

JOURNAL OF THE CITY COUNCIL OF PHILADELPHIA



Thursday, May 15, 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.

Father Gary Pacitti of Annunciation B.V.M. Parrish was introduced and offered an appropriate prayer

COUNCILMEMBER TASCO MOVED TO APPROVE THE JOURNAL
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SERIF;}}
\VIEWKIND4\UC1\PAR\F0\FS17 OF MAY 8, 2008
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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 Nos. 080253-A, 080302, 080303, 080304, 080305, 080306, 080307, 080308, 080309, 080310, 080311, 080312, 080313, 080314, 080315, 080316, 080317 and 080320, which were passed by Council on May 1, 2008, were signed by the Mayor on May 14, 2008. (File No. 080510)

THE COMMUNICATION WAS READ.

- Transmitting a bill authorizing Bikim Divine to construct and maintain two (2) balconies at 1109 S. 23rd Street, under certain terms and conditions. (File No. 080511)

THE COMMUNICATION WAS READ.

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- Transmitting a bill granting permission to Massimo Criniti, owner of Criniti Restaurante Italiano, to construct, own and maintain an open-air sidewalk café located on the east sidewalk of S. Broad Street north of Moyemensing Avenue, under certain terms and conditions. (File No. 080512)

THE COMMUNICATION WAS READ.

- Transmitting a bill authorizing the Commissioner of Public Property, on behalf of the City, to acquire from the Philadelphia Redevelopment Authority the properties known as 917, 919, 923, 925, 927, 929 and 931 South 22nd Street, under certain terms and conditions. (File No. 080513)

THE COMMUNICATION WAS READ.

- Transmitting a bill authorizing the paving of Health Sciences Drive from Civic Center Boulevard to Convention Avenue, East Service Drive from Civic Center Boulevard to Health Sciences Drive, and West Service Drive from Civic Center Boulevard to Health Sciences Drive, under certain terms and conditions.** (File No. 080514)

THE COMMUNICATION WAS READ.

- Transmitting a bill regulating the direction of movement of traffic on Civic Center Boulevard between Health Sciences Drive and Convention Avenue, and on Convention Avenue between Civic Center Boulevard and Health Sciences Drive, and on Health Sciences Drive between Civic Center Boulevard and Convention Avenue. (File No. 080515)

THE COMMUNICATION WAS READ.

- Transmitting a bill authorizing and directing the revision of lines and grades on a portion of City Plan No. 269 by placing on the City Plan Health Sciences Drive from Civic Center Boulevard to Convention Avenue, placing on the City Plan East Service Drive and West Service Drive each from Civic Center Boulevard to Health Sciences Drive, placing on the City Plan a right of way for various purposes adjacent to Health Sciences Drive, placing on the City Plan a right of way for drainage purposes at the intersection of Civic Center Boulevard and Convention Avenue, and revising the curblines and grades of Civic Center Boulevard, all under certain terms and conditions, including the dedication to the City, free and clear of all encumbrances, of the beds of Health Sciences Drive, East Service Drive, and West Service Drive. (File No. 080516)

THE COMMUNICATION WAS READ.

- Transmitting a bill amending Chapter 19-3200, entitled “Keystone Opportunity Zone And Economic Development District,” by providing for the extension of benefits for certain properties in certain subzones, under certain terms and

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conditions. (File No. 080517)

THE COMMUNICATION WAS READ.

- ☐ Transmitting a bill authorizing the Director of Housing, on behalf of the City, to file applications with the United States Department of Housing and Urban Development (HUD) for a Community Development Block Grant (CDBG); to participate in the HOME Investment Partnership program and the Emergency Shelter Grant (ESG) program; and for a Housing Opportunities for Persons with AIDS (HOPWA) grant; with the Commonwealth to obtain grants under the Act of April 12, 1956, P.L. 1449, Section 4, as amended, to prevent and eliminate blight; authorizing the Director of Housing and Director of Commerce to obtain other grants from the Commonwealth; authorizing the Director of Commerce to use the Section 108 Loan Guarantee Program; and authorizing the Director of Housing and the Director of Commerce to enter into all understandings and assurances contained in such applications and take all necessary action to accept the grants, all under certain terms and conditions. (File No. 080518)

THE COMMUNICATION WAS READ.

- ☐ Transmitting a bill approving the Fiscal Year 2009 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 2010 through 2014. (File No. 080519)

THE COMMUNICATION WAS READ.

- ☐ Transmitting a bill authorizing the Philadelphia Municipal Authority, incorporated pursuant to the "Municipality Authorities Act of 1945," P.L. 382, as amended (the "Act"), to design, build, finance, own, operate, maintain, and lease facilities and equipment, and provide related services, for the management of the City's wastewater treatment solids; all under certain terms and conditions, accompanied by an explanatory letter from the Water Commissioner. (File No. 080520)

THE COMMUNICATION WAS READ.

- ☐ Transmitting a bill authorizing the Commissioner of Public Property, on behalf of the City of Philadelphia, to enter into a lease agreement with the Philadelphia Municipal Authority for further sublease to Philadelphia Biosolids Services, LLC., a certain portion of a parcel of ground located at 7800 Penrose Ferry Road; all under certain terms and conditions, accompanied by an explanatory

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letter from the Water Commissioner. (File No. 080521)

THE COMMUNICATION WAS READ.

- ☐ Transmitting a bill authorizing the Water Commissioner and the Procurement Commissioner, on behalf of the City of Philadelphia, to enter into a Service Contract with the Philadelphia Municipal Authority, pursuant to which the City will assume certain obligations under an agreement that the Authority will enter into with Philadelphia Biosolids Services, LLC to design, finance, build, own and maintain facilities and equipment, and provide operating services, for the management of the City's wastewater treatment solids; all under certain terms and conditions, accompanied by an explanatory letter from the Water Commissioner. (File No. 080522)

THE COMMUNICATION WAS READ.

INTRODUCTION OF ORDINANCES AND RESOLUTIONS

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

THE MOTION WAS DULY SECONDED AND AGREED TO

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

- ☐ **Bill No. 080485:** An Ordinance Amending Title 4 of The Philadelphia Code, entitled “The Philadelphia Building Construction and Occupancy Code,” by amending Subcode “B” (“The Philadelphia Building Code”), by amending the provisions of Chapter 33, relating to safeguards during construction, and, in particular, the provisions relating to covered walkways and other measures for the protection of pedestrians during construction, all under certain terms and conditions.

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

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

- ☐ **Bill No. 080486:** An Ordinance Amending Chapter 19-3200, entitled “Keystone Opportunity Zone And Economic Development District,” by providing for the extension of benefits for certain properties in certain subzones, under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON FINANCE.

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

- 📄 **Bill No. 080487:** An Ordinance Authorizing and directing the revision of lines and grades on a portion of City Plan No. 269 by placing on the City Plan Health Sciences Drive from Civic Center Boulevard to Convention Avenue, placing on the City Plan East Service Drive and West Service Drive each from Civic Center Boulevard to Health Sciences Drive, placing on the City Plan a right-of-way for various purposes adjacent to Health Sciences Drive, placing on the City Plan a right-of-way for drainage purposes at the intersection of Civic Center Boulevard and Convention Avenue, and revising the curblines and grades of Civic Center Boulevard, all under certain terms and conditions, including the dedication to the City, free and clear of all encumbrances, of the beds of Health Sciences Drive, East Service Drive, and West Service Drive.

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

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

- 📄 **Bill No. 080488:** An Ordinance Regulating the direction of movement of traffic on Civic Center Boulevard between Health Sciences Drive and Convention Avenue, and on Convention Avenue between Civic Center Boulevard and Health Sciences Drive, and on Health Sciences Drive between Civic Center Boulevard and Convention Avenue.

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

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

- 📄 **Bill No. 080489:** An Ordinance Authorizing the paving of Health Sciences Drive from Civic Center Boulevard to Convention Avenue, East Service Drive from Civic Center Boulevard to Health Sciences Drive, and West Service Drive from Civic Center Boulevard to Health Sciences Drive, under certain terms and conditions.

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

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

- 📄 **Bill No. 080490:** An Ordinance Authorizing the revision of lines and grades on City Plan No. 44 by striking from the City Plan and vacating Race Street from Thirty-third Street to Thirty-fourth Street and reserving and placing on the City

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Plan a right-of-way for drainage purposes, water main purposes and public utility purposes, all under certain terms and conditions.

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

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

- 📄 **Bill No. 080491:** An Ordinance To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Harbison Avenue, Tulip Street, (former) Harbison Avenue, Eadom Street and Bridge Street.

THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

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

- 📄 **Bill No. 080492:** An Ordinance Establishing a no truck parking regulation on both sides of Knorr Street, between Frankford Avenue and Charles Street.

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

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

- 📄 **Bill No. 080493:** An Ordinance Amending Chapter 9-200 of The Philadelphia Code, entitled “Commercial Activities on Streets,” by amending Section 9-211, entitled “Boxes for the Distribution of News and Printed Material,” relating to the regulation of newspaper boxes on the public sidewalk, by including certain portions of Frankford and Torresdale avenues within the boundaries subject to the provisions of this Section, and making certain technical changes, all under certain terms and conditions.

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

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

- 📄 **Bill No. 080494:** An Ordinance Authorizing Bikim Divine to construct and maintain two (2) balconies at 1109 S. 23rd Street, under certain terms and conditions.

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

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

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☐ Authority, incorporated pursuant to the “Municipality Authorities Act of 1945,” P.L. 382, as amended (the “Act”), to design, build, finance, own, operate, maintain, and lease facilities and equipment, and provide related services, for the management of the City's wastewater treatment solids; all under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON FINANCE.

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

☐ **Bill No. 080496:** An Ordinance Authorizing the Commissioner of Public Property, on behalf of the City, to acquire from the Philadelphia Redevelopment Authority the properties known as 917, 919, 923, 925, 927, 929 and 931 South 22nd Street, under certain terms and conditions.

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

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

☐ **Bill No. 080497:** An Ordinance Granting permission to Massimo Criniti, owner of Criniti Restaurante Italiano, to construct, own and maintain an open-air sidewalk café located on the east sidewalk of S. Broad Street north of Moyemensing Avenue, under certain terms and conditions.

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

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

☐ **Bill No. 080498:** An Ordinance Authorizing the Water Commissioner and the Procurement Commissioner, on behalf of the City of Philadelphia, to enter into a Service Contract with the Philadelphia Municipal Authority, pursuant to which the City will assume certain obligations under an agreement that the Authority will enter into with Philadelphia Biosolids Services, LLC to design, finance, build, own and maintain facilities and equipment, and provide operating services, for the management of the City's wastewater treatment solids; all under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON FINANCE.

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

☐ **Bill No. 080499:** An Ordinance Authorizing the Commissioner of Public

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Property, on behalf of the City of Philadelphia, to enter into a lease agreement with the Philadelphia Municipal Authority for further sublease to Philadelphia Biosolids Services, LLC., a certain portion of a parcel of ground located at 7800 Penrose Ferry Road; all under certain terms and conditions.

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

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

- ☐ **Bill No. 080500:** An Ordinance Authorizing the Director of Housing, on behalf of the City, to file applications with the United States Department of Housing and Urban Development (HUD) for a Community Development Block Grant (CDBG); to participate in the HOME Investment Partnership program and the Emergency Shelter Grant (ESG) program; and for a Housing Opportunities for Persons with AIDS (HOPWA) grant; with the Commonwealth to obtain grants under the Act of April 12, 1956, P.L. 1449, Section 4, as amended, to prevent and eliminate blight; authorizing the Director of Housing and Director of Commerce to obtain other grants from the Commonwealth; authorizing the Director of Commerce to use the Section 108 Loan Guarantee Program; and authorizing the Director of Housing and the Director of Commerce to enter into all understandings and assurances contained in such applications and take all necessary action to accept the grants, all under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON FINANCE.

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

- ☐ **Bill No. 080501:** An Ordinance Approving the Fiscal Year 2009 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 2010 through 2014.

THE BILL WAS REFERRED TO THE COMMITTEE ON FINANCE.

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

- ☐ **Bill No. 080502:** An Ordinance To amend an Ordinance authorizing La Salle 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.

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

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

- 📄 **Bill No. 080503:** An Ordinance Authorizing the James Thomas Development Company to construct, operate and maintain a building extension located at 4300 Boone Street at Roxborough Avenue, Philadelphia, PA, 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. 080504:** An Ordinance Authorizing the installation of all-way stop signs at the intersection of Quentin and Salignac Streets.

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

RESOLUTIONS

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

- 📄 **Resolution No. 080505:** Resolution Authorizing the Committee on Legislative Oversight to hold public hearings to investigate how City departments coordinate with each other to prepare and conduct street closures for street resurfacing and reconstruction projects.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED & REFERRED TO THE COMMITTEE ON LEGISLATIVE OVERSIGHT.

Councilmember Kenney Introduced the following Resolution, Sponsored by Councilmembers Kenney, Council President Verna and Clarke:

- 📄 **Resolution No. 080506:** Resolution Supporting Temple University's bid to host a National Collegiate Athletic Association Women's Final Four Division I Tournament in 2012 through 2016.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

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

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Property to execute and deliver to the Redevelopment Authority of the City of Philadelphia, without consideration, deeds conveying conditional fee simple title to certain City-owned lots or pieces of ground with the buildings and improvements thereon, situate in the Thirty-sixth Ward of the City of Philadelphia, pursuant to Chapter 16-400 of The Philadelphia Code and authorizing the Redevelopment Authority of the City of Philadelphia to dispose of such properties for rehabilitation and/or improvement in accordance with the terms of Chapter 16-400 of The Philadelphia Code.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

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

Resolution No. 080508: Resolution Authorizing the Committee on Transportation and Public Utilities and the Committee on the Environment to investigate and hold joint public hearings on the designation of zones or areas in which demonstration projects and sustainable strategies can be explored to increase the use of renewable energy, green building design and construction, water conservation, urban agriculture, tools to reduce greenhouse gas emissions and other environmental strategies.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED & REFERRED TO THE JOINT COMMITTEES ON THE ENVIRONMENT AND TRANSPORTATION & PUBLIC UTILITIES.

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

Resolution No. 080509: 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 Fifteenth, 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.

REPORTS FROM COMMITTEES

COMMITTEE OF THE WHOLE

 **Bill No. 080022, as amended:** An Ordinance Amending Section 19-2604 of The Philadelphia Code, relating to tax rates, credits and alternative tax computation for the business privilege tax, by reducing certain tax rates; all under certain terms and conditions.

COUNCILMEMBER TASCO MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 080022.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

 **Bill No. 080154, as amended:** An Ordinance To adopt a Capital Program for the six Fiscal Years 2009-2014 inclusive.

COUNCILMEMBER TASCO MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 080154.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

 **Bill No. 080155, as amended:** An Ordinance To adopt a Fiscal 2009 Capital Budget.

COUNCILMEMBER TASCO MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 080155.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

 **Bill No. 080156, as amended:** An Ordinance Adopting the Operating Budget for Fiscal Year 2009.

COUNCILMEMBER TASCO MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 080156.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

 **Bill No. 080158:** An Ordinance Amending Section 19-1801 of The Philadelphia Code, entitled "Authorization of Tax," to further authorize the Board of Education of the School District of Philadelphia to impose a tax on real estate within the City of Philadelphia; all under certain terms and conditions.

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COUNCILMEMBER TASCO MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 080158.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

 **Bill No. 080159:** An Ordinance Amending Chapter 19-1800 of The Philadelphia Code, entitled "School Tax Authorization," by amending Section 19-1806, entitled "Authorization of Realty Use and Occupancy Tax," to further authorize the Board of Education of the School District of Philadelphia to impose a tax on the use or occupancy of real estate within the School District of Philadelphia.

COUNCILMEMBER TASCO MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 080159.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

 **Bill No. 080160:** An Ordinance Amending Chapter 19-1200 of The Philadelphia Code, entitled "Parking Tax," by establishing a rate of taxation on parking transactions for fiscal year 2009 and thereafter.

COUNCILMEMBER TASCO MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 080160.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

 **Bill No. 080161, as amended:** An Ordinance Amending Chapter 19-1500 of The Philadelphia Code, entitled "Wage and Net Profits Tax," by revising certain tax rates and making technical changes, all under certain terms and conditions.

COUNCILMEMBER TASCO MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 080161.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

 **Bill No. 080168:** An Ordinance Amending Chapter 19-2600 of The Philadelphia Code, entitled "Business Privilege Taxes," by revising certain types of business privilege licenses, under certain terms and conditions.

COUNCILMEMBER TASCO MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 080168.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

☐ **Resolution No. 080173, as amended:** Resolution Providing for the approval by the Council of the City of Philadelphia of a Revised Five Year Financial Plan for the City of Philadelphia covering Fiscal Years 2009 through 2013, and incorporating proposed changes with respect to Fiscal Year 2008, which is to be submitted by the Mayor to the Pennsylvania Intergovernmental Cooperation Authority (the "Authority") pursuant to the Intergovernmental Cooperation Agreement, authorized by an ordinance of this Council approved by the Mayor on January 3, 1992 (Bill No. 1563-A), by and between the City and the Authority.

THE RESOLUTION WAS FAVORABLE RECOMMENDATION; CONSIDERATION AT NEXT STATED COUNCIL MEETING.

☐ **Bill No. 080465:** An Ordinance Amending Title 19 of The Philadelphia Code, entitled "Finance, Taxes and Collections," by adding a new Chapter imposing an Assessment on certain Net Operating Revenue of General Acute Care hospitals, under certain terms and conditions.

COUNCILMEMBER TASCO MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 080465.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

COMMITTEE ON RULES

☐ **Bill No. 080362:** An Ordinance Approving the fourth amendment of the redevelopment proposal for the American Street Industrial Corridor Urban Renewal Area, being the area generally bounded by Lehigh avenue, Berks street and Montgomery avenue on the north, by Second street and Philip street on the east, by Girard avenue, Oxford street and Jefferson street on the south and by Germantown avenue, Sixth street and Fourth street on the west, 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 ten (10) properties for industrial 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.

COUNCILMEMBER KENNEY MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 080362.

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. 080377:** An Ordinance To amend the Institutional Development District Master Plan of LaSalle University by allowing for the expansion of Holroyd Hall.

COUNCILMEMBER KENNEY MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 080377.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

📄 **Bill No. 080401, 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 Grays Ferry Avenue, 30th Street, Titan Street and 31st Street.

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

COMMITTEE ON STREETS & SERVICES

📄 **Bill No. 080129:** An Ordinance Granting permission to Sunil Shroff, owner and operator of the newsstand located on the northwest corner of Fortieth Street and Spruce Street, to construct, use and maintain conduits for fiber optic facilities in, under and across the northwest corner of Fortieth Street and Spruce Street, for the purpose of supplying electrical service and telephone service to said newsstand.

COUNCILMEMBER DICICCO MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 080129.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

📄 **Bill No. 080162:** An Ordinance Amending Chapter 11-200 of The Philadelphia Code, entitled "Openings And Excavations In The Streets," to revise the operative period of permits to break streets and footways for the installation and repair of underground conduit; all under certain terms and conditions.

COUNCILMEMBER DICICCO MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 080162.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

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📄 **Bill No. 080163:** An Ordinance Amending Title 9 of The Philadelphia Code, entitled “Regulation of Businesses, Trades and Professions,” and Title 11 of The Philadelphia Code, entitled “Streets,” to provide authorization to the Streets Department to adopt regulations establishing fees for issuing permits for hauling oversized and overweight vehicles; breaking streets and footways for the installation and repair of underground pipes and conduit; placing construction materials, construction equipment and portable on-demand storage units in the right-of-way; and for providing accelerated service for survey activities and City plan changes and plan reviews of private paving plans; and to establish supplementary inspection fees when the work or activity has been commenced without the permit first having been obtained; all under certain terms and conditions.

COUNCILMEMBER DICICCO MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 080163.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

📄 **Bill No. 080164, as amended:** An Ordinance Amending Chapter 11-600 of The Philadelphia Code, entitled “Construction, Encroachments And Projections Over, On And Under Streets,” make the Streets Department the permitting agency for the placement of construction materials in the right-of-way; adding a section prohibiting the blocking or closure of a roadway or sidewalk for loading or unloading, building maintenance or related activities without a permit; and authorizing the Streets Department to issue regulations for such permits; all under certain terms and conditions.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

📄 **Bill No. 080374:** An Ordinance Establishing a one way regulation on Guilford Street, from Crispin Street to Rowland Avenue, westbound.

COUNCILMEMBER DICICCO MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 080374.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

📄 **Bill No. 080375:** An Ordinance Establishing a one way regulation on Brighton Street, from Sackett Street to Rowland Avenue, eastbound.

COUNCILMEMBER DICICCO MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 080375.

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THE MOTION WAS DULY SECONDED AND AGREED TO.

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

 **Bill No. 080380:** 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 the distance of approximately one hundred twelve feet two inches to a point approximately one hundred eighty-nine feet three inches south of the south curb line of Fitzwater street, under certain terms and conditions.

COUNCILMEMBER DICICCO MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 080380.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

 **Bill No. 080382, as amended:** An Ordinance Authorizing Mariner Commercial Properties, Inc., owner and developer of 1441 Chestnut Street to construct, own and maintain various encroachments to be installed in conjunction with a mixed-use development, all under certain terms and conditions.

COUNCILMEMBER DICICCO MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 080382.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

 **Bill No. 080383, as amended:** 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.

COUNCILMEMBER DICICCO MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 080383.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

 **Bill No. 080384, as amended:** An Ordinance Authorizing Grasso Holdings, Inc. the owner and developer of 1601 Vine Street to construct, own and maintain various encroachments to be installed in conjunction with a mixed-use development, all under certain terms and conditions.

COUNCILMEMBER DICICCO MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 080384.

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THE MOTION WAS DULY SECONDED AND AGREED TO.

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

- 📄 **Bill No. 080404:** An Ordinance Authorizing the construction of a sewer and appurtenant work, required to alleviate unsanitary conditions in a portion of East Willow Grove Avenue.

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

- 📄 **Bill No. 080406, as amended:** An Ordinance Amending Chapter 12-2400 of The Philadelphia Code, entitled "Towing And Immobilizing Of Parked Or Abandoned Vehicles," by the addition and changing of towing zone locations, all under certain terms and conditions.

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

- 📄 **Bill No. 080408:** An Ordinance Granting permission to Howard Foreman, owner of the Island Caribbean Restaurant, 1338-44 Rising Sun Ave., for a raised deck encroachment for accessory seating for the restaurant, under certain terms and conditions.

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

CONSIDERATION OF THE CALENDAR

BILLS ON FIRST READING

- 📄 **Bill No. 080022, as amended:** An Ordinance Amending Section 19-2604 of The Philadelphia Code, relating to tax rates, credits and alternative tax computation for the business privilege tax, by reducing certain tax rates; all under certain terms and conditions.

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

- 📄 **Bill No. 080154, as amended:** An Ordinance To adopt a Capital Program for the six Fiscal Years 2009-2014 inclusive.

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

- 📄 **Bill No. 080155, as amended:** An Ordinance To adopt a Fiscal 2009 Capital Budget.

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

- 📄 **Bill No. 080156, as amended:** An Ordinance Adopting the Operating Budget for Fiscal Year 2009.

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

- ☐ **Bill No. 080158:** An Ordinance Amending Section 19-1801 of The Philadelphia Code, entitled "Authorization of Tax," to further authorize the Board of Education of the School District of Philadelphia to impose a tax on real estate within the City of Philadelphia; all under certain terms and conditions.

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

- ☐ **Bill No. 080159:** An Ordinance Amending Chapter 19-1800 of The Philadelphia Code, entitled "School Tax Authorization," by amending Section 19-1806, entitled "Authorization of Realty Use and Occupancy Tax," to further authorize the Board of Education of the School District of Philadelphia to impose a tax on the use or occupancy of real estate within the School District of Philadelphia.

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

- ☐ **Bill No. 080160:** An Ordinance Amending Chapter 19-1200 of The Philadelphia Code, entitled "Parking Tax," by establishing a rate of taxation on parking transactions for fiscal year 2009 and thereafter.

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

- ☐ **Bill No. 080161, as amended:** An Ordinance Amending Chapter 19-1500 of The Philadelphia Code, entitled "Wage and Net Profits Tax," by revising certain tax rates and making technical changes, all under certain terms and conditions.

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

- ☐ **Bill No. 080168:** An Ordinance Amending Chapter 19-2600 of The Philadelphia Code, entitled "Business Privilege Taxes," by revising certain types of business privilege licenses, under certain terms and conditions.

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

- ☐ **Bill No. 080465:** An Ordinance Amending Title 19 of The Philadelphia Code, entitled "Finance, Taxes and Collections," by adding a new Chapter imposing an Assessment on certain Net Operating Revenue of General Acute Care hospitals, under certain terms and conditions.

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

- ☐ **Bill No. 080362:** An Ordinance Approving the fourth amendment of the redevelopment proposal for the American Street Industrial Corridor Urban Renewal Area, being the area generally bounded by Lehigh avenue, Berks street and Montgomery avenue on the north, by Second street and Philip street on the east, by Girard avenue, Oxford street and Jefferson street on the south and by Germantown avenue, Sixth street and Fourth street on the west, including the

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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 ten (10) properties for industrial 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 ORDERED PLACED ON NEXT WEEK'S SECOND READING CALENDAR.

 **Bill No. 080377:** An Ordinance To amend the Institutional Development District Master Plan of LaSalle University by allowing for the expansion of Holroyd Hall.

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

 **Bill No. 080129:** An Ordinance Granting permission to Sunil Shroff, owner and operator of the newsstand located on the northwest corner of Fortieth Street and Spruce Street, to construct, use and maintain conduits for fiber optic facilities in, under and across the northwest corner of Fortieth Street and Spruce 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. 080162:** An Ordinance Amending Chapter 11-200 of The Philadelphia Code, entitled "Openings And Excavations In The Streets," to revise the operative period of permits to break streets and footways for the installation and repair of underground conduit; all under certain terms and conditions.

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

 **Bill No. 080163:** An Ordinance Amending Title 9 of The Philadelphia Code, entitled "Regulation of Businesses, Trades and Professions," and Title 11 of The Philadelphia Code, entitled "Streets," to provide authorization to the Streets Department to adopt regulations establishing fees for issuing permits for hauling oversized and overweight vehicles; breaking streets and footways for the installation and repair of underground pipes and conduit; placing construction materials, construction equipment and portable on-demand storage units in the right-of-way; and for providing accelerated service for survey activities and City plan changes and plan reviews of private paving plans; and to establish supplementary inspection fees when the work or activity has been commenced without the permit first having been obtained; all under certain terms and conditions.

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

 **Bill No. 080164, as amended:** An Ordinance Amending Chapter 11-600 of The Philadelphia Code, entitled "Construction, Encroachments And Projections

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Over, On And Under Streets,” make the Streets Department the permitting agency for the placement of construction materials in the right-of-way; adding a section prohibiting the blocking or closure of a roadway or sidewalk for loading or unloading, building maintenance or related activities without a permit; and authorizing the Streets Department to issue regulations for such permits; all under certain terms and conditions.

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

 **Bill No. 080374:** An Ordinance Establishing a one way regulation on Guilford Street, from Crispin Street to Rowland Avenue, westbound.

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

 **Bill No. 080375:** An Ordinance Establishing a one way regulation on Brighton Street, from Sackett Street to Rowland Avenue, eastbound.

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

 **Bill No. 080380:** 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 the distance of approximately one hundred twelve feet two inches to a point approximately one hundred eighty-nine feet three inches south of the south curb line of Fitzwater street, under certain terms and conditions.

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📄 **Bill No. 080408:** An Ordinance Granting permission to Howard Foreman, owner of the Island Caribbean Restaurant, 1338-44 Rising Sun Ave., for a raised deck encroachment for accessory seating for the restaurant, 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. 080407:** An Ordinance Authorizing the City's Chief Information Officer, on behalf of the City, to enter into multi-year contracts with one or more providers of on-line legal research services to be used by various City and City-funded agencies, all under certain terms and conditions.

THE BILL WAS READ.

THE BILL WAS PASSED.

The Ayes and Nays were as follows:

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

Nays: 0

SPEECHES

COUNCILMEMBER BROWN - CITY'S '09 BUDGET - (SEE NOTES OF TESTIMONY)

COUNCILMEMBER JONES - SENATOR JOHN EDWARDS AND THE HALF IN TEN CAMPAIGN - (SEE NOTES OF TESTIMONY)

COUNCILMEMBER CLARKE MOVED TO ADJOURN.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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