



Thursday, May 14, 2009

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 Terrence Griffith of First African American Baptist Church was introduced and offered an appropriate prayer.

COUNCILMEMBER TASCO MOVED TO APPROVE THE JOURNAL
of the meeting of May 7, 2009

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. 090124 and 090268, which were passed by Council on April 30, 2009, were signed by the Mayor on May 13, 2009. (File No. 090425)

THE COMMUNICATION WAS READ.

- Transmitting a message advising Council that Bill Nos. 080951 and 090263, which were passed by Council on May 7, 2009, were signed by the Mayor on May 13, 2009. (File No. 090426)

THE COMMUNICATION WAS READ.

- May 13, 2009

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To the President and Members
Of the Council of the City of Philadelphia

Pursuant to Section 2-307 of the Home Rule Charter, I am today transmitting to the Council the recommendation of the City Planning Commission on the following bills:

Bill No. 090190
Bill No. 090191
Bill No. 090246
Bill No. 090263
Bill No. 090265
Bill No. 090294
Bill No. 090295
Bill No. 090296

Sincerely,

Michael A. Nutter
Mayor (File No. 090427)

THE COMMUNICATION WAS READ.

- ☐ Transmitting a bill authorizing the creation of a loan or loans to provide funds for and toward various capital municipal purposes; authorizing the Mayor, City Controller and City Solicitor or a majority of them to sell bonds at public or private negotiated sale; setting forth the capital purposes and the mounts for which the proceeds of the loan or loans will be expended, including reimbursement of City capital expenditures; providing for the maturities and for other terms and conditions and for the form of the bonds; providing that certain bonds may be redeemable prior to maturity; providing sinking funds for the bonds and for appropriations to the Sinking Fund Commission for the payment thereof; authorizing agreements to provide credit or payment or liquidity sources for the bonds and interest rate swaps in connection with issuance of the bonds, and certain other actions; providing for obtaining the consent of the electors to increasing the indebtedness of the City of Philadelphia; and fixing a day for holding the election for obtaining such consent and providing for the arrangements for holding such election. (File No. 090428)

THE COMMUNICATION WAS READ.

- ☐ Transmitting a bill authorizing the National Park Service to construct, own and maintain a building encroachment and steps at 530 Market Street, under certain terms and conditions. (File No. 090429)

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THE COMMUNICATION WAS READ.

- ☐ Transmitting a bill authorizing Ralph Picket to construct, own and maintain, an open-air sidewalk cafe at 3900 Chestnut Street, under certain terms and conditions. (File No. 090430)

THE COMMUNICATION WAS READ.

- ☐ Transmitting a bbill authorizing the President of the Fairmount Park Commission and the Executive Director of Fairmount Park to enter into a lease agreement between the City of Philadelphia as landlord and the Center City District as tenant for a certain parcel of land bounded by 18th Street, Logan Square, the Benjamin Franklin Parkway and Vine Street, commonly referred to as Sister Cities Plaza, under certain terms and conditions. (File No. 090431)

THE COMMUNICATION WAS READ.

- ☐ Transmitting a bill approving the City of Philadelphia, Pennsylvania Emergency 9-1-1 2008 Triennial Plan as an amendment to the City's 9-1-1 Plan, and authorizing the Commissioner of Public Property, on behalf of the City of Philadelphia, to submit such amended 9-1-1 Plan to the Pennsylvania Emergency Management Agency for review and approval, as required by the Pennsylvania Public Safety Emergency Telephone Act. (File No. 090432)

THE COMMUNICATION WAS READ.

- ☐ Transmitting a bill amending Chapter 19-3200, entitled "Keystone Opportunity Zone And Economic Development District," by providing for extensions of the term of benefits for certain properties, under certain terms and conditions. (File No. 090433)

THE COMMUNICATION WAS READ.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

- ☐ **Resolution No. 090414:** Resolution Recognizing Judge Annette M. Rizzo for her involvement in the ground-breaking Residential Mortgage Foreclosure Diversion Program and thanking her for her hard work and tireless dedication to families throughout the City of Philadelphia by preventing thousands of mortgage foreclosures and helping thousands of Philadelphians resolve complications regarding their Mortgage payments.

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THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

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

- ☐ **Bill No. 090402:** An Ordinance Authorizing Ralph Picket to construct, own and maintain, an open-air sidewalk cafe at 3900 Chestnut Street, 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. 090403:** An Ordinance Authorizing certain existing underground improvements owned by The Children's Hospital of Philadelphia to encroach into the rights-of-way of certain streets which are to be dedicated to the City of Philadelphia in the vicinity of South 34th Street and Civic Center Boulevard, under certain terms and conditions.

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

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

- ☐ **Resolution No. 090415:** Resolution Authorizing the Commissioner of Public Property to execute and deliver to the Redevelopment Authority of the City of Philadelphia, without consideration, deeds conveying conditional fee simple title to certain City-owned lots or pieces of ground with the buildings and improvements thereon, situate in the Twenty-fourth Ward of the City of Philadelphia, pursuant to Chapter 16-400 of The Philadelphia Code and authorizing the Redevelopment Authority of the City of Philadelphia to dispose of such properties for rehabilitation and/or improvement in accordance with the terms of Chapter 16-400 of The Philadelphia Code.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.


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

- ☐ **Bill No. 090404:** An Ordinance Establishing a one way regulation on Belgrade Street, from Ash Street to Pratt Street, northbound.

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

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

-  **Bill No. 090405:** An Ordinance Authorizing the Bond Committee to sell bonds at public or private negotiated sale, to provide funds toward various capital municipal purposes; providing for appropriations to the Sinking Fund Commission for the payment of such bonds; authorizing agreements to provide credit or payment or liquidity sources for the bonds and interest rate swaps in connection with issuance of the bonds, and certain other actions; providing for obtaining the consent of the electors to increasing the indebtedness of the City; and fixing a day and providing for arrangements for holding the election for obtaining such consent.


THE BILL WAS REFERRED TO THE COMMITTEE ON FINANCE.

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

-  **Bill No. 090406:** An Ordinance Amending Section 9-205 of The Philadelphia Code, entitled "Sidewalk Sales," by prohibiting sidewalk sales on portions of Broad Street, Venango Street, Tioga Street and Ontario Street.

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


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

-  **Resolution No. 090416:** Resolution Honoring American Heart Association, the University of Pennsylvania, and Private Individuals Such as Joe Waters, For Their Continuing Efforts At Training and Saving Lives With The Techniques Used In CPR; and Reaffirming June 18th 2009 as "Philadelphia CPR Training Day."

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

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

-  **Resolution No. 090417:** Resolution Calling on the Pennsylvania Congressional Delegation to support the 2009 DREAM Act, and Recognizing the 2009 Federal DREAM Act for the Support it Provides to The Nation's Student Immigrant Community.

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THE RESOLUTION WAS READ.

COMMENT - COUNCILMEMBER SANCHEZ- RESOLUTION NO. 090417 - (SEE NOTES OF TESTIMONY).

- ☐ **Resolution No. 090417:** Resolution Calling on the Pennsylvania Congressional Delegation to support the 2009 DREAM Act, and Recognizing the 2009 Federal DREAM Act for the Support it Provides to The Nation's Student Immigrant Community.

THE RESOLUTION WAS ADOPTED.

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

- ☐ **Resolution No. 090418:** Resolution Urging Pennsylvania's Governor and the Chairs of the General Assembly's Appropriation Committees to increase the 2009-10 funding for the Homeowners Emergency Mortgage Assistance Program (HEMAP) to adequately assist the rising number of unemployed Pennsylvanians facing foreclosure due to the recession.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

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

- ☐ **Resolution No. 090419:** Resolution Recognizing and celebrating Jon Drummond upon his induction into the Overbrook High School Hall of Fame.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

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

- ☐ **Resolution No. 090420:** Resolution Authorizing the Committee on Commerce and Economic Development to hold hearings to examine small business lending in low-and-moderate income and minority neighborhoods within the City of Philadelphia, and to take testimony on new initiatives including a loan guarantee fund and alternative loan programs.

THE RESOLUTION WAS READ.

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

Councilmember Reynolds Brown Introduced the following Resolution, Sponsored by Councilmember Reynolds Brown:

- 📄 **Resolution No. 090421:** Resolution Calling upon our state and local leaders to use American Recovery and Reinvestment Act funds to create a roadmap that includes solutions that recognize and address workforce and wage inequities and builds opportunities for everyone, not just a select few.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

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

- 📄 **Bill No. 090407:** An Ordinance Amending Chapter 12-3000 of The Philadelphia Code, entitled “Use Of An Automated Red Light Enforcement System To Prevent Red Light Violations,” by authorizing the installation of red light enforcement systems at the intersection of Aramingo Avenue at Castor Avenue, all under certain terms and conditions.

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

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

- 📄 **Bill No. 090408:** An Ordinance To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area generally bounded by a line located approximately 220 feet north of Cumberland Street, the Delaware River, a line located approximately 328 feet south of Berks Street, Beach Street, Richmond Street, Schirra Drive, Beach Street and Cumberland Street.

THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

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

- 📄 **Bill No. 090409:** An Ordinance Authorizing the National Park Service to construct, own and maintain a building encroachment and steps at 530 Market Street, under certain terms and conditions.

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

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

- 📄 **Resolution No. 090422:** 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.

Councilmember O'Neill Introduced the following Bill, Sponsored by Councilmember O'Neill:

- 📄 **Bill No. 090410:** An Ordinance Amending Chapter 19-3200, entitled “Keystone Opportunity Zone And Economic Development District,” by providing for extensions of the term of benefits for certain properties, 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. 090411:** An Ordinance To amend the Philadelphia Zoning Maps by adding certain requirements pursuant to the changing of zoning designations of certain areas of land located within an area bounded by Arch Street, 18th Street, Cuthbert Street, and 19th Street, pursuant to Section 14-305 of the Zoning Code entitled “C-4” Commercial and “C-5” Commercial District, under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

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


- 📄 **Bill No. 090412:** An Ordinance To amend the Philadelphia Zoning Maps by

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changing the zoning designations of certain areas of land located within an area bounded by Cecil B. Moore Avenue, 11th Street, Montgomery Avenue and 12th Street; amending Section 14-1402 of The Philadelphia Code, entitled "Parking in Residential Districts;" and by amending Section 14-305 of The Philadelphia Code, entitled "C-4 Commercial and C-5 Commercial Districts," all under certain terms and conditions.


THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

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

 **Bill No. 090413:** An Ordinance Amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning," by amending Chapter 14-1600, entitled "Miscellaneous," by adding a new Section, entitled "North Central Front Street Special District Controls," all under certain terms and conditions.


THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

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

 **Resolution No. 090423:** Resolution Approving the City of Philadelphia, Pennsylvania Emergency 9-1-1 2008 Triennial Plan as an amendment to the City's 9-1-1 Plan, and authorizing the Commissioner of Public Property, on behalf of the City of Philadelphia, to submit such amended 9-1-1 Plan to the Pennsylvania Emergency Management Agency for review and approval, as required by the Pennsylvania Public Safety Emergency Telephone Act.

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

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

 **Resolution No. 090424:** Resolution Honoring H.F. "Gerry" and Marguerite Lenfest.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

REPORTS FROM COMMITTEES

COMMITTEE OF THE WHOLE

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📄 **Resolution No. 090136:** Resolution Appointing Beverly Coleman to the Board of Directors of the Southeastern Pennsylvania Transportation Authority.

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

📄 **Resolution No. 090137:** Resolution Appointing Rina Cutler to the Board of Directors of the Southeastern Pennsylvania Transportation Authority.

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

📄 **Bill No. 090212:** An Ordinance To adopt a Capital Program for the six Fiscal Years 2010-2015 inclusive.

COUNCILMEMBER TASCO MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 090212.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

📄 **Bill No. 090213:** An Ordinance To adopt a Fiscal 2010 Capital Budget.

COUNCILMEMBER TASCO MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 090213.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

📄 **Bill No. 090214:** An Ordinance Adopting the Operating Budget for Fiscal Year 2010.

COUNCILMEMBER TASCO MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 090214.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

📄 **Bill No. 090215:** An Ordinance Amending Chapter 10-700 of The Philadelphia Code, entitled "Refuse and Littering," to increase the amount that must be paid in response to certain code violation notices to avoid initiation of further proceedings, 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. 090215.

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. 090216: 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.

COUNCILMEMBER TASCO MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 090216.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

Bill No. 090217: 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. 090217.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

Bill No. 090220: An Ordinance Amending Section 10-1001 of Title 10 ("Regulation of Individual Conduct and Activity") of The Philadelphia Code relating to the fees charged by the Commissioner of Records by modifying the amount of such fees, 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. 090220.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

Bill No. 090221: An Ordinance Amending Chapter 10-700 of The Philadelphia Code, entitled "Refuse and Littering," to require certain businesses and property owners either to pay a fee for City waste hauling or demonstrate that the business or property owner has a private provider of waste and recycling disposal services; 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. 090221.

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. 090226, 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 2010 through 2014, and incorporating proposed changes with respect to Fiscal Year 2009, 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. 090244:** An Ordinance Amending Section 19-2700 of The Philadelphia Code, entitled "Sales and Use Tax and Hotel Occupancy Tax," by revising the rate of tax, 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. 090244.

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. 090127:** An Ordinance Amending Titles 4 and 14 of The Philadelphia Code, respectively "The Philadelphia Building Construction and Occupancy Code" and "Zoning and Planning," by authorizing the Department of Licenses and Inspections to extend the expiration date of certain zoning and/or use registration permits, under certain terms and conditions.

COUNCILMEMBER KENNEY MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 090127.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

- ☐ **Bill No. 090190:** An Ordinance Amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning," by amending Chapter 14-1400, entitled "Parking and Loading Facilities," by adding a new subsection providing for bicycle parking, under certain terms and conditions.


COUNCILMEMBER KENNEY MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO

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PERMIT CONSIDERATION THIS DAY OF BILL NO. 090190.

THE MOTION WAS DULY SECONDED AND AGREED TO.


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

 **Bill No. 090246:** An Ordinance To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Orthodox Street, Large Street, and Adams Avenue.

COUNCILMEMBER KENNEY MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 090246.

THE MOTION WAS DULY SECONDED AND AGREED TO.


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

 **Bill No. 090294:** An Ordinance Amending Chapter 14-400 of The Philadelphia Code, entitled "Commercial Entertainment District," by amending Section 14-403 of The Philadelphia Code, entitled "Procedures for the Establishment of a Commercial Entertainment District," by amending the procedure by which a Plan of Development is approved or amended; and amending Section 14-409, entitled "Off-Street Loading," by adding provision relating to proposed projects in the Center City area, all under certain terms and conditions.

COUNCILMEMBER KENNEY MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 090294.

THE MOTION WAS DULY SECONDED AND AGREED TO.


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

 **Bill No. 090295:** An Ordinance To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by 11th Street, Filbert Street, 8th Street and Market Street.

COUNCILMEMBER KENNEY MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 090295.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

 **Bill No. 090296:** 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, under certain terms and conditions.

COUNCILMEMBER KENNEY MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 090296.

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THE MOTION WAS DULY SECONDED AND AGREED TO.

COUNCILMEMBER KENNEY MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 090296.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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


COMMITTEE ON FINANCE

 **Bill No. 090321:** An Ordinance Constituting the Twelfth Supplemental Ordinance to the Restated General Water and Wastewater Revenue Bond Ordinance of 1989, as supplemented; authorizing the Bond Committee to issue and sell either at public or private sale, Water and Wastewater Revenue Bonds; authorizing agreements to provide credit enhancement and payment and liquidity sources for such Bonds; authorizing the Director of Finance to take certain actions with regard to the sale of such Bonds, the investment of proceeds thereof and the City's continuing disclosure obligation; setting forth the use of proceeds; covenanting the payment of interest and principal; and supplementing the Restated General Water and Wastewater Revenue Bond Ordinance of 1989, 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. 090321.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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


 **Bill No. 090322:** An Ordinance Constituting the Ninth Supplemental Ordinance to the General Gas Works Revenue Bond Ordinance of 1998 (the "1998 General Ordinance"); authorizing the City to sell, either at public or private sale, Gas Works Revenue Bonds, Eighth Series, to pay the cost of refunding or redeeming certain outstanding Gas Works Revenue Bonds and other Project Costs; authorizing the City to obtain credit enhancement and liquidity for all or a portion of the Eighth Series Bonds; authorizing the City to enter into or amend one or more Qualified Swap Agreements or to relate all or a portion of an existing Qualified Swap Agreement to all or a portion of a different series of outstanding Gas Works Revenue Bonds; making certain determinations and covenants relating to Gas Works Revenues and payment of interest and principal; and authorizing covenants and actions in order that the Eighth Series Bonds shall not be arbitrage bonds; 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. 090322.

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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. 090323:** An Ordinance Constituting the Tenth Supplemental Ordinance to the General Gas Works Revenue Bond Ordinance of 1998 (the "1998 General Ordinance"); authorizing the City to sell, either at public or private sale, Gas Works Revenue Bonds, Ninth Series, to pay the costs of certain capital projects and other Project Costs; authorizing the City to obtain Credit Facilities for the Ninth Series Bonds; making certain determinations and covenants relating to Gas Works Revenues and the payment of interest and principal; and authorizing covenants and actions in order that the Ninth Series Bonds shall not be arbitrage bonds; 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. 090323.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

 **Bill No. 090324:** An Ordinance Authorizing the issuance of one or more series of general obligation bonds to provide funds to refund certain outstanding general obligation bonds of the City of Philadelphia; authorizing the Mayor, City Controller and City Solicitor or a majority of them to sell the bonds at public or private negotiated sale; setting forth the purposes for which the proceeds of the bonds will be expended; providing for the maturities and for other terms and conditions and for the form of the bonds; providing that bonds may be redeemable prior to maturity; providing sinking funds for the bonds and for appropriations to the Sinking Fund Commission for the payment thereof; authorizing agreements to provide credit enhancement or payment or liquidity sources for the bonds, and agreements to manage interest costs and certain other actions.

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

 **Bill No. 090325:** An Ordinance Approving the Fiscal Year 2010 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 2011 through 2015.

COUNCILMEMBER TASCO MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 090325.

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. 090334: Resolution Approving the City's Substantial Amendment to the Year 34 Consolidated Plan (FY 2009) and application to the United States Department of Housing and Urban Development for approximately \$21,486,000 in funding for homelessness prevention services under HUD's Homelessness Prevention and Rapid Re-Housing Program, pursuant to funds made available through the American Recovery and Reinvestment Act of 2009.

THE RESOLUTION WAS FAVORABLE RECOMMENDATION; CONSIDERATION AT END OF CALENDAR.

Bill No. 090350: An Ordinance Amending Chapter 19-200 of The Philadelphia Code, entitled "City Funds - Deposits, Investments, Disbursements," by amending Section 19-201, entitled "City Depositories," by authorizing the City Treasurer to deposit funds in City National Bank, 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. 090350.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

Bill No. 090351: An Ordinance Amending Chapter 19-200 of The Philadelphia Code, entitled "City Funds - Deposits, Investments, Disbursements," by amending Section 19-201, entitled "City Depositories," by authorizing the City Treasurer to deposit funds in TD Bank National Association, 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. 090351.

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. 090258: An Ordinance Amending Sections 3-306 and 3-401 of Title 3 ("Air Management Code") of The Philadelphia Code, to eliminate dual licensing and permitting requirements on air contaminant emitting facilities, and to clarify air pollution control standards, all under certain terms and conditions.

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THE BILL WAS READ.


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

 **Bill No. 090212, as amended:** An Ordinance To adopt a Capital Program for the six Fiscal Years 2010-2015 inclusive.


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

 **Bill No. 090213:** An Ordinance To adopt a Fiscal 2010 Capital Budget.


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

 **Bill No. 090214:** An Ordinance Adopting the Operating Budget for Fiscal Year 2010.


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

 **Bill No. 090215:** An Ordinance Amending Chapter 10-700 of The Philadelphia Code, entitled "Refuse and Littering," to increase the amount that must be paid in response to certain code violation notices to avoid initiation of further proceedings, under certain terms and conditions.


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

 **Bill No. 090216:** 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. 090217:** 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. 090220:** An Ordinance Amending Section 10-1001 of Title 10 ("Regulation of Individual Conduct and Activity") of The Philadelphia Code relating to the fees charged by the Commissioner of Records by modifying the amount of such fees, under certain terms and conditions.

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

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📄 **Bill No. 090221:** An Ordinance Amending Chapter 10-700 of The Philadelphia Code, entitled “Refuse and Littering,” to require certain businesses and property owners either to pay a fee for City waste hauling or demonstrate that the business or property owner has a private provider of waste and recycling disposal services; all under certain terms and conditions.

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

📄 **Bill No. 090244:** An Ordinance Amending Section 19-2700 of The Philadelphia Code, entitled “Sales and Use Tax and Hotel Occupancy Tax,” by revising the rate of tax, under certain terms and conditions.

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

📄 **Bill No. 090127:** An Ordinance Amending Titles 4 and 14 of The Philadelphia Code, respectively “The Philadelphia Building Construction and Occupancy Code” and “Zoning and Planning,” by authorizing the Department of Licenses and Inspections to extend the expiration date of certain zoning and/or use registration permits, under certain terms and conditions.

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

📄 **Bill No. 090190:** An Ordinance Amending Title 14 of The Philadelphia Code, entitled “Zoning and Planning,” by amending Chapter 14-1400, entitled “Parking and Loading Facilities,” by adding a new subsection providing for bicycle parking, under certain terms and conditions.

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

📄 **Bill No. 090246:** An Ordinance To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Orthodox Street, Large Street, and Adams Avenue.

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

📄 **Bill No. 090294:** An Ordinance Amending Chapter 14-400 of The Philadelphia Code, entitled “Commercial Entertainment District,” by amending Section 14-403 of The Philadelphia Code, entitled “Procedures for the Establishment of a Commercial Entertainment District,” by amending the procedure by which a Plan of Development is approved or amended; and amending Section 14-409, entitled “Off-Street Loading,” by adding provision relating to proposed projects in the Center City area, all under certain terms and conditions.

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

📄 **Bill No. 090295:** An Ordinance To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by 11th Street, Filbert Street, 8th Street and Market Street.

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

- ☐ **Bill No. 090296:** 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, under certain terms and conditions.

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

- ☐ **Bill No. 090321:** An Ordinance Constituting the Twelfth Supplemental Ordinance to the Restated General Water and Wastewater Revenue Bond Ordinance of 1989, as supplemented; authorizing the Bond Committee to issue and sell either at public or private sale, Water and Wastewater Revenue Bonds; authorizing agreements to provide credit enhancement and payment and liquidity sources for such Bonds; authorizing the Director of Finance to take certain actions with regard to the sale of such Bonds, the investment of proceeds thereof and the City's continuing disclosure obligation; setting forth the use of proceeds; covenanting the payment of interest and principal; and supplementing the Restated General Water and Wastewater Revenue Bond Ordinance of 1989, all under certain terms and conditions.

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

- ☐ **Bill No. 090322:** An Ordinance Constituting the Ninth Supplemental Ordinance to the General Gas Works Revenue Bond Ordinance of 1998 (the "1998 General Ordinance"); authorizing the City to sell, either at public or private sale, Gas Works Revenue Bonds, Eighth Series, to pay the cost of refunding or redeeming certain outstanding Gas Works Revenue Bonds and other Project Costs; authorizing the City to obtain credit enhancement and liquidity for all or a portion of the Eighth Series Bonds; authorizing the City to enter into or amend one or more Qualified Swap Agreements or to relate all or a portion of an existing Qualified Swap Agreement to all or a portion of a different series of outstanding Gas Works Revenue Bonds; making certain determinations and covenants relating to Gas Works Revenues and payment of interest and principal; and authorizing covenants and actions in order that the Eighth Series Bonds shall not be arbitrage bonds; all under certain terms and conditions.


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

- ☐ **Bill No. 090323:** An Ordinance Constituting the Tenth Supplemental Ordinance to the General Gas Works Revenue Bond Ordinance of 1998 (the "1998 General Ordinance"); authorizing the City to sell, either at public or private sale, Gas Works Revenue Bonds, Ninth Series, to pay the costs of certain capital projects and other Project Costs; authorizing the City to obtain Credit Facilities for the Ninth Series Bonds; making certain determinations and covenants relating to


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Gas Works Revenues and the payment of interest and principal; and authorizing covenants and actions in order that the Ninth Series Bonds shall not be arbitrage bonds; all under certain terms and conditions.


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

-  **Bill No. 090325:** An Ordinance Approving the Fiscal Year 2010 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 2011 through 2015.

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


-  **Bill No. 090350:** An Ordinance Amending Chapter 19-200 of The Philadelphia Code, entitled "City Funds - Deposits, Investments, Disbursements," by amending Section 19-201, entitled "City Depositories," by authorizing the City Treasurer to deposit funds in City National Bank, under certain terms and conditions.

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

-  **Bill No. 090351:** An Ordinance Amending Chapter 19-200 of The Philadelphia Code, entitled "City Funds - Deposits, Investments, Disbursements," by amending Section 19-201, entitled "City Depositories," by authorizing the City Treasurer to deposit funds in TD Bank National Association, under certain terms and conditions.

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

BILLS ON FINAL PASSAGE

-  **Bill No. 090015-A, as amended:** An Ordinance Amending Section 9-212 of The Philadelphia Code, entitled "Newsstands," to permit the placement of commercial advertising on newsstands and revise the fee for a newsstand license, 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

BILLS ON SECOND READING AND FINAL PASSAGE

☐ **Bill No. 080527-A, as amended:** An Ordinance Amending Section 14-2007 of The Philadelphia Code, entitled “Historic Buildings, Structures, Sites, Objects and Districts,” to permit the historic designation of the public interior portion of buildings, and making technical changes, all under certain terms and conditions.

THE BILL WAS READ.

DISCUSSION - COUNCILMEMBERS CLARKE AND GREEN - BILL NO. 080527 BEFORE AMENDMENT - (SEE NOTES OF TESTIMONY).

COUNCILMEMBER GREEN MOVED TO AMEND BILL NO. 080527 (SEE FILE).

COUNCILMEMBER GREEN MOVED FOR THE ADOPTION OF THE AMENDMENT.

THE MOTION WAS DULY SECONDED.

THE AMENDMENT TO BILL NO. 080527 WAS ADOPTED.

☐ **Bill No. 080527-A, as amended:** An Ordinance Amending Section 14-2007 of The Philadelphia Code, entitled “Historic Buildings, Structures, Sites, Objects and Districts,” to permit the historic designation of the public interior portion of buildings, and making technical changes, all under certain terms and conditions.

THE BILL WAS AMENDED.

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

RESOLUTIONS

☐ **Resolution No. 090334:** Resolution Approving the City's Substantial Amendment to the Year 34 Consolidated Plan (FY 2009) and application to the United States Department of Housing and Urban Development for approximately \$21,486,000 in funding for homelessness prevention services under HUD's Homelessness Prevention and Rapid Re-Housing Program, pursuant to funds made available through the American Recovery and Reinvestment Act of 2009.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

SPEECHES

COUNCILMEMBERS BROWN. GOODE AND BLACKWELL - (SEE NOTES OF TESTIMONY).

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COUNCILMEMBER CLARKE MOVED TO ADJOURN

THE MOTION WAS DULY SECONDED AND AGREED TO.