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COUNCIL OF THE CITY OF PHILADELPHIA  
COMMITTEE ON STREETS AND SERVICES

Room 400, City Hall  
Philadelphia, Pennsylvania  
Thursday, June 2, 2011  
2:25 p.m.

PRESENT:

- COUNCILMAN FRANK DiCICCO, CHAIR
- COUNCILWOMAN JANNIE BLACKWELL
- COUNCILMAN BILL GREEN
- COUNCILMAN WILLIAM K. GREENLEE
- COUNCILMAN JAMES KENNEY
- COUNCILWOMAN DONNA REED MILLER
- COUNCILWOMAN MARIA D. QUINONES-SANCHEZ

BILLS 090746, 110131, 110132, 110226, 110258,  
110259, 110298, 110299, 110300, 110301,  
110310, 110311, 110364, 110365, 110366,  
110368, 110378, 110380, 110386, 110393,  
110435, 110436, 110437, 110438, 110439 and  
110440

- - -

1  
2 COUNCILMAN DiCICCO: Good  
3 afternoon, everyone. We are waiting for  
4 a quorum. I apologize for the delay.

5 An announcement to do some  
6 housecleaning. Just for those who are  
7 here in reference to Bill No. 110386, the  
8 sidewalk behavior bill, that bill is  
9 being held. We will have a hearing on  
10 Tuesday at 4 o'clock p.m. and Streets and  
11 Services Committee will -- that bill is  
12 being recessed to the call of the Chair  
13 for 4 o'clock p.m. this coming Tuesday,  
14 which is the 7th, June 7th, at 4 o'clock  
15 p.m. in this Chambers. There will be no  
16 hearing regarding the sidewalk behavior  
17 bill today.

18 Thank you.

19 (Applause.)

20 COUNCILWOMAN BLACKWELL:  
21 Mr. Chairman?

22 COUNCILMAN DiCICCO: I'm sorry.  
23 Councilwoman.

24 COUNCILWOMAN BLACKWELL: Thank  
25 you. I wanted to thank you for holding

1           6/2/11 - STREETS - BILL 090746, ETC.

2           this bill in the spirit of cooperation  
3           and us working out another way to  
4           accomplish goals. Certainly on behalf of  
5           all right-thinking, good people  
6           everywhere, I thank you, because I know  
7           that your intention is to try to solve a  
8           problem, not to hurt homeless people. I  
9           knew that from the beginning. And so I  
10          would like to say thank you for your  
11          willingness to try to work this out.

12                    COUNCILMAN DiCICCO: Well,  
13          thank you, Councilwoman, and --

14                    (Appause.)

15                    COUNCILMAN DiCICCO: Thank you.  
16          And as I said to you and my colleagues  
17          earlier, I'm hopeful between now and next  
18          Tuesday that the language will be such  
19          that you will be comfortable and able to  
20          support the final draft of the  
21          legislation. Thank you for your  
22          cooperation as well.

23                    COUNCILWOMAN BLACKWELL:  
24          Certainly. Thank you.

25                    (Pause.)

1           6/2/11 - STREETS - BILL 090746, ETC.

2           COUNCILMAN DiCICCO: Good  
3           afternoon again, ladies and gentlemen. I  
4           apologize for the delay. What we will do  
5           is, we will begin the public hearing  
6           process. A couple of the other members  
7           of this Committee will be here within the  
8           next few minutes, so in the interest of  
9           time, everyone's time, we will begin the  
10          public hearing on the bills slated to be  
11          heard today in the Streets and Services  
12          Committee.

13          My name is Frank DiCicco. I'm  
14          the Chair of this Committee. To my  
15          immediate right is Councilwoman Donna  
16          Reed Miller. To my immediate left is  
17          Councilman William Greenlee.

18          With that, I will ask Mr.  
19          McMonagle to read the title of the first  
20          bill.

21          THE CLERK: Bill No. 110366, an  
22          ordinance amending Chapter 10-700 of The  
23          Philadelphia Code, entitled "Refuse and  
24          Littering," by adding a new Section,  
25          authorizing the Department of Streets to

1           6/2/11 - STREETS - BILL 090746, ETC.  
2           promulgate regulations regarding the  
3           proper disposal of refuse, rubbish,  
4           garbage and recyclable materials set out  
5           for collection and to issue notices of  
6           violation for the improper disposal of  
7           such items, and establishing standards of  
8           review for hearings on violations, all  
9           under certain terms and conditions.

10                   (Witnesses approached witness  
11           table.)

12                   COUNCILMAN DiCICCO: Good  
13           afternoon, Commissioner and Deputy. Nice  
14           to see you.

15                   COMMISSIONER TOLSON: Good  
16           afternoon.

17                   Good afternoon, members of the  
18           Committee on Streets and Services. My  
19           name is Clarena Tolson, Commissioner of  
20           the Streets Department. I'm here with  
21           Deputy Commissioner Carlton Williams. We  
22           appreciate the opportunity to present  
23           testimony on Bill No. 110366, introduced  
24           by Councilman William Greenlee.

25                   The Administration supports the

1           6/2/11 - STREETS - BILL 090746, ETC.  
2           proposed amendments to Bill No. 110366,  
3           which sets forth certain standards for  
4           code violation notices issued for the  
5           improper disposal of curbside refuse,  
6           rubbish, garbage and recyclable  
7           materials. The bill provides that a CVN  
8           issued for the aforementioned violations  
9           must contain certain information,  
10          including a statement whether or not  
11          evidence containing the address of the  
12          property in violation was found among the  
13          improperly disposed of materials.

14                        The bill also codifies the  
15          factors which must be considered in an  
16          appeal of a ticket before the Office of  
17          Administrative Review hearing officer.  
18          These factors include, but are not  
19          limited to, the manner and location in  
20          which the materials were set out, whether  
21          evidence containing the address of the  
22          property was found in the materials and  
23          the timeliness of the notice received by  
24          the property owners.

25                        The intent of this bill is to

1           6/2/11 - STREETS - BILL 090746, ETC.

2           ensure that SWEEP -- that's Streets and  
3           Walkways Education Enforcement Program --  
4           SWEEP officers are issuing tickets to the  
5           proper party, the offending dumpers.  
6           SWEEP officers already are trained to  
7           perform a check of the materials to look  
8           for information that may identify the  
9           person responsible for the materials. In  
10          cases where no address is located, the  
11          ticket will be issued to the property  
12          owner where the materials are located.  
13          Bill No. 110366 provides property owners  
14          with a measure of defense by ensuring  
15          that the lack of identifying information  
16          tying the illegally placed materials to  
17          the property is taken into consideration  
18          at any appeal of the violation.

19                 The improper disposal of  
20          curbside refuse, litter and illegal  
21          dumping is something the Streets  
22          Department takes very seriously. Last  
23          year the Department issued over 100,000  
24          code violation notices. That will be for  
25          this year. The Streets Department also

1           6/2/11 - STREETS - BILL 090746, ETC.

2           acquired new handheld electronic  
3           ticketing devices to address code  
4           enforcement violations relating to the  
5           quality of life issues in the City of  
6           Philadelphia. This new system has been  
7           an extremely effective tool to ensure  
8           accuracy and accountability. The most  
9           important feature of the device is the  
10          photo capability. This new system  
11          provides documented proof of a violation  
12          and helps us determine if a citation is  
13          warranted. The electronic ticketing  
14          devices also improve efficiency by  
15          significantly reducing processing time.  
16          The data from the devices is  
17          automatically transferred to the Office  
18          of Administrative Review at the end of  
19          each workday. This eliminates travel  
20          time from sorting and delivering  
21          violation notices to OAR. The devices  
22          also eliminate manual data entry, which  
23          causes delays in violation notices.  
24          Finally, the devices offer a number of  
25          other important benefits, including

1           6/2/11 - STREETS - BILL 090746, ETC.

2           instant access to property owner  
3           information, violation history and  
4           licensing information. These components  
5           are critical to uphold the integrity of  
6           our enforcement efforts that help keep  
7           our city clean and beautiful.

8                         We're happy to answer any  
9           questions that you may have at this time.

10                        COUNCILMAN DiCICCO: Thank you,  
11           Commissioner.

12                        Councilman Greenlee.

13                        COUNCILMAN GREENLEE: Thank  
14           you, Mr. Chairman.

15                        I just want to thank  
16           Commissioner Tolson and Deputy  
17           Commissioner Williams. I know the Deputy  
18           Commissioner and I have talked a lot  
19           about this and we worked out any kind of  
20           language difficulty. I just want to make  
21           clear. Obviously we want enforcement of  
22           violations, but I and I think a lot of  
23           other people had gotten complaints that  
24           maybe some of these violations were too  
25           vague or they didn't think was fair

1           6/2/11 - STREETS - BILL 090746, ETC.

2           enough. So I think just putting, as the  
3           Commissioner said, certain standards in  
4           there I think helps everybody. It helps  
5           the community, it helps the Department,  
6           it helps everybody.

7                     Mr. Chairman, I have just two  
8           people who have come and just wanted to  
9           kind of briefly give their kind of  
10          description on why they thought that  
11          these changes were necessary. But,  
12          again, I certainly thank the Streets  
13          Department and the Bureau of  
14          Administrative Adjudication for your  
15          cooperation, and glad we don't have to  
16          fight about this.

17                    Thank you.

18                    COMMISSIONER TOLSON: Thank  
19          you.

20                    COUNCILMAN DiCICCO: One fight  
21          we don't have to have today.

22                    Councilwoman Miller.

23                    COUNCILWOMAN MILLER: Hi. Good  
24          afternoon.

25                    COMMISSIONER TOLSON: Good

1           6/2/11 - STREETS - BILL 090746, ETC.

2           afternoon.

3                   COUNCILWOMAN MILLER: I just  
4           want to know, what are the penalties for  
5           someone -- on this last page, it says if  
6           a person named in the code enforcement  
7           complaint is found at a hearing to have  
8           violated any regulated, adopted -- what  
9           are the penalties, and how many times do  
10          you need to get a ticket before you're  
11          taken into court?

12                   DEPUTY COMMISSIONER WILLIAMS:

13          How you doing, Councilwoman? My name is  
14          Deputy Commissioner Carlton Williams from  
15          the Streets Department.

16                   The initial code violation  
17          notice is for \$50, and there are  
18          penalties assessed if you don't pay  
19          within a certain time period. But the  
20          initial code violation notice is \$50.  
21          Ranging -- for specific violations, there  
22          is other violations that could range from  
23          \$100 up to \$300, for which is in our  
24          capability. For instance, if you have a  
25          misuse of a litter basket, that's a \$100

1           6/2/11 - STREETS - BILL 090746, ETC.  
2           violation. So it ranges for various  
3           violations, various infractions, but  
4           initially the lowest violation amount is  
5           \$50.

6                   COUNCILWOMAN MILLER: So how  
7           many violations do you need to acquire  
8           before you're taken to court for this  
9           court action?

10                   DEPUTY COMMISSIONER WILLIAMS:  
11           That you would have to ask OAR. We don't  
12           know exactly the procedure for the number  
13           of tickets that you would have to  
14           accumulate before a higher action is  
15           actually taken against you. But, again,  
16           OAR would be able to answer that  
17           question.

18                   COUNCILWOMAN MILLER: One other  
19           question. Same kind of pew, but what is  
20           the penalty for not cutting your grass,  
21           high weeds and all the others? Is that  
22           also \$50?

23                   DEPUTY COMMISSIONER WILLIAMS:  
24           Yes. I believe that's \$50 as well, yes.

25                   COUNCILWOMAN MILLER: And then

1           6/2/11 - STREETS - BILL 090746, ETC.

2           OAR is who keeps track and determines  
3           when someone needs to go to court?

4                     DEPUTY COMMISSIONER WILLIAMS:

5           Exactly. There's a procedure that,  
6           again, as the Commissioner mentioned in  
7           her testimony, our handhelds download the  
8           information to the Office of  
9           Administrative Review, which has the  
10          citation, the property address and the  
11          infraction, of course, the date, the time  
12          and all of the relevant information.

13          That information is followed up with a  
14          notification of violation letter if the  
15          person hasn't taken care of the violation  
16          in a certain period of time. It tells  
17          them the penalty phase if they ignore it,  
18          and then at that point, the procedure  
19          goes on with continuous notices, because  
20          there's increased penalties each time  
21          that a notice -- that's all administered  
22          through the Office of Administrative  
23          Review.

24                     COUNCILWOMAN MILLER: Because

25          sometimes you have the same people

1           6/2/11 - STREETS - BILL 090746, ETC.  
2           continue to violate, and you don't know  
3           whether they're being given a ticket or  
4           citation or whatnot. So if you want to  
5           get information, then it's best for our  
6           office to call someone at OAR?

7                     DEPUTY COMMISSIONER WILLIAMS:  
8           That's correct.

9                     COUNCILWOMAN MILLER: All  
10          right.

11                    DEPUTY COMMISSIONER WILLIAMS:  
12          For repeat offenders, for people who have  
13          multiple tickets and you want to know if  
14          court action was taken against them.

15                    COUNCILWOMAN MILLER: Because,  
16          you know, this time of year, I get a lot  
17          of calls from folks that are taking care  
18          of vacant properties or lots and it's,  
19          Oh, here we go again. We have to go and  
20          cut the grass. We have to go and clean  
21          the yard or clean the lot. And I've  
22          gotten a couple calls like in the last  
23          several weeks, like here we go again,  
24          summer is coming, grass is growing. In  
25          the winter, you plow the snow, you shovel

1           6/2/11 - STREETS - BILL 090746, ETC.

2           the snow. In the summer you're cutting  
3           the grass. And it's like these people  
4           are not listening, and from what we hear,  
5           that the CLIP program was so successful  
6           in the Northeast, when people got  
7           notices, they responded. They paid. I  
8           don't think they wanted to go to court.  
9           So sometimes I think that our enforcement  
10          just needs to be stronger.

11                        DEPUTY COMMISSIONER WILLIAMS:

12          Understood.

13                        COMMISSIONER TOLSON:

14          Enforcement is very important.

15                        COUNCILWOMAN MILLER: Yeah.

16          Okay. Thank you.

17                        COUNCILMAN DiCICCO: Thank you.

18                        Anyone else who wishes to  
19          testify? I understand there may be a  
20          couple witnesses. Please come forward.

21                        (Witnesses approached witness  
22          table.)

23                        COUNCILMAN DiCICCO: We have  
24          both of your written testimony and we  
25          will make that part of the record, so if

1           6/2/11 - STREETS - BILL 090746, ETC.

2           you could summarize, that would be  
3           helpful.

4                       MR. FOLKMAN: Good afternoon.

5           I want to thank members of Council for  
6           this opportunity to express my opinion  
7           concerning the bill under consideration.  
8           My name is Alan Folkman and I'm a realtor  
9           who specializes in property management  
10          with JMH Realty Concepts. I've been  
11          managing property in the Fairmount/Spring  
12          Garden area since 1988. We currently  
13          manage about 250 apartments and houses in  
14          the neighborhood, and in addition, we do  
15          the rentals for other property owners for  
16          approximately 250 additional units.

17                      As a landlord who has a strong  
18          interest in maintaining property values,  
19          I take the issues of dirty streets and  
20          trash removal very seriously. A clean,  
21          well-kept neighborhood makes my job  
22          easier. Apartments and houses rent  
23          faster and at a higher rate on a clean  
24          street. Because of this, we inform every  
25          tenant of the trash laws and have very

1           6/2/11 - STREETS - BILL 090746, ETC.

2           strict clauses in our leases concerning  
3           tenants' handling of trash, which closely  
4           mirrors the City's ordinance and imposes  
5           clean-up charges on the tenants who  
6           ignore the rules. But because we are  
7           answerable both to our property owners  
8           and our tenants, with whom we must  
9           maintain an ongoing relationship, we must  
10          exercise care when imposing a charge.

11                        When we find trash out at the  
12          wrong time or in a prohibited area, we  
13          take the time to go through the bag,  
14          identify the responsible party. We clean  
15          the area, photocopy the evidence and bill  
16          the tenant for the service. The purpose  
17          of this policy is not to generate revenue  
18          but to alter the behavior of the  
19          offending party.

20                        I realize that our goals may be  
21          different from that of the Streets  
22          Department, but our efforts are usually  
23          effective and they work quickly.

24                        Done properly, we would welcome  
25          the efforts of the Streets Department in



1           6/2/11 - STREETS - BILL 090746, ETC.

2           numerous properties. If you want  
3           specific addresses, I have them.

4                       I got so many tickets and  
5           complaints from neighbors in one location  
6           on Fairmount Avenue that I took the time  
7           to visit the property at 6:00 a.m.  
8           several weeks in a row to examine the  
9           trash, only to find consistency that the  
10          buildings on both sides decided it was  
11          okay to just jump their trash on our  
12          property. When I said something to them,  
13          they actually got indignant. To resolve  
14          this, I had to collect the proof, pay for  
15          parking, sit for hours during a busy  
16          workday and go to a hearing for other  
17          people's trash.

18                      Now, I won't say the Streets  
19          Department was not always helpful. At  
20          least one supervisor from the SWEEPs  
21          program was sympathetic and did help in  
22          that case. But there are so many other  
23          instances where we have the same problem  
24          that having to do this for each  
25          individual problem is prohibitively time

1           6/2/11 - STREETS - BILL 090746, ETC.

2           consuming.

3                       If the goal is really cleaner  
4           streets, then the solution is to issue  
5           citations to the guilty parties, not  
6           innocent bystanders. Pardon the pun, but  
7           when loading the system with citations,  
8           the old adage, "garbage in, garbage out"  
9           applies here. And if revenue is the  
10          goal, why not enforce the ordinance which  
11          prohibits anyone from dumping trash in  
12          someone else's property. At \$150 per  
13          citation, you can both alter the  
14          offender's behavior and fill the City  
15          coffers. In addition, you have an  
16          advantage in collecting the data because  
17          the actual offender's evidence has been  
18          documented. There's no conflict of  
19          interest with enforcing it. It just  
20          takes more time to do it right instead of  
21          fast. It's a matter of quality versus  
22          quantity.

23                      Well, that deals with the  
24          citation issue, and I wish I could tell  
25          you that this would solve all the

1           6/2/11 - STREETS - BILL 090746, ETC.

2           problems, but there is one more issue.

3           After having citations issued week after  
4           week, with no notice to either the owner  
5           or the agent so the corrective action  
6           could be taken, a notice has eventually  
7           made its way to the owner. This could  
8           take anywhere from one to six months,  
9           although timeframes have improved.

10          However, if the owner has moved or  
11          died -- and I have managed for an estate  
12          where this was the case -- it can take a  
13          very long time.

14                 By the time the property  
15          owners, many of whom live out of town,  
16          are finally notified, there are  
17          frequently additional penalties added  
18          and, more alarmingly, the possibility  
19          that there is still a string of  
20          additional notices yet to come, because  
21          either the tenant or the neighbor causing  
22          the problem was allowed to continue  
23          violating City trash ordinances,  
24          unabated, without penalty, because no one  
25          took the time to find out who was really

1           6/2/11 - STREETS - BILL 090746, ETC.

2           causing the problem.

3                       By the time the paperwork makes  
4           its way to my office from the owner, the  
5           tenants have frequently already moved,  
6           leaving the owner with bills for  
7           violations they did not commit and for  
8           which they have no recourse.

9                       There is a simple solution for  
10          this. I and my colleagues manage  
11          property for numerous owners and  
12          investors who live outside the City  
13          limits. As per the law, my clients have  
14          hired us as licensed agents who are  
15          registered with the Department of License  
16          and Inspections specifically so that the  
17          City has a local party within the City  
18          limits should there be a need to serve  
19          papers to the owner. This being the  
20          case, I must also ask why, if we are  
21          registered with the City for this  
22          specific purpose, are we not being  
23          notified when a citation is written?

24                      Finally, I want to testify to  
25          you that these are not isolated problems,

1           6/2/11 - STREETS - BILL 090746, ETC.

2           but common occurrences. From my  
3           perspective, there are two simple  
4           solutions. First, make sure that the  
5           citation goes to the actual perpetrator,  
6           not the innocent party who just happens  
7           to own the building. It may take a  
8           little longer, but it is the right thing  
9           to do and it will work. Second, provide  
10          timely notice of the violation to the  
11          properly authorized party.

12                         Thank you for your time and  
13          consideration.

14                         COUNCILMAN DiCICCO: Thank you.

15                         MS. KOZAK: Thank you for the  
16          opportunity to speak today. My name is  
17          Slava Kozak.

18                         My husband and I have been  
19          landlords for 27 years of two properties  
20          in the Art Museum area and live within  
21          blocks of each of them. We love our  
22          neighborhood and have worked hard to  
23          champion its desirability. Many of our  
24          tenants have become homeowners in the  
25          area. We provide apartments that are

1           6/2/11 - STREETS - BILL 090746, ETC.

2           beautiful, safe and legal. The area has  
3           come a long way since we started, and we  
4           want to see it stay clean and beautiful.

5                        But with any success come  
6           disadvantages, the increase in the number  
7           of rental properties, hence more trash.  
8           Along with licensed rental properties,  
9           the neighborhood is filled with houses  
10          rented to students. In the past few  
11          years, trash tickets have become more  
12          widespread. As I walk through the area,  
13          I see the violations continue. Our  
14          tenants have been here several years  
15          without incident, and they know better  
16          than to leave trash out early.

17                       Tickets are issued to the  
18          property, not a specific violator, and  
19          then the property owner is notified over  
20          a month later. No evidence has been  
21          presented for us to counter. Our  
22          properties share the front stairs with  
23          another property, making it easy for them  
24          to place their trash on our side. Years  
25          ago, Polaroids were taken as proof, along

1           6/2/11 - STREETS - BILL 090746, ETC.

2           with identifying items. How does one  
3           know whether another neighbor's trash was  
4           left on the property or perhaps  
5           pranksters moving bags around? What  
6           happened to the burden of proof?

7                        When I did go to dispute a  
8           ticket, I was told it was my  
9           responsibility to be at my properties to  
10          make sure it stays clear of any unwanted  
11          trash. How are we supposed to work and  
12          accomplish that? In these hard times,  
13          \$50 is no small matter. We as landlords  
14          are already paying the new trash tax,  
15          which is levied on the amount of units,  
16          not on the amount of people in a  
17          property. Our properties have a maximum  
18          of four people, unlike families and  
19          college rentals. There needs to be a  
20          fairer system that penalizes the  
21          wrongdoers and not those who are not home  
22          when tickets are issued.

23                        Thank you for your time.

24                        COUNCILMAN GREENLEE:

25          Mr. Chairman, I just want to thank both

1           6/2/11 - STREETS - BILL 090746, ETC.

2           witnesses. It was some of their  
3           complaints with others that kind of  
4           generated this, but, again, I think what  
5           has been worked out with the Streets  
6           Department will address a lot of those  
7           issues. So I appreciate everybody's  
8           time.

9                        COUNCILMAN DiCICCO: Thank you.

10                      Any other witnesses on this  
11           bill?

12                      (No response.)

13                      COUNCILMAN DiCICCO: Seeing  
14           none, please read the title of the next  
15           bill.

16                      CHIEF CLERK: Bill No. 110364,  
17           an ordinance authorizing the striking  
18           from City Plan No. 42 and abandoning of a  
19           portion of a certain right-of-way  
20           reserved for municipal and public utility  
21           purposes which extends southwestwardly  
22           from the westerly side of former  
23           Thirty-Second Street, south of Market  
24           Street, under certain terms and  
25           conditions.

1           6/2/11 - STREETS - BILL 090746, ETC.

2                   (Witnesses approached witness  
3 table.)

4                   MR. MORELLI: Good afternoon,  
5 Mr. Chairman and members of the  
6 Committee. My name is Frank Morelli,  
7 Survey Bureau Manager of the Department  
8 of Streets, and the Department of Streets  
9 would like to offer the following  
10 testimony on Bill No. 110364.

11                   This is not an Administration  
12 ordinance, but an ordinance requested by  
13 Ms. Melissa Brown of Drexel University,  
14 3201 Arch Street, Philadelphia, PA.

15                   The purpose of this ordinance  
16 is to authorize the striking from the  
17 City Plan and abandoning of the  
18 northwesterly 23 feet wide portion of an  
19 existing 60 feet wide right-of-way for  
20 municipal and public utility purposes  
21 which extends southwestwardly from the  
22 westerly side of former 32nd Street,  
23 south of Market Street. This action will  
24 facilitate plans by Drexel University to  
25 construct a new building for the LeBow

1           6/2/11 - STREETS - BILL 090746, ETC.  
2           College of Business, consisting of 12  
3           stories and 177,500 square feet of floor  
4           space.

5                       This ordinance is supported by  
6           the Department of Streets and is  
7           recommended to your Committee for  
8           favorable action.

9                       COUNCILMAN DiCICCO: Good  
10          afternoon.

11                      MS. DECAMP: Good afternoon,  
12          Chairman DiCicco and members of the  
13          Streets and Services Committee. My name  
14          is Martine Decamp. I'm a City Planner  
15          with the Development Planning Division of  
16          the Philadelphia City Planning  
17          Commission. I'm here to testify on Bill  
18          No. 110364, which Councilmember Blackwell  
19          introduced on May 12th, 2011.

20                      This Streets bill authorizes  
21          the striking and abandonment of the  
22          utility right-of-way in the former 32nd  
23          Street, south of Market Street.

24                      The City Planning Commission  
25          will consider Bill 110364 at its meeting

1           6/2/11 - STREETS - BILL 090746, ETC.  
2           of June 14th, 2011. The Planning  
3           Commission staff will recommend approval.

4           COUNCILMAN DiCICCO: Thank you.  
5           Appreciate it.

6           Councilwoman Blackwell.

7           COUNCILWOMAN BLACKWELL: Thank  
8           you, Mr. Chairman. It is true we have  
9           had meetings and deliberations with  
10          regard to this bill and we are totally in  
11          support of these plans.

12          COUNCILMAN DiCICCO: Thank you.

13          Anyone else here who wishes to  
14          testify for or against this bill?

15          (No response.)

16          COUNCILMAN DiCICCO: Seeing  
17          none, please read the title of the next  
18          bill.

19          THE CLERK: Bill No. 110298, an  
20          ordinance establishing a no truck parking  
21          regulation on the 300 block of Levick  
22          Street, both sides.

23          (Witness approached witness  
24          table.)

25          MR. DENNY: Good afternoon,

1           6/2/11 - STREETS - BILL 090746, ETC.  
2           Mr. Chairman, members of the Committee.  
3           My name is Charles Denny. I'm Assistant  
4           Chief Traffic Engineer, and I'm here to  
5           testify on this bill.

6                     The Streets Department has no  
7           objections to this bill. As such, we  
8           have posted "no truck parking any time"  
9           signs on September 28th, 2009.

10                    Thank you for the opportunity  
11           to speak, and if you have any questions,  
12           I'm free to answer them.

13                    COUNCILMAN DiCICCO: Thank you,  
14           Mr. Denny.

15                    Any questions for this witness?

16                    (No response.)

17                    COUNCILMAN DiCICCO: Is there  
18           anyone else here who wishes to testify on  
19           this bill, for or against?

20                    (No response.)

21                    COUNCILMAN DiCICCO: Seeing  
22           none, please read the title of the next  
23           bill.

24                    THE CLERK: Bill No. 110299, an  
25           ordinance establishing a no truck parking

1           6/2/11 - STREETS - BILL 090746, ETC.  
2           regulation on the 200 through 600 blocks  
3           of Comly Street, both sides.

4                   MR. DENNY: Good afternoon  
5           again. Again, my name is Charles Denny.  
6           I'm the Assistant Chief Traffic Engineer.

7                   The Streets Department has no  
8           objections to this bill. As such, the  
9           "no truck parking any time" signs were  
10          installed on November 17th, 2010.

11                   Thank you for the opportunity.  
12          If you have any questions.

13                   COUNCILMAN DiCICCO: Thank you,  
14          Mr. Denny.

15                   Any questions for this witness?

16                   (No response.)

17                   COUNCILMAN DiCICCO: Anyone  
18          else here who wishes to testify for or  
19          against this bill?

20                   (No response.)

21                   COUNCILMAN DiCICCO: Seeing  
22          none, please read the title of the next  
23          bill.

24                   THE CLERK: Bill No. 110300, an  
25          ordinance establishing a no truck parking

1           6/2/11 - STREETS - BILL 090746, ETC.  
2           regulation on the 5700 to 6800 blocks of  
3           Bingham Street, both sides.

4                     MR. DENNY: Good afternoon  
5           again. I'm Charles Denny, Assistant  
6           Chief Traffic Engineer.

7                     The Streets Department has no  
8           objections to the passage of this bill.  
9           The appropriate "no truck parking any  
10          time" signs were installed on November  
11          16th, 2010.

12                    Thank you for the opportunity.

13                    COUNCILMAN DiCICCO: Thank you,  
14          Mr. Denny.

15                    Any questions?

16                    (No response.)

17                    COUNCILMAN DiCICCO: Anyone  
18          else here who wishes to testify for or  
19          against this bill?

20                    (No response.)

21                    COUNCILMAN DiCICCO: Please  
22          read the title of the next bill.

23                    THE CLERK: Bill No. 110301, an  
24          ordinance establishing a no truck parking  
25          regulation on the 700 block of Harrison

1           6/2/11 - STREETS - BILL 090746, ETC.

2           Street, both sides.

3                       MR. DENNY: Good afternoon  
4           again. My name is Charles Denny,  
5           Assistant Chief Traffic Engineer.

6                       The Streets Department has no  
7           objection to the passage of this bill.  
8           The appropriate "no truck parking any  
9           time" signs were installed on November  
10          17th, 2010.

11                      Thank you for the opportunity  
12          to testify.

13                      COUNCILMAN DiCICCO: Thank you  
14          again.

15                      Any questions?

16                      (No response.)

17                      COUNCILMAN DiCICCO: Anyone  
18          else here who wishes to testify on this  
19          bill?

20                      (No response.)

21                      COUNCILMAN DiCICCO: Seeing  
22          none, please read the title of the next  
23          bill.

24                      THE CLERK: Bill No. 110438, an  
25          ordinance authorizing the installation of

1           6/2/11 - STREETS - BILL 090746, ETC.

2           all-way stop signs at the intersection of  
3           Winchester Avenue and Narvon Street.

4                     MR. DENNY:   Good afternoon  
5           again.   My name again is Charles Denny.  
6           I'm the Assistant Chief Traffic Engineer  
7           with the Department of Streets.   I am  
8           here to offer testimony on Bill No.  
9           110438, a bill establishing an all-way  
10          stop control at the intersection of  
11          Winchester and Narvon.

12                    The Streets Department has  
13          objections to this bill.   The  
14          Pennsylvania Vehicle Code requires  
15          PennDOT to develop regulations governing  
16          the traffic control devices in accordance  
17          with the Federal Highway Administration  
18          Manual on Uniform Traffic Control  
19          Devices.   These regulations apply to all  
20          public streets and highways in  
21          Pennsylvania, and the City Solicitor has  
22          ruled that the Streets Department is  
23          legally obligated to comply with the  
24          Vehicle Code and related PennDOT  
25          regulations.   Also, the Streets

1           6/2/11 - STREETS - BILL 090746, ETC.

2           Department was only notified about this  
3           bill on Friday last week and we have not  
4           had time to properly update our previous  
5           studies.

6                         Federal and state criteria  
7           require that an all-way stop be warranted  
8           by an engineering study of traffic  
9           conditions - police crash records,  
10          traffic volumes, speed, sight distances.  
11          Our study concluded that conditions at  
12          this location do not satisfy federal and  
13          state warrants for an all-way control.

14                        Warrant I relates to the  
15          location where a traffic signal is  
16          warranted but for some reason cannot be  
17          immediately installed. An all-way stop  
18          control can be established temporarily,  
19          pending a traffic signal installation.  
20          Conditions do not satisfy the state's  
21          warrants for a traffic signal here.  
22          Therefore, Warrant I is not satisfied.

23                        Warrant II relates to crash  
24          experience. Police crash records of five  
25          or more crashes within a 12-month period

1           6/2/11 - STREETS - BILL 090746, ETC.

2           corrected by an all-way stop sign

3           installation satisfy Warrant II.

4           According to police records for the years

5           from 2002 to 2010, there have been no

6           crashes reported at this intersection.

7           Therefore, Warrant II is not satisfied.

8                         Warrant III relates to vehicles

9           and pedestrian volumes and it requires

10          that the total vehicle volume on the

11          major street, Winchester, average at

12          least 300 vehicles per hour for any eight

13          hours of the average day. Combined,

14          vehicle and pedestrian volumes on the

15          minor street, Narvon, averages at least

16          200 vehicles and pedestrians per hour for

17          the same eight hours.

18                         The most recent study in 2006,

19          the peak hour volume on Winchester was

20          156 vehicles per hour, which was 52

21          percent of the required volume. Traffic

22          entering from Narvon Street averaged six

23          vehicles per hour and six pedestrians per

24          hour for the same hour, totalling 12

25          units. This is six percent of the

1           6/2/11 - STREETS - BILL 090746, ETC.

2           minimum 200 required per hour for the  
3           minor street. Therefore, Warrant III is  
4           not satisfied.

5                         At the intersection of  
6           Winchester and Narvon Streets, we are not  
7           dealing with a borderline situation, but  
8           rather one in which prevailing traffic  
9           conditions fall far short of the minimum  
10          required by the Federal Highway Manual  
11          and by the Pennsylvania Vehicle Code for  
12          the installation of an all-way stop.

13                        For an intersection with no  
14          crashes for nine years, it is difficult  
15          to justify installing an all-way stop.  
16          Drivers do realize how much traffic exits  
17          from a side street and gives the stop  
18          sign at those intersections less respect  
19          and also the next few intersections the  
20          drivers use as well. Placing a stop at  
21          Winchester and Narvon does not make this  
22          intersection safer, no crashes currently,  
23          but does increase the likelihood of  
24          crashes at other intersections, reducing  
25          the overall safety.

1           6/2/11 - STREETS - BILL 090746, ETC.

2                   Based on the results of the  
3 study, the Streets Department cannot  
4 support the installation of an all-way  
5 stop at this intersection and, therefore,  
6 cannot support this bill.

7                   Thank you for the opportunity  
8 to appear before you today and I would be  
9 happy to answer any questions.

10                   COUNCILMAN DiCICCO: Thank you  
11 again.

12                   Any questions?

13                   (No response.)

14                   COUNCILMAN DiCICCO: Anyone  
15 else here who wishes to testify? Please  
16 come forward.

17                   Charlie, just slide on over.

18                   Please have a seat, identify  
19 yourself for the record and proceed with  
20 your testimony. Pull the microphone a  
21 little bit closer.

22                   MR. MITCH: I'm Steve Mitch. I  
23 live on Winchester Avenue.

24                   MR. MESHNER: My name is Kevin  
25 Meshner. I live on the corner of

1           6/2/11 - STREETS - BILL 090746, ETC.

2           Winchester and Narvon.

3                   MR. MITCH: I've lived on this  
4           street for 20 years and it's --  
5           unfortunately it's a residential street  
6           and the speed limit signs are up at 25  
7           miles per hour, but they are very  
8           sporadically placed, and the distance of  
9           road from one stop sign that is up now,  
10          not at Narvon, down to the red light at  
11          Holme Avenue is over half a mile long,  
12          and the cars regularly go 40 to 50 miles  
13          an hour there, because, again, there's no  
14          enforcement.

15                   I can't tell you the number of  
16          times that I've tried to get out of my  
17          driveway and only to be actually almost  
18          hit by cars that have come around the  
19          curve, because simply it's a raceway.

20                   We feel that putting a stop  
21          sign at Narvon will dramatically slow the  
22          cars down, because instead of over a half  
23          a mile long, it will cut it down to a  
24          third of a mile.

25                   It's really important to put

1           6/2/11 - STREETS - BILL 090746, ETC.

2           this stop sign up. I mean, I know it  
3           doesn't meet all your regulations and  
4           stats and everything like this, but you  
5           have to live on this street to realize it  
6           really, really is a dangerous street.  
7           And Kevin lives on the corner.

8                         MR. MESHNER: Just trying to  
9           back out of your driveway, you're looking  
10          back and you start backing up and then  
11          all the sudden there's a car there.  
12          There's been a number of times my wife  
13          has tried to back out and there's almost  
14          been an accident.

15                        The corner -- trying to get  
16          from Narvon onto Winchester in either  
17          direction is difficult. The speed on the  
18          street, they regularly going down the  
19          street at least 50 miles an hour, and  
20          there's -- the route on Winchester is  
21          very popular for people walking. The  
22          park is right there. So they're walking  
23          back and forth getting their exercise and  
24          so forth like that, but there is a need  
25          for it. Whether it meets requirements,

1           6/2/11 - STREETS - BILL 090746, ETC.

2           that I can't answer to, but I do believe  
3           that this is needed.

4                     MR. MITCH:   The other thing is,  
5           we represent over 50 people who signed  
6           this petition that we want to hand in.

7                     COUNCILMAN DiCICCO:   Thank you.  
8           All right.   We heard your testimony and  
9           we understand that the Councilman who  
10          introduced it, Councilman O'Neill, is in  
11          support of this legislation.   The  
12          Committee will act accordingly, but thank  
13          you for coming down.   Thank you for your  
14          testimony.

15                    (Thank you.)

16                    COUNCILMAN DiCICCO:   Is there  
17          anyone else here who wishes to testify?

18                    (No response.)

19                    COUNCILMAN DiCICCO:   Seeing  
20          none, please read the title of the next  
21          bill.

22                    THE CLERK:   Bill No. 090746, an  
23          ordinance amending Section 9-208 of The  
24          Philadelphia Code, entitled "Sidewalk  
25          Cafes," by providing that sidewalk cafes

1           6/2/11 - STREETS - BILL 090746, ETC.  
2           on Ninth Street, between Christian Street  
3           and Federal Street, may occupy spaces in  
4           which curb market carts may be located,  
5           under certain terms and conditions.

6                         (Witness approached witness  
7           table.)

8                         COUNCILMAN GREENLEE: Good  
9           afternoon, Ms. Brisbon. Identify  
10          yourself for the record and proceed,  
11          please.

12                        MS. BRISBON: Good afternoon,  
13          Chairman DiCicco and members of the  
14          Streets and Services Committee. My name  
15          is Michelle Brisbon and I'm a Staff  
16          Engineer with the Department of Streets,  
17          and I'm here to offer testimony on Bill  
18          No. 090746.

19                        This bill amends Section 9-208  
20          of The Philadelphia Code by allowing  
21          sidewalk cafes on Ninth Street between  
22          Christian Street and Federal Street in  
23          the spaces which may be occupied by the  
24          curb market carts.

25                        The Streets Department has no

1           6/2/11 - STREETS - BILL 090746, ETC.  
2           objection to the proposed bill and, per  
3           Section 9-208 of The Philadelphia Code,  
4           will be drafting a regulation with  
5           language for the design and placement of  
6           these cafes and language to ensure the  
7           safety and protection of pedestrians.

8                         Thank you for your time. This  
9           concludes my testimony, and I am pleased  
10          to answer any questions you may have.

11                        COUNCILMAN GREENLEE: Thank  
12          you, Ms. Brisbon.

13                        Is there anyone else here to  
14          testify on this bill?

15                        (No response.)

16                        COUNCILMAN GREENLEE: Seeing  
17          none, Mr. McMonagle, the next bill,  
18          please.

19                        THE CLERK: Bill No. 110226, an  
20          ordinance authorizing the University of  
21          the Sciences in Philadelphia, located at  
22          600 South 43rd Street, Philadelphia,  
23          Pennsylvania, to construct, own and  
24          maintain various encroachments in the  
25          form of auxiliary seating within the

1           6/2/11 - STREETS - BILL 090746, ETC.  
2           right-of-way adjacent to the building at  
3           4140 Woodland Avenue, under certain terms  
4           and conditions.

5                   COUNCILMAN GREENLEE: Thank  
6           you.

7                   Ms. Brisbon.

8                   MS. BRISBON: Good afternoon,  
9           Chairman DiCicco and members of the  
10          Streets and Services Committee. My name  
11          is Michelle Brisbon and I'm a Staff  
12          Engineer with the Department of Streets,  
13          and I'm here to offer testimony on Bill  
14          No. 110226.

15                   This bill authorizes the  
16          University of the Sciences in  
17          Philadelphia, located at 600 South 43rd  
18          Street, to construct, own and maintain  
19          various encroachments in the form of  
20          auxiliary seating adjacent to the  
21          building at 4140 Woodland Avenue.

22                   This encroachment includes a  
23          total of six tables with 12 chairs to be  
24          placed on the south sidewalk of Woodland  
25          Avenue. This encroachment will leave

1           6/2/11 - STREETS - BILL 090746, ETC.

2           approximately six feet, six inches of  
3           clear, unobstructed sidewalk.

4                       The Streets Department has no  
5           objections to the proposed encroachments  
6           and supports the passage of this bill.

7                       Thank you for your time. This  
8           concludes my testimony, and I'm pleased  
9           to answer any questions you may have.

10                      COUNCILMAN GREENLEE: Thank  
11           you, Ms. Brisbon.

12                      Councilwoman Blackwell.

13                      COUNCILWOMAN BLACKWELL: Thank  
14           you, Mr. Chairman. We support this bill.  
15           We have been in touch, have met with the  
16           University, as well as the community, and  
17           we're happy, therefore, to support this.

18                      COUNCILMAN GREENLEE: Thank  
19           you.

20                      COUNCILWOMAN BLACKWELL: Thank  
21           you.

22                      COUNCILMAN GREENLEE: Thank you  
23           very much.

24                      Anyone else here to testify on  
25           this bill? Seeing none -- you wish to

1           6/2/11 - STREETS - BILL 090746, ETC.

2           testify?

3                       MR. McCALLEY: Yes.

4                       COUNCILMAN GREENLEE: You have  
5           to come up to the microphone.

6                       (Witness approached witness  
7           table.)

8                       COUNCILMAN GREENLEE: Good  
9           afternoon. Just identify yourself for  
10          the record and proceed.

11                      MR. McCALLEY: Good afternoon.  
12          Michael McCalley of Duane Morris on  
13          behalf of the University of the Sciences  
14          in Philadelphia.

15                      I just wanted to thank  
16          Councilwoman Blackwell for her support in  
17          connection with this ordinance. And we  
18          previously submitted an outline,  
19          basically outlining the history of this  
20          site and the approvals obtained. So I'm  
21          just here to answer any questions, should  
22          there be any.

23                      COUNCILWOMAN BLACKWELL: Thank  
24          you.

25                      COUNCILMAN GREENLEE: There's

1           6/2/11 - STREETS - BILL 090746, ETC.

2           no questions. Thank you, sir. Thank you  
3           for coming up.

4                     Anyone else here to testify?

5                     (No response.)

6                     COUNCILMAN GREENLEE:

7           Mr. McMonagle.

8                     THE CLERK: Bill No. 110258, an  
9           ordinance authorizing Francisco Hernandez  
10          to construct, own and maintain an  
11          enclosed sets of stairs attached to 657  
12          East Allegheny Avenue, Philadelphia,  
13          Pennsylvania, that will encroach upon the  
14          sidewalk of "F" Street, under certain  
15          terms and conditions.

16                    MS. BRISBON: Good afternoon,  
17          Chairman DiCicco and members of the  
18          Streets and Services Committee. My name  
19          is Michelle Brisbon and I am a Staff  
20          Engineer with the Department of Streets,  
21          and I'm here to offer testimony on Bill  
22          No. 110258.

23                    This bill authorizes Francisco  
24          Hernandez to construct, own and maintain  
25          an encroachment in the form of an

1           6/2/11 - STREETS - BILL 090746, ETC.  
2           enclosed set of stairs attached to 657  
3           East Allegheny Avenue. The enclosed  
4           staircase encroaches approximately four  
5           feet and two inches onto the west  
6           sidewalk of "F" Street, leaving  
7           approximately eight feet and ten inches  
8           of clear, unobstructed footway.

9                    The Streets Department has  
10            reviewed the plans for this project and  
11            supports the passage of the bill.

12                   Thank you for your time. This  
13            concludes my testimony, and I'm pleased  
14            to answer any questions you may have.

15                   COUNCILMAN GREENLEE: Thank  
16            you.

17                   Is there anyone else here to  
18            testify on this bill?

19                   (No response.)

20                   COUNCILMAN GREENLEE: Seeing  
21            none, Mr. McMonagle, please.

22                   THE CLERK: Bill No. 110380, an  
23            ordinance authorizing the Hispanic  
24            Association of Contractors and  
25            Enterprises (HACE) Community Development

1           6/2/11 - STREETS - BILL 090746, ETC.  
2           Corporation, 167 West Allegheny Avenue,  
3           Philadelphia, PA 19140, to construct, own  
4           and maintain six trash receptacles and  
5           twelve artificial palm trees, on the east  
6           and west footway of North Fifth Street,  
7           from Lehigh Avenue to Indiana Avenue, all  
8           under certain terms and conditions.

9                         COUNCILMAN GREENLEE:

10          Ms. Brisbon.

11                         MS. BRISBON: Good afternoon,  
12          Chairman DiCicco and members of the  
13          Streets and Services Committee. My name  
14          is Michelle Brisbon and I'm a Staff  
15          Engineer with the Department of Streets,  
16          and I'm here to offer testimony on Bill  
17          No. 110380.

18                         This bill authorizes HACE  
19          Community Development Corporation, 167  
20          West Allegheny Avenue, Philadelphia,  
21          Pennsylvania 19140, to construct, own and  
22          maintain six trash receptacles and 12  
23          artificial metal palm trees within the  
24          public right-of-way as indicated in Bill  
25          No. 110380.

1           6/2/11 - STREETS - BILL 090746, ETC.

2           The Streets Department has  
3 requested that the applicant provide  
4 plans for review and, therefore, the  
5 Streets Department cannot support the  
6 passage of this bill until plans have  
7 been submitted and approved.

8           Thank you for your time. This  
9 concludes my testimony. I'm pleased to  
10 answer any questions you may have.

11           COUNCILMAN GREENLEE: Thank  
12 you. In whose district is this?  
13 Councilwoman Sanchez?

14           MS. BRISBON: Sanchez, yes.

15           COUNCILMAN GREENLEE: Is she or  
16 her office aware of the concern; do you  
17 know?

18           MS. BRISBON: Yes. We've asked  
19 them to submit plans so that we can  
20 review them and make sure there are no  
21 conflicts within the utilities.

22           COUNCILMAN GREENLEE: Okay.  
23 All right. Thank you.

24           Anyone else here to testify on  
25 this bill?

1           6/2/11 - STREETS - BILL 090746, ETC.

2                   (No response.)

3                   COUNCILMAN GREENLEE: Seeing  
4 none, Mr. McMonagle, please.

5                   THE CLERK: Bill No. 110393, an  
6 ordinance granting permission to the  
7 Southeastern Pennsylvania Transportation  
8 Authority, 1234 Market Street,  
9 Philadelphia, Pennsylvania, to construct,  
10 own and maintain a passenger boarding  
11 platform, passenger shelter and other  
12 miscellaneous encroachments on the public  
13 sidewalk located at the northwest corner  
14 of the intersection of Frankford Avenue  
15 and Delaware Avenue, under certain terms  
16 and conditions.

17                   COUNCILMAN GREENLEE: Ms.  
18 Brisbon.

19                   MS. BRISBON: Good afternoon,  
20 Chairman DiCicco and members of the  
21 Streets and Services Committee. My name  
22 is Michelle Brisbon and I'm a Staff  
23 Engineer with the Department of Streets,  
24 and I'm here to offer testimony on Bill  
25 No. 110393.

1           6/2/11 - STREETS - BILL 090746, ETC.

2                   This bill grants permission to  
3           the Southeastern Pennsylvania  
4           Transportation Authority to construct,  
5           use and maintain various encroachments  
6           within the public right-of-way as  
7           indicated in Bill No. 110393.

8                   The Streets Department has no  
9           objections to the proposed encroachments  
10          and supports the passage of the bill.

11                   Thank you for your time. This  
12          concludes my testimony.

13                   COUNCILMAN GREENLEE: Thank  
14          you.

15                   Anyone else here to testify?

16                   Ms. Jones.

17                   (Witness approached witness  
18          table.)

19                   COUNCILMAN GREENLEE: We know  
20          this is important, you showed up for  
21          this.

22                   MS. JONES: Absolutely.

23                   COUNCILMAN GREENLEE: Please  
24          identify yourself for the record.

25                   MS. JONES: Yes. Good

1           6/2/11 - STREETS - BILL 090746, ETC.

2           afternoon. I'm Frances Jones, Assistant  
3           General Manager of Government Affairs at  
4           SEPTA.

5                         Good afternoon, Chairman  
6           DiCicco and members of the Committee on  
7           Streets and Services. I am here today in  
8           support of the installation of passenger  
9           facilities for the trolley turnaround  
10          loop located at Frankford and Delaware  
11          Avenues.

12                        In support of PennDOT's Girard  
13          Avenue Interchange Project, SEPTA  
14          installed a trolley turnaround loop on  
15          Frankford Avenue between Girard and  
16          Delaware Avenues, with work completed in  
17          March of this year. This loop will  
18          enable the Route 15 trolley to continue  
19          its operations during the reconstruction  
20          of the Girard Avenue Bridge. At the  
21          intersection of Frankford and Delaware  
22          where the trolley will make a turnaround,  
23          SEPTA will construct a passenger boarding  
24          location and passenger shelter. Last  
25          summer, our staff met with surrounding

1           6/2/11 - STREETS - BILL 090746, ETC.

2           community groups that would be affected  
3           by the work and requests were made about  
4           providing adequate passenger facilities.

5                     The construction and use of the  
6           loop is vital to our continuing trolley  
7           operations for the heavily used Route 15  
8           trolley, and we believe it will be  
9           utilized by passengers and residents of  
10          the surrounding communities.

11                    Thank you for the opportunity  
12          to speak about the Northern Liberties  
13          Loop Project.

14                    COUNCILMAN GREENLEE:   And I  
15          think there's a point now where it has to  
16          go into a bus; is that right?  Is that  
17          part of where this -- wasn't there a  
18          section over there where the 15 had to  
19          bus part of it, I thought?

20                    MS. JONES:   During  
21          construction.

22                    COUNCILMAN GREENLEE:   During  
23          the construction.

24                    MS. JONES:   During  
25          construction, absolutely.  We were

1           6/2/11 - STREETS - BILL 090746, ETC.  
2           shuttle bussing because of the  
3           construction, but with this done, it will  
4           be straight trolley unless there's a  
5           problem.

6                    COUNCILMAN GREENLEE:   And  
7           obviously it's a safer thing, because the  
8           people don't have to walk out to get  
9           the --

10                   MS. JONES:   Yes.   Absolutely.  
11           It's much safer, and it really does  
12           improve the operation of the trolley  
13           loop.

14                   COUNCILMAN GREENLEE:   Makes  
15           sense.   Thank you.

16                    Anyone else here to testify on  
17           this bill?

18                    (No response.)

19                    COUNCILMAN GREENLEE:   Seeing  
20           none, thank you both.   Well, Ms. Brisbon,  
21           I think you stay there, right?

22                    Thank you, Ms. Jones.

23                    Mr. McMonagle.

24                    THE CLERK:   Bill No. 110310, an  
25           ordinance authorizing the Granary

1           6/2/11 - STREETS - BILL 090746, ETC.

2           Partners, L.P., located at 1425 Walnut  
3           Street, Philadelphia, Pennsylvania, to  
4           construct, own and maintain various  
5           encroachments within the City  
6           right-of-way on Shamokin Street between  
7           19th Street and 20th Street, the north  
8           side of Callowhill Street between 19th  
9           Street and 20th Street, and the west side  
10          of 19th Street between Shamokin Street  
11          and Callowhill Street, under certain  
12          terms and conditions.

13                   MS. BRISBON: Good afternoon,  
14           Chairman DiCicco and members of the  
15           Streets and Services Committee. My name  
16           is Michelle Brisbon and I'm a Staff  
17           Engineer with the Department of Streets,  
18           and I'm here to offer testimony on Bill  
19           No. 110310.

20                   This bill authorizes the  
21           Granary Partners, L.P. to construct, use  
22           and maintain various encroachments within  
23           the public right-of-way as indicated in  
24           Bill No. 110310.

25                   The Streets Department has no

1           6/2/11 - STREETS - BILL 090746, ETC.  
2           objections to these proposed  
3           encroachments and supports the passage of  
4           this bill.

5                         Thank you for your time. This  
6           concludes my testimony. I'm pleased to  
7           answer any questions.

8                         COUNCILMAN GREENLEE: Thank  
9           you.

10                        MS. DECAMP: Good afternoon.  
11           My name is Martine Decamp, a City Planner  
12           with the Development Planning Division of  
13           the City Planning Commission. I'm here  
14           to testify on Bill No. 110310, which  
15           Councilmember Clarke introduced on April  
16           28th, 2011.

17                        This Streets bill will  
18           authorize certain encroachments in the  
19           block bounded by 19th Street, 20th  
20           Street, Callowhill Street and Hamilton  
21           Street. These encroachments include a  
22           pedestrian bridge over Shamokin Street,  
23           the construction of columns in Callowhill  
24           Street and 19th Street, awnings on  
25           Callowhill Street and North 19th Street,

1           6/2/11 - STREETS - BILL 090746, ETC.  
2           and cornices and architectural  
3           embellishments of the building. These  
4           encroachments are part of the overall  
5           improvement of the site to allow for the  
6           development of 198 new dwelling units in  
7           the new building, along with 12 existing  
8           units in the Granary building.

9                        The City Planning Commission  
10           recommended approval for Bill No. 110656  
11           (sic) on October 19th, 2010 for a zoning  
12           change from "G-2" Industrial and "C-2"  
13           Commercial to "C-4" Commercial to allow  
14           for the construction of the Granary  
15           development. Therefore, the City  
16           Planning Commission recommends approval  
17           for Bill No. 110310 as an item in accord  
18           with previous policy.

19                       This concludes my testimony. I  
20           appreciate the opportunity to appear  
21           before you today and would be pleased to  
22           answer any questions you may have.

23                       COUNCILMAN GREENLEE: Thank you  
24           both.

25                       Any questions from members of

1           6/2/11 - STREETS - BILL 090746, ETC.

2           the Committee?

3                       (No response.)

4           COUNCILMAN GREENLEE:  Anyone  
5           else here to testify?

6                       Sir.

7           COUNCILMAN DiCICCO:  So as  
8           we're waiting for the next witness, just  
9           let the record reflect that Councilman  
10          Green, who is a member of this Committee,  
11          is also now in attendance.

12                      (Witness approached witness  
13                      table.)

14          MR. MARTIN:  Good afternoon,  
15          members of the Committee.  William  
16          Martin, Fox Rothschild law firm.

17                      I represent Granary Partners,  
18          L.P. and, for your information, Reed  
19          Slogoff, the general partner of Granary  
20          Partners, L.P., is here with me in the  
21          Chambers.  Mr. Slogoff submitted prepared  
22          testimony.  In the interest of time, we  
23          will not read that into the record.

24          COUNCILMAN DiCICCO:  Thank you.

25          MR. MARTIN:  But if you have

1           6/2/11 - STREETS - BILL 090746, ETC.

2           any questions regarding the project,

3           we're happy to answer them.

4                    COUNCILMAN DiCICCO:  Anyone

5           questions?

6                    (No response.)

7                    COUNCILMAN DiCICCO:  Anyone

8           else here who wishes to testify on this

9           bill?

10                   (No response.)

11                   COUNCILMAN DiCICCO:  Seeing

12           none, thank you.  Thank you all for your

13           testimony.

14                    Please read the title of the

15           next bill.

16                    THE CLERK:  Bill No. 110311, an

17           ordinance authorizing 600 North Broad

18           Associates, L.P., 530 South Second

19           Street, Philadelphia, Pennsylvania,

20           owners of Gastronomy Restaurant, located

21           at 600 North Broad Street, to construct,

22           own and maintain various encroachments in

23           the right-of-way adjacent to the south

24           footway of Mount Vernon Street between

25           Broad Street and Fifteenth Street, under

1           6/2/11 - STREETS - BILL 090746, ETC.

2           certain terms and conditions.

3                       MS. BRISBON: Good afternoon,  
4           Chairman DiCicco and members of the  
5           Streets and Services Committee. My name  
6           is Michelle Brisbon and I'm a Staff  
7           Engineer with the Department of Streets,  
8           and I'm here to offer testimony on Bill  
9           No. 110311.

10                      This bill authorizes 600 North  
11           Broad Associates, L.P. to construct, use  
12           and maintain various encroachments within  
13           the public right-of-way as indicated in  
14           Bill No. 110311.

15                      The Streets Department has  
16           requested that the applicant provide  
17           updated plans for review and, therefore,  
18           the Streets Department cannot support the  
19           passage of this bill until updated plans  
20           have been submitted and approved.

21                      Thank you for your time. This  
22           concludes my testimony, and I'm pleased  
23           to answer any questions you may have.

24                      MS. DECAMP: Good afternoon.  
25           My name is Martine Decamp. I'm a City

1           6/2/11 - STREETS - BILL 090746, ETC.  
2           Planner with the Development Planning  
3           Division of the Philadelphia City  
4           Planning Commission. I'm here to testify  
5           on Bill No. 110311, which Councilmember  
6           Clarke introduced on April 28th, 2011.

7                         Streets Bill No. 110311  
8           authorizes the construction of an  
9           enclosed vestibule and ADA access ramp  
10          approximately 47 feet in length and  
11          projecting approximately seven feet into  
12          the south footway of Mount Vernon Street.  
13          This ramp for the proposed Gastronomy  
14          Restaurant will leave approximately eight  
15          feet of clear, unobstructed footway.

16                        At its meeting of May 17th,  
17          2011, the City Planning Commission  
18          requested an additional 45 days to review  
19          and make a recommendation on Bill No.  
20          110311. This additional time is needed  
21          to obtain more complete information about  
22          this encroachment request.

23                        This concludes my testimony. I  
24          appreciate the opportunity and will be  
25          pleased to answer any questions you may

1           6/2/11 - STREETS - BILL 090746, ETC.

2           have.

3                   COUNCILMAN DiCICCO: Thank you.

4           Is this address the site of the former  
5           Wilkie Buick where the Stephen Starr and  
6           Marc Vetri, I believe, who are looking to  
7           build a restaurant complex, whatever?

8                   MS. BRISBON: Yes. That's  
9           correct.

10                   COUNCILMAN DiCICCO: And your  
11           testimony again spoke to not being  
12           supportive of the bill as written  
13           because?

14                   MS. BRISBON: We met with the  
15           applicant on Tuesday and just expressed  
16           some concerns for where they wanted to  
17           place the ramp for accessibility. The  
18           applicant expressed interest in being  
19           able to do some sidewalk cafes in that  
20           location and the cafe that they wanted  
21           to -- they wanted to place tables on the  
22           ramp, and we explained to them that you  
23           can't put tables on a ramp. The ramp is  
24           for accessibility only.

25                   So we discussed some

1           6/2/11 - STREETS - BILL 090746, ETC.  
2           alternatives to the design, and they're  
3           supposed to make some changes to the  
4           plans and have it ready to present to the  
5           Planning Commission, I believe, June  
6           14th.

7                    COUNCILMAN DiCICCO:  So there's  
8           a possibility that there may be an  
9           amendment to this bill or would it be --  
10          I would assume an amendment?

11                   MS. BRISBON:  Yes.

12                   COUNCILMAN DiCICCO:  What I'm  
13          suggesting, speaking to the Chief of  
14          Staff of the sponsor of the bill, is  
15          maybe we vote it out with a favorable  
16          recommendation, no suspension, give you  
17          time to revisit the plans.

18                   MS. BRISBON:  Yes.

19                   COUNCILMAN DiCICCO:  And do an  
20          amendment on the floor before we recess,  
21          because I suspect it will be somewhat  
22          time sensitive to the development of that  
23          project.

24                   MS. BRISBON:  Correct.  And we  
25          understand that.

1           6/2/11 - STREETS - BILL 090746, ETC.

2           COUNCILMAN DiCICCO: All right.

3           Thank you. We'll do it that way.

4           I corrected -- I'm losing

5           track. We only have two session days.

6           So we would have to vote it out with a

7           suspension. We could get first reading

8           next week, and somewhere in between next

9           Thursday and the following Thursday, that

10          issue may be resolved, and if it's not,

11          then it will be up to the sponsor to

12          either hold it or call it up for a final

13          vote.

14          MS. BRISBON: Okay.

15          COUNCILMAN DiCICCO: But we're

16          trying not to supersede what you're

17          doing. I just want to keep this thing in

18          the time sequence I think it's going to

19          need.

20          MS. BRISBON: Okay.

21          COUNCILMAN DiCICCO: Okay.

22          Thank you.

23          Let the record reflect that

24          Councilwoman Maria Quinones-Sanchez is

25          also in attendance.

1           6/2/11 - STREETS - BILL 090746, ETC.

2                   Please read the title of the  
3 next bill.

4                   THE CLERK: Bill No. 110365, an  
5 ordinance authorizing the Children's  
6 Hospital of Philadelphia to construct,  
7 use and maintain certain encroaching  
8 structures in the rights-of-way of Civic  
9 Center Boulevard, under certain terms and  
10 conditions.

11                   MS. BRISBON: Good afternoon,  
12 Chairman DiCicco and members of the  
13 Streets and Services Committee. My name  
14 is Michelle Brisbon and I'm a Staff  
15 Engineer with the Department of Streets,  
16 and I'm here to offer testimony on Bill  
17 No. 110365.

18                   This bill authorizes the  
19 Children's Hospital of Philadelphia to  
20 construct, use and maintain various  
21 encroachments within the public  
22 right-of-way as indicated in Bill No.  
23 110365.

24                   The Streets Department has no  
25 objections to these proposed

1           6/2/11 - STREETS - BILL 090746, ETC.  
2           encroachments and supports the passage of  
3           this bill.

4                     Thank you for your time. This  
5           concludes my testimony. I'm pleased to  
6           answer any questions you may have.

7                     MS. DECAMP: Good afternoon.  
8           My name is Martine Decamp, a planner with  
9           the Development Planning Division of the  
10          Philadelphia City Planning Commission.  
11          I'm here to testify on Bill No. 110365,  
12          which Councilmember Blackwell introduced  
13          on May 12th, 2011.

14                    Streets Bill 110365 authorizes  
15          the following three actions: First, a  
16          building encroachment over Civic Center  
17          Boulevard to allow for a pedestrian  
18          bridge that connects the Leonard and  
19          Madlyn Abramson Pediatric Research Center  
20          and the Colket Translational Research  
21          Building; secondly, a building  
22          encroachment over the right-of-way of  
23          Civic Center Boulevard to allow for a  
24          pedestrian bridge that connects the  
25          Children's Seashore House and the

1           6/2/11 - STREETS - BILL 090746, ETC.  
2           Ambulatory Care Center; and, thirdly, a  
3           building encroachment under the  
4           right-of-way of Civic Center Boulevard  
5           consisting of tie-backs for a permanent  
6           retaining wall.

7                        The City Planning Commission  
8           recommended approval for Bill No. 040496  
9           on May 18th, 2004 for a zoning change  
10          from "C-3" Commercial to "C-5" Commercial  
11          and "C-3" Commercial to allow for the  
12          expansion of the Children's Hospital.  
13          Therefore, the City Planning Commission  
14          recommends approval for Bill No. 110365  
15          as an item in accord with previous  
16          policy.

17                       This concludes my testimony. I  
18          appreciate the opportunity and will  
19          answer any questions you may have.

20                       COUNCILMAN DiCICCO: Thank you.  
21          Thank you both.

22                       Councilwoman Blackwell.

23                       COUNCILWOMAN BLACKWELL: Thank  
24          you very much. We have had a series of  
25          meetings, drawings and all that goes with

1           6/2/11 - STREETS - BILL 090746, ETC.  
2           this project, and we're certainly happy  
3           to support it.

4                    COUNCILMAN DiCICCO: Thank you,  
5           Councilwoman.

6                    Anyone else?

7                    (Witness approached witness  
8           table.)

9                    COUNCILMAN DiCICCO: There's an  
10          extra chair. You ladies don't have to  
11          move.

12                   MR. MARTIN: Mr. Chairman,  
13          William Martin, Fox Rothschild law firm  
14          and counsel to Children's Hospital.

15                   For the information to members  
16          of the Committee, I'm joined here this  
17          afternoon by Joe Kiernan, Director of  
18          Facilities Planning; Jim Hansen, Senior  
19          Project Manager; and Christopher Beck of  
20          the hospital's Office of Government  
21          Affairs. They're each in the Chambers  
22          here and available to answer any  
23          questions members of the Committee may  
24          have regarding the ordinance.

25                   On behalf of the hospital, we'd

1           6/2/11 - STREETS - BILL 090746, ETC.

2           like to express our appreciation to  
3           Councilwoman Blackwell for her assistance  
4           and perspectives on this project, and  
5           we're happy -- I'm happy, as are the  
6           representatives of the hospital, to  
7           answer any questions members of the  
8           Committee may have.

9                        COUNCILMAN DiCICCO: Thank you.

10                      Any questions for this witness  
11           or these witnesses?

12                      (No response.)

13                      COUNCILMAN DiCICCO: Anyone  
14           else here who wishes to testify?

15                      (No response.)

16                      COUNCILMAN DiCICCO: Seeing  
17           none, please read the title of the next  
18           bill.

19                      THE CLERK: Bill No. 110436, an  
20           ordinance authorizing Kimmel Center,  
21           Inc., 200 South Broad Street,  
22           Philadelphia, Pennsylvania, owner of the  
23           Kimmel Center located at 300 South Broad  
24           Street, to construct, use and maintain  
25           various encroachments in the right-of-way

1           6/2/11 - STREETS - BILL 090746, ETC.  
2           on the south sidewalk of Spruce Street  
3           between Broad and Fifteenth Street, under  
4           certain terms and conditions.

5                   MS. BRISBON: Good afternoon,  
6           Chairman DiCicco and members of the  
7           Streets and Services Committee. My name  
8           is Michelle Brisbon and I'm a Staff  
9           Engineer with the Department of Streets,  
10          and I'm here to offer testimony on Bill  
11          No. 110436.

12                   This bill authorizes Kimmel  
13          Center, Incorporated to construct, use  
14          and maintain various encroachments within  
15          the public right-of-way as indicated in  
16          Bill No. 110436.

17                   The Streets Department has no  
18          objections to these proposed  
19          encroachments and supports the passage of  
20          this bill.

21                   Thank you for your time. This  
22          concludes my testimony.

23                   MS. DECAMP: Good afternoon.  
24          My name is Martine Decamp, member of the  
25          Development Planning Division of the

1           6/2/11 - STREETS - BILL 090746, ETC.  
2           Philadelphia City Planning Commission.  
3           I'm here to testify on Bill No. 110436,  
4           which Councilmember Tasco introduced on  
5           May 26th, 2011 under the request of  
6           Councilmember Verna.

7                         This Streets Bill 110276 (sic)  
8           authorizes an extension of the Kimmel  
9           Center building that will encroach onto  
10          the south sidewalk of Spruce Street  
11          approximately four feet, leaving  
12          approximately 12 feet of clear,  
13          unobstructed footway for pedestrian  
14          traffic.

15                        The City Planning Commission  
16          will consider Bill 110436 on June 14th,  
17          2011. The Planning Commission staff will  
18          recommend approval.

19                        This concludes my testimony on  
20          this. I appreciate the opportunity and  
21          will answer any questions you may have.

22                        COUNCILMAN DiCICCO: Thank you.

23                        Any questions for these  
24          witnesses?

25                        (No response.)

1           6/2/11 - STREETS - BILL 090746, ETC.

2           COUNCILMAN DiCICCO:  Anyone  
3           else here who wishes to testify on this  
4           bill?

5           (No response.)

6           COUNCILMAN DiCICCO:  Seeing  
7           none, please read the title of the next  
8           bill.

9           Thank you, ladies.

10          THE CLERK:  Bill No. 110132, an  
11          ordinance amending Section 9-206 of The  
12          Philadelphia Code, entitled "Sidewalk  
13          Vendors in Neighborhood Business  
14          Districts," by creating the "52nd Street  
15          Business District for Sidewalk Vending,"  
16          all under certain terms and conditions.

17          (Witness approached witness  
18          table.)

19          MR. DOW:  Good morning,  
20          Chairman DiCicco and members of the  
21          Committee on Streets and Services.  I am  
22          Kevin Dow, Deputy Commerce Director and  
23          Chief Operating Officer for the Commerce  
24          Department.  I'm here to testify on Bill  
25          No. 110132, which would create the 52nd

1           6/2/11 - STREETS - BILL 090746, ETC.

2           Street Business District for Sidewalk  
3           Vending.

4                         This proposal sponsored by  
5           Councilwoman Blackwell would establish  
6           needed legislation that will continue the  
7           revitalization of the 52nd Street  
8           commercial corridor, including the  
9           boundaries for sidewalk vending,  
10          establish the maximum number and  
11          locations of sidewalk vendors, regulate  
12          the design of vending stands, establish a  
13          formal selection process for the approval  
14          of specific vendors, and establish  
15          regulatory protocols for vendor  
16          operations.

17                        This proposed legislation has  
18          been developed in the context of an  
19          ongoing and comprehensive strategy to  
20          transform this key marketplace in West  
21          Philadelphia. This is an area that has  
22          been fraught with many of the urban  
23          marketplace issues that create downward  
24          spiral. This is evidenced by reduced tax  
25          base, increase in crime and chaotic

1           6/2/11 - STREETS - BILL 090746, ETC.

2           physical environment, which was magnified  
3           by the SEPTA El reconstruction project.

4                         Now is the time to revitalize  
5           this marketplace, which has a vibrant  
6           residential and business community marked  
7           by a supportive public sector, a  
8           committed mayoral administration and the  
9           resources poised for investment  
10          opportunities.

11                        At this time, I'd like to thank  
12          Councilwoman Blackwell, John Christmas,  
13          Marty Cabry for all of their efforts to  
14          ensure that we move forward in this  
15          transformation of this key area.

16                        The initial planning phases are  
17          complete, and the community is being  
18          engaged proactively to design and  
19          implement targeted changes to develop a  
20          marketplace that is conducive for  
21          businesses to operate and succeed, as  
22          well as for residents to enjoy. With a  
23          partnership and help of the vendors and  
24          area businesses, the removal of the  
25          canopies is complete. Now we are focused

1           6/2/11 - STREETS - BILL 090746, ETC.

2           on bringing in additional resources to  
3           complete streetscape projects already  
4           taking place, implement a storefront  
5           facade program to enhance the  
6           attractiveness of the buildings, and the  
7           design and purchase of merchandising  
8           units for the vendors. Augmenting this  
9           is an already approved plan to bring a  
10          cleaning program to the corridor.

11                        Beyond the physical  
12          improvements, both ongoing and proposed,  
13          the Commerce Department is or will be  
14          providing technical assistance for area  
15          merchants, particularly the vendors, in  
16          an effort to assist them in improving  
17          their individual business practices, thus  
18          driving a better experience for the  
19          shopper and increased profitability for  
20          the entrepreneur. Additionally, a  
21          planning process has already begun to  
22          ensure that businesses and residents of  
23          the impacted area are organized in a  
24          manner that builds their individual and  
25          collective capacity, as well as to ensure

1           6/2/11 - STREETS - BILL 090746, ETC.

2           the corridor's overall sustainability for  
3           years to come.

4                       The Commerce Department has  
5           worked with Councilwoman Blackwell --  
6           again, thank you very much -- and her  
7           staff to engage the business community,  
8           particularly the vendors, as well as the  
9           residents in the surrounding area to  
10          create legislation that meets the needs  
11          for all stakeholders. The Administration  
12          fully supports this legislation; however,  
13          proposes a couple of amendments, which I  
14          have with me today if you do not have a  
15          copy already.

16                      COUNCILWOMAN BLACKWELL: Mr.  
17          Chairman?

18                      COUNCILMAN DiCICCO:  
19          Councilwoman Blackwell.

20                      COUNCILWOMAN BLACKWELL: Thank  
21          you. We thank Deputy Commerce Director  
22          Kevin Dow, who does a wonderful job for  
23          the City and certainly for us. We do  
24          support the Administration's amendments  
25          as well as this bill. This has been a

1           6/2/11 - STREETS - BILL 090746, ETC.  
2           terrifying experience for me, since this  
3           was Lucien Blackwell's baby and I feel  
4           like I'm changing history. So this one  
5           was a tough one for me, but we have to  
6           move forward, and we're grateful for his  
7           support and leadership in this area.

8                    COUNCILMAN DiCICCO: I can  
9           appreciate what you've gone through. I  
10          had similar issues on South 9th Street  
11          and years ago on South Broad Street with  
12          vendors, but in any event, I also  
13          understand, Councilwoman, while we're  
14          speaking, that you've agreed to hold Bill  
15          110131?

16                   COUNCILWOMAN BLACKWELL: Yes.  
17          Yes, Mr. Chairman.

18                   COUNCILMAN DiCICCO: 110131  
19          will be held at the request of the  
20          sponsor.

21                   Any questions for this witness?

22                   (No response.)

23                   COUNCILMAN DiCICCO: Is there  
24          anyone else here who wishes to testify?

25                   (No response.)

1           6/2/11 - STREETS - BILL 090746, ETC.

2                   COUNCILMAN DiCICCO: Thank you,

3           Mr. Dow.

4                   MR. DOW: Thank you.

5                   COUNCILMAN DiCICCO: Please

6           read the title of the next bill.

7                   THE CLERK: Bill No. 110368, an

8           ordinance amending Section 9-213 of The

9           Philadelphia Code, entitled "Farmers'

10          Markets," by adding a permissible

11          location on the sidewalk of the west side

12          of Frankford Avenue between Bustleton

13          Avenue and Pratt Street.

14                   (Witness approached witness

15          table.)

16                   MS. KENNEDY: Good afternoon,

17          Councilman DiCicco and members of the

18          Committee. I am Maura Kennedy of the

19          Department of Licenses and Inspections.

20          Today I am here to provide testimony on

21          Bill 110131, which, if enacted, will

22          amend Section 9-205 of The Philadelphia

23          Code, entitled "Sidewalk Sales," by

24          regulating vending along the south side

25          of Market Street between 48th and 49th

1           6/2/11 - STREETS - BILL 090746, ETC.

2           Street, under certain terms and  
3           conditions.

4                     The Department offers no  
5           objections to the enactment of this bill.

6                     Thank you for the opportunity  
7           to testify. I would be happy to answer  
8           any questions at this time.

9                     COUNCILMAN DiCICCO: Thank you.

10                    Are you testifying?

11                    MS. WICH: I thought Sean  
12           announced farmers' markets. That's why I  
13           came up.

14                    COUNCILMAN DiCICCO: Thank you.

15                    Any questions for this witness  
16           from the Committee?

17                    (No response.)

18                    COUNCILMAN DiCICCO: Anyone  
19           else here who wishes to testify?

20                    (No response.)

21                    COUNCILMAN DiCICCO: Seeing  
22           none, please read the title of the next  
23           bill.

24                    THE CLERK: Bill No. 110378, an  
25           ordinance amending Section 9-213 of The

1           6/2/11 - STREETS - BILL 090746, ETC.  
2           Philadelphia Code, entitled "Farmers'  
3           Markets," by adding a permissible  
4           location on the sidewalk of the west side  
5           of Broad Street from West Olney Avenue  
6           for 85 feet south.

7                       MS. KENNEDY: Good afternoon,  
8           Councilman DiCicco and members of the  
9           Committee. I am Maura Kennedy from the  
10          Department of Licenses and Inspections.  
11          Today I'm here to provide testimony on  
12          Bill No. 110378, which, if enacted, will  
13          amend Section 9-213, "Farmers' Markets,"  
14          by adding a permissible location on the  
15          sidewalk of the west side of Broad Street  
16          from West Olney Avenue for 85 feet south.

17                      The Department of License and  
18          Inspections offers no objections to the  
19          enactment of this bill.

20                      Thank you for the opportunity  
21          to testify and I will be happy to answer  
22          questions.

23                      COUNCILMAN DiCICCO: Thank you.

24                      Ma'am, please identify yourself  
25          and proceed with your testimony.

1           6/2/11 - STREETS - BILL 090746, ETC.

2           MS. WICH: Yes. Hello. Good  
3           afternoon, Chairman DiCicco and  
4           Councilmembers of Streets and Services  
5           Committee. My name is Katy Wich and I'm  
6           a manager on the Food Trust Farmers  
7           Market program. Since its founding in  
8           1992, The Food Trust's mission has been  
9           to increase access to affordable and  
10          nutritious food for everyone, and I'm  
11          here today to offer testimony on five of  
12          our proposed market locations.

13          To begin with, I would like to  
14          thank the Councilmembers and their staff  
15          for their support and partnership in  
16          starting these markets, Councilwoman  
17          Verna, Councilman Clarke, Councilman  
18          Jones, Councilwoman Krajewski and  
19          Councilwoman Miller. Thank you for your  
20          work and your commitment to fresh food in  
21          all neighborhoods across the City.

22          As all of you know, we need to  
23          do more to bring fresh produce to all of  
24          Philadelphia's great neighborhoods, and  
25          the work you've done in the past few

1           6/2/11 - STREETS - BILL 090746, ETC.

2           weeks will allow us to dramatically  
3           expand access to farmers' markets across  
4           the City. Our hope is that farmers'  
5           markets flourish not only in Center City  
6           but in all neighborhoods.

7                         I would like to thank the  
8           Philadelphia Department of Public Health  
9           and Commissioner Schwarz for their vision  
10          of a healthier Philadelphia for all  
11          residents. Without the Department's  
12          support with the Get Healthy Philly  
13          Initiative, the farmers' expansion would  
14          not have occurred. I'd also like to  
15          thank our key community and  
16          organizational partners that have offered  
17          guidance and acted as great advocates  
18          along the way: SEPTA and Marion Coker,  
19          the Manger of the Office of Strategic  
20          Business Planning and Sustainability;  
21          Cicely Peterson-Mangum, the Executive  
22          Director of the Logan CDC; Lenora  
23          Jackson-Evans, the Executive Director of  
24          Strawberry Mansion Neighborhood Action  
25          Center; Suku John, the Director of the

1           6/2/11 - STREETS - BILL 090746, ETC.

2           East Park Revitalization Alliance; Vaughn  
3           Taylor of the Southwest Community  
4           Development Corporation; Spencer Finch,  
5           the Director of Sustainability for the  
6           Pennsylvania Economic Council; and Carey  
7           Davis, Director of City Lights; and  
8           Elizabeth Grimaldi, Executive Director of  
9           Village of Arts and Humanities.

10                   With their help, we selected  
11           farmers' market locations because of the  
12           roles they play as community hubs or  
13           transportation hubs. In doing this with  
14           the locations, they'll fit more easily  
15           into the routines of those living in the  
16           neighborhoods.

17                   I hope it's okay. I just put  
18           them all together since there are five of  
19           them.

20                   These markets are sponsored by  
21           the Department of Public Health's Get  
22           Healthy Philly program, and to keep  
23           produce accessible to many customers at  
24           the markets, we accept food stamps and  
25           SNAP benefits. We also accept Philly

1           6/2/11 - STREETS - BILL 090746, ETC.

2           Food Bucks, which is an incentive program  
3           designed expressly for SNAP  
4           beneficiaries, and the markets also  
5           accept Senior and WIC Farmers' Market  
6           vouchers, of which nearly 47,000 people  
7           in need receive in Philadelphia each  
8           year.

9                         The farmers' markets benefit  
10           neighborhoods in a variety of ways,  
11           including greater access to locally  
12           grown, affordable fruits and vegetables  
13           and the ability for residents to shop  
14           within their own neighborhood and the  
15           opportunity for SNAP customers to use  
16           their benefits at market and increase  
17           fresh produce purchasing power.

18                        In closing, I'd again like to  
19           thank Council for their role in  
20           supporting the expansion of access to  
21           healthy foods in order not only to  
22           improve residents' health but their  
23           quality of life.

24                        Thank you, and I'll be happy to  
25           answer any questions.

1           6/2/11 - STREETS - BILL 090746, ETC.

2           COUNCILMAN DiCICCO: Thank you.

3           I understand you have made

4 testimony on the wrong number bill.

5           MS. KENNEDY: I did. I did.

6           COUNCILMAN DiCICCO: No

7 problem. You're excused. We'll just --

8 I think for the record, we'll ask the

9 stenographer to strike the testimony as

10 it was referred to on Bill No. 110131,

11 because that bill is being held.

12           MS. KENNEDY: Oh, that's being

13 held, okay.

14           COUNCILMAN DiCICCO: Thank you.

15           MS. KENNEDY: Good afternoon.

16 I'm Maura Kennedy for the Department of

17 License and Inspections. Today I'm here

18 to provide testimony on 110368, which, if

19 enacted, will amend 9-213, "Farmers'

20 Markets," by adding a permissible

21 location on the sidewalk of the west side

22 of Frankford Avenue between Bustleton

23 Avenue and Pratt Street.

24           The Department of License and

25 Inspections offers no objections on this

1           6/2/11 - STREETS - BILL 090746, ETC.  
2           bill, and thank you for the opportunity  
3           to provide the Department's testimony.  
4           I'll be happy to answer more questions at  
5           this time.

6                   COUNCILMAN DiCICCO: Any  
7           questions for this witness?

8                   (No response.)

9                   COUNCILMAN DiCICCO: Anyone  
10          else here who wishes to testify?

11                   (No response.)

12                   COUNCILMAN DiCICCO: Seeing  
13          none, please read the title of the next  
14          bill.

15                   THE CLERK: Bill No. 110435, an  
16          ordinance amending Section 9-213 of The  
17          Philadelphia Code, entitled "Farmers'  
18          Markets," by adding a permissible  
19          location on the sidewalk of the west side  
20          of Germantown Avenue between North 10th  
21          Street and North Alder Street.

22                   MS. KENNEDY: Good afternoon,  
23          Councilman DiCicco and members of the  
24          Committee. I'm Maura Kennedy from the  
25          Department of License and Inspections.

1           6/2/11 - STREETS - BILL 090746, ETC.

2           Today I'm here to provide testimony on  
3           Bill 110435, which, if enacted, will  
4           amend Section 9-213, "Farmers' Markets,"  
5           by adding a permissible location on the  
6           sidewalk of the west side of Germantown  
7           Avenue between North 10th Street and  
8           North Alder Street.

9                     The Department of Licenses and  
10           Inspections offers no objections to the  
11           enactment of this bill.

12                    Thank you for the opportunity  
13           to provide the Department's testimony.  
14           I'll be happy to answer questions at this  
15           time.

16                    COUNCILMAN DiCICCO: Thank you.

17                    Any questions for this witness?

18                    (No response.)

19                    COUNCILMAN DiCICCO: Anyone  
20           else here who wishes to testify on this  
21           bill?

22                    (No response.)

23                    COUNCILMAN DiCICCO: Seeing  
24           none, please read the title of the next  
25           bill.

1           6/2/11 - STREETS - BILL 090746, ETC.

2           THE CLERK: Bill No. 110437, an  
3 ordinance amending Section 9-213 of The  
4 Philadelphia Code, entitled "Farmers'  
5 Markets," by adding a permissible  
6 location on the sidewalk of the west side  
7 of South 58th Street between Chester  
8 Avenue and Kingsessing Avenue, all under  
9 certain terms and conditions.

10           MS. KENNEDY: Good afternoon,  
11 Councilman DiCicco and members of the  
12 Committee. I'm Maura Kennedy from the  
13 Department of License and Inspections.  
14 Today I'm here to provide testimony on  
15 Bill 110437, which, if enacted, will  
16 amend Section 9-213, "Farmers' Markets,"  
17 by adding a permissible location on the  
18 sidewalk of the west side of South 58th  
19 Street between Chester Avenue and  
20 Kingsessing Avenue, under certain terms  
21 and conditions.

22           The Department of Licenses and  
23 Inspections offers no objections to the  
24 enactment of this bill.

25           Thank you for the opportunity

1           6/2/11 - STREETS - BILL 090746, ETC.

2           to testify. I'll be happy to answer  
3           questions.

4           COUNCILMAN DiCICCO: Thank you.

5           Any questions for this witness?

6           (No response.)

7           COUNCILMAN DiCICCO: Anyone  
8           else here who wishes to testify on this  
9           bill?

10          (No response.)

11          COUNCILMAN DiCICCO: Seeing  
12          none, please read the title of the next  
13          bill.

14          THE CLERK: Bill No. 110439, an  
15          ordinance amending Section 9-213 of The  
16          Philadelphia Code, entitled "Farmers'  
17          Markets," by adding a permissible  
18          location on the sidewalk of the north  
19          side of Diamond Street from 33rd Street  
20          for 200 feet west.

21          MS. KENNEDY: Good afternoon,  
22          Councilman DiCicco and members of the  
23          Committee. I'm Maura Kennedy from the  
24          Department of License and Inspections.  
25          Today I'm here to provide testimony on

1           6/2/11 - STREETS - BILL 090746, ETC.  
2           110439, which, if enacted, will amend  
3           Section 9-213, "Farmers' Markets," by  
4           adding a permissible location on the  
5           sidewalk of the north side of Diamond  
6           Street from 33rd Street for 200 feet  
7           west.

8                       The Department of Licenses and  
9           Inspections offers no objections to the  
10          enactment of this bill.

11                      Thank you for the opportunity  
12          to testify. I'm happy to take questions.

13                      COUNCILMAN DiCICCO: Thank you  
14          again.

15                      Any questions for this witness?

16                      (No response.)

17                      COUNCILMAN DiCICCO: Anyone  
18          else here who wishes to testify on this  
19          bill?

20                      (No response.)

21                      COUNCILMAN DiCICCO: Seeing  
22          none, please read the title of the next  
23          bill.

24                      Thank you, ladies.

25                      THE CLERK: Bill No. 110259, an

1           6/2/11 - STREETS - BILL 090746, ETC.  
2 ordinance amending Section 9-407 of The  
3 Philadelphia Code, entitled "Tour  
4 Passenger Carriers," to provide for tour  
5 passenger loading zones of a specified  
6 size in certain locations and in certain  
7 numbers, to provide for the removal of  
8 limitations on the number of loading  
9 zones a tour passenger carrier can occupy  
10 at one time, to provide for changes to  
11 the amount of certain fees by regulation,  
12 and to provide for certain reporting  
13 requirements, all under certain terms and  
14 conditions.

15                   (Witness approached witness  
16 table.)

17           COUNCILMAN DiCICCO: Good  
18 afternoon, Mr. Abernathy. Before you  
19 begin with your testimony, I'd just like  
20 to clear up for those folks who are here  
21 for this bill that I spoke with earlier.  
22 I had said originally my intention was to  
23 hold the bill. I apologize for the  
24 confusion. I must admit, I was totally  
25 confused myself. We are now going to

1           6/2/11 - STREETS - BILL 090746, ETC.  
2           hear the bill, and we will explain what  
3           that means in terms of operational  
4           procedures going forward.

5                       Basically it means that the  
6           operators who are out there today will  
7           continue to operate, but we're going to  
8           formalize that by way of this  
9           legislation.

10                      Good afternoon.

11                      MR. ABERNATHY: Good afternoon,  
12           Chairman DiCicco and members of the  
13           Committee. My name is Brian Abernathy  
14           and I am Chief of Staff to the Managing  
15           Director. I'm here today to testify in  
16           favor of Bill No. 110259 relating to tour  
17           passenger carriers in the Independence  
18           Mall area.

19                      Bill No. 110259 makes a number  
20           of technical changes to The Philadelphia  
21           Code dealing with tour passenger  
22           carriers. The bill will define the size  
23           of a tour passenger loading zone,  
24           currently the size is not defined; allow  
25           for the Department to alter the

1           6/2/11 - STREETS - BILL 090746, ETC.

2           application, license and permit fees by  
3           regulation; eliminate the restriction of  
4           each company having more than one loading  
5           zone per block face, therefore clarifying  
6           current operations and simplifying  
7           administrative burden on both the City  
8           and the operators; eliminate the  
9           restriction that each company may only  
10          have one loading zone in the Independence  
11          Mall area, therefore clarifying current  
12          operations and simplifying administrative  
13          burden on both the City and the  
14          operators; require the tour operator to  
15          report the number of guided sightseeing  
16          tours to better judge the safety of the  
17          tour operations; amend the various safety  
18          report reporting ratios by changing the  
19          number of vehicles to the number of tours  
20          provided to provide a more accurate gauge  
21          of the operators' safety record.

22                         Additionally, Bill No. 110259  
23           adds two additional tour passenger  
24           loading zones at the request of two  
25           separate tour companies. First,

1           6/2/11 - STREETS - BILL 090746, ETC.

2           Philadelphia Sightseeing Tours has  
3           requested a loading zone on the east side  
4           of 5th Street adjacent to the Bourse  
5           Building. The Bourse Building supports  
6           this loading zone. Second, the Junk Food  
7           Tour has requested a loading zone on the  
8           east side of 3rd Street adjacent to the  
9           former Visitor Center, which is currently  
10          owned and operated by the National Park  
11          Service.

12                         Finally, I'd like to offer an  
13          amendment that adds two additional  
14          loading zones to the west side of 6th  
15          Street between Ranstead and Chestnut  
16          Streets. These loading zones would be  
17          used by the Ride the Ducks, Incorporated,  
18          which would relocate their current  
19          operations on the east side of 6th Street  
20          adjacent to the Independence Visitor  
21          Center. This relocation is a direct  
22          result of security concerns related to  
23          the Federal Courthouse raised by the U.S.  
24          Marshals.

25                         The Administration supports

1           6/2/11 - STREETS - BILL 090746, ETC.

2           Bill No. 110259 as amended, and I'm happy  
3           to answer questions from the Committee.

4                        COUNCILMAN DiCICCO: Thank you,  
5           Mr. Abernathy.

6                        For the record, a letter was  
7           submitted to this Committee by the CEO of  
8           the Independence Visitor Center,  
9           Mr. James J. Cuorato, and basically what  
10          the letter speaks to is the  
11          disappointment of the Ducks having to  
12          relocate from the location that they have  
13          operated within for several years now;  
14          that is, the area on 6th Street, east  
15          side of 6th Street between Market and  
16          Arch. Some of you may have been present  
17          at a hearing we had about a year or so  
18          ago, maybe two or three hearings over the  
19          last few years regarding this matter.

20                      In Mr. Abernathy's last  
21          paragraph when he speaks to the  
22          relocation of the Ducks, this is a result  
23          of a federal judge by the name of Savage  
24          who resides in the Federal Courthouse on  
25          the west side of 6th between Market and



1           6/2/11 - STREETS - BILL 090746, ETC.

2           I'm wrong, Mr. Abernathy, for the Ducks  
3           to operate on 6th Street between Market  
4           and Arch?

5                     MR. ABERNATHY: That's correct.

6           After meeting with both the federal  
7           judges and U.S. Marshals, the City --

8                     COUNCILMAN DiCICCO: That's not  
9           because you believe someone is going to  
10          blow up the courthouse, but because we  
11          don't want to deal with the federal  
12          judge.

13                    MR. ABERNATHY: It's outside  
14          our purview, our security concerns.

15                    COUNCILMAN DiCICCO: Thank you.

16                    Any questions from this  
17          Committee?

18                    (No response.)

19                    COUNCILMAN DiCICCO: Is there  
20          anyone else here who wishes to testify on  
21          this bill?

22                    Please approach the witness  
23          table.

24                    (Witness approached witness  
25          table.)

1           6/2/11 - STREETS - BILL 090746, ETC.

2           COUNCILMAN DiCICCO: Good  
3           afternoon, Chris.

4           MR. HERSCHEID: My name is  
5           Chris Herschend. I'm the President of  
6           Ride the Ducks. I've got a letter here  
7           I'll provide. I'll summarize it now in  
8           the interest of time.

9           Ride the Ducks is a  
10          family-owned sightseeing company. We've  
11          been in business around 30 years around  
12          the United States. We carry around a  
13          million passengers, over a million  
14          passengers a year all over the country.  
15          I've been in Philly since 2003, about 40  
16          employees here in town.

17          I'm a little concerned about  
18          the proposed changes. Not having had a  
19          chance to read the amendment to today's  
20          bill, I'll have to withhold comment on  
21          the specifics of this precise proposal.  
22          I'm familiar with the spirit of the  
23          content.

24          I'll provide a very brief  
25          history lesson just for the benefit of

1           6/2/11 - STREETS - BILL 090746, ETC.

2           those who have not been following us  
3           quite as closely as we have over the past  
4           five or six years.

5                       As the Councilman said, this  
6           has been a long dialogue. It was 2006,  
7           after about two years of dialogue with  
8           this Committee and others, we moved our  
9           loading zones from 6th and Chestnut up  
10          the block to the 6th Street block face  
11          between Market and Arch. In March of  
12          2008, Judge Timothy Savage -- I should  
13          note, Judge Savage's chambers overlook  
14          Independence Mall. Judge Savage began a  
15          campaign to move the Ducks out of the  
16          City's designated tour operator loading  
17          zones; specifically, the zones on 6th  
18          Street adjacent to the Independence  
19          Visitor Center. As the Councilman  
20          indicated, as justification, the judge  
21          cited security concerns.

22                       During a hearing on June 10th  
23          before this Committee last year, the  
24          quote was, These concerns were bordering  
25          on ridiculous, and in fact, Councilman

1           6/2/11 - STREETS - BILL 090746, ETC.

2           Jones took it a step further and deemed  
3           them "ri-duck-ulous."

4                     Frank Friel, one of our -- I  
5           didn't make it up. I'm just reporting  
6           it.

7                     Frank Friel, a friend of ours  
8           at the Independence Visitor Center,  
9           points out that over 4,000 vehicles a day  
10          travel south on 6th Street past the IVC.  
11          I believe Ducks were unfairly singled  
12          out.

13                    Despite this, the courthouse  
14          marshals convinced the National Park  
15          Service to revoke our commercial use  
16          authorizations last summer, which  
17          eliminated our ability to transact  
18          business on the sidewalk. It did not  
19          change our ability to transact business  
20          on the street, which is City property.

21                    Earlier this spring, the  
22          Managing Director's Office met privately  
23          with the judge and his marshals and  
24          subsequently agreed to move us away from  
25          the IVC, as you've heard testimony today.

1           6/2/11 - STREETS - BILL 090746, ETC.

2           I realize that most people  
3 would not feel that moving Ducks around  
4 on Independence Mall is a significant  
5 issue. It's like any ecosystem, though.  
6 It's interdependent. Changing one part  
7 has an impact on others.

8           I also am concerned about the  
9 federal interference in the City's  
10 operations. This is not a formal act.  
11 This is all through innuendo, influence  
12 and discussion, not through the formal  
13 channels of accountability that a federal  
14 judge has available to him, like judicial  
15 writs or the legal system. This is all  
16 back rooms and quiet, and it reeks.

17           This all brings us to the  
18 present. The end result of all of this  
19 is our loading zone capacity has been  
20 reduced by 75 percent, through no fault  
21 of our own, except we were unlucky to be  
22 located near the judge's chambers. So 75  
23 percent reduction on our ability to  
24 generate revenue, which in our business  
25 our ability to generate revenue is

1           6/2/11 - STREETS - BILL 090746, ETC.

2           strongly correlated with the location and  
3           the amount of the linear feet available  
4           to us for loading.

5                     The proposal, as I understand  
6           it, that's been proposed today  
7           ameliorates this a bit. It reduces us by  
8           only 50 percent, but that's still a sharp  
9           drop.

10                    We've obviously spent a lot of  
11           time thinking about this, and I wouldn't  
12           come to you and just complain without at  
13           least proposing some solutions.

14                    What's been proposed today is a  
15           good step. As I understand it -- I have  
16           a map here, and it's included with my  
17           letter. As I understand it, here's  
18           Market, here's the Liberty Bell, here's  
19           Chestnut. It's my understanding that  
20           this is the location at Ranstead Street  
21           that's being proposed today. I'll be  
22           happy to leave this with the Committee.

23                    My concern is that the 110 feet  
24           that is implied, the 255 foot zone, as I  
25           understand it, plus the 110 feet we have

1           6/2/11 - STREETS - BILL 090746, ETC.

2           today is still 50 percent less than what  
3           we had last summer.

4                        So we're open, we're flexible.  
5           I've made some different suggestions,  
6           but, frankly, we understand these are the  
7           City streets and we are at these  
8           locations, any of them, at the pleasure  
9           of the City. So I won't belabor the  
10          point with a lot of recommendations. I  
11          do think it's important for us to be  
12          near, as close as possible, to the  
13          Independence Visitor Center from a safety  
14          perspective and a guest service  
15          perspective. It's a great hub for us,  
16          and it's been a fantastic partnership for  
17          the last five years.

18                       With that, I'll end my comments  
19          and take any questions.

20                       COUNCILMAN DiCICCO: Just a  
21          brief comment. In addition to the  
22          economic impact that this may cause your  
23          company, I also think it's important to  
24          point out -- and it's in Mr. Cuorato's  
25          letter, I believe, and if it's not, it's

1           6/2/11 - STREETS - BILL 090746, ETC.

2           worth repeating -- is that this will also  
3           cost the Independence Visitor Center a  
4           significant amount of loss in revenues as  
5           well. When we designed this, when  
6           Mr. Abernathy was my Chief of Staff, the  
7           layout of all the operations that take  
8           place around the Independence Mall area  
9           was agreed upon. After two, three years,  
10          maybe even five years of hard work, it  
11          was agreed that the Ducks would have a  
12          staging area on the east side of 6th  
13          between Market and Arch, which gave the  
14          Independence Visitor Center an ability to  
15          sell tickets, which they get a percentage  
16          of those ticket sales for the Ducks. So  
17          that revenue that they relied on, for the  
18          most part, will probably disappear, if  
19          not completely, but significantly. So  
20          there's a negative impact to that as  
21          well.

22                        When you show on that map,  
23          Chris, the one staging area on 5th  
24          Street --

25                        MR. HERSCHEID: There are two

1           6/2/11 - STREETS - BILL 090746, ETC.  
2           shown here on 5th, one where we currently  
3           sit and one that we identified.

4                   COUNCILMAN DiCICCO: I was  
5           driving around last week looking at some  
6           of the stuff. There are a couple of your  
7           Duck boats that use 6th Street between  
8           Arch and Race as a staging area alongside  
9           the Constitution Center.

10                   MR. HERSCHEID: We have been  
11           using the location you're referring to --

12                   COUNCILMAN DiCICCO: I'm fine  
13           with that.

14                   I don't know, Mr. Abernathy, if  
15           I need to codify that or the City.

16                   He's shaking his head no.

17                   If you want to continue to use  
18           those spaces as well, that's fine.

19                   MR. HERSCHEID: We use those  
20           occasionally with the Constitution  
21           Center's permission for groups loading  
22           and unloading. But I think it's a good  
23           question.

24                   MR. ABERNATHY: The space on  
25           5th Street is already codified by

1           6/2/11 - STREETS - BILL 090746, ETC.

2           legislation, and those permits have  
3           already been issued.

4                    COUNCILMAN DiCICCO: Right,  
5           5th, but I'm talking about 6th Street  
6           between Arch and Race.

7                    MR. ABERNATHY: Those are  
8           currently universal loading zones. Any  
9           operator can use those zones to stage.

10                   COUNCILMAN DiCICCO: Okay.

11                    Any questions from this  
12           Committee?

13                    (No response.)

14                    COUNCILMAN DiCICCO: Anyone  
15           else here who wishes to testify?

16                    (No response.)

17                    COUNCILMAN DiCICCO: Thank you.

18           Thank you, Mr. Abernathy, again for your  
19           support. Thank you.

20                    Please read the title of the  
21           next bill.

22                    THE CLERK: Bill No. 110440, an  
23           ordinance amending Title 12 of The  
24           Philadelphia Code, entitled "Traffic  
25           Code," by adding a new Chapter, entitled

1           6/2/11 - STREETS - BILL 090746, ETC.  
2           "Bicycle Lanes," requiring the  
3           designation of bicycle lanes by  
4           ordinance, adding definitions to Section  
5           12-102, and making certain technical  
6           changes, all under certain terms and  
7           conditions.

8                         (Witness approached witness  
9           table.)

10                        COUNCILMAN DiCICCO:

11           Ms. Cutler, I know you called me  
12           yesterday, and I apologize for not  
13           getting back to you. I usually do get  
14           back to people within a 24-hour period,  
15           but it's been a little bit hectic lately.

16                        The Chair recognizes Councilman  
17           Greenlee for some remarks.

18                        COUNCILMAN GREENLEE: Thank  
19           you, Mr. Chairman. I'll be brief. I  
20           know it's been a long day, and it will  
21           probably get a little longer.

22                        I just want to comment just  
23           briefly on this bill and why it was  
24           introduced, and I mostly want to speak  
25           quickly about what this bill is not.

1           6/2/11 - STREETS - BILL 090746, ETC.  
2           This bill is not intended to be anti-bike  
3           or anti-bike lane. I will go on record  
4           saying it's a good thing that Philly is  
5           bike friendly.

6                        I'm not saying or this bill is  
7           not saying anything has been done  
8           inappropriately or wrong by the  
9           Administration or by anybody else. It is  
10          not directed at a specific area or bike  
11          lane. In our opinion, those of us who  
12          introduced it, it's about being  
13          consistent. City Council regulates  
14          traffic flow, including things like  
15          directions of traffic, parking regs,  
16          truck regulations. Some of that you saw  
17          here today.

18                       Simply what I think is the  
19          appropriate thing to be done, from now on  
20          if a bike lane is established, a bill  
21          would be introduced. There would be  
22          testimony offered by the appropriate  
23          Administration person, like was done  
24          today on many bills, and then people  
25          could come and either offer pro or con

1           6/2/11 - STREETS - BILL 090746, ETC.

2           testimony.

3                       I hear all the time about  
4           transparency, about open government, open  
5           process. That's what we're doing here  
6           today. That's what I see a bike -- this  
7           bill doing. I don't see anything else.  
8           There's no other hidden agenda. There's  
9           no other thing involved. And I know  
10          we've all gotten e-mails. We've gotten  
11          the phone calls that, with all due  
12          respect, border on hysteria at times, and  
13          just want to get on record what this is  
14          about. To me, it's simply being  
15          consistent.

16                      Thank you, Mr. Chairman.

17                      COUNCILMAN DiCICCO: I just  
18          would like to concur with those comments.  
19          I've been getting obviously the same  
20          e-mails, because I co-sponsored the bill.  
21          I think it's important to point out that  
22          I think one of the first bike lanes that  
23          we did, officially did, a dedicated bike  
24          lane, that is on Pine Street, Pine and  
25          Spruce on the east side of Broad, which I

1           6/2/11 - STREETS - BILL 090746, ETC.  
2           represent, and despite a lot of community  
3           opposition or some community opposition,  
4           I thought it was worthwhile to at least  
5           try and see if it would work, and it did,  
6           and now, as you know, it's permanent.

7                     I'm a process guy. It takes a  
8           little bit of time, sometimes more time  
9           than I would even like, but before things  
10          are changed or made to be different, I  
11          always believe that people who will be  
12          impacted by it should have an opportunity  
13          to be heard.

14                    More recently, the City has  
15          proposed bike lanes on 13th Street and  
16          10th Street from, I believe it's, Race to  
17          Spruce. Yes?

18                    DEPUTY MAYOR CUTLER: Close.

19                    COUNCILMAN DiCICCO: In any  
20          event, when word got out that that was  
21          being proposed, my office immediately  
22          began receiving calls from people who  
23          were concerned about change. Not unlike  
24          when you change the direction of a  
25          street, if you strike a street or if you

1           6/2/11 - STREETS - BILL 090746, ETC.

2           for some reason decide that no more  
3           traffic will be allowed on the street,  
4           there's an impact, and people react. And  
5           in this instance, we got -- most of the  
6           reaction I got was negative from people  
7           who live and operate businesses in  
8           Chinatown and the Jefferson Hospital  
9           folks. I am not concurring with their  
10          opposition, but I do understand their  
11          concern, and they would like to -- they  
12          wanted some answers to their question.

13                    I understand meetings have been  
14          held, I am told. I was not aware, but  
15          there were some meetings that were held  
16          with the residents in Chinatown and maybe  
17          even Jefferson Hospital. But when it  
18          gets out in a public way and without  
19          enough public advanced notice, people  
20          react, and they generally react in a  
21          negative way.

22                    So this legislation that was  
23          presented to me by Councilman Greenlee  
24          said shouldn't we at least know in  
25          advance before these decisions or

1           6/2/11 - STREETS - BILL 090746, ETC.

2           proposals are being made.

3                        So I'm a bike lane advocate. I  
4           can't wait for them to redo 11th Street  
5           and strike South 11th Street. So we're  
6           not anti-bike people, contrary to what  
7           some people may believe or maybe the way  
8           you read or interpreted the legislation  
9           to be. But it's all about a process.

10                       With that, good afternoon,  
11           Ms. Cutler.

12                       DEPUTY MAYOR CUTLER: Good  
13           afternoon, Chairman DiCicco, members of  
14           the Committee on Streets and Services. I  
15           do have a statement I'd like to read, and  
16           then I'm happy to talk about the process  
17           question.

18                       My name is Rina Cutler, Deputy  
19           Mayor for Transportation and Utilities.  
20           I'm here today to testify regarding Bill  
21           110440, requiring a Council ordinance for  
22           the installation of new bike lanes.

23                       The latest American Community  
24           Survey conducted by the U.S. Census  
25           Bureau found that nearly five percent of

1           6/2/11 - STREETS - BILL 090746, ETC.

2           all trips to work north and south of  
3           Center City occur on a bike. This is up  
4           more than 100 percent since the year  
5           2000. More than 10,000 Philadelphia  
6           residents bike to work regularly, and  
7           thousands of more trips are made for  
8           transportation and recreation each day.

9                         Philadelphia currently has more  
10           than 200 miles of bike lanes, most of  
11           which were installed in the 1990s. In  
12           the last two years, the City has  
13           installed only an additional six miles of  
14           new lanes. These lanes have been  
15           installed where bicycling volumes are the  
16           highest. That has not -- this is not a  
17           "build it and they will come" situation.  
18           In fact, I would describe our efforts as  
19           painting lanes, because the bicyclists  
20           are already there.

21                         In each instance, the lanes  
22           were installed in consultation with  
23           District Councilmembers and their staff,  
24           civic groups and business groups. This  
25           is a continuation of the belief that

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2           mobility choices, whether they be on foot  
3           or bike or transit or in a car, are both  
4           a safety issue as well as a quality of  
5           life issue.

6                         In the case of Spruce and Pine  
7           Street, where a vehicle lane was  
8           converted to a bicycle lane, a pilot  
9           program was conducted that included  
10          significant public input and data  
11          collection to measure the impact of the  
12          lane on motor vehicle traffic. During  
13          the pilot period, we found that the  
14          streets continued to carry the same  
15          volume of motor vehicles and that the  
16          median speed of drivers was no more than  
17          two miles an hour faster or slower. The  
18          length of queued vehicles at  
19          intersections likewise remained  
20          approximately the same. However, the  
21          speed of the faster vehicles were  
22          reduced, making the streets safer and  
23          calmer. The bike lanes made the flow of  
24          vehicles on these streets, both cars and  
25          bicycles, more orderly and predictable

1           6/2/11 - STREETS - BILL 090746, ETC.

2           and curtailed aggressive driving  
3           behavior. The City's Chief of Emergency  
4           Medical Services reports that the bike  
5           lanes on Spruce and Pine Streets have  
6           helped emergency vehicles when the  
7           streets are congested, because drivers  
8           are more aware of where the ambulance is  
9           coming from. The City recently received  
10          the first full year of crash data  
11          following installation of the lanes on  
12          Spruce and Pine and were extremely  
13          heartened to find that serious motor  
14          vehicle crashes, those in which a victim  
15          is sent to the hospital, on the two  
16          streets declined 45 percent compared to  
17          2008. Fender benders declined by 17  
18          percent on those two streets.

19                 We heard two things from the  
20          public following our announcement to make  
21          the Spruce and Pine lanes permanent after  
22          a successful pilot program. The first  
23          was the City needs to more actively  
24          address reckless cycling and aggressive  
25          driving and, two, bike lanes in Center

1           6/2/11 - STREETS - BILL 090746, ETC.

2           City need to be part of a network, not  
3           stand in isolation.

4                       The first was a public  
5           amplification of the concerns that have  
6           been expressed by Councilmembers as well  
7           as the public. Through the Bicycle and  
8           Pedestrian Safety Committee, of which  
9           Council has been a part of, the Mayor's  
10          Office of Transportation and Utilities,  
11          the Health Department and the Police  
12          Department have launched an unprecedented  
13          bicycle, pedestrian and motorist  
14          edu-enforcement program called "Give  
15          Respect/Get Respect." Bike-mounted  
16          officers will be patrolling Center City  
17          for the next six months to encourage good  
18          behavior from all road users and to  
19          distribute educational materials, as well  
20          as issue warnings or citations when  
21          warranted. In the first two weeks of the  
22          program, 177 stops for reckless cycling  
23          have been made and tickets issued to  
24          motor vehicles as well. We have applied  
25          for grant money for a safety and public

1           6/2/11 - STREETS - BILL 090746, ETC.

2           information grant to assure that those  
3           efforts continue.

4                       As my office and the Streets  
5           Department embarked on a pilot program  
6           for north-south streets, we conducted  
7           extensive analysis to identify the most  
8           appropriate streets. The objective is to  
9           build a network of lanes that pulls bikes  
10          off other streets and sidewalks and makes  
11          travel better for everyone. The factors  
12          considered in the selection of streets  
13          included traffic volumes, streets had to  
14          have sufficient capacity to permit  
15          removal of a travel lane; conflicts with  
16          buses eliminated 3rd, 4th, 7th, 8th, 11th  
17          and 12th Streets east of Broad and 16th,  
18          17th, 19th, 20th and 23rd Streets west of  
19          Broad; connectivity to jobs and  
20          residential areas, streets had to connect  
21          to common bicycle destinations,  
22          specifically Center City employment  
23          corridors, South Philadelphia and Temple  
24          University. In addition, the two  
25          suggested streets have no trolley tracks.

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2                   When 10th and 13th Streets were  
3 identified, we presented them to leaders  
4 of every local civic association and  
5 every District Council staff person. We  
6 held a public meeting at Jefferson  
7 University, which was attended by nearly  
8 80 citizens. Since then, I have received  
9 103 non-form letters. Ninety-six of  
10 those are in support of the pilot  
11 program, seven are opposed, mostly  
12 complaining about the behavior of  
13 cyclists. At the meeting we heard  
14 additional concerns from Jefferson  
15 University Hospital, had an additional  
16 meeting, and those concerns have been  
17 addressed to their satisfaction. The  
18 same is true for meetings with the  
19 Chinatown Development Corporation to  
20 address additional concerns from  
21 Chinatown businesses. Meetings were held  
22 with the Streets Department, my office  
23 and the Parking Authority in order to  
24 talk about some of the congestion and  
25 parking issues related to Chinatown.

1           6/2/11 - STREETS - BILL 090746, ETC.

2           Their issues had less to do with bike  
3           lanes than they had to do with deliveries  
4           and congestion.

5                         In discussions with individual  
6           businessowners, many have come to see the  
7           potential that bike lanes will in fact  
8           improve the flow of traffic on 10th  
9           Street during the pilot period, and we  
10          will work to change the on-street  
11          regulation to create additional loading  
12          zones and try to eliminate some of the  
13          double parking.

14                        The Streets Department is also  
15          planning to install a bicycle lane on  
16          Fairmount Avenue from Broad Street to  
17          Pennsylvania Avenue. This lane would be  
18          a standard bike lane such as what is  
19          already installed on Spring Garden  
20          Street. These plans were discussed with  
21          District Council staff and presented to  
22          the Fairmount Civic Association, the  
23          Fairmount Community Development  
24          Corporation, the Spring Garden Civic  
25          Association and the Francisville

1           6/2/11 - STREETS - BILL 090746, ETC.

2           Neighborhood Development Corporation. We  
3           received positive feedback from each of  
4           these groups and have received no  
5           correspondence to date regarding this  
6           lane.

7                         Council and community input  
8           into Streets Department's decisions are  
9           important and something both my office  
10          and the Streets Department take  
11          seriously. Under current law, the  
12          Streets Department does not seek a  
13          Council ordinance to make any changes to  
14          traffic flow other than to change the  
15          direction of a street. Council can by  
16          ordinance require the Streets Department  
17          to take actions, as it does with some  
18          regularity. The current system allows  
19          Council to rely on the professional  
20          judgment of the Streets Department  
21          engineers, unless Council disagrees.  
22          This system serves the public well and  
23          allows for efficient administration of  
24          programs. Requiring the Streets  
25          Department to seek an ordinance for each

1           6/2/11 - STREETS - BILL 090746, ETC.

2           new bike lane may make pilot programs  
3           non-compliant with the Code and is  
4           certain to delay the installations of  
5           bike lanes.

6                        I believe that over the last  
7           two decades and particularly in the last  
8           three years, the Streets Department has  
9           proven that bike lanes are effective and  
10          a publicly supported way of fine-tuning  
11          our roadway system.

12                       My office and the Streets  
13          Department, as always, look forward to  
14          working with you to address any of your  
15          specific concerns. I am respectfully  
16          requesting that this bill be held in  
17          Committee pending further consideration  
18          so we can work out whatever problem the  
19          legislation is indeed trying to fix. The  
20          current system seems to be working well  
21          and has existed for a long time.

22                       We believe we have in fact  
23          reached out often to both District  
24          Councilpeople as well as the community,  
25          and if there is a way to build that into

1           6/2/11 - STREETS - BILL 090746, ETC.  
2           Streets Department regulations which  
3           addresses this problem, then I'm happy to  
4           have that discussion.

5                     I'm happy to answer any  
6           questions you may have.

7                     COUNCILMAN DiCICCO:   Councilman  
8           Greenlee.

9                     COUNCILMAN GREENLEE:   Thank  
10          you, Mr. Chairman.

11                    Good afternoon, Ms. Cutler.

12                    DEPUTY MAYOR CUTLER:   Good  
13          afternoon.

14                    COUNCILMAN GREENLEE:   Let me  
15          just say most of your testimony I have no  
16          disagreement with, and I respectfully say  
17          it really doesn't even address the bill.  
18          As I said in the beginning, this bill is  
19          not anti-bike or anti-bike lane or  
20          criticizing what has been done before.

21                    I guess a couple of questions I  
22          would have. I know you say in here that  
23          the current system -- under current law,  
24          the Streets Department does not seek a  
25          Council ordinance to make any changes to

1           6/2/11 - STREETS - BILL 090746, ETC.  
2           traffic flow, other than direction. I  
3           mean, we had bills dealing today with  
4           truck traffic, right, regulating truck  
5           traffic? We regulate parking  
6           regulations, which obviously could affect  
7           traffic flow depending on where they are.  
8           So, I mean, there are other things, other  
9           than just --

10                   DEPUTY MAYOR CUTLER: Those are  
11           all parking regulations, Councilman, not  
12           traffic regulations.

13                   COUNCILMAN GREENLEE: No. We  
14           do "no through truck" regulations,  
15           correct?

16                   DEPUTY MAYOR CUTLER: Right,  
17           but not --

18                   COUNCILMAN GREENLEE: Isn't  
19           that traffic flow?

20                   DEPUTY MAYOR CUTLER: I'm not  
21           sure what we approved today was --

22                   COUNCILMAN GREENLEE: No. I  
23           didn't see --

24                   DEPUTY MAYOR CUTLER: -- no  
25           truck parking or no truck through

1           6/2/11 - STREETS - BILL 090746, ETC.

2           traffic.

3                   COUNCILMAN GREENLEE: I think  
4           it was no truck -- but whether we did it  
5           today or not, we do regulate no through  
6           truck traffic. I don't know if we -- I  
7           think something we did today was, but...

8                   DEPUTY MAYOR CUTLER: I'm  
9           sorry, Charlie. Would you introduce  
10          yourself for the record and answer that  
11          question.

12                   MR. DENNY: Charlie Denny,  
13          Assistant Chief Traffic Engineer.

14                   There's been no ordinance  
15          process done for no through truck  
16          regulation in probably 20 years. Most of  
17          the studies done follow PennDOT  
18          regulations under the PennDOT law, which  
19          specify where you can or cannot do a  
20          truck prohibition, and the City follows  
21          those regulations, and in the few places  
22          where we have installed them, we've  
23          installed them under those regulations  
24          and they are covered by those  
25          regulations.

1           6/2/11 - STREETS - BILL 090746, ETC.

2           The Vehicle Code specifies  
3           certain areas where the local government  
4           can regulate traffic control, and that is  
5           in parking conditions and in one-way  
6           direction of traffic, but everything we  
7           do, we follow PennDOT regulations.

8           COUNCILMAN GREENLEE: But the  
9           point I was trying to make is, some  
10          things require legislation. That's the  
11          point I was trying to make. And you say  
12          a bike lane may make pilot programs  
13          non-compliant with the Code. Could you  
14          explain that? I don't understand that.

15          DEPUTY MAYOR CUTLER: If there  
16          is --

17          COUNCILMAN GREENLEE: If we  
18          seek an ordinance for each new bike lane,  
19          it may make pilot programs non-compliant  
20          with the Code.

21          DEPUTY MAYOR CUTLER: Right.  
22          Depending on how the ordinance is  
23          written, it may make pilot programs  
24          non-compliant.

25          COUNCILMAN GREENLEE: You mean

1           6/2/11 - STREETS - BILL 090746, ETC.

2           present pilot programs, ones that are  
3           pilots right now?

4                     DEPUTY MAYOR CUTLER: Not ones  
5           that are underway today, but the ones  
6           that will happen in the future before a  
7           permanent bike lane is established.

8                     COUNCILMAN GREENLEE: Well,  
9           don't we do pilot programs on direction  
10          of traffic?

11                    COUNCILMAN DiCICCO: Street  
12          changes.

13                    COUNCILMAN GREENLEE: Yeah,  
14          changes the direction of traffic.

15                    MR. DENNY: That's done on a  
16          trial and that's done before an ordinance  
17          process. That's --

18                    COUNCILMAN GREENLEE: Well,  
19          trial, isn't that kind of -- I'm sorry.

20                    MR. DENNY: One of the problems  
21          we would have is, a lot of times we  
22          receive resurfacing lists from  
23          Pennsylvania Department of Transportation  
24          in the fall for next year's construction  
25          work and we have a limited timeline to

1           6/2/11 - STREETS - BILL 090746, ETC.

2           come up with paper-marking plans for  
3           those projects. If we are going to add  
4           or make changes to any of the streets  
5           involved, we have a very short time  
6           window to make those changes, get the  
7           plans to PennDOT, and if we want to add  
8           bike lanes to any of those streets that  
9           are being resurfaced the following  
10          spring, we have to make a fairly quick  
11          decision, and the ordinance process  
12          generally is not a fairly quick process.

13                    COUNCILMAN DiCICCO: Isn't that  
14           what we did on Pine and Spruce? We did  
15           the pilot because we wanted to see how it  
16           worked before we did the repaving.

17                    DEPUTY MAYOR CUTLER: We did.  
18           We knew in advance when the paving for  
19           those streets were and, in fact,  
20           postponed it in order to do the pilot.  
21           As you recall, when we first did Pine and  
22           Spruce, the road condition was terrible.

23                    COUNCILMAN DiCICCO: Yeah. I  
24           didn't know you postponed it. I remember  
25           we were trying to get the timing, so why

1           6/2/11 - STREETS - BILL 090746, ETC.

2           stripe it -- I mean repave it after --

3                   DEPUTY MAYOR CUTLER:   Want to  
4           do it all at the same time.   Remember  
5           that many of the streets in Center City  
6           are actually owned by the state, not by  
7           the City.

8                   MR. DENNY:   Ninety percent of  
9           the bike lanes we've installed, the over  
10          200 miles in the past two decades, have  
11          not reduced the number of travel lanes.  
12          We've taken a 14-foot lane or a  
13          40-foot-wide roadway, we've divided it up  
14          into seven-foot parking lanes, five-foot  
15          bike lanes and ten-foot travel lanes.  
16          It's only recently that we have started  
17          looking at reducing -- taking a lane away  
18          to provide it for a bike lane.   But the  
19          vast majority of where we've installed  
20          bike lanes, we have not reduced the  
21          number of travel lanes and we've not  
22          reduced the capacity of the roadway below  
23          the demand of the roadway.   We're always  
24          very careful to look at that to see if  
25          that's a possibility before we would

1           6/2/11 - STREETS - BILL 090746, ETC.

2           proceed.

3                   DEPUTY MAYOR CUTLER:   So

4           perhaps there needs to be a distinction  
5           as it relates to the kind of bike lanes  
6           we're talking about here, because for  
7           ones that don't reduce a travel lane and  
8           don't take any parking off, there's a lot  
9           of those.  The very first ones we've  
10          taken a traffic lane and were careful to  
11          leave the parking lane were in fact Pine  
12          and Spruce.  So those are different kinds  
13          of bike lanes.

14                   COUNCILMAN GREENLEE:  No.  I

15          understand.  I understand.  Isn't it  
16          oftentimes -- I mean, oftentimes  
17          ordinances are put in and have hearings  
18          relatively quickly, right?  We do that  
19          all the time.  It's introduced --

20                   DEPUTY MAYOR CUTLER:  It is

21          certainly possible.

22                   COUNCILMAN GREENLEE:  This bill

23          was introduced on May 26th, by the way.

24                   DEPUTY MAYOR CUTLER:  It

25          depends whose priorities they are, sir.

1           6/2/11 - STREETS - BILL 090746, ETC.

2           COUNCILMAN GREENLEE: That's  
3 true, but it sometimes depends on the  
4 Administration priorities too, correct?

5           DEPUTY MAYOR CUTLER: It does  
6 indeed.

7           COUNCILMAN DiCICCO: Either the  
8 Chair or Streets and Services is. I  
9 don't know who the next one is. You'd  
10 better get them all in right now before  
11 December 31st.

12          COUNCILMAN GREENLEE: By the  
13 way, there are other bills that are being  
14 heard today that were also introduced on  
15 May 26th. So it's not --

16          DEPUTY MAYOR CUTLER: It  
17 happens at the close.

18          COUNCILMAN GREENLEE: I think  
19 that's just a matter of people working  
20 together.

21          DEPUTY MAYOR CUTLER: It  
22 happens at the close of every season.

23          COUNCILMAN GREENLEE: Not all  
24 the time. I mean, that's one of the  
25 things, but that's not all the time. You

1           6/2/11 - STREETS - BILL 090746, ETC.  
2           know, it's about working -- I guess  
3           working together. That's all it's about  
4           and --

5                     DEPUTY MAYOR CUTLER: Right.  
6           We cannot imagine a scenario where we  
7           would put a bike lane in a  
8           Councilperson's district and not have  
9           talked to them before we ever talked to a  
10          community organization.

11                    COUNCILMAN DiCICCO: The  
12          question is, would you still put it in  
13          even if the Councilperson objected to it?

14                    DEPUTY MAYOR CUTLER: We would  
15          not.

16                    COUNCILMAN DiCICCO: Put that  
17          on the record now.

18                    DEPUTY MAYOR CUTLER: I am  
19          willing to put it on the record.

20                    COUNCILMAN GREENLEE: But I  
21          guess that gets into the whole permanent  
22          structure kind of thing. I mean, that's  
23          your policy now, and I'm not saying  
24          that's not the policy. It might not be  
25          the policy down the road, and certainly

1           6/2/11 - STREETS - BILL 090746, ETC.

2           it might not be the policy down the road  
3           somewhere when there's a new  
4           Administration or new people. I think  
5           one of the ideas behind this was to make  
6           sort of a permanent procedure of this and  
7           have people be able to come in and say  
8           yea or nay or give their opinion yea or  
9           nay on a particular bike lane.

10                    I guess I still don't see where  
11           this bill would really cause the problem  
12           here. First of all, you don't even raise  
13           problems until the last couple  
14           paragraphs. Other than that, you just  
15           kind of give a history of what has been  
16           done, and I don't disagree with that. I  
17           just don't see where it's causing a  
18           problem that you say it is. And, again,  
19           to talk about open government and  
20           transparency, that's what we got here.  
21           So what's wrong -- I guess I don't see  
22           what's wrong with it, you know. I go  
23           back to what I said in my opening  
24           statement.

25                    DEPUTY MAYOR CUTLER: I'm not

1           6/2/11 - STREETS - BILL 090746, ETC.

2           sure that there is a problem in fact that  
3           needs solving. So that is obviously just  
4           my perspective. Obviously we hold public  
5           meetings for every one of these, multiple  
6           public meetings. So whether they're held  
7           here or in the community is probably one  
8           of the items I'd be happy to discuss, but  
9           I'm not sure that there is a problem that  
10          the legislation solves.

11                    COUNCILMAN GREENLEE: I don't  
12          know if there's one that this causes  
13          either, but okay.

14                    COUNCILMAN DiCICCO: Councilman  
15          Green.

16                    COUNCILMAN GREEN: I, frankly,  
17          began this hearing and am still unsure  
18          where I stand on this bill, and I just  
19          want to clarify a few things for my own  
20          information.

21                    Today, before this bill is  
22          passed -- and I don't mean the public  
23          meetings or other things -- what is the  
24          legal process by which the City goes  
25          through to create a bike lane?

1           6/2/11 - STREETS - BILL 090746, ETC.

2           MR. DENNY: We look at the  
3 street in question and we decide --

4           COUNCILMAN GREEN: Who is "we"?

5           MR. DENNY: The Streets  
6 Department, the Traffic Engineering  
7 Division primarily. We look at the  
8 street in particular. We decide -- look  
9 at what the limits are, what the parking  
10 conditions are, the directions, and we  
11 determine how to divide up that roadway  
12 into travel lanes. Some are two-way  
13 streets, they're narrow, there's no room  
14 for bike lanes. We make a determination  
15 that we can't put bike lanes, some like  
16 the 40-foot --

17          COUNCILMAN GREEN: So let's  
18 find a street like Pine where we decided  
19 to put a bike lane. What legally did the  
20 Department do on a dedicated City street  
21 to create a bike lane?

22          MR. DENNY: We mark the street  
23 according to engineering judgment. The  
24 parking conditions were already set. The  
25 direction of the street was already set

1           6/2/11 - STREETS - BILL 090746, ETC.

2           legally.

3                   COUNCILMAN GREEN:   So the  
4           question is, under what legal authority  
5           does the Streets Department have to  
6           unilaterally take a dedicated City street  
7           and make it illegal for a car to be in a  
8           lane on a dedicated City street?

9                   MR. DENNY:   The Vehicle Code  
10          and the Traffic Code.

11                   COUNCILMAN GREEN:   So explain  
12          that to me.

13                   MR. DENNY:   The Vehicle Code of  
14          the State of Pennsylvania requires local  
15          municipalities work under the regulations  
16          of the State of Pennsylvania, PennDOT,  
17          and the Traffic Code also sets limits --

18                   COUNCILMAN GREEN:   So let's  
19          stay with the state.   So what's the legal  
20          process by -- so basically the State of  
21          Pennsylvania has given the City of  
22          Philadelphia the authority to create bike  
23          lanes?

24                   MR. DENNY:   To mark streets.

25                   COUNCILMAN GREEN:   To mark

1           6/2/11 - STREETS - BILL 090746, ETC.

2           streets.

3                   MR. DENNY: Also can include  
4           bike lanes.

5                   COUNCILMAN GREEN: And that's  
6           under state authorization?

7                   MR. DENNY: Correct.

8                   COUNCILMAN GREEN: And under  
9           the state authorization, there's no  
10          regulatory process required?

11                   MR. DENNY: No. It's  
12          engineering judgment.

13                   COUNCILMAN GREEN: Okay. What  
14          I'd really like to see -- engineering  
15          judgment, I don't understand what that  
16          means. Engineering judgment has to do  
17          with a bunch of things that have nothing  
18          to do with bike lanes. It has to do with  
19          safety, it has to do with traffic flow,  
20          it has to do with speed, it has to do  
21          with sort of a bunch of -- I just -- can  
22          someone -- I'd like to see a copy of --  
23          basically I'd like to see copy of that --  
24          I'm not saying that you don't have the  
25          authority. It seems to me like if we're

1           6/2/11 - STREETS - BILL 090746, ETC.

2           going to have a process to basically take  
3           what is a dedicated street and say that  
4           cars can no longer travel on half of it  
5           or a portion of it, that there ought to  
6           be some sort of regulatory process with  
7           public advertising, 30-day notice  
8           requirement, just like there is for any  
9           other kind of regulation that we do  
10          regarding things like that.

11                         Now, this bill doesn't propose  
12          that. I'm just -- in other words, I know  
13          we have meetings and 60 people from the  
14          Bicycle Coalition show up because they  
15          all got e-mails and ten people from the  
16          community, and that's fine, but maybe we  
17          ought to advertise, have a public  
18          regulatory process and like get actual  
19          input.

20                         I mean, I've heard -- the  
21          number one comment I get when I'm down in  
22          Society Hill, people who live at the  
23          bottom of Society Hill, is that they  
24          can't stand the bike lanes, and it was  
25          announced before they even knew that it

1           6/2/11 - STREETS - BILL 090746, ETC.

2           was a possibility.

3                   DEPUTY MAYOR CUTLER: Well, you  
4           raised three or four issues, so I would  
5           like to respond to all of them. The  
6           first is --

7                   COUNCILMAN GREEN: I didn't  
8           mean to get off on the --

9                   DEPUTY MAYOR CUTLER: No, no,  
10          no. It's fine.

11                   COUNCILMAN GREEN: If you can  
12          address just sort of the legal aspect of  
13          this.

14                   DEPUTY MAYOR CUTLER: We did  
15          not do a regulatory process to decide  
16          that the street was two lanes to begin  
17          with. When we say "engineering  
18          judgment," we mean public safety, because  
19          an engineer has to actually stamp a plan  
20          and, therefore, their license is on the  
21          line. So when we say "engineering  
22          judgment," that is about public safety.  
23          When we decide we're going to make a  
24          bus-only lane on Chestnut Street, that is  
25          about public safety. When we decide

1           6/2/11 - STREETS - BILL 090746, ETC.  
2           we're going to create a two-lane street  
3           with a parking lane, same thing.

4                   COUNCILMAN GREEN: Let's stop  
5           the pedantics with the "public safety" at  
6           the end of every sentence. The process  
7           you've described for 10th and 13th  
8           Streets were about creating bike lanes.

9                   DEPUTY MAYOR CUTLER: Correct.

10                   COUNCILMAN GREEN: Not about  
11           the safety on those streets.

12                   DEPUTY MAYOR CUTLER: It is.

13                   COUNCILMAN GREEN: You  
14           eliminated a bunch of other streets.

15                   DEPUTY MAYOR CUTLER: We did.

16                   COUNCILMAN GREEN: You  
17           eliminated streets because of buses. You  
18           eliminated streets because they were only  
19           one lane. You eliminated streets because  
20           of this, that or the other reason, which  
21           left you with very few streets left to  
22           put a bike lane on, and the decision to  
23           put those -- so the decision to go on  
24           10th and 13th had nothing to do --

25                   DEPUTY MAYOR CUTLER: Oh, I

1           6/2/11 - STREETS - BILL 090746, ETC.

2           respectfully disagree, Councilman.

3                   COUNCILMAN GREEN: -- with  
4           public safety.

5                   DEPUTY MAYOR CUTLER: Every  
6           street we look at, all of that is about  
7           public safety. If we think it's not safe  
8           to put a bike lane where there are bus  
9           routes --

10                   COUNCILMAN GREEN: But the goal  
11           was a bike lane, not public safety.

12                   DEPUTY MAYOR CUTLER: No. The  
13           goal is a bike lane where it could safely  
14           be put in, safely.

15                   COUNCILMAN GREEN: Right. The  
16           goal was a bike lane where the bike lane  
17           would be safe, not public safety on that  
18           street.

19                   DEPUTY MAYOR CUTLER: If it  
20           could not have been put in safely on any  
21           of those cross streets, it would not have  
22           been recommended.

23                   COUNCILMAN GREEN: That's fine,  
24           but the goal was a bike lane on a street  
25           that's safe for bike lanes, it was not

1           6/2/11 - STREETS - BILL 090746, ETC.

2           public safety on 10th and 13th Streets.

3                   DEPUTY MAYOR CUTLER: Well,  
4           certainly --

5                   COUNCILMAN GREEN: Which is  
6           what an engineering study is for, which  
7           is what your authorization is under state  
8           law. It is not creating bike lanes. It  
9           is to make 10th and 13th Streets safer  
10          through engineering studies. That's the  
11          point.

12                   DEPUTY MAYOR CUTLER: I  
13          respectfully disagree with your  
14          assessment, and I'm happy to give you a  
15          copy of the Code.

16                   COUNCILMAN GREEN: What I'd  
17          like I think is a Solicitor's opinion on  
18          that issue, and I'll --

19                   DEPUTY MAYOR CUTLER: I'm sure  
20          we can get you one.

21                   COUNCILMAN GREEN: And I'll  
22          also be seeking an opinion from the  
23          state.

24                   So like I'm not for or against  
25          this bill right now. I want to make that

1           6/2/11 - STREETS - BILL 090746, ETC.

2           clear. But I want -- I'm serious. But  
3           what you're saying also is just it  
4           doesn't square with my understanding of  
5           what the authority is, and I want to  
6           clarify that.

7                   DEPUTY MAYOR CUTLER: Well, I'm  
8           happy to do that, but I would like to  
9           also say as it relates to the regulatory  
10          piece, there is a current process for  
11          creating regulations that are done by the  
12          Streets Commissioner, which are done on a  
13          regular basis, require a 30-day -- I  
14          think it's 30-day period.

15                   COUNCILMAN GREEN: Public  
16          advertising.

17                   DEPUTY MAYOR CUTLER: Right. I  
18          have no objection whatsoever to creating  
19          the regulatory process to do that if that  
20          is the concern of the Committee. None.

21                   COUNCILMAN GREEN: Councilman  
22          Greenlee.

23                   COUNCILMAN GREENLEE: Are there  
24          any other questions? Do you have any  
25          questions?

1           6/2/11 - STREETS - BILL 090746, ETC.

2           Councilwoman Sanchez.

3           COUNCILWOMAN SANCHEZ: I guess  
4 with -- all these lawyers, all this legal  
5 talk.

6           I think that it's important,  
7 because we do want to be a bike-friendly  
8 city, and I'm glad that you offered that  
9 up. That's exactly where I was going to  
10 go, because I think there's an issue of  
11 spelling out a process.

12           So I'm okay with what --  
13 assuming we get the legal opinions from  
14 both of them, I'm okay with a regulatory  
15 kind of process, not necessarily the  
16 legislative piece. What would that  
17 regulatory process look like?

18           DEPUTY MAYOR CUTLER: It would  
19 lay out in regulation that would be  
20 published and signed by the Streets  
21 Commissioner as to how we would go about  
22 both identifying the streets as well as  
23 what the public process would be for  
24 that. So I think it could easily be done  
25 in regulation. And I think -- part of

1           6/2/11 - STREETS - BILL 090746, ETC.

2           what is interesting is, no matter what  
3           the regulation is, there will always be  
4           people obviously both pro and con. It's  
5           just the nature of the beast, and I  
6           think -- so that would be the process.  
7           We would write out, publish, wait 30 days  
8           for comments and then -- so the process  
9           would be published and become a  
10          regulation that the Streets Department  
11          would be required to adhere to.

12                    COUNCILWOMAN SANCHEZ: As it  
13           stands now, how do we pick these streets?  
14           Are they by request or it's part -- I  
15           know we have a general big plan. What do  
16           we decide is priority as these gets laid  
17           out?

18                    DEPUTY MAYOR CUTLER: Well, the  
19           priority was to find -- the original  
20           priority was to identify and study both  
21           east-west and north-south streets in  
22           order to create a network. We find that  
23           when we create a network, it pulls bikes  
24           off other streets and puts them in an  
25           organized system.

1           6/2/11 - STREETS - BILL 090746, ETC.

2           Once Pine and Spruce were  
3 identified and we had looked at the  
4 east-west streets from -- right now we've  
5 looked at them from, I believe, Spring  
6 Garden to, I want to say, Bainbridge.  
7 And once Pine and Spruce became a  
8 permanent, we knew we needed to look at  
9 the east-west streets to -- I'm sorry;  
10 the north-south streets to connect to  
11 them. And so we looked at all of the  
12 east-west streets river to river. We  
13 were out there for months doing the  
14 analysis. And so we determined that the  
15 best two that would likely succeed would  
16 be 10th and 13th. So then we went to the  
17 District Councilperson and then we went  
18 to the community groups and then we held  
19 a community meeting.

20           So that process can be created  
21 in regulation.

22           Once the pilot program is over,  
23 you could in fact do a 30-day public  
24 notice and get comments in and then make  
25 the final regulations permanent. So all

1           6/2/11 - STREETS - BILL 090746, ETC.

2           of that you could currently do under  
3           Streets Department regulations.

4                        COUNCILWOMAN SANCHEZ:

5           Question: As it stands now, assuming you  
6           did a bike lane in an area and the  
7           District Councilperson wanted to  
8           eliminate it, is there a process for  
9           that?

10                      DEPUTY MAYOR CUTLER: If the  
11           District Councilperson told us they  
12           weren't going to support it, we would not  
13           put in a pilot program.

14                      COUNCILWOMAN SANCHEZ: Okay. I  
15           have no --

16                      DEPUTY MAYOR CUTLER: For me  
17           the constituents and the Councilperson  
18           get to sort of fight that out, but there  
19           are, as Councilman Green said, only a  
20           handful of streets, and we've looked at  
21           most of them at this point river to  
22           river, Spring Garden to Bainbridge, that  
23           we think could safely accommodate a bike  
24           lane where we take out a lane of traffic.  
25           The other type of bike lanes that we've

1           6/2/11 - STREETS - BILL 090746, ETC.

2           created all over the place, we've not  
3           changed the street itself.

4                   COUNCILWOMAN SANCHEZ: I know  
5           we had this discussion -- actually, I had  
6           it with the Streets Department when we  
7           were looking at Berks, and I know that  
8           became important, because we were  
9           connecting Berks Street in my district,  
10          we were connecting Temple University to  
11          Fishtown and that traffic flow, and  
12          that's an instance where we took out a  
13          traffic lane, and there was some  
14          discussion about it. I was pretty  
15          satisfied with the process, but I think  
16          it's important that while -- I think  
17          Councilman DiCicco -- Deputy Mayor Cutler  
18          said that we can accomplish some of what  
19          the legislation goal is through  
20          regulation.

21                   COUNCILMAN DiCICCO: I was  
22          going to ask that question earlier.  
23          Thank you. I was going to ask that same  
24          question.

25                   COUNCILWOMAN SANCHEZ: Thank

1           6/2/11 - STREETS - BILL 090746, ETC.

2           you. That's all.

3                   COUNCILMAN DiCICCO: Councilman  
4           Green.

5                   COUNCILMAN GREEN: Thank you.

6                   So would you be amenable to an  
7           ordinance, either amending this or an  
8           ordinance, that basically required a  
9           regulatory process in the Streets  
10          Department just as you described that  
11          creates bike lanes and also that required  
12          that every person on the street impacted  
13          for the length of that street would be  
14          mailed a notice of the regulatory process  
15          so that no one can later complain that  
16          they weren't aware of it?

17                   DEPUTY MAYOR CUTLER: As long  
18          as there's some flexibility with mail  
19          versus e-mail versus robo calling. I  
20          have no objection to a notification for  
21          every house. I just don't know that I  
22          think all of them are going to respond on  
23          the mail side. Notification I have no  
24          objection to.

25                   COUNCILMAN GREEN: Okay. So

1           6/2/11 - STREETS - BILL 090746, ETC.

2           I'm still not sure where I am on this. I  
3           am not prepared to act today, but I do  
4           think that a requirement of a regulation  
5           where there is 30 days' notice and  
6           official action is taken somewhere is  
7           important as a part of a process to make  
8           sure we don't get complaints later that  
9           there wasn't a public process.

10                   DEPUTY MAYOR CUTLER: And I am  
11           assuming that that is when there will  
12           become a permanent bike lane versus a  
13           pilot program.

14                   COUNCILMAN GREEN: No. I think  
15           there should be a regulatory process for  
16           a pilot program.

17                   DEPUTY MAYOR CUTLER: There is  
18           a process for it. If there is -- there's  
19           nothing in this current bill that talks  
20           at all about that. These are --

21                   COUNCILMAN GREEN: I'm sorry.  
22           Your testimony said that -- or in  
23           response to your question to Councilman  
24           Greenlee, you said that it wasn't clear  
25           that you would be able to have a pilot

1           6/2/11 - STREETS - BILL 090746, ETC.

2           program --

3                   DEPUTY MAYOR CUTLER:  It isn't,  
4           and one of the things I was wanting to do  
5           was to make it clear.  You can't -- I  
6           guess you could -- I'd have to check the  
7           last piece.  I don't know that there is a  
8           requirement or a process for a pilot  
9           program, but I certainly will check that.  
10          And I would like the ordinance to  
11          differentiate between creating a  
12          permanent bike lane and going through a  
13          neighborhood process and doing a pilot  
14          program.

15                   COUNCILMAN GREEN:  Okay.  I  
16          mean, for myself I'll be looking forward  
17          to opinions from the City Solicitor.  
18          I'll request an opinion of the state.  
19          That's where I am right now.

20                   Thank you.

21                   DEPUTY MAYOR CUTLER:  Yeah.

22                   COUNCILMAN DiCICCO:  Do you  
23          have any plans for a bike lane in the  
24          vicinity of the Federal Courthouse?  I'm  
25          concerned that someone with a bike and

1           6/2/11 - STREETS - BILL 090746, ETC.

2           saddle bags could just right up that

3           handicap ramp and --

4                     DEPUTY MAYOR CUTLER: I share  
5           your concern, Councilman.

6                     COUNCILMAN DiCICCO: Please,  
7           from now until -- well, from now until  
8           the 31st of December, let the other guy  
9           worry about that.

10                    DEPUTY MAYOR CUTLER: Are you  
11           asking me to do a pilot program?

12                    COUNCILMAN DiCICCO: No, no.  
13           We would put a sign up, bikes with saddle  
14           bags prohibited or something like that.

15                    Councilman Green.

16                    COUNCILMAN GREEN: I'm sorry.  
17           10th and 13th Street, what is your  
18           current schedule?

19                    DEPUTY MAYOR CUTLER: We will  
20           implement at the end of June. It's a  
21           six-month pilot, and then we've committed  
22           to go back to the community.

23                    COUNCILMAN GREEN: And so  
24           regardless of what we do, you'll commit  
25           to a published regulatory process for

1           6/2/11 - STREETS - BILL 090746, ETC.

2           that at the end of the six-month trial  
3           period?

4                         DEPUTY MAYOR CUTLER:

5           Absolutely.

6                         COUNCILMAN GREEN:   Where  
7           there's regulations published?

8                         DEPUTY MAYOR CUTLER:   Assuming  
9           we keep this.

10                        COUNCILMAN GREEN:   Assuming you  
11           decide it's a good idea.

12                        DEPUTY MAYOR CUTLER:

13           Absolutely.

14                        COUNCILMAN GREEN:   Thank you.

15                        COUNCILMAN DiCICCO:   Councilman  
16           Greenlee.

17                        COUNCILMAN GREENLEE:   Mr.

18           Chairman, given some of the sentiments  
19           we've heard and the purpose of trying to  
20           work things out and not be here all  
21           night, I will hold this bill.  I request  
22           this bill be held for either amendments  
23           to this bill or possible introduction of  
24           another.

25                        Thank you.

1           6/2/11 - STREETS - BILL 090746, ETC.

2           COUNCILMAN DiCICCO: So noted.

3           Thank you.

4           Thank you for your testimony.

5           DEPUTY MAYOR CUTLER: Thank

6           you.

7           COUNCILMAN DiCICCO: Any other

8           witnesses? The bill is being held, so --

9           yes, sir. You need to come up, identify

10          yourself for the record, please.

11          MR. CAREY: My name is Timothy

12          Carey. I live at 715 Pine Street.

13          When you hold the bill, I would

14          like to see those bike lanes on 10th and

15          13th.

16          COUNCILMAN DiCICCO: They're

17          being -- they are going --

18          MR. CAREY: They are going to

19          go forward even though you hold the bill?

20          COUNCILMAN DiCICCO: Yes, they

21          are.

22          MR. CAREY: Thank you.

23          COUNCILMAN DiCICCO: They are

24          going forward.

25          COUNCILMAN GREENLEE: We're not

1           6/2/11 - STREETS - BILL 090746, ETC.  
2           taking action on the bill, so nothing  
3           happens.

4                   MR. CAREY: Thank you.

5                   COUNCILMAN GREENLEE: So I  
6           don't see the need for any other  
7           testimony unless --

8                   COUNCILWOMAN SANCHEZ: Unless  
9           they want to submit it for the record.

10                  COUNCILMAN GREENLEE: I mean,  
11           we're holding the bill, so there would  
12           have to be another hearing anyway.

13                  MS. CLARK STUART: Okay. Well,  
14           my name is Sarah Clark Stuart with  
15           Bicycle Coalition. I want to thank you  
16           for holding the bill. We're delighted,  
17           and we hope to work with the  
18           Administration and the Council on this  
19           forthcoming new ordinance, but we are  
20           very glad to hear that this bill will be  
21           held.

22                  COUNCILMAN DiCICCO: Thank you.

23                  COUNCILMAN GREEN:  
24           Mr. Chairman, I would like to request  
25           that we stop taking testimony --

1           6/2/11 - STREETS - BILL 090746, ETC.

2           MR. MIRZANSCHALL: I just want  
3 to --

4           COUNCILMAN GREEN: I'm sorry.  
5 Councilman Greenlee has agreed to hold  
6 the bill. I'd like to request that we  
7 stop taking testimony.

8           COUNCILMAN DiCICCO: I will.  
9 The only thing I'd say, that these folks  
10 have been here for --

11          COUNCILMAN GREEN: I  
12 understand.

13          COUNCILMAN DiCICCO: -- quite a  
14 few hours, and out of respect to them, I  
15 just -- I think you might be the last  
16 one.

17          Anyone else want to testify?

18          (No response.)

19          COUNCILMAN DiCICCO: We'll let  
20 this gentleman finish.

21          MR. MIRZANSCHALL: Certainly.  
22 I thank you for the Sergeant-at-Arms and  
23 I want to talk about process. I went to  
24 the hearing on 10th and 13th. I went to  
25 Jefferson University and I talked.

1           6/2/11 - STREETS - BILL 090746, ETC.

2                       For this process, I came here  
3 before 2:00 p.m. I waited for two and a  
4 half hours to be able to testify.

5                       COUNCILMAN DiCICCO: You can  
6 testify.

7                       MR. MIRZANSCHALL: Then the  
8 bill is held. So if we're talking about  
9 an open, transparent and  
10 easy-to-deal-with process for the  
11 community, I live in Bella Vista, your  
12 district. I think it's important that we  
13 have a process that's easy for people to  
14 deal with, not one where it changes at  
15 the last minute.

16                      I thought the (unintelligible)  
17 in the Streets Department did a great job  
18 on 10th and 13th Street. Both people for  
19 and against the lanes came out to  
20 testify. It wasn't just Bike Coalition  
21 members, and that was a good process.  
22 This has not been a good process. And  
23 now that the bill is held, I'll have to  
24 come back again if I want to comment on  
25 it.

1           6/2/11 - STREETS - BILL 090746, ETC.

2           COUNCILMAN DiCICCO:  If the  
3 bill gets called up again.  We don't even  
4 know if it will ever get called up.

5           MR. MIRZANSCHALL:  Sure.  And I  
6 want to thank you all for your time.

7           COUNCILMAN DiCICCO:  Thank you.  
8 Thank you for your patience.

9           Thank you, everyone.

10          This concludes the public  
11 hearing on the Committee of Streets and  
12 Services.  We will now go into the public  
13 meeting.

14          I would ask as you're leaving,  
15 ladies and gentlemen, if you could be a  
16 little bit quiet.  We're still in session  
17 here.

18          The Chair recognizes Councilman  
19 Greenlee.

20          COUNCILMAN GREENLEE:  Thank  
21 you, Mr. Chairman.  I move that the  
22 following bills be reported out of this  
23 Committee with a favorable  
24 recommendation, that the rules of Council  
25 be suspended to allow for first reading

1           6/2/11 - STREETS - BILL 090746, ETC.  
2           at our next session of Council: Bill  
3           Nos. 090746, 110226, 110258, 259, 298,  
4           299, 300, 301, 310, 311, 364, 365, 366,  
5           368, 378, 393, 435, 436, 437, 438, 439.

6                   COUNCILMAN DiCICCO: I move  
7           that the bills that have just been read  
8           into the record with the exception of  
9           Bill No. 110259 be approved.

10                   (Duly seconded.)

11                   COUNCILMAN DiCICCO: It's been  
12           properly moved and seconded that all of  
13           the bills that have just been read into  
14           the record, with the exception of Bill  
15           No. 110259, be reported out of this  
16           Committee with a favorable  
17           recommendation, that the rules of Council  
18           be suspended.

19                   All those in favor?

20                   (Aye.)

21                   COUNCILMAN DiCICCO: Those  
22           opposed?

23                   (No response.)

24                   COUNCILMAN DiCICCO: The bills  
25           have passed.

1           6/2/11 - STREETS - BILL 090746, ETC.

2           Councilman Greenlee.

3           COUNCILMAN GREENLEE: Thank  
4 you, Mr. Chairman. I move the adoption  
5 of the amendment Bill No. 110132.

6           (Duly seconded.)

7           COUNCILMAN DiCICCO: It's been  
8 properly moved and seconded that the  
9 amendment to Bill No. 110132 be approved.

10          All in favor?

11          (Aye.)

12          COUNCILMAN DiCICCO: Those  
13 opposed?

14          (No response.)

15          COUNCILMAN DiCICCO: Councilman  
16 Greenlee.

17          COUNCILMAN GREENLEE: Thank  
18 you, Mr. Chairman. I move that Bill No.  
19 110132, as amended, be reported out of  
20 this Committee with a favorable  
21 recommendation, that the rules of Council  
22 be suspended to allow for first reading  
23 at our next session of Council.

24          (Duly seconded.)

25          COUNCILMAN DiCICCO: It's been

1           6/2/11 - STREETS - BILL 090746, ETC.

2           properly moved and seconded that Bill No.  
3           110132, as amended, be reported out of  
4           this Committee with a favorable  
5           recommendation and that the rules of  
6           Council be suspended so as to permit  
7           first reading at our next session of City  
8           Council.

9                     All in favor?

10                    (Aye.)

11                    COUNCILMAN DiCICCO: Those  
12           opposed?

13                    (No response.)

14                    COUNCILMAN DiCICCO: Councilman  
15           Greenlee.

16                    COUNCILMAN GREENLEE: Thank  
17           you, Mr. Chairman. I move the adoption  
18           of the amendment to Bill No. 110259.

19                    (Duly seconded.)

20                    COUNCILMAN DiCICCO: It's been  
21           properly moved and seconded that the  
22           amendment to Bill No. 110259 be approved.

23                    All in favor?

24                    (Aye.)

25                    COUNCILMAN DiCICCO: Those

1           6/2/11 - STREETS - BILL 090746, ETC.

2           opposed?

3                       (No response.)

4           COUNCILMAN DiCICCO:   The

5           amendment is approved.

6                       Councilman Greenlee.

7           COUNCILMAN GREENLEE:   Mr.

8           Chairman, I move that Bill No. 110259, as

9           amended, be reported out of this

10          Committee with a favorable recommendation

11          and that the rules of Council be

12          suspended to allow for first reading at

13          our next session of Council.

14                       (Duly seconded.)

15          COUNCILMAN DiCICCO:   It's been

16          properly moved and seconded that Bill No.

17          110259, as amended, be reported out of

18          this Committee with a favorable

19          recommendation, that the rules of Council

20          be suspended.

21                       All in favor?

22                       (Aye.)

23          COUNCILMAN DiCICCO:   Those

24          opposed?

25                       (No response.)

1           6/2/11 - STREETS - BILL 090746, ETC.

2           COUNCILMAN DiCICCO: The bill  
3 is approved as amended.

4           Councilman Greenlee.

5           COUNCILMAN GREENLEE:

6 Mr. Chairman, I move the adoption of the  
7 amendment to Bill No. 110380.

8           (Duly seconded.)

9           COUNCILMAN DiCICCO: It's been  
10 properly moved and seconded that the  
11 amendment to Bill 110380 be approved.

12           All in favor?

13           (Aye.)

14           COUNCILMAN DiCICCO: Those  
15 opposed?

16           (No response.)

17           COUNCILMAN DiCICCO: The  
18 amendment is approved.

19           Councilman Greenlee.

20           COUNCILMAN GREENLEE:

21 Mr. Chairman, I move that Bill No.  
22 110380, as amended, be reported out of  
23 this Committee with a favorable  
24 recommendation, that the rules of Council  
25 be suspended to allow for first reading

1           6/2/11 - STREETS - BILL 090746, ETC.

2           at our next session of Council.

3                     (Duly seconded.)

4                     COUNCILMAN DiCICCO: It's been  
5           properly moved and seconded that Bill No.  
6           110380, as amended, be reported out of  
7           this Committee with a favorable  
8           recommendation and that the rules of  
9           Council be suspended.

10                    All in favor?

11                    (Aye.)

12                    COUNCILMAN DiCICCO: Those  
13           opposed?

14                    (No response.)

15                    COUNCILMAN DiCICCO: This  
16           concludes the public meeting on the  
17           Committee of Streets and Services.

18                    Thank you all for your  
19           attendance.

20                    (Committee on Streets and  
21           Services concluded at 4:40 p.m.)

22                             - - -

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CERTIFICATE

I HEREBY CERTIFY that the proceedings, evidence and objections are contained fully and accurately in the stenographic notes taken by me upon the foregoing matter on June 2, 2011, and that this is a true and correct transcript of same.

-----  
MICHELE L. MURPHY  
RPR-Notary Public

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