Thursday, September 8, 2011

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 Terry M. Davis of Christ Community Church of Philadelphia was introduced and offered an appropriate prayer.

COUNCILMEMBER TASCO MOVED TO APPROVE THE JOURNAL

of the meeting of June 23, 2011.

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. 110135, 110136, 110137, 110138, 110139 and 110477, which were passed by Council on June 23, 2011, were signed by the Mayor on June 24, 2011. (File No. 110591)

THE COMMUNICATION WAS READ.

- Transmitting a message advising Council that Bill No. 110297, which was passed by Council on June 16, 2011, was signed by the Mayor on June 24, 2011. (File No. 110592)

THE COMMUNICATION WAS READ.

- June 23, 2011

To The President and Members of
The Council of the City of Philadelphia:

I am returning herewith to your Honorable Body as disapproved Bill No. 110443, which was passed by Council at its session on June 16, 2011.

Bill 110443 would amend The Philadelphia Public Employees Retirement Code to make various changes to the Deferred Retirement Option Plan (DROP). The bill changes the eligibility requirements of the program for certain employees and changes the interest rate credited to DROP accounts. Additionally, the bill creates a Partial Lump Sum Option for retirees that would allow them to take a lump sum benefit at retirement, in exchange for an actuarial reduction of their regular monthly pension.

Bill 110443 recognizes that DROP is too costly and is designed to reduce that cost. However, Bill 110443 does not go far enough. Under Bill 110443, DROP will continue to exist and continue to cost the City money while maintaining a program that does not achieve its intended purpose of helping the City better manage its workforce. I strongly urge City Council to pass legislation to eliminate the DROP program altogether and free up scarce resources to fund taxpayer priorities.

DROP was established in 1999 with the purpose of creating an effective human resources planning tool that would not have material costs for the City. The program has failed to deliver - it is not used as an effective human resources planning tool and has resulted in significant costs to the City.

The cost of DROP has been estimated in studies commissioned by the Administration and by Council. While those studies provide different cost estimates, they both come to the conclusion that DROP has a substantial cost - at least $100 million to date and potentially substantially more. That is a cost that neither the pension fund nor taxpayers can afford.

Based on an analysis by City Council's actuarial consultant, under Bill 110443, DROP will continue to have a cost. The actual cost cannot be determined because it will depend on future participant behavior, which is not in the City's control. What we know from past experience is that as participants make the rational decision to maximize their DROP benefit, they also increase the cost to the pension fund and to taxpayers.

Furthermore, at a time when the pension fund is only 47% funded, DROP's added cost is unacceptable. Philadelphia's 47% funding ratio is one of the weakest among major American cities and DROP is a contributing factor to the pension system's weak financial health. A system as poorly funded as the City's

simply cannot afford the extra burden of a DROP - even one with the likely reduced price tag created by Bill No. 110443.

Finally, I am returning this bill because it creates different classes of employees through the changes in eligibility rules that apply to certain members of the workforce, but not others.

Elimination of the DROP program is needed. The City cannot afford DROP under Bill 110443. I previously transmitted Bill 100542 to City Council. If enacted, this bill would immediately terminate the DROP program. I strongly urge City Council to pass that legislation when it returns from its summer recess.

For the foregoing reasons, I am returning Bill No. 110443 to you disapproved.

Respectfully,
Michael A. Nutter,
Mayor (File No. 110593)

THE COMMUNICATION WAS READ.

June 28, 2011

To The President and Members of
The Council of the City of Philadelphia:

For the following reasons, I am returning herewith to your Honorable Body as disapproved Bill No. 080474-AA, which was passed by Council at its session on June 16, 2011.

Bill 080474-AA, also known as the paid sick leave bill, would require all but the very smallest employers in Philadelphia to guarantee a minimum level of paid sick leave to their employees. The laudable goal of the bill is to ensure that all workers employed in Philadelphia are able to take time off from work to address their own health needs and those of their family without having to lose pay for doing so.

I commend Councilman Clarke and Councilman Greenlee for asking us all to take a look at this important issue. All working people, at some time or another, have to take time away from work for health reasons. Unfortunately, the imposition of this requirement on Philadelphia alone - and not state-wide or on a national basis - would simply create too great a burden on our local businesses, would render us uncompetitive in the global marketplace and would cost Philadelphians jobs. As my Deputy Mayor for Economic Development Alan

Greenberger stated at the public hearing on this bill, Philadelphians would like jobs with good benefits. But first and foremost, Philadelphians simply want and need jobs.

Mandating employers to provide sick leave benefits to employees raises the cost of labor for businesses that do not already provide such benefits. Moreover, the bill imposes considerable administrative burdens on businesses, particularly on small businesses that do not have sophisticated time-keeping systems in place. All of the local Chambers of Commerce - the African American Chamber, the Greater Philadelphia Hispanic Chamber, the Asian American Chamber, the Greater Northeast Chamber and the Greater Philadelphia Chamber - have gone on record opposing this bill because of its costs to businesses and the bill's negative impact on our competitiveness for jobs in Philadelphia.

Some members of Council expressed concerns during the course of the debate on this bill regarding the need for a detailed economic analysis of the bill's likely actual economic impact. To this end, the Greater Philadelphia Chamber of Commerce requested an analysis from Dr. William Dunkelberg, Professor of Economics at Temple University. His analysis concludes that employees' use of paid sick leave, the costs of substitute workers to replace those sick workers, and the administrative costs of business compliance with the bill would cost businesses in Philadelphia hundreds of millions of dollars annually and lead to the loss of thousands of jobs. Even though this analysis was prepared before amendments were made to reduce the amount of sick leave employers would be mandated to provide under the bill, Professor Dunkelberg's analysis still largely applies to the bill as it was passed by Council. The analysis projects hundreds of millions in costs for Philadelphia businesses if employees use sick leave even under the lesser amounts they would be guaranteed under the amended bill.

Moreover, this bill fails to exempt businesses that already provide the mandated number of paid sick days from complying with other aspects of the bill. The bill would require businesses that already provide generous sick leave benefits to change practices regarding when employees begin to accrue sick leave, when employees can begin to use sick leave, how employers provides notice of the employees' new benefits, the records employers keep and even the types of people the employee can take sick leave to care for.

In addition to the economic impact on our existing Philadelphia businesses, we operate in a regional economy. Philadelphia competes for new businesses and jobs with the surrounding suburbs and counties in the region. Employers who consider locating in the City often are able to, and do, locate in the surrounding counties instead. The economic reality is that between 2000 and 2009 the total

number of jobs in Philadelphia decreased by about 7% or 46,400 jobs. Philadelphia's unemployment rate for December 2010 was 11.2%, which was 1.8 percentage points higher than the national rate and 3.1 percentage points higher than the unemployment rate in Pennsylvania. Our unemployment rate has improved somewhat, declining to 10.1% by May 2011, but is still 1% higher than the national rate, 2.7% higher than the unemployment rate in Pennsylvania, and well above the unemployment rates of counties surrounding Philadelphia.

We are working extremely hard to reverse these trends, but this requirement would seriously impede that work. In my view, the cost of this legislation to business expansion and attraction is simply too high. This is not the right time to adopt a bill that places significant additional operating costs on all but the smallest of City businesses. Philadelphia cannot be competitive, regionally, or nationally, if this bill is enacted only within our borders.

For the foregoing reasons, I am returning to you disapproved Bill 080474-AA.

Respectfully,
Michael A. Nutter,
Mayor
(File No. 110594)

THE COMMUNICATION WAS READ.

- Transmitting a message advising Council that Bill Nos. 090746, 110056, 110185, 110229, 110371, 110373, 110375, 110376, 110394, 110444, 110445, 110446 and 110447, which were passed by Council on June 16, 2011, were signed by the Mayor on July 5, 2011. (File No. 110595)

THE COMMUNICATION WAS READ.

- Transmitting a message advising Council that Bill Nos. 100678, 110132, 110226, 110258, 110298, 110299, 110300, 110301, 110310, 110312, 110344, 110345, 110348, 110365, 110367, 110369, 110372, 110378, 110379, 110380, 110381, 110382, 110384, 110393, 110435, 110437, 110438 and 110439, which were passed by Council on June 16, 2011, were signed by the Mayor on July 19, 2011. (File No. 110596)

THE COMMUNICATION WAS READ.

- Transmitting a message advising Council that Bill No. 100720-A, which was passed by Council on June 23, 2011, was signed by the Mayor on July 19, 2011. (File No. 110597)

THE COMMUNICATION WAS READ.

Transmitting a message advising Council that Bill Nos. 100613, 110259-A, 110311-A, 110346, 110364, 110366-A, 110368, 110386-A, 110436, which were passed by Council on June 23, 2011, were signed by the Mayor on August 9, 2011. (File No. 110598)

THE COMMUNICATION WAS READ.

September 1, 2011

To The President and Members of
The Council of the City of Philadelphia:

Pursuant to Sections 4-604 and 2-307 of the Home Rule Charter, I am today transmitting to the Council the recommendation of the City Planning Commission regarding Bill No. 110535.

I am also transmitting herewith, pursuant to Section 14-1100 of the Philadelphia Code, a letter reflecting the Commission's approval of proposed amendments to the Drexel University IDD Master Plan.

Lastly, I am also transmitting herewith, pursuant to section 14-216 of the Philadelphia Code, a letter reflecting the Commission's approval of proposed amendments to the Waterfront Redevelopment District Master Plan for 7107 Milnor Street.

Respectfully,
Michael A. Nutter
Mayor (File No. 110599)

THE COMMUNICATION WAS READ.

Transmitting a message advising Council that Bill No. 110347 , which was passed by Council on June 16, 2011, was signed by the Mayor on September 2, 2011. (File No. 110600)

THE COMMUNICATION WAS READ.

September 8, 2011

To The President and Members of
The Council of the City of Philadelphia:

For the following reasons, I am returning to your Honorable Body without my signature Bill No. 110306, which was passed by Council at its session on June 16, 2011.

Bill No. 110306 would authorize a currently unlawful non-accessory billboard located in the vicinity of Morris Street and Columbus Boulevard. The bill would also allow for the sign's projection of digital electronic messages, a use not currently permitted under the City's Zoning Code.

The laws regarding the permitted erection and uses of billboards are clearly addressed in the Code. The owners of this particular billboard have maintained it in violation of the Code for several years. In response to City enforcement action, the owners sought to obtain a variance through the ZBA and the courts, which efforts were unsuccessful. After failing in those efforts, the owners sought a change in the law applicable solely to the property where the sign is located through Bill 110306.

Despite a recommendation from the Planning Commission that the Bill be disapproved, Council nonetheless passed the bill in order to allow this otherwise unlawful billboard. This type of "one-off" zoning is detrimental to the City's planning efforts. Restrictions on outdoor advertising in the Zoning Code were adopted for a reason. Relaxing those restrictions one property at a time undermines the purpose of the Zoning Code and damages the City's efforts to create a consistent and predictable zoning environment.

I am therefore returning Bill No. 110306 to you without my signature.

Respectfully,
Michael A. Nutter,
Mayor (File No. 110602)

THE COMMUNICATION WAS READ.

- Transmitting a bill amending Section 2 of an Ordinance (Bill No. 090120) approved April 15, 2009, entitled "An Ordinance Authorizing the revision of lines and grades on a portion of City Plan Nos. 107 and 130 by striking from the City Plan and vacating the legally open portions of Forty-Seventh Street from Fairmount Avenue to Brown Street; striking from the City Plan and vacating Aspen Street from Forty-Seventh Street to Markoe Street; and reserving on the City Plan, and authorizing City acceptance of, rights of way for various purposes within the lines of Forty-Seventh Street and Aspen Street being stricken; all under certain terms and conditions," by extending the period for compliance with

the terms and conditions stated therein, accompanied by an explanatory letter from the Streets Commissioner. (File No. 110603)

THE COMMUNICATION WAS READ.

- Transmitting a bill authorizing the revision of lines and grades on a portion of City Plan No. 55 by striking from the City Plan and vacating the legally open portions of Ashland Street from a point approximately four-hundred one feet southwest of Adams Avenue to the northeasterly channel line of the Frankford Creek and reserving and placing on the City Plan a right of way for sewer and drainage purposes and water main purposes within the lines of Ashland Street being stricken and authorizing acceptance of the grant to the City of the said right of way, under certain terms and conditions, accompanied by an explanatory letter from the Streets Commissioner. (File No. 110604)

THE COMMUNICATION WAS READ.

- Transmitting a bill authorizing the revision of lines and grades on a portion of City Plan No. 278 by closing to vehicular traffic a portion of Unruh Avenue extending from a point approximately one-thousand seventy-seven feet southeast of Wissinoming Street southeastwardly to the Pierhead Line of the Delaware River, under certain terms and conditions, accompanied by an explanatory letter from the Streets Commissioner. (File No. 110605)

THE COMMUNICATION WAS READ.

- Transmitting a bill authorizing the revision of lines and grades on a portion of City Plan No. 63 by striking from the City Plan and vacating a portion of Pennsylvania Avenue, between Nineteenth Street and Twentieth Street, and relocating the curblines of Shamokin Street, from Nineteenth Street to Twentieth Street, thereby increasing the cartway width of said Shamokin Street, under certain terms and conditions, accompanied by an explanatory letter from the Streets Commissioner. (File No. 110606)

THE COMMUNICATION WAS READ.

- Transmitting a bill amending Section 2 of an Ordinance (Bill No. 090120) approved April 15, 2009, entitled "An Ordinance Authorizing the revision of lines and grades on a portion of City Plan Nos. 107 and 130 by striking from the City Plan and vacating the legally open portions of Forty-Seventh Street from Fairmount Avenue to Brown Street; striking from the City Plan and vacating Aspen Street from Forty-Seventh Street to Markoe Street; and reserving on the City Plan, and authorizing City acceptance of, rights of way for various purposes within the lines of Forty-Seventh Street and Aspen Street being stricken; all under certain terms and conditions," by extending the period for compliance with the terms and conditions stated therein, accompanied by an explanatory letter

THE COMMUNICATION WAS READ.

INTRODUCTION OF BILLS AND RESOLUTIONS

Councilmember Kenney Introduced and Referred the following Bill, Sponsored by Councilmembers Kenney, DiCicco, Krajewski, Reynolds Brown, Blackwell, Miller, Sanchez and Jones:

- **Bill No. 110548:** An Ordinance Amending The Philadelphia Code, principally Title 19, entitled "Finance, Taxes and Collections," and such other provisions as may be appropriate, to reduce the tax burden on existing and new businesses; and to eliminate, waive, or reduce certain fees and permit charges, all for the purpose of generating growth in existing businesses, the birth of new businesses, and the creation of jobs; all under certain terms and conditions.

THE BILL WAS REFFERED TO THE COMMITTEE ON FINANCE.

Councilmember Kenney Introduced and Referred the following Bill, Sponsored by Councilmembers Kenney, Reynolds Brown, Greenlee, Miller, Krajewski, Sanchez, O'Neill, Tasco and Jones:

- **Bill No. 110549:** An Ordinance Amending Section 9-605 of The Philadelphia Code, entitled "Towing," by providing that a vehicle may be towed from the premises of a hospital without first being ticketed, under certain terms and conditions.

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

Councilmember Kenney Introduced and Ordered Placed On Next Week's Final Passage Calendar the following Resolution, Sponsored by Councilmembers Kenney and Blackwell:

- **Resolution No. 110567:** Resolution Authorizing City Council's Joint Committees on Legislative Oversight and Education to hold public hearings on establishing a Philadelphia School Construction Commission to conduct a needs assessment and use and capacity study of Philadelphia's Public School buildings and to further make recommendations to enhance the environment within the school buildings to foster a safer and more stimulating learning environment.

Councilmember Kenney Introduced and Ordered Placed On Next Week's Final Passage Calendar the following Resolution, Sponsored by Councilmembers Kenney and Clarke:

- **Resolution No. 110568:** Resolution Recognizing, honoring and thanking Reverend Ed Hallinan for his dedication and contributions to St. Martin de Porres Catholic Church, its parishioners, and the City of Philadelphia.

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

- **Bill No. 110550:** An Ordinance Amending Section 2 of an Ordinance (Bill No. 090120) approved April 15, 2009, entitled "An Ordinance authorizing the revision of lines and grades on a portion of City Plan Nos. 107 and 130 by striking from the City Plan and vacating the legally open portions of Forty-seventh Street from Fairmount Avenue to Brown Street; striking from the City Plan and vacating Aspen Street from Forty-seventh Street to Markoe Street; and reserving on the City Plan, and authorizing City acceptance of, rights-of-way for various purposes within the lines of Forty-seventh Street and Aspen Street being stricken; all under certain terms and conditions," by extending the period for compliance with the terms and conditions stated therein.

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

Councilmember Blackwell Introduced and Ordered Placed On Next Week's Final Passage Calendar the following Resolution, Sponsored by Councilmembers Blackwell, Council President Verna, Reynolds Brown, Greenlee, DiCicco, Goode, Tasco, Miller, Clarke, Sanchez, Kenney, Rizzo, O'Neill, Krajewski, Jones, Kelly and Green:

- **Resolution No. 110569:** Resolution Honoring and Congratulating Peter S. Longstreth on the Occasion of his Retirement from the Philadelphia Industrial Development Corporation after Ten Years of Service as President.

Councilmember Blackwell Introduced and Ordered Placed On Next Week's Final Passage Calendar the following Resolution, Sponsored by Councilmembers Blackwell and Rizzo:

- **Resolution No. 110570:** Resolution Also naming Chestnut Street from Thirty-First Street to Thirty-Third Street "Papadakis Place."

Councilmember Blackwell Introduced and Ordered Placed On Next Week's Final Passage Calendar the following Resolution, Sponsored by Councilmember Blackwell:

- **Resolution No. 110571:** Resolution Approving the Drexel University Proposed Revision to its Institutional Development District Master Plan Pursuant to Chapter 14-1107(c) of The Philadelphia Code Relating to, "Zoning and Planning."

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

- **Bill No. 110551:** An Ordinance Authorizing the revision of lines and grades on a portion of City Plan No. 278 by closing to vehicular traffic a portion of Unruh

Avenue extending from a point approximately one-thousand seventy-seven feet southeast of Wissinoming Street southeastwardly to the Pierhead Line of the Delaware River, under certain terms and conditions.

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

Councilmember Tasco Introduced and Referred the following Bill for Councilmember Council President Verna, Sponsored by Councilmember Tasco:

- **Bill No. 110546:** An Ordinance Amending Chapter 20-500 of The Philadelphia Code, entitled "Councilmanic Districts," by revising the boundaries of the Councilmanic Districts, under certain terms and conditions.

THE BILL WAS REFFERED TO THE COMMITTEE OF THE WHOLE.

Councilmember Tasco Introduced and Referred the following Bill for Councilmember Council President Verna, Sponsored by Councilmember Tasco:

- **Bill No. 110552:** An Ordinance Amending Section 10-602 of The Philadelphia Code, known as the "Clean Indoor Air Worker Protection Law," by providing a limited period of time, expiring January 1, 2012, during which certain Drinking Establishments, as defined, may apply for and obtain a waiver of the provisions of the Section prohibiting smoking in certain places, under certain terms and conditions.

THE BILL WAS REFFERED TO THE COMMITTEE ON PUBLIC HEALTH AND HUMAN SERVICES.

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

- **Bill No. 110553:** An Ordinance Amending Section 9-205 of The Philadelphia Code, relating to "Sidewalk Sales," and vending in residential areas, within the Ninth District, by deleting a provision allowing sidewalk sales and vending in the area bordered by and including Olney avenue, Cheltenham avenue, Broad street, and Fifth street, both sides.

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

Councilmember Tasco Introduced and Ordered Placed On Next Week's Final Passage Calendar the following Resolution, Sponsored by Councilmember Tasco:

- **Resolution No. 110572:** Resolution Naming the 2000 Block of East Tulephocken Street as "Joseph C. Aiken, Sr. Way."

Councilmember Tasco Introduced and Ordered Placed On Next Week's Final Passage

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

- **Resolution No. 110573:** 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-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.

Councilmember Tasco Introduced and Ordered Placed On Next Week's Final Passage Calendar the following Resolution, Sponsored by Councilmembers Tasco and Council President Verna:

- **Resolution No. 110574:** Resolution Amending Resolution No. 110453, approving the annual Program Statement and Budget for the expenditure of the Neighborhood Transformation Initiative (NTI) Bond Proceeds for Fiscal Year 2012.

Councilmember Tasco Introduced and Ordered Placed On Next Week's Final Passage Calendar the following Resolution, Sponsored by Councilmembers Tasco, Reynolds Brown and Greenlee:

- **Resolution No. 110575:** Resolution Declaring October as “Domestic Violence Awareness Month.”

Councilmember Tasco Introduced and Ordered Placed on This Week's Final Passage Calendar - Rules Suspended the following Resolution for Councilmember Council President Verna, Sponsored by Councilmember Tasco:

- **Resolution No. 110576:** Resolution Requesting the Mayor to return to Council Bill No. 110441, entitled "An Ordinance authorizing the Commissioner of Public Property, on behalf of the City of Philadelphia, to convey to the Philadelphia Authority for Industrial Development, a parcel of land located at 1628 Fitzwater Street, for further conveyance, under certain terms and conditions," for the purpose of reconsideration by the Council of the vote by which said bill passed Council.

Councilmember Miller Introduced and Ordered Placed On Next Week's Final Passage Calendar the following Resolution, Sponsored by Councilmember Miller:

- **Resolution No. 110577:** Resolution Recognize, Honor, And Celebrate Zarifa

Roberson - For her innovative and urban style creation of I.D.E.A.L. Magazine which is geared for young people with disabilities.

Councilmember Miller Introduced and Ordered Placed On Next Week's Final Passage Calendar the following Resolution, Sponsored by Councilmember Miller:

- **Resolution No. 110578:** Resolution Proclaiming September 23rd thru October 1st of 2011 as "Praise is the Cure Week" in Philadelphia.

Councilmember Sanchez Introduced and Referred the following Bill, Sponsored by Councilmembers Sanchez, Green, Reynolds Brown, Goode, O'Neill, Miller, DiCicco, Kenney, Tasco, Kelly, Jones, Krajewski and Blackwell:

- **Bill No. 110554:** An Ordinance Amending Chapter 1-2600 of The Philadelphia Code, entitled "Business Privilege Taxes," by providing certain exclusions, modifying certain definitions, and revising certain tax rates, all under certain terms and conditions.

THE BILL WAS REFFERED TO THE COMMITTEE ON FINANCE.

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

- **Bill No. 110555:** An Ordinance Amending Section 2 of an Ordinance (Bill No. 090442) approved June 26, 2009, entitled "An Ordinance authorizing the revision of lines and grades on a portion of City Plan No. 157 by placing on the City Plan Fourth Street from Westmoreland Street to Ontario Street, east of Lawrence Street, and Westmoreland Street from Lawrence Street to Fourth Street, partly within the lines of an existing pedestrian walkway, and authorizing the opening of the portion of the bed of Westmoreland Street extending through property owned by the City of Philadelphia, all under certain terms and conditions, including the dedication to the City of the bed of Fourth Street and the portion of the bed of Westmoreland Street not owned by the City," by extending the period for compliance with the terms and conditions stated therein.

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

Councilmember Green Introduced and Referred the following Bill, Sponsored by Councilmembers Green, Tasco, Reynolds Brown, Miller, Goode, DiCicco, Kenney, Krajewski, Kelly, Greenlee, Jones and O'Neill:

- **Bill No. 110556:** An Ordinance Amending Chapter 20-1200 of The Philadelphia Code, entitled "Lobbying," by modifying certain definitions, provisions, and exemptions, all under certain terms and conditions.

THE BILL WAS REFFERED TO THE COMMITTEE ON LAW AND GOVERNMENT.

Councilmember Green Introduced and Ordered Placed On Next Week's Final Passage Calendar the following Resolution, Sponsored by Councilmember Green:

- **Resolution No. 110579:** Resolution Proclaiming the weeks of October 3, 2011 and October 10, 2011 as "State of Young Philly Weeks," and honoring Young Involved Philadelphia.

- **Resolution No. 110580:** 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 Fifty-second 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.

Councilmember Jones Introduced and Ordered Placed On Next Week's Final Passage Calendar the following Resolution, Sponsored by Councilmember Jones:

- **Resolution No. 110581:** Resolution Acknowledging and honoring the Philadelphia Anti-Drug/Anti-Violence Network (P.A.A.N.) for their ongoing work and commitment to promote community safety through services that reduce drug abuse and violence as well as to help at-risk youth develop positive alternatives that will return them to the mainstream of society.

Councilmember Jones Introduced and Ordered Placed On Next Week's Final Passage Calendar the following Resolution, Sponsored by Councilmember Jones:

- **Resolution No. 110582:** Resolution Acknowledging and commending the City's Managing Director's Office of Emergency Management and all the City departments for their exemplary performance in response to Hurricane Irene, in the aftermath of an earthquake and followed by a tropical storm.

Councilmember Goode Introduced and Referred the following Bill, Sponsored by Councilmembers Goode, Clarke, Reynolds Brown, DiCicco, Jones, Sanchez, Miller, Greenlee, Green and Blackwell:

- **Bill No. 110557:** An Ordinance Amending Chapter 17-1300 of The Philadelphia Code, entitled "Philadelphia 21st Century Minimum Wage and Benefits Standard," by requiring employers subject to that Chapter to provide certain earned sick leave benefits to employees covered by that Chapter, all under

THE BILL WAS REFFERED TO THE COMMITTEE ON COMMERCE & ECONOMIC DEVELOPMENT.

Councilmember Goode Introduced and Referred the following Bill, Sponsored by Councilmembers Goode, DiCicco, Jones, Clarke, Sanchez, Reynolds Brown and Green:

- **Bill No. 110558:** An Ordinance Amending Chapter 17-1300 of The Philadelphia Code, entitled "Philadelphia 21st Century Minimum Wage and Benefits Standard," by repealing Section 17-1311, entitled "Living Wage Advisory Committee," and by enacting a new Section 17-1311, entitled "Living Wage and Benefits Review Committee," all under certain terms and conditions.

THE BILL WAS REFFERED TO THE COMMITTEE ON COMMERCE & ECONOMIC DEVELOPMENT.

Councilmember Goode Introduced and Referred the following Bill, Sponsored by Councilmembers Goode, DiCicco, Jones, Clarke, Sanchez, Reynolds Brown and Green:

- **Bill No. 110559:** An Ordinance Amending Chapter 17-1600 of The Philadelphia Code, entitled "Economic Opportunity Plans," to require that certain economic opportunity plans be submitted to Council and published on the City's website and changing all references from "MBEC" to "certifying agency," as defined; all under certain terms and conditions.

THE BILL WAS REFFERED TO THE COMMITTEE ON COMMERCE & ECONOMIC DEVELOPMENT.

Councilmember Goode Introduced and Referred the following Bill, Sponsored by Councilmember Goode:

- **Bill No. 110560:** An Ordinance Amending Chapter 19-200 of The Philadelphia Code, entitled "City Funds - Deposits, Investments, Disbursements," by revising the list of City depositories because of non-compliance with certain provisions of that Chapter, under certain terms and conditions.

THE BILL WAS REFFERED TO THE COMMITTEE ON FINANCE.

Councilmember Goode Introduced and Referred the following Bill, Sponsored by Councilmember Goode:

- **Bill No. 110561:** An Ordinance Amending subsection 19-2604(6) of The Philadelphia Code, under which businesses that enter into agreements to make contributions to community development corporations receive business privilege tax credits, all under certain terms and conditions.

THE BILL WAS REFFERED TO THE COMMITTEE ON COMMERCE & ECONOMIC DEVELOPMENT.

Councilmember Goode Introduced and Referred the following Bill, Sponsored by Councilmembers Goode and Green:

- **Bill No. 110562:** An Ordinance Amending Title 22 of The Philadelphia Code, entitled "Public Employees Retirement Code," by amending the options for retirement benefits; in particular, adding a new option for retirees to take a lump sum benefit at retirement, in exchange for an actuarial reduction of their regular monthly pension; and making conforming amendments to other provisions; all under certain terms and conditions.

THE BILL WAS REFFERED TO THE COMMITTEE ON LABOR AND CIVIL SERVICE.

Councilmember Reynolds Brown Introduced and Ordered Placed On Next Week's Final Passage Calendar the following Resolution, Sponsored by Councilmembers Reynolds Brown and Blackwell:

- **Resolution No. 110583:** Resolution Authorizing the Committee on Education to hold hearings to investigate the care of school property policy for the School District of Philadelphia as it relates to the distribution, collection and return of textbooks and to evaluate and determine best practices for further efficiencies.

Councilmember Reynolds Brown Introduced and Ordered Placed On Next Week's Final Passage Calendar the following Resolution, Sponsored by Councilmembers Reynolds Brown and Sanchez:

- **Resolution No. 110584:** Resolution Authorizing Council's Committee on Public Health and Human Services to hold public hearings for the purpose of examining existing programs and services available to at-risk adolescent girls; examining methods of continuing and strengthening such programs and developing new programs; and exploring potential sources of funding, in order to encourage young women to follow pathways that lead to the completion of their educations, economic independence and good citizenship.

Councilmember Reynolds Brown Introduced and Ordered Placed On Next Week's Final Passage Calendar the following Resolution, Sponsored by Councilmember Reynolds Brown:

- **Resolution No. 110585:** Resolution Recognizing Temple University's Temple 20/20 Scholarship Program.

Councilmember DiCicco Introduced and Referred the following Bill, Sponsored by Councilmembers DiCicco, Kenney, Goode, Reynolds Brown, Jones and Krajewski:

- **Bill No. 110547:** An Ordinance Amending Chapter 20-500 of The Philadelphia

Code, entitled "Councilmanic Districts," by revising the boundaries of the Councilmanic Districts, under certain terms and conditions.

THE BILL WAS REFFERED TO THE COMMITTEE OF THE WHOLE.

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

Bill No. 110563: An Ordinance Amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning," by amending Section 14-1604, entitled "Outdoor Advertising and Non-Accessory Advertising Controls," by permitting certain non-accessory outdoor advertising signs within the area bounded by 7th Street, Spring Garden Street, 6th Street, and Willow Street, under certain terms and conditions.

THE BILL WAS REFFERED TO THE COMMITTEE ON RULES.

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

Bill No. 110564: An Ordinance Authorizing the revision of lines and grades on a portion of City Plan No. 55 by striking from the City Plan and vacating the legally open portions of Ashland Street from a point approximately four-hundred one feet southwest of Adams Avenue to the northeasterly channel line of the Frankford Creek and reserving and placing on the City Plan a right-of-way for sewer and drainage purposes and water main purposes within the lines of Ashland Street being stricken and authorizing acceptance of the grant to the City of the said right-of-way, under certain terms and conditions.

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

Councilmember DiCicco Introduced and Ordered Placed On Next Week's Final Passage Calendar the following Resolution for Councilmember Council President Verna, Sponsored by Councilmember DiCicco:

Resolution No. 110586: Resolution Designating the week of Monday, October 3 through Monday, October 10, 2011 as "Christopher Columbus/Italian American Heritage Week" in the City of Philadelphia. This is done in celebration of the festivities commemorating Columbus' historic voyage to the New World and honoring Joe Piscopo as Grand Marshall of the 2011 Philadelphia Columbus Day Parade.

Councilmember DiCicco Introduced and Ordered Placed On Next Week's Final Passage Calendar the following Resolution, Sponsored by Councilmember DiCicco:

Resolution No. 110587: 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 and Thirty-ninth 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.

Councilmember O'Neill Introduced and Ordered Placed On Next Week's Final Passage Calendar the following Resolution, Sponsored by Councilmember O'Neill:

Resolution No. 110588: Resolution Supporting United States Senate Resolution 185 and United State House Resolution 268 - Reaffirming the Commitment of the United States to a Negotiated Settlement of the Israeli-Palestinian Conflict.

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

Bill No. 110565: An Ordinance Amending Chapter 10-100 of The Philadelphia Code, entitled "Animals," to establish provisions for the reporting of wild raccoons, and to provide for the manner of their abatement, all under certain terms and conditions.

THE BILL WAS REFFERED TO THE COMMITTEE ON PUBLIC HEALTH AND HUMAN SERVICES.

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

Bill No. 110566: An Ordinance Authorizing the revision of lines and grades on a portion of City Plan No. 63 by striking from the City Plan and vacating a portion of Pennsylvania Avenue, between Nineteenth Street and Twentieth Street, and relocating the curblines of Shamokin Street, from Nineteenth Street to Twentieth Street, thereby increasing the cartway width of said Shamokin Street, under certain terms and conditions.

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

Councilmember Clarke Introduced and Ordered Placed On Next Week's Final Passage Calendar the following Resolution, Sponsored by Councilmember Clarke:

Resolution No. 110589: Resolution Authorizing the Commissioner of Public Property to execute and deliver to the Redevelopment Authority of the City of Philadelphia, without consideration, deeds conveying conditional fee simple title

to certain City-owned lots or pieces of ground with the buildings and improvements thereon, situate in the Sixteenth, Twenty-ninth, Thirty-second and Forty-seventh Wards of the City of Philadelphia, pursuant to Chapter 16-400 of The Philadelphia Code and authorizing the Redevelopment Authority of the City of Philadelphia to dispose of such properties for rehabilitation and/or improvement in accordance with the terms of Chapter 16-400 of The Philadelphia Code.

Councilmember Rizzo Introduced and Ordered Placed On Next Week's Final Passage Calendar the following Resolution, Sponsored by Councilmember Rizzo:

Resolution No. 110590: Resolution Recognizing, Honoring, and Thanking CISV, formerly Children's International Summer Village, through its local chapter, CISV Philadelphia-on the occasion of its 60th Anniversary-in furtherance of the CISV mission that "peace is possible through friendship-and that the real difference can be made by starting with children," and celebrating September 21st as "Peace One Day" and "International Day of Peace."

CONSIDERATION OF THE CALENDAR

PUBLIC COMMENT

The following persons provided public comment on September 8, 2011:

Name and Comment Subject

Robert Zuritsky (110181-A)

See Notes of Testimony for full comment.

BILLS AND RESOLUTIONS ON FINAL PASSAGE

Resolution No. 110538: 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 Eighteenth 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

THE RESOLUTION WAS ADOPTED.

Resolution No. 110541: 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 Forty-seventh Ward of the City of Philadelphia, pursuant to Chapter 16-400 of The Philadelphia Code and authorizing the Redevelopment Authority of the City of Philadelphia to dispose of such properties for rehabilitation and/or improvement in accordance with the terms of Chapter 16-400 of The Philadelphia Code.

THE RESOLUTION WAS ADOPTED.

Bill No. 110181-AA, as amended: An Ordinance Amending Chapter 19-1200 of The Philadelphia Code, entitled "Parking Tax," by providing for scheduled reductions in the rate of the tax beginning in Fiscal Year 2012, and by making certain technical amendments, all under certain terms and conditions.

THE BILL WAS READ.

COUNCILMEMBER KENNEY MOVED TO AMEND BILL NO. 110181-A (SEE FILE).

COUNCILMEMBER KENNEY MOVED FOR THE ADOPTION OF THE AMENDMENT.

THE MOTION WAS DULY SECONDED AND AGREED TO.

THE AMENDMENT TO BILL NO. 110181-A ADOPTED.

Bill No. 110181-AA, as amended: An Ordinance Amending Chapter 19-1200 of The Philadelphia Code, entitled "Parking Tax," by providing for scheduled reductions in the rate of the tax beginning in Fiscal Year 2012, and by making certain technical amendments, all under certain terms and conditions.

THE BILL WAS AMENDED.

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

Resolution No. 110576: Resolution Requesting the Mayor to return to Council Bill No. 110441, entitled "An Ordinance authorizing the Commissioner of Public Property, on behalf of the City of Philadelphia, to convey to the Philadelphia Authority for Industrial Development, a parcel of land located at 1628 Fitzwater Street, for further conveyance, under certain terms and conditions," for the purpose of reconsideration by the Council of the vote by which said bill passed Council.

THE RESOLUTION WAS ADOPTED.

BILLS AND RESOLUTIONS ON SECOND READING AND FINAL PASSAGE

Bill No. 110480, as amended: 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 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 READ AND 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*

SPECIAL BUSINESS

Councilmember Tasco

moved that the rules of Council be suspended to permit consideration at this time of Special Business related to the recall of Bill No. 110441.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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*

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

September 8, 2011

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

I am returning herewith as requested by your Resolution adopted September 8, 2011, Bill No. 110441, entitled "An Ordinance authorizing the Commissioner of Public Property, on behalf of the City of Philadelphia, to convey to the Philadelphia Authority for Industrial Development, a parcel of land located at 1628 Fitzwater Street, for further conveyance, under certain terms and conditions," for the purpose of reconsideration by the Council of the vote by which said bill passed Council.

Respectfully,
Michael A. Nutter
Mayor (File No. 110601)

THE COMMUNICATION WAS READ.

Councilmember Tasco

moved that the vote by which Bill No. 110441 passed Council be reconsidered.

THE MOTION WAS DULY SECONDED AND AGREED TO.

Bill No. 110441: An Ordinance Authorizing the Commissioner of Public Property, on behalf of the City of Philadelphia, to convey to the Philadelphia Authority for Industrial Development, a parcel of land located at 1628 Fitzwater Street, for further conveyance, under certain terms and conditions.

THE BILL WAS RECONSIDERED.

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*

THE BILL WAS READ.

THE BILL AGAIN, BEING BEFORE THE COUNCIL, COUNCILMEMBER TASCO MOVED TO PLACE BILL NO. 110441 ON THE SECOND READING CALENDAR.

Bill No. 110441: An Ordinance Authorizing the Commissioner of Public Property, on behalf of the City of Philadelphia, to convey to the Philadelphia Authority for Industrial Development, a parcel of land located at 1628 Fitzwater Street, for further conveyance, under certain terms and conditions.

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

SPEECHES

COUNCILMEMBERS JONES, BROWN AND BLACKWELL, (SEE NOTES OF TESTIMONY).

COUNCILMEMBER CLARKE MOVED TO ADJOURN

THE MOTION WAS DULY SECONDED AND AGREED TO.