

JOURNAL OF THE CITY COUNCIL OF PHILADELPHIA



**Tuesday, January 23, 2007**

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

Council met, a quorum being present.

Reverend Paul Andell of Saint James Lutheran Church was introduced and offered an appropriate prayer.

COUNCILMEMBER BLACKWELL MOVED TO APPROVE THE JOURNAL  
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SERIF;}}  
\VIEWKIND4\UC1\PAR\F0\FS17 OF THE MEETING OF DECEMBER 14, 2006  
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THE MOTION WAS DULY SECONDED AND AGREED TO.

### COMMUNICATIONS

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

### INTRODUCTION OF ORDINANCES AND RESOLUTONS

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

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

- 📄 **Bill No. 070001:** An Ordinance Amending Chapter 17-1400 of The Philadelphia Code, entitled “Non-Competitively Bid Contracts; Financial Assistance,” by requiring applicants for and recipients of non-competitively bid contracts and

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financial assistance to certify compliance with contract eligibility rules, and eliminating certain disclosure requirements for such applicants and recipients, all under certain terms and conditions.

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

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

- 📄 **Bill No. 070002:** An Ordinance To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Orthodox Street, Garden Street, Lefevre Street, Richmond Street, Buckius Street and the Delaware River.

THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

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

- 📄 **Bill No. 070003:** An Ordinance To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Aramingo Avenue, a Railroad Right-of-Way, Delaware Expressway, Luzerne Street, Almond Street and Wheatsheaf Lane.

THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

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

- 📄 **Bill No. 070004:** An Ordinance Authorizing the Commissioner of Public Property, on behalf of the City of Philadelphia, to purchase from the School District of Philadelphia, for nominal consideration, certain tracts of land with buildings and improvements thereon, known as 4000-10 Germantown Avenue located on the west side of Germantown Avenue, and to execute and deliver to the Philadelphia Authority for Industrial Development, for nominal consideration, a deed conveying fee simple title to the properties for further conveyance to the Triumph Baptist Church for nominal consideration.

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

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

- 📄 **Bill No. 070005:** An Ordinance Establishing a neighborhood improvement district in an area that generally includes both sides of Germantown Avenue from

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6300 to 7631 and certain blocks of streets that intersect that portion of Germantown Avenue, to be known as the Mt. Airy Business Improvement District (“District”); designating Mt. Airy Improvement District, Inc., a Pennsylvania nonprofit corporation, as the Neighborhood Improvement District Management Association for the District; approving a plan for the District, including a list of proposed improvements and their estimated cost, and providing for assessment fees to be levied on property owners within the District; authorizing the Director of Commerce, on behalf of the City, to execute an agreement with Mt. Airy Improvement District, Inc. relating to the District; and authorizing Mt. Airy Improvement District, Inc. to assess property owners within the District a special property assessment fee to be used in accordance with the approved plan; all in accordance with the provisions of the Community and Economic Improvement Act, and under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

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

- 📄 **Bill No. 070006:** An Ordinance Amending Section 14-1605 of The Philadelphia Code, entitled “Regulated Uses,” by adding “Licensed Gaming Facilities” as a regulated use, all under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

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

- 📄 **Bill No. 070007:** An Ordinance Providing for the submission to the qualified electors of the City of Philadelphia of an amendment to the Philadelphia Home Rule Charter to prohibit the enactment of any zoning ordinance that creates a district in which licensed gaming is permitted, unless the Philadelphia Home Rule Charter is amended to authorize Council to enact such an ordinance.

THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

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

- 📄 **Bill No. 070008:** An Ordinance Amending Chapter 14-400 of The Philadelphia Code, entitled “Commercial Entertainment District,” by deleting the provision authorizing the City Planning Commission to approve temporary facilities; by removing licensed gaming facilities and off-track betting facilities as permitted uses; and by deleting any provision that may undermine Philadelphia local zoning controls; all under certain terms and conditions.

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THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

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

- 📄 **Bill No. 070009:** An Ordinance To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Reed Street, Tasker Street (Extended), Christopher Columbus Boulevard, and the Delaware River.

THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

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

- 📄 **Bill No. 070010:** An Ordinance Amending Chapter 14-400 of The Philadelphia Code, entitled “Commercial Entertainment Districts,” by prohibiting Districts within one mile of one another; providing additional restrictions for gross floor area, open area, and waterfront setback requirements; and providing for additional signage controls, all under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

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

- 📄 **Bill No. 070011:** An Ordinance Amending Section 14-1600 of The Philadelphia Code, entitled “Miscellaneous,” by adding a new Ssection entitled, “Prohibition on licensed gaming facilities,” prohibiting the erection, construction, alteration, or use of licensed gaming facilities and providing that no variance may be granted from such prohibition, all under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

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

- 📄 **Bill No. 070012:** An Ordinance Amending Chapter 14-400 of The Philadelphia Code, entitled “Commercial Entertainment District,” by providing that no ordinance designating a Commercial Entertainment District may be enacted unless a Neighborhood Improvement District has first been created that includes within its service area the proposed Commercial Entertainment District, all under certain terms and conditions.

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THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

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

- 📄 **Bill No. 070013:** An Ordinance Amending Section 14-1605 of The Philadelphia Code, entitled “Regulated Uses,” by prohibiting regulated uses within 1000 feet of any Commercial Entertainment District and adding “Payday Lenders” as a regulated use, all under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

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

- 📄 **Bill No. 070014:** An Ordinance Amending Section 14-2007 of The Philadelphia Code, entitled “Historic Buildings, Structures, Sites, Objects and Districts,” by providing for designation of City Treasures, prohibiting removal of City Treasures without first obtaining a Removal Permit, and providing for opportunities for fair compensation to prevent removals that would constitute a material loss to the historic, cultural or artistic fabric of the City, all under certain terms and conditions.

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

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

- 📄 **Bill No. 070015:** An Ordinance Amending Section 19-1301 of The Philadelphia Code, relating to real estate taxes imposed by the City, and Section 19-1801 of The Philadelphia Code, relating to real estate taxes imposed by the School District of Philadelphia, by shifting an additional portion of the real estate tax from the City to the School District of Philadelphia, without changing the overall combined rate of the City and School District real estate tax; all under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE OF THE WHOLE.

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

- 📄 **Bill No. 070016:** An Ordinance Amending Title 11 of The Philadelphia Code, entitled “Streets,” by prohibiting the construction or establishment of curb cuts for vehicular access to certain

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shopping areas, under certain terms and conditions.

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

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

- 📄 **Bill No. 070017:** An Ordinance Providing for the submission to the qualified electors of the City of Philadelphia of an amendment to the Philadelphia Home Rule Charter relating to the creation, appointment, powers and duties of an independent Philadelphia Zoning Code Commission, as approved by Resolution of the City Council; fixing the date of a special election for such purpose; prescribing the form of ballot questions to be voted on; and authorizing the appropriate officers to publish notice and to make arrangements for the special election.

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

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

- 📄 **Bill No. 070018:** An Ordinance Approving the reallocation of a portion of capital loan funds borrowed pursuant to Bill No. 040328-A (approved September 30, 2004), under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON FINANCE.

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

- 📄 **Bill No. 070019:** An Ordinance Authorizing transfers in appropriations for Fiscal Year 2007 within the General Fund from certain or all City offices, departments, boards and commissions to certain or all City offices, departments, boards and commissions, to enable the purchase, installation and maintenance of additional public safety video surveillance cameras.

THE BILL WAS REFERRED TO THE COMMITTEE ON APPROPRIATIONS.

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

- 📄 **Bill No. 070020:** An Ordinance Amending Bill No. 040328-A (approved September 30, 2004), entitled "An Ordinance authorizing the creation of a loan or loans to provide funds for and toward various capital municipal purposes; authorizing the Mayor, City Controller and City Solicitor or a majority of them to sell bonds at public or private negotiated sale; setting forth the capital

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purposes and the amounts for which the proceeds of the loan or loans will be expended, including reimbursement of City capital expenditures; providing for the maturities and for other terms and conditions and for the form of the bonds; providing that certain bonds may be redeemable prior to maturity; providing sinking funds for the bonds and for appropriations to the Sinking Fund Commission for the payment thereof; authorizing agreements to provide credit or payment or liquidity sources for the bonds and interest rate swaps in connection with issuance of the bonds, and certain other actions; providing for obtaining the consent of the electors to increasing the indebtedness of the City of Philadelphia; and fixing a day for holding the election for obtaining such consent and providing for the arrangements for holding such election," by further providing for authorized purposes.

THE BILL WAS REFERRED TO THE COMMITTEE ON FINANCE.

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

- 📄 **Bill No. 070021:** An Ordinance Authorizing the creation of a loan or loans to provide funds for and toward various capital municipal purposes; authorizing the Mayor, City Controller and City Solicitor or a majority of them to sell bonds at public or private negotiated sale; setting forth the capital purposes and the amounts for which the proceeds of the loan or loans will be expended, including reimbursement of City capital expenditures; providing for the maturities and for other terms and conditions and for the form of the bonds; providing that certain bonds may be redeemable prior to maturity; providing sinking funds for the bonds and for appropriations to the Sinking Fund Commission for the payment thereof; authorizing agreements to provide credit or payment or liquidity sources for the bonds and interest rate swaps in connection with issuance of the bonds, and certain other actions; providing for obtaining the consent of the electors to increasing the indebtedness of the City of Philadelphia; and fixing a day for holding the election for obtaining such consent and providing for the arrangements for holding such election.

THE BILL WAS REFERRED TO THE COMMITTEE ON FINANCE.

**RESOLUTIONS**

Councilmember Blackwell Introduced the following Resolution for Councilmember Council President Verna, Sponsored by Councilmembers Blackwell, Goode, Savage, Greenlee, Rizzo, Kenney, Miller, Reynolds Brown, Ramos, Tasco, Clarke and O'Neill:

- 📄 **Resolution No. 070022:** Resolution Authorizing the Council President to appoint


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Rosalie Leonard to serve as the Council President's representative on the Philadelphia Historical Commission.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.


Councilmember Krajewski Introduced the following Resolution, Sponsored by Councilmembers Krajewski and O'Neill:

 **Resolution No. 070023:** Resolution Honoring Sister Francesca Olney on her 25 Years as President of Holy Family University.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.


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

 **Resolution No. 070024:** Resolution Initiating action to establish a neighborhood improvement district in an area that generally includes both sides of Germantown Avenue from 6300 to 7631 and certain blocks of streets that intersect that portion of Germantown Avenue, to be known as the Mt. Airy Business Improvement District, and for which Mt. Airy Improvement District, Inc., a Pennsylvania nonprofit corporation, would serve as the Neighborhood Improvement District Management Association; approving a preliminary plan for and report concerning the District; and authorizing and directing the Committee on Rules and the Clerk of Council to take all actions that are required by the Community and Economic Improvement Act prior to enactment of an ordinance that would formally establish the District.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

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

 **Resolution No. 070025:** Resolution Authorizing City Council's Committee on Public Safety to hold public hearings to examine and evaluate the feasibility of equipping emergency call centers with "Incident Linked Multimedia" (Camera Cell Phone) type response systems, and the crime fighting and security benefits they offer; in addition, to determine the resources and planning required to enable the emergency call centers, crisis response teams and citizens of our City to take advantage of this technology.



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THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED & REFERRED TO THE COMMITTEE ON PUBLIC SAFETY.

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

- 📄 **Resolution No. 070026:** Resolution Proposing an amendment to the Philadelphia Home Rule Charter to prohibit the enactment of any zoning ordinance that creates a district in which licensed gaming is permitted, unless the Philadelphia Home Rule Charter is amended to authorize Council to enact such an ordinance, and providing for the submission of the amendment to the electors of Philadelphia.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS REFERRED TO THE COMMITTEE ON LAW AND GOVERNMENT.

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

- 📄 **Resolution No. 070027:** Resolution Authorizing City Council to retain outside counsel to commence legal proceedings on behalf of the City of Philadelphia to challenge the decision of the Pennsylvania Gaming Control Board to issue gaming licenses to HSP Gaming LP - Sugarhouse Casino and Philadelphia Development and Entertainment Partners LP - Foxwoods Casino Philadelphia.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

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


- 📄 **Resolution No. 070028:** Resolution Authorizing Philadelphia City Council to retain an independent traffic consultant to study the impact of the construction and operation of two gaming facilities on Christopher Columbus Boulevard/Delaware Avenue and authorizing City Council's Streets and Services Committee to hold public hearings concerning the results of said study and further authorizing the Committee to issue subpoenas to compel the attendance of witnesses and the production of documents and other evidence.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

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

-  **Resolution No. 070029:** Resolution Authorizing Philadelphia City Council's Committee on Legislative Oversight to hold public hearings investigating the Pennsylvania Gaming Control Board's award of Category 2 Slot Machine Licenses, whether or not the awards comply with the requirements of Act 71, and whether there are more appropriate sites available for the Slot Machine facilities, and further authorizing the Committee to issue subpoenas to compel the attendance of witnesses and the production of documents and other evidence.

THE RESOLUTION WAS READ.

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


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

-  **Resolution No. 070030:** Resolution Honoring the African American Children's Book Project on the occasion of the Annual African American Children's Book Fair.

THE RESOLUTION WAS READ.


THE RESOLUTION WAS ADOPTED.

Councilmember Ramos Introduced the following Resolution, Sponsored by Councilmembers Ramos, Tasco and Savage:

-  **Resolution No. 070031:** Resolution Recognizing the month of March as Latino Health Month in Philadelphia.

THE RESOLUTION WAS ADOPTED.

Councilmember Savage Introduced the following Resolution for Councilmember Campbell, Sponsored by :

-  **Resolution No. 070032:** Resolution Authorizing the Commissioner of Public Property to execute and deliver to the Redevelopment Authority of the City of Philadelphia, without consideration, deeds conveying conditional fee simple title to certain City-owned lots or pieces of ground with the buildings and improvements thereon, situate in the Fifty-second Ward of the City of Philadelphia, pursuant to Chapter 16-400 of The Philadelphia Code and authorizing the Redevelopment Authority of the City of Philadelphia to dispose of such properties for rehabilitation and/or improvement in accordance with the terms of Chapter 16-400 of The Philadelphia Code.

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THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

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

- 📄 **Resolution No. 070033:** Resolution Proposing an amendment to the Philadelphia Home Rule Charter to provide for the creation, appointment, powers and duties of a Zoning Code Commission, and providing for the submission of the amendment to the electors of Philadelphia.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS REFERRED TO THE COMMITTEE ON LAW AND GOVERNMENT.

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

- 📄 **Resolution No. 070034:** Resolution Recognizing, celebrating, and honoring the life of Philadelphia native Ed Bradley, an outstanding American citizen, journalist and television reporter for his many contributions to society.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

**CONSIDERATION OF THE CALENDAR**

**BILLS ON FINAL PASSAGE**

- 📄 **Bill No. 060636-A, as amended:** An Ordinance Amending Section 9-605 of The Philadelphia Code entitled "Towing", Chapter 12-2400 of The Philadelphia Code entitled "Towing And Immobilizing Of Parked Or Abandoned Vehicles" and Chapter 12-2500 of The Philadelphia Code entitled "Snow Emergencies" to provide that owners of vehicles which have been stolen or which have been illegally used without the owner's permission shall not be required to pay the towing, storage and recovery charges after their vehicle has been towed, all under certain terms and conditions.

THE BILL WAS READ.

THE BILL WAS PASSED.

*The Ayes and Nays were as follows:*

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*Ayes: 17 - Councilmembers Reynolds Brown, Greenlee, Goode, Campbell, Kelly, Kenney, Ramos, Savage, Rizzo, DiCicco, Council President Verna, Blackwell, Clarke, Krajewski, Miller, Tasco and O'Neill*

*Nays: 0*

**SPECIAL BUSINESS**

**SPEECHES**

**CLOSING**

**ADJOURNMENT**