treatment facilities on the property; and authorizing the President of the Fairmount Park Commission, the Executive Director of Fairmount Park, the Public Property Commissioner, and the City Solicitor to enter into additional

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agreements and take all other actions necessary to complete the transaction contemplated by this Ordinance; all under certain provisions.

THE BILL WAS READ.

DISCUSSION - COUNCILMEMBER O'NEILL - BILL NO. 080084 - LEASE AGREEMENT THAT WILL FINALIZE THE CITY'S EFFORTS TO TRANSFER A PORTION OF BURHOLME PARK TO THE FOX CHASE CANCER CENTER - (SEE NOTES OF TESTIMONY)

DISCUSSION - COUNCILMEMBER TASCO - BILL NO. 080084 - COUNCILMEMBER TASCO RECUSES HERSELF SHE SITS ON THE MINORITY OUTREACH ADVISORY BOARD AT FOX CHASE CANCER CENTER - (SEE NOTES OF TESTIMONY)

DISCUSSION - COUNCILMEMBER BROWN - BILL NO. 080084 - WILL SUPPORT BILL - (SEE NOTES OF TESTIMONY)

Bill No. 080084, as amended: An Ordinance Authorizing the President of the Fairmount Park Commission, the Executive Director of Fairmount Park, and the Public Property Commissioner, on behalf of the City of Philadelphia, to enter into a lease with the Philadelphia Authority for Industrial Development ("PAID"), to lease City-owned land south of Shelmire Avenue adjacent to the campus of the Fox Chase Cancer Center, Inc. ("Fox Chase") to PAID, under which PAID will enter into a sublease with the Fairmount Park Conservancy ("Conservancy"), a Pennsylvania nonprofit corporation, under which the Conservancy would enter into a sub-sublease and other agreements with Fox Chase, pursuant to which Fox Chase will construct, maintain, and operate cancer research and treatment facilities on the property; and authorizing the President of the Fairmount Park Commission, the Executive Director of Fairmount Park, the Public Property Commissioner, and the City Solicitor to enter into additional agreements and take all other actions necessary to complete the transaction contemplated by this Ordinance; all under certain provisions.

THE BILL WAS PASSED.

The Ayes and Nays were as follows:

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

Nays: 0

Abstain: 2 - Councilmembers Green and Tasco

Bill No. 080005, as amended: An Ordinance Amending Title 13 of The Philadelphia Code, entitled "Water and Sewer," by adding a new Chapter regarding termination of water and sewer service and prohibiting the termination of such service on certain days, all under certain terms and conditions.

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THE BILL WAS READ.

DISCUSSION - COUNCILMEMBER GREENLEE - BILL NO. 080005 - BANNING WEEKEND SHUT-OFFS FROM THE WATER REVENUE DEPARTMENT - (SEE NOTES OF TESTIMONY)

 **Bill No. 080005, as amended:** An Ordinance Amending Title 13 of The Philadelphia Code, entitled “Water and Sewer,” by adding a new Chapter regarding termination of water and sewer service and prohibiting the termination of such service on certain days, all under certain terms and conditions.

THE BILL WAS PASSED.

The Ayes and Nays were as follows:

Nays: 0

Ayes: 17 - Councilmembers Blackwell, Clarke, Council President Verna, DiCicco, Goode, Green, Greenlee, Jones, Kelly, Kenney, Krajewski, Miller, O'Neill, Reynolds Brown, Rizzo, Sanchez and Tasco

 **Bill No. 080076:** An Ordinance Amending Bill No. 070368 entitled “An Ordinance approving the Fiscal Year 2008 Capital Budget providing for expenditures for the capital purposes of the Philadelphia Gas Works (including the supplying of funds in connection therewith) subject to certain constraints and conditions, and acknowledging receipt of the Forecast of Capital Budgets for Fiscal Years 2009 through 2013” by approving a revised Capital Budget for Fiscal Year 2008.

THE BILL WAS READ.

THE BILL WAS PASSED.

The Ayes and Nays were as follows:

Ayes: 17 - Councilmembers Blackwell, Clarke, Council President Verna, DiCicco, Goode, Green, Greenlee, Jones, Kelly, Kenney, Krajewski, Miller, O'Neill, Reynolds Brown, Rizzo, Sanchez and Tasco

Nays: 0

 **Resolution No. 080041:** Resolution Proposing an amendment to the Philadelphia Home Rule Charter to separate and further define the responsibilities of the City Representative and the Commerce Department; and providing for the submission of the amendment to the electors of Philadelphia.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

The Ayes and Nays were as follows:

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Ayes: 17 - Councilmembers Blackwell, Clarke, Council President Verna, DiCicco, Goode, Green, Greenlee, Jones, Kelly, Kenney, Krajewski, Miller, O'Neill, Reynolds Brown, Rizzo, Sanchez and Tasco

Nays: 0

Bill No. 080006: An Ordinance Providing for the submission to the qualified electors of the City of Philadelphia of an amendment to the Philadelphia Home Rule Charter separating and further defining the responsibilities of the City Representative and the Commerce Department; 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 READ.

THE BILL WAS PASSED.

The Ayes and Nays were as follows:

Ayes: 17 - Councilmembers Blackwell, Clarke, Council President Verna, DiCicco, Goode, Green, Greenlee, Jones, Kelly, Kenney, Krajewski, Miller, O'Neill, Reynolds Brown, Rizzo, Sanchez and Tasco

Nays: 0

Resolution No. 080040, as amended: Resolution Proposing an amendment to the Philadelphia Home Rule Charter to allow the Administrative Board to increase the number of deputies exempt from civil service in City departments, and providing for the submission of the amendment to the electors of Philadelphia.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

The Ayes and Nays were as follows:

Ayes: 16 - Councilmembers Clarke, Council President Verna, DiCicco, Goode, Green, Greenlee, Jones, Kelly, Kenney, Krajewski, Miller, O'Neill, Reynolds Brown, Rizzo, Sanchez and Tasco

Nays: 1 - Councilmember Blackwell

Bill No. 080008: An Ordinance Providing for the submission to the qualified electors of the City of Philadelphia of an amendment to the Philadelphia Home Rule Charter to allow the Administrative Board to increase the number of deputies exempt from civil service in City departments; 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 READ.

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THE BILL WAS PASSED.

The Ayes and Nays were as follows:

Ayes: 16 - Councilmembers Clarke, Council President Verna, DiCicco, Goode, Green, Greenlee, Jones, Kelly, Kenney, Krajewski, Miller, O'Neill, Reynolds Brown, Rizzo, Sanchez and Tasco

Nays: 1 - Councilmember Blackwell

COUNCILMEMBER CLARKE MOVED TO ADJOURN

THE MOTION WAS DULY SECONDED AND AGREED TO.