

JOURNAL OF THE CITY COUNCIL OF PHILADELPHIA



Thursday, May 19, 2005

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

Council met, a quorum being present.

Reverend Mr. Juan F. Ramos of City Council was introduced and offered an appropriate prayer.

COUNCILMEMBER BLACKWELL MOVED TO APPROVE THE JOURNAL OF THE MEETING OF MAY 12, 2005.

THE MOTION WAS DULY SECONDED AND AGREED TO.

COMMUNICATIONS

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

- Transmitting a message advising Council that Bill Nos. 050004, 050005, 050006 and 050189, which were passed by Council on May 5, 2005, were signed by the Mayor on May 19, 2005. (File No. 050486)

THE COMMUNICATION WAS READ.

- Transmitting a bill granting permission to Longacre Holdings, LLC, owner of the property 1509 Mifflin Street, Philadelphia, PA, to operate and maintain an open air sidewalk café on the northwest corner of Mifflin Street and Hicks Street, under certain terms and conditions. (File No. 050487)

THE COMMUNICATION WAS READ.

- Transmitting a bill granting permission to Marie Bontigao, owner of Tabula Rasa Café, tenant of the property located at 944 North 2nd Street, Philadelphia, PA, to operate and maintain an open air sidewalk café on the northwest corner of North 2nd Street and Laurel Street, under certain terms and conditions. (File No. 050488)

THE COMMUNICATION WAS READ.

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- Transmitting a bill authorizing the Water Commissioner on behalf of the City to enter into an agreement with the owner of a property and his successors at 2401 Walnut Street for the grant of a forty feet wide right-of-way to the City for drainage, sewer and water main purposes, partially within and partially five feet north of the existing Sansom Street Right-of-way from Twenty-fourth Street to the CSX Transportation Railroad, under certain terms and conditions. (File No. 050489)

THE COMMUNICATION WAS READ.

- Transmitting a bill authorizing the Water Commissioner on behalf of the City to enter into an agreement with the owner of a property and his successors at 8550 Verree Road for the grant of a fifty feet wide right-of-way to the City for drainage, sewer and water main purposes, in the bed of a private street, known as Ernest Way, under certain terms and conditions. (File No. 050490)

THE COMMUNICATION WAS READ.

- Transmitting a bill authorizing the Water Commissioner on behalf of the City to enter into an agreement with the owners of the properties and their successors at 923 Rear Units 1, 2 and 3 South Second Street for the grant of a right-of-way to the City through the property from a private street, known as Salter Street, to approximately 65 feet north of Salter Street for drainage, sewer and water main purposes, under certain terms and conditions. (File No. 050491)

THE COMMUNICATION WAS READ.

- Transmitting a bill authorizing the Commissioner of Public Property to execute and deliver to the Philadelphia Authority for Industrial Development a deed conveying, for nominal consideration, fee simple title to three adjacent parcels, measuring approximately 67,500 square feet in total, all three parcels bounded generally by 12th Street on the west, Wharton Street on the north, 11th Street on the east, and Reed Street on the south and southeast, with the buildings and improvements thereon, for further conveyance at fair market value. (File No. 050492)

THE COMMUNICATION WAS READ.

- Transmitting a bill amending Bill No. 040765, entitled "An Ordinance Approving the Fiscal Year 2005 Capital Budget providing for expenditures for the capital purposes of the Philadelphia Gas Works (including the supplying of funds in connection therewith) subject to certain constraints and conditions, and acknowledging receipt of the Forecast of Capital Budgets for Fiscal Years 2006 through 2010", by approving a revised Capital Budget for Fiscal Year 2005. (File No. 050493)

THE COMMUNICATION WAS READ.

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- Transmitting a bill amending Title 14 of the Philadelphia Code, entitled "Zoning and Planning," by amending Chapter 14-200 entitled "Residential Districts" by adopting a new §14-216 entitled "Waterfront Redevelopment District," under certain terms and conditions. (File No. 050494)

THE COMMUNICATION WAS READ.

- Transmitting a bill authorizing the Commissioner of Public Property to execute and deliver to the Philadelphia Authority for Industrial Development, for nominal consideration, a deed conveying fee simple title to a certain tract of City-owned land situate in an area generally located on the east side of University Avenue between Guardian Drive and Curie Boulevard, with the buildings and improvements thereon, for further conveyance at fair market value. (File No. 050495)

THE COMMUNICATION WAS READ.

INTRODUCTION OF ORDINANCES AND RESOLUTIONS

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

- Bill No. 050451:**An Ordinance amending Title 19 of The Philadelphia Code, entitled "Finance, Taxes and Collections," by creating a new Chapter 19-3400, entitled "Excise Tax on Outdoor Advertising Transactions," under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE OF THE WHOLE.

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

- Bill No. 050452:**An Ordinance amending Chapter 19-1200 of The Philadelphia Code, entitled "Parking Tax," to provide for a tax on valet parking transactions, under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE OF THE WHOLE.

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


- Bill No. 050453:**An Ordinance amending Title 9 of The Philadelphia Code,

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section 9-602, entitled "Outdoor Advertising," by amending the requirements for obtaining and the conditions for issuance of licenses, including the applicable fees; imposing safety requirements; increasing penalties; providing certain reporting requirements; amending certain definitions; and making technical changes; all under certain terms and conditions.


THE BILL WAS REFERRED TO THE COMMITTEE OF THE WHOLE.

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

 **Bill No. 050454:**An Ordinance amending Bill No. 040765, entitled "An Ordinance Approving the Fiscal Year 2005 Capital Budget providing for expenditures for the capital purposes of the Philadelphia Gas Works (including the supplying of funds in connection therewith) subject to certain constraints and conditions, and acknowledging receipt of the Forecast of Capital Budgets for Fiscal Years 2006 through 2010", by approving a revised Capital Budget for Fiscal Year 2005.


THE BILL WAS REFERRED TO THE COMMITTEE ON FINANCE.

Councilmember Blackwell Introduced the following Bill, Sponsored by Councilmembers Council President Verna and Blackwell:

 **Bill No. 050455:**An Ordinance authorizing the Philadelphia Authority for Industrial Development to purchase properties located at 1627-33 South Forty-ninth Street, 1700 South Forty-ninth Street, 2751 South Fifty-eighth Street, 5736 Eastwick Avenue, and 1601-03 South Forty-ninth Street in the Twenty-seventh, Fifty-first, and Fortieth Wards of the City of Philadelphia, under certain terms and conditions.

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

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

 **Bill No. 050456:**An Ordinance authorizing the Commissioner of Public Property to execute and deliver to the Philadelphia Authority for Industrial Development, for nominal consideration, a deed conveying fee simple title to a certain tract of City-owned land situate in an area generally located on the east side of University Avenue between Guardian Drive and Curie Boulevard, with the buildings and improvements thereon, for further conveyance at fair market value.

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

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

- 📄 **Bill No. 050457:**An Ordinance granting permission to Longacre Holdings, LLC, owner of the property 1509 Mifflin Street, Philadelphia, PA, to operate and maintain an open air sidewalk café on the northwest corner of Mifflin Street and Hicks Street, under certain terms and conditions.

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

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

- 📄 **Bill No. 050458:**An Ordinance authorizing the Water Commissioner on behalf of the City to enter into an agreement with the owner of a property and his successors at 2401 Walnut Street for the grant of a forty feet wide right-of-way to the City for drainage, sewer and water main purposes, partially within and partially five feet north of the existing Sansom Street right-of-way from Twenty-fourth Street to the CSX Transportation Railroad, under certain terms and conditions.

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

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

- 📄 **Bill No. 050459:**An Ordinance to amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded generally by Oregon Avenue, 20th Street, the Walt Whitman Bridge Approach and I-76.

THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

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

- 📄 **Bill No. 050460:**An Ordinance providing for the submission to the qualified electors of the City of Philadelphia of an amendment to the Philadelphia Home Rule Charter creating and empowering a Board of Ethics, 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.

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

- 📄 **Bill No. 050461:**An Ordinance amending Title 20 of The Philadelphia Code, entitled "Officers and Employees," by adding a new Chapter entitled "Lobbying," under certain terms and conditions.

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

Councilmember Clarke Introduced the following Bill for Councilmember Krajewski, Sponsored by Councilmember Kelly:

- 📄 **Bill No. 050462:**An Ordinance to amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by the Delaware River, the Tacony Bridge, Eldridge Street, New State Road and Unruh Avenue.

THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

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

- 📄 **Bill No. 050463:**An Ordinance to amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Thompson Street, Alresford Street, Edgemont Street, Juniata Street, Salmon Street, Berkshire Street, Richmond Street and the Besty Ross Bridge.

THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

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

- 📄 **Bill No. 050464:**An Ordinance to amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by State Road, former Rhawn Street, the Delaware River and Bleigh Avenue.

THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

Councilmember Kelly Introduced the following Bill for Councilmembers Krajewski and DiCicco, Sponsored by Councilmember Kelly:

- 📄 **Bill No. 050465:**An Ordinance amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning," by amending Chapter 14-200 entitled "Residential Districts," by adopting a new Section 14-216 entitled "Waterfront Redevelopment District," under certain terms and conditions.

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THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

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

- 📄 **Bill No. 050466:**An Ordinance to amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by New State Road, Milnor Street, Princeton Avenue, the Delaware River and Unruh Avenue.

THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

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

- 📄 **Bill No. 050467:**An Ordinance amending Title 22 of The Philadelphia Code, entitled "Public Employees Retirement Code," by amending various provisions to prohibit rehiring retirees who had retired out of DROP; and to allow certain transfer payments for purchase of service, to provide certain retroactive effective dates, and otherwise provide language required by the Internal Revenue Code, under certain terms and conditions.

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

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

- 📄 **Bill No. 050468:**An Ordinance granting permission to Marie Bontigao, owner of Tabula Rasa Café, tenant of the property located at 944 North 2nd Street, Philadelphia, PA, to operate and maintain an open air sidewalk café on the northwest corner of North 2nd Street and Laurel Street, under certain terms and conditions.

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

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

- 📄 **Bill No. 050469:**An Ordinance authorizing the Water Commissioner on behalf of the City to enter into an agreement with the owners of the properties and their successors at 923 Rear Units 1, 2 and 3 South Second Street for the grant of a right-of-way to the City through the property from a private street, known as Salter Street, to approximately 65 feet north of Salter Street for drainage, sewer and water main purposes, under certain terms and conditions.

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

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

- 📄 **Bill No. 050470:**An Ordinance authorizing the Commissioner of Public Property to execute and deliver to the Philadelphia Authority for Industrial Development a deed conveying, for nominal consideration, fee simple title to three adjacent parcels, measuring approximately 67,500 square feet in total, all three parcels bounded generally by 12th Street on the west, Wharton Street on the north, 11th Street on the east, and Reed Street on the south and southeast, with the buildings and improvements thereon, for further conveyance at fair market value.

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

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

- 📄 **Bill No. 050471:**An Ordinance authorizing the Philadelphia Authority for Industrial Development ("PAID") to file an application with the Office of the Budget, Commonwealth of Pennsylvania, under the Redevelopment Assistance Capital Program, in an amount not to exceed One Million Dollars (\$1,000,000) to assist in the construction of a new rehearsal facility for the Rock School of Ballet; and authorizing the City to enter into an agreement with PAID in furtherance of grant requirements; all under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON ETHICS.

RESOLUTIONS

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

- 📄 **Resolution No. 050472:**Resolution authorizing the Commissioner of Public Property to execute and deliver to the Redevelopment Authority of the City of Philadelphia, without consideration, deeds conveying conditional fee simple title to certain city-owned lots or pieces of ground with the buildings and improvements thereon, situate in the Thirty-sixth Ward of the City of Philadelphia, pursuant to Chapter 16-400 of The Philadelphia Code and authorizing the Redevelopment Authority of the City of Philadelphia to dispose of such properties for rehabilitation and/or improvement in accordance with the terms of Chapter 16-400 of The Philadelphia Code.

WHEREAS, Chapter 16-400 of The Philadelphia Code relating to vacant

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property, grants the City the power to convey certain classes of real property to the Redevelopment Authority of the City of Philadelphia, without consideration, to implement the public purpose set forth in that Chapter; and

WHEREAS, The Vacant Property Review Committee has recommended acceptance and disposition of the vacant property listed below; now therefore

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA

SECTION 1. The Commissioner of Public Property is hereby authorized to execute and deliver to the Redevelopment Authority of the City of Philadelphia, without consideration, deed conveying fee simple title to 1413 Reed Street pursuant to Chapter 16-400 of The Philadelphia Code, under certain terms and conditions.


SECTION 2. The Redevelopment Authority is hereby authorized to dispose of the aforementioned property for rehabilitation and/or improvements under certain terms and conditions pursuant to Chapter 16-400 of The Philadelphia Code.

SECTION 3. The City Solicitor is hereby authorized to prepare or to approve all instruments and documents and to include in such instruments and documents such terms and conditions as are necessary to effectuate the purpose of Chapter 16-400 of The Philadelphia Code.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

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

 **Resolution No. 050473:**Resolution approving the redevelopment contract and disposition supplement of the Redevelopment Authority of the City of Philadelphia for the redevelopment and urban renewal of a portion of the Mantua Urban Renewal Area, designated as Parcel No. 211 and also sometimes identified by house numbers and street addresses 3617-3623 Melon street and authorizing the Redevelopment Authority to execute the redevelopment contract with 1260 Housing Corporation and to take such action as may be necessary to effectuate the redevelopment contract and disposition supplement.

WHEREAS, The Redevelopment Authority of the City of Philadelphia (hereinafter "Redevelopment Authority") has prepared and submitted an urban renewal plan and a redevelopment proposal for the redevelopment of the Mantua

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Urban Renewal Area, (hereinafter "Mantua"), which said plan and proposal were approved by Ordinance of the Council on December 15, 1969, as amended; and

WHEREAS, The Redevelopment Authority has prepared a redevelopment contract for a portion of Mantua designated as Parcel No. 211 and also sometimes identified by house numbers and street addresses 3617-3623 Melon street (the "Property"). The area of the said Property is bounded as follows:

Parcel No. 211 (3617-3623 Melon street). All that certain lot or piece of ground situated in the Twenty-fourth Ward of the City of Philadelphia beginning at a point on the north side of Melon street (forty feet wide) at the distance of one hundred ninety four feet ten and one-half inches westward from the west side of North Thirty-sixth street (fifty feet wide); Containing in front or breadth along north side of the said Melon street fifty feet and extending of that width in length or depth between parallel lines at right angles to the said Melon street sixty four feet six inches.

The said redevelopment contract is in substantial conformity with the amended urban renewal plan and the amended redevelopment proposal approved by the Council; and

WHEREAS, 1260 Housing Corporation (hereinafter "Redeveloper") desires to enter into the said redevelopment contract for the Property; and

WHEREAS, The Redevelopment Authority has prepared a disposition supplement providing inter alia for development controls and regulations imposed upon the Redeveloper.

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That the redevelopment contract and disposition supplement submitted by the Redevelopment Authority for the redevelopment of that portion of Mantua, as hereinabove more particularly described, is hereby approved. City Council authorizes the Redevelopment Authority to proceed with minor changes in substantial conformity with the hereby approved redevelopment contract and disposition supplement. The Redevelopment Authority is authorized to execute the hereby approved redevelopment contract with the 1260 Housing Corporation (the "Redeveloper"). The Redevelopment Authority and the Redeveloper are authorized to take such action in substantial conformity to the redevelopment contract as may be necessary to carry it out.

RESOLVED, The Redevelopment Authority and the Redeveloper are authorized to prepare or cause to be prepared for introduction into the Council such ordinances or resolutions as may be necessary for changes in zoning, streets, alleys, public ways, street patterns, location and relocation of public utilities, and related items which are required in order to facilitate and effectuate the redevelopment contract and disposition supplement hereby approved. Accordingly, the Council hereby declares that it will cooperate in helping to carry out the redevelopment contract and disposition supplement and requests the various officials, departments, boards and agencies of the City having administrative responsibilities in the premises likewise to cooperate to such end

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and to exercise their respective functions and powers in a manner consistent with the redevelopment contract and disposition supplement.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

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

- Resolution No. 050474:**Resolution approving the redevelopment contract and disposition supplement of the Redevelopment Authority of the City of Philadelphia for the redevelopment and urban renewal of a portion of the 44th and Aspen Urban Renewal Area designated as Parcel Nos. 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76 & 77 also sometimes identified by house number and street address for Parcel No.62 as 653 North Forty-fourth street, for Parcel No. 63 as 849 North Forty-sixth street, for Parcel No. 64 as 870 North Forty-sixth street, for Parcel No. 65 as 890 North Forty-sixth street, for Parcel No. 66 as 800 June street, for Parcel No. 67 as 801 June street, for Parcel No. 68 as 837 June street, for Parcel No. 69 as 841-843 June street, for Parcel No. 70 as 4519-4521 Laird street, for Parcel No. 71 as 800-802 Markoe street, for Parcel No. 72 as 829-831 Markoe street, for Parcel No. 73 830 Markoe street, for Parcel No. 74 as 4345 Reno street, for Parcel No. 75 as 4508-4512 Westminster avenue, for Parcel No. 76 as 4516 Westminster avenue and for Parcel No. 77 as 4636 Westminster avenue; authorizing the Redevelopment Authority to execute the redevelopment contract with Philadelphia Housing Authority and to take such action as may be necessary to effectuate the redevelopment contract and disposition supplement.

WHEREAS, The Redevelopment Authority of the City of Philadelphia (hereinafter "Redevelopment Authority") has prepared and submitted an amended urban renewal plan and an amended redevelopment proposal for the redevelopment of the 44th and Aspen Redevelopment Area, 44th and Aspen Urban Renewal Area (hereinafter "44th & Aspen "), which said plan and proposal were approved by Ordinance of the Council on July 7, 2003, as amended; and,

WHEREAS, The Redevelopment Authority has prepared a redevelopment contract which includes, inter alia, a portion of 44th & Aspen designated as Parcel Nos. 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76 & 77 also sometimes identified by house number and street address for Parcel Nos. 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76 & 77 also sometimes identified by house number and street address for Parcel No. for Parcel No.62 as 653 North Forty-fourth street, for Parcel No. 63 as 849 North Forty-sixth street, for Parcel No. 64 as 870 North Forty-sixth street, for Parcel No. 65 as 890 North Forty-sixth street, for Parcel No. 66 as 800 June street, for Parcel No. 67 as 801 June street, for Parcel No. 68 as 837 June street, for Parcel No. 69 as 841-843 June street, for

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Parcel No. 70 as 4519-4521 Laird street, for Parcel No. 71 as 800-802 Markoe street, for Parcel No. 72 as 829-831 Markoe street, for Parcel No. 73 830 Markoe street, for Parcel No. 74 as 4345 Reno street, for Parcel No. 75 as 4508-4512 Westminster avenue, for Parcel No. 76 as 4516 Westminster avenue and for Parcel No. 77 as 4636 Westminster avenue; (the "Properties"). The areas of the Properties are bounded as follows:

Parcel No. 62 (653 North Forty-fourth street). All that certain lot or piece of ground situated in the Sixth Ward of the City of Philadelphia beginning on the east side of Forty-fourth street (sixty feet wide) at the distance of thirty feet south from the southerly side of Fairmount avenue (sixty feet wide); Containing in front or breadth on the said Forty-fourth street thirty feet and extending of that width in length or depth between parallel lines at right angles to the said Forty-fourth street one hundred ten feet to a point.

Parcel No. 63 (849 North Forty-sixth street). All that certain lot or piece of ground situated in the Sixth Ward of the City of Philadelphia beginning on the east side of Forty-sixth street (sixty feet wide) at the distance of sixteen feet four inches south from the south side of Ogden street (thirty feet wide); Containing in front or breadth on the said side of Forty-sixth street sixteen feet four inches and extending of that width in length or depth between parallel lines at right angles to the said Forty-sixth street fifty eight feet six inches.

Parcel No. 64 (870 North Forty-sixth street). All that certain lot or piece of ground situated in the Sixth Ward of the City of Philadelphia beginning on the west side of Forty-sixth street (sixty feet wide) at the distance of two hundred seventy five feet five one-quarter inches south from the south side of Westminster avenue (sixty feet wide); Containing in front or breadth on the said Forty-sixth street sixteen feet one inch and extending of that width in length or depth between parallel lines at right angles to the said Forty-sixth street fifty five feet three inches.

Parcel No. 65 (890 North Forty-sixth street). All that certain lot or piece of ground situated in the Sixth Ward of the City of Philadelphia beginning on the west side of Forty-sixth street (sixty feet wide) at the distance of one hundred twenty three feet six and three-quarters inches south from the south side of Westminster avenue (sixty feet wide); Containing in front or breadth on the said Forty-sixth street sixteen feet and extending of that width in length or depth between parallel lines at right angles to the said Forty-sixth street fifty eight feet six inches to a point on the east side of a certain three feet wide alley that extends south and communicates with a certain four feet wide alley that extends into the said Forty-sixth street.

Parcel No. 66 (800 June street). All that certain lot or piece of ground situated in the Sixth Ward of the City of Philadelphia beginning at the point of intersection of the west side of June street (thirty feet wide) and the north side of Brown street (eighty feet wide); Containing in front or breadth on the said June street sixteen feet and extending of that width in length or depth westward

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between parallel lines at right angles to the said June street forty feet to a point in the middle of a certain two feet six inches wide alley that extends southward into the said Brown street.

Parcel No. 67 (801 June street). All that certain lot or piece of ground situated in the Sixth Ward of the City of Philadelphia beginning at the point of intersection of the east side of June street (thirty feet wide) and the north side of Brown street (eighty feet wide); Containing in front or breadth on the said June street sixteen feet and extending of that width in length or depth eastward between parallel lines at right angles to the said June street forty feet to a point in the middle of a certain two feet six inches wide alley that extends southward into the said Brown street.

Parcel No. 68 (837 June street). All that certain lot or piece of ground situated in the Sixth Ward of the City of Philadelphia beginning at a point on the east side of June street (thirty feet wide) at the distance of forty seven feet four inches south from the south side of Parrish street (sixty feet wide); Containing in front or breadth on the said June street fifteen feet four inches and extending of that width in length or depth eastward between parallel lines at right angles to the said June street forty feet to a point in the middle of a certain two feet six inches wide alley that extends northward into the said Parrish street.

Parcel No. 69 (841-843 June street). All that certain lot or piece of ground situated in the Sixth Ward of the City of Philadelphia beginning at the point of intersection of the east side of June street (thirty feet wide) and the south side of Parrish street (sixty feet wide); Containing in front or breadth on the said June street thirty feet and extending of that width in length or depth eastward between parallel lines at right angles to the said June street forty feet to a point in the middle of a certain two feet six inches wide alley that extends northward into the said Parrish street.

Parcel No. 70 (4519-4521 Laird street). All that certain lot or piece of ground situated in the Sixth Ward of the City of Philadelphia beginning on the north side of Laird street (thirty feet wide) at the distance of sixty feet three inches east from the easterly side of Forty-sixth street (sixty feet wide); Containing in front or breadth on the said side of Laird street twenty-seven feet and extending of that width in length or depth northward between parallel lines at right angles to the said Laird street fifty four feet to a point.

Parcel No. 71 (800-802 North Markoe street). All that certain lot or piece of ground situated in the Sixth Ward of the City of Philadelphia beginning at the point of intersection of the west side of Markoe street (fifty feet wide) and the north side of Brown street (eighty feet wide); Containing in front or breadth on the said Markoe street thirty feet four inches and extending of that width in length or depth westward between parallel lines at right angles to the said Markoe street forty seven feet to a point on the east side of a certain four feet wide alley that extends southward into the said Brown street and northward communicating with a certain eight feet eight inches wide alley that extends westward into May street

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(thirty feet wide) and eastward into the said Markoe street.

Parcel No. 72 (829-831 North Markoe street). All that certain lot or piece of ground situated in the Sixth Ward of the City of Philadelphia beginning at a point on the east side of Markoe street (fifty feet wide) at the distance of ninety three feet four inches south from the south side of Parrish street (sixty feet wide); Containing in front or breadth on the said Markoe street sixteen feet and extending of that width in length or depth eastward between parallel lines at right angles to the said Markoe street fifty three feet six inches to a point in the middle of a certain two feet six inches wide alley that extends northward into the said Parrish street.

Parcel No. 73 (830 North Markoe street). All that certain lot or piece of ground situated in the Sixth Ward of the City of Philadelphia beginning at a point on the west side of Markoe street (fifty feet wide) at the distance of ninety five feet south from the south side of Parrish street (sixty feet wide); Containing in front or breadth on the said Markoe street thirteen feet four and one-quarter inches and extending of that width in length or depth westward between parallel lines at right angles to the said Markoe street sixty eight feet six inches to a point.

Parcel No. 74 (4345 Reno street). All that certain lot or piece of ground situated in the Sixth Ward of the City of Philadelphia beginning at the intersection of the north side of Reno street (forty feet wide) and the east side of Forty-fourth street (sixty feet wide); Containing in front or breadth on the said Reno street sixteen feet four inches and extending of that width in length or depth between parallel lines at right angles to the said Reno street sixty three feet six inches to a point on the south side of a certain three feet wide alley that extends west into the said Forty-fourth street.

Parcel No. 75 (4508-4512 Westminster avenue). All that certain lot or piece of ground situated in the Sixth Ward of the City of Philadelphia beginning on the south side of Westminster avenue (sixty feet wide) at the distance of sixty feet one and one-half inches west from the westerly side of Forty-fifth street (fifty feet wide); Thence extending south on a line at right angles to the said Westminister avenue seventy-three feet nine and three-quarters inches to a point; Thence extending west on a line parallel with the said Westminister avenue forty two feet to a point; Thence extending north on a line parallel with the said Forty-fifth street seventy two feet four and one-half inches to a point on the said side of Westminister avenue; Thence extending along said side of Westminister avenue forty two feet to the first mentioned point and place of beginning.

Parcel No. 76 (4516 Westminister avenue). All that certain lot or piece of ground situated in the Sixth Ward of the City of Philadelphia beginning on the south side of Westminister avenue (sixty feet wide) at the distance of eighty five feet east from the easterly side of Forty-sixth street (sixty feet wide); Thence extending east along the said side of Westminister avenue fourteen feet to a point; Thence extending south on a line at right angles to the said Westminister avenue seventy one feet ten and seven-eighth inches to a point; Thence extending west

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on a line parallel with the said Westminster avenue fourteen feet to a point; Thence extending north seventy one feet five and one-quarter inches to a point on the said side of Westminster avenue being the first mentioned point and place of beginning.

Parcel No. 77 (4636 Westminster avenue). All that certain lot or piece of ground situated in the Sixth Ward of the City of Philadelphia beginning on the south side of Westminster avenue (sixty feet wide) at the distance of seventy six feet west from the west side of Markoe street (fifty feet wide); Containing in front or breadth on the said side of Westminster avenue fourteen feet and extending of that width in length or depth between parallel lines at right angles to the said Westminster avenue ninety seven feet to a point on the north side of a certain three feet wide alley that extends east into the said Markoe street. The east line of property partially extends along the west side of another certain three feet wide alley that communicates with the aforementioned three feet wide alley.

The said redevelopment contract is in substantial conformity with the amended urban renewal plans and the amended redevelopment proposals approved by the Council; and

WHEREAS, Philadelphia Housing Authority (hereinafter "Redeveloper") desires to enter into the said redevelopment contract for the Properties; and

WHEREAS, The Redevelopment Authority has prepared a disposition supplement providing, inter alia, for development controls and regulations imposed upon the Redeveloper.

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That the redevelopment contract submitted by the Redevelopment Authority of the City of Philadelphia (hereinafter "Redevelopment Authority") for the redevelopment of that portion of 44th & Aspen, as hereinabove more particularly described, is hereby approved. City Council authorizes the Redevelopment Authority to proceed with minor changes in substantial conformity with the hereby approved redevelopment contract. The Redevelopment Authority is authorized to execute the hereby approved redevelopment contract with Philadelphia Housing Authority (hereinafter "Redeveloper"). The Redevelopment Authority and the Redeveloper are authorized to take such action in substantial conformity to the redevelopment contract as may be necessary to carry it out.

RESOLVED, The Redevelopment Authority and the Redeveloper are authorized to prepare or cause to be prepared for introduction into the Council such ordinances or resolutions as may be necessary for changes in zoning, streets, alleys, public ways, street patterns, location and relocation of public utilities, and related items which are required in order to facilitate and effectuate the redevelopment contract and disposition supplement hereby approved. Accordingly, the Council hereby declares that it will cooperate in helping to carry out the redevelopment contract and requests the various officials, departments, boards and agencies of the City having administrative responsibilities in the premises likewise to cooperate to such end and to exercise their respective

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functions and powers in a manner consistent with the redevelopment contract.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

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

- ☐ **Resolution No. 050475:**Resolution approving the redevelopment contract and disposition supplement of the Redevelopment Authority of the City of Philadelphia for the redevelopment and urban renewal of a portion of the Mantua Urban Renewal Area, designated as Parcel No. 210 and also sometimes identified by house numbers and street addresses 3616-3626 Melon street and authorizing the Redevelopment Authority to execute the redevelopment contract with 1260 Housing Corporation and to take such action as may be necessary to effectuate the redevelopment contract and disposition supplement.

WHEREAS, The Redevelopment Authority of the City of Philadelphia (hereinafter "Redevelopment Authority") has prepared and submitted an urban renewal plan and a redevelopment proposal for the redevelopment of the Mantua Urban Renewal Area, (hereinafter "Mantua"), which said plan and proposal were approved by Ordinance of the Council on December 15, 1969, as amended; and

WHEREAS, The Redevelopment Authority has prepared a redevelopment contract for a portion of Mantua designated as Parcel No. 210 and also sometimes identified by house numbers and street addresses 3616-3626 Melon street (the "Property"). The area of the said Property is bounded as follows:

Parcel No. 210 (3616-3626 Melon street). All that certain lot or piece of ground situated in the Twenty-fourth Ward of the City of Philadelphia beginning at a point on the south side of Melon street (forty feet wide) one hundred seventy five feet six inches west from the west side of North Thirty-sixth street (fifty feet wide); Thence extending southward on a line at right angles to the said Melon street seventy feet to a point on the north side of a certain four feet wide alley extending eastward to a point and also westward communicating with a certain other four feet wide alley which extends northward into the said Melon street; Thence extending west on a line parallel with the said Melon street eighty four feet along the north side of the first mentioned alley and also crossing the head of the second mentioned alley to a point; Thence extending north from the head of the first mentioned alley on a line at right angles to the said Melon street twenty one feet to a point; Thence extending west on a line parallel with the said Melon street fourteen feet to a point; Thence extending north on a line at right angles to the said Melon street fifty five feet to a point on the south side of the said Melon street; Thence extending east along the south side of the said Melon street ninety eight feet crossing the northern head of the first mentioned alley to the first

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mentioned point and place of beginning.

The said redevelopment contract is in substantial conformity with the amended urban renewal plan and the amended redevelopment proposal approved by the Council; and

WHEREAS, 1260 Housing Corporation (hereinafter "Redeveloper") desires to enter into the said redevelopment contract for the Property; and

WHEREAS, The Redevelopment Authority has prepared a disposition supplement providing inter alia for development controls and regulations imposed upon the Redeveloper.

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That the redevelopment contract and disposition supplement submitted by the Redevelopment Authority for the redevelopment of that portion of Mantua, as hereinabove more particularly described, is hereby approved. City Council authorizes the Redevelopment Authority to proceed with minor changes in substantial conformity with the hereby approved redevelopment contract and disposition supplement. The Redevelopment Authority is authorized to execute the hereby approved redevelopment contract with the 1260 Housing Corporation (the "Redeveloper"). The Redevelopment Authority and the Redeveloper are authorized to take such action in substantial conformity to the redevelopment contract as may be necessary to carry it out.

RESOLVED, The Redevelopment Authority and the Redeveloper are authorized to prepare or cause to be prepared for introduction into the Council such ordinances or resolutions as may be necessary for changes in zoning, streets, alleys, public ways, street patterns, location and relocation of public utilities, and related items which are required in order to facilitate and effectuate the redevelopment contract and disposition supplement hereby approved. Accordingly, the Council hereby declares that it will cooperate in helping to carry out the redevelopment contract and disposition supplement and requests the various officials, departments, boards and agencies of the City having administrative responsibilities in the premises likewise to cooperate to such end and to exercise their respective functions and powers in a manner consistent with the redevelopment contract and disposition supplement.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

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

- ☐ **Resolution No. 050476:**Resolution approving the action of the Boards of the Philadelphia Industrial Development Corporation and the Philadelphia Authority for Industrial Development to sell Parcel E-22, located at Seventieth Street and Holstein Avenue in the Eastwick Urban Renewal Area - Stage "A" Industrial,

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containing approximately five acres to the Automall Realty 70th Street, LLC, or its nominee.

WHEREAS, The Council of the City of Philadelphia, by Bill Number 916, approved November 20, 1973, has authorized and approved the execution of a Redevelopment Agreement between the Redevelopment Authority of the City of Philadelphia and the Philadelphia Industrial Development Corporation, PIDC-Financing Corporation, and the Philadelphia Authority for Industrial Development, for the redevelopment and urban renewal of the Eastwick Urban Renewal Area - Stage "A" Industrial; and

WHEREAS, The Philadelphia Authority for Industrial Development has purchased from the Redevelopment Authority of the City of Philadelphia the required land under the terms and conditions of the aforesaid Redevelopment Agreement; and

WHEREAS, City Council did reserve unto itself the Right of Approval, by Resolution, for each transaction completed by PAID under the terms and conditions of the aforesaid Redevelopment Agreement; and

WHEREAS, Automall Realty 70th Street, LLC, or its nominee, proposes to purchase Parcel E-22, located at Seventieth street and Holstine avenue in the Eastwick Urban Renewal Area - Stage "A" Industrial, and construct a five-hundred-car fleet sales processing lot; and

WHEREAS, Automall Realty 70th Street, LLC, or its nominee, proposes to create eighteen new jobs; and

WHEREAS, PIDC and PAID, upon the unconditional approval of their Boards at their meetings of May 3, 2005, and upon review by the Redevelopment Authority of the City of Philadelphia, have agreed to sell to the Automall Realty 70th Street, LLC or its nominee, Parcel E-22 in the Eastwick Urban Renewal Area - Stage "A" Industrial, containing approximately five acres, more fully described as follows:

ALL THAT CERTAIN lot or piece of ground with the buildings and improvements erected thereon, situate in the Fortieth Ward of the City of Philadelphia, and described in accordance with a Plan of Property (EE-10-0026/364-03) made August 13, 2004 for Automall Realty, Inc. by Thomas F. Marro, Acting Surveyor and Regulator of the Seventh Survey District, as follows:

BEGINNING at a point of tangency on the northwesterly side of Holstein avenue (one hundred feet wide), said point of tangency being the southwesterly

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end of a curve having a radius of one hundred feet and an arc length of one hundred fifty-seven and eighty one-thousandths feet which connects the said northwesterly side of Holstein avenue with the southwesterly side of Seventieth street (eighty-eight feet wide); thence extending south sixty-seven degrees fifteen minutes six seconds west, along the said northwesterly side of Holstein avenue, the distance of twenty-two and four hundred six one-thousandths feet to a point of curve; thence extending southwestwardly, still along the said northwesterly side of Holstein avenue, along the arc of a circle curving to the left and having a radius of six hundred ninety-four and thirty-three one-thousandths feet, the arc distance of one hundred twenty-seven and five hundred seventy-eight one-thousandths feet to a point; thence extending north thirty-three degrees sixteen minutes fifty seconds west, along a non-tangent line, the distance of three hundred sixty and one hundred eighty-eight one-thousandths feet to a point; thence extending north twenty-two degrees forty-four minutes fifty-four seconds west, the distance of four hundred and six one-thousandths feet to a point; thence extending north sixty-seven degrees fifteen minutes six seconds east, crossing a five foot wide easement for the Bell Telephone Company adjacent to the said southwesterly side of Seventieth street, the distance of three hundred fifteen and one hundred five one-thousandths feet to a point on the said southwesterly side of Seventieth street; thence extending south twenty-two degrees forty-four minutes fifty-four seconds east, along the said southwesterly side of Seventieth street, the distance of six hundred forty-two and four hundred thirty-four one-thousandths feet to a point of curve; thence extending southwestwardly, along the said curve which connects the said northwesterly side of Holstein avenue with the said southwesterly side of Seventieth street, along the arc of a circle curving to the right and having a radius of one hundred feet, the arc distance of one hundred fifty-seven and eighty one-thousandths feet to the first mentioned point and place of beginning.

CONTAINING in area two hundred twenty-one thousand four hundred four square feet or five and eight hundred twenty-seven ten-thousandths acres.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PHILADELPHIA

THAT the sale by the Philadelphia Authority for Industrial Development to Automall Realty 70th Street, LLC, its nominee, of Parcel E-22, located at Seventieth street and Holstein avenue in the Eastwick Urban Renewal Area - Stage "A" Industrial, as is more fully described above, is hereby approved so that the redevelopment and urban renewal of the Eastwick Urban Renewal Area may proceed in a manner most beneficial to the City of Philadelphia.

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THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

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

☐ **Resolution No. 050477:**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 Sixth and Twenty-fourth Wards of the City of Philadelphia, pursuant to Chapter 16-400 of The Philadelphia Code and authorizing the Redevelopment Authority of the City of Philadelphia to dispose of such properties for rehabilitation and/or improvement in accordance with the terms of Chapter 16-400 of The Philadelphia Code.

WHEREAS, Chapter 16-400 of The Philadelphia Code relating to vacant property, grants the City the power to convey certain classes of real property to the Redevelopment Authority of the City of Philadelphia, without consideration, to implement the public purpose set forth in that Chapter; and

WHEREAS, The Vacant Property Review Committee has recommended acceptance and disposition of the vacant property listed below; now therefore

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA

SECTION 1. The Commissioner of Public Property is hereby authorized to execute and deliver to the Redevelopment Authority of the City of Philadelphia, without consideration, deed conveying fee simple title to 614, 626, 630 & 636 Budd Street, 4230, 4232 & 4236 Fairmount Avenue, 613, 615, 631-635, 640 & 642 Hutton Street, 625 & 627 Ludwick Street, 3903, 3907, 3930, 4060 & 4062 Wallace Street, pursuant to Chapter 16-400 of The Philadelphia Code, under certain terms and conditions.

SECTION 2. The Redevelopment Authority is hereby authorized to dispose of the aforementioned property for rehabilitation and/or improvements under certain terms and conditions pursuant to Chapter 16-400 of The Philadelphia Code.

SECTION 3. The City Solicitor is hereby authorized to prepare or to approve all instruments and documents and to include in such instruments and documents such terms and conditions as are necessary to effectuate the purpose of

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Chapter 16-400 of The Philadelphia Code.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

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

Resolution No. 050478:Resolution proposing an amendment to the Philadelphia Home Rule Charter creating and empowering a new Board of Ethics, and providing for the submission of the amendment to the electors of Philadelphia.

WHEREAS, Under Section 6 of the First Class City Home Rule Act (53 P.S. §13106), an amendment to the Philadelphia Home Rule Charter may be proposed by a resolution of the Council of the City of Philadelphia adopted with the concurrence of two-thirds of its elected members; now, therefore,

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA,

SECTION 1. That the following amendment to the Philadelphia Home Rule Charter is hereby proposed and shall be submitted to the electors of the City on an election date designated by ordinance:

ARTICLE II - LEGISLATIVE BRANCH

* * *

CHAPTER 3
LEGISLATION

§2-300. The Annual Operating Budget Ordinance.

* * *

(4) In every annual operating budget ordinance:

* * *

(e) The amount appropriated to the Board of Ethics shall be adequate to enable the Board to perform the duties assigned to it by this charter. For the first two full fiscal years immediately following the effective date of this subsection, such amount shall be \$600,000, or such higher amount as the Council may ordain. Should the Council fail to make an appropriation to the Board of Ethics as

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required by this subsection, the Board may petition any Court of Common Pleas of Philadelphia County for a mandamus to the Council to perform its duty under this section.

* * *

ARTICLE III EXECUTIVE AND ADMINISTRATIVE BRANCH - ORGANIZATION

CHAPTER 1 OFFICERS, DEPARTMENTS, BOARDS, COMMISSIONS AND OTHER AGENCIES

§3-100. Executive and Administrative Officers, Departments, Boards, Commissions and Agencies Designated.

The executive and administrative work of the City shall be performed by:

* * *

(e) The following independent boards and commissions, which, except for the Board of Trustees of the Free Library of Philadelphia, are hereby created:

* * *

Board of Ethics

* * *

CHAPTER 8 INDEPENDENT BOARDS AND COMMISSIONS

* * *

§3-806. Board of Ethics.

(1) Composition. The Board of Ethics shall be composed of five members appointed by the Mayor with the advice and consent of City Council. Members shall be chosen for their independence, integrity, civic commitment and high ethical standards; they shall be residents of, or have their primary place of business in, the City, and shall be registered to vote. The members of the Board shall elect a chair and such other officers as deemed necessary.

(2) Initial Appointments, Term of Service. Of the five members first appointed by the Mayor, one shall be appointed for a term of one year, one for a

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term of two years, one for a term of three years, one for a term of four years, and one for a term of five years. Thereafter, all appointments shall be for five years. Members shall serve until their successors have been appointed and confirmed. If the Mayor has not submitted to the Council a nomination for appointment of a successor at least thirty days prior to the expiration of the term of the member whose term is expiring, the term of the member in office shall be extended for an additional year and the term of the successor shall be shortened by an equal amount of time. If the City Council fails to act within sixty days of receipt of a nomination for a successor or a nomination to fill a vacancy, the nomination shall be deemed confirmed. No member of the Board shall serve for more than two consecutive five year terms.

(3) Prohibited Activities. No member of the Board shall hold any public office or position in this Commonwealth (other than as a member of an advisory body), and no member of the Board shall hold any office in any political party or body. No member of the Board shall make any financial contribution to any candidate for City office or to any incumbent City official; and no member or executive director of the Board shall seek any elective City office until two years after the termination of his or her service to the Board. Members of the Board shall be subject to all the political activities restrictions set forth in Section 10-107 that apply to appointed City officers and employees.

(4) Removal for cause. Members may only be removed for cause, and only with the concurrence of two-thirds of all the members of Council, after notice to the member and an opportunity to be heard at a public hearing before a committee of Council.

* * *

ARTICLE IV EXECUTIVE AND ADMINISTRATIVE BRANCH POWERS AND DUTIES

The Mayor, The City Representative and Departments, Boards and Commissions under the Mayor

* * *

**CHAPTER 10
BOARD OF ETHICS**

§ 4-1000. Powers and Duties.

The Board of Ethics shall be responsible for:

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- (1) Education and training of all City officers and employees with regard to matters of ethics.
- (2) Prevention of ethical violations by City officers and employees.
- (3) Investigating suspected ethical violations.
- (4) Issuance of advisory opinions regarding matters of ethics.
- (5) Enforcement of the Ethics Code.

For purposes of this Chapter, matters of ethics include conflicts-of-interest; financial disclosure; prohibited political activities; standards of governmental conduct; campaign finance matters; and such additional related matters as the Council may from time to time assign to the Board. The Ethics Code shall be the ordinance designated as such by City Council, and any related legislation the Council may from time to time designate.

§ 4-1001. Departmental Cooperation

All departments, offices, boards, commissions and their respective heads shall cooperate with any request by, and provide appropriate assistance to, the Board of Ethics with regard to education and training, any prevention tools proposed by the Board, any investigations performed by the Board, and any other duties assigned to the Board.

§ 4-1002. Advisory Opinions and Legal Services

Notwithstanding Sections 4-400 and 8-410 of this Charter:

(1) Whenever any officer or employee, department, board or commission shall require advice concerning any matter of ethics, it shall be the duty of such officer, department, board or commission, to refer the same to the Board of Ethics; provided that, with respect to advice regarding State law, the Law Department, at the option of an officer or employee requesting advice, shall have concurrent authority to render advisory opinions.

(2) The Board shall furnish advice to the Mayor, to the Council and to all officers and employees, departments, boards and commissions concerning any matter of ethics.

(3) The Board shall use the services of the Law Department whenever it

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needs legal advice or is engaged in litigation, except that the Board need not use the services of the Law Department and may rely solely upon counsel of its choosing and other Board staff whenever the Board determines, after consultation with the City Solicitor, that representation by the Law Department in an investigation by the Board of suspected ethical violations or in enforcement activities of the Board would be inconsistent with the independence necessary for the particular matter. The Board shall be bound by any opinion of the Law Department interpreting applicable law, but the Board shall not be bound by the opinion of the Law Department in applying law to any particular facts.

§ 4-1003. Enforcement Powers.

The Board shall have the power and duty to enforce the Ethics Code in the Court of Common Pleas or, if authorized by Council by ordinance, to administratively adjudicate alleged violations of the Ethics Code and to impose civil penalties and other remedies for violations. Prior to bringing an enforcement action, the Board may conduct internal conciliation, mediation, hearings, or such other processes as it deems appropriate. The Board may also recommend appropriate disciplinary measures to the appropriate appointing authority, and shall refer any matter it deems appropriate to another administrative or enforcement agency.

§4-1004. Meetings and Reports.

(1) The Board shall meet at least quarterly and at such other times as the chair may deem necessary. The Board shall convene its first meeting within thirty (30) days after all initial appointments are made and confirmed.

(2) Not later than three months after the end of each fiscal year, the Board shall submit to the Mayor, the President of City Council, the Chief Clerk of City Council and the Department of Records a detailed accounting of all of its expenditures during the previous fiscal year.

* * *

SECTION 2. That the foregoing amendment to the Philadelphia Home Rule Charter shall be effective on the first day of January or the first day of July immediately following the adoption thereof by the voters, whichever shall occur first.


Explanation:

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[Brackets] indicate matter deleted.
Italics indicate new matter added.

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

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

 **Resolution No. 050479:**Resolution declaring June 16, 2005 as "Tammi Terrell Day."

WHEREAS, Tammi Terrell was born Thomasine Montgomery, as the oldest daughter of Thomas and Jennie Montgomery in Philadelphia on April 29, 1945; and

WHEREAS, Tammi Terrell was raised in Germantown and North Philadelphia and attended Emlen Elementary School, Roosevelt Jr. High School, and Germantown High School, and by the time she was fifteen, Ms. Terrell had already become well known in the local sock hop and talent contest scene; and

WHEREAS, in high school, Ms. Terrell sang with Steve Gibson and the Redcaps and was signed to The Scepter Wand Record Label, and at the age of 17, was the featured vocalist in The James Brown Revue, and later toured with Jerry Butler; and

WHEREAS, in 1965, Ms. Terrell was discovered in Detroit while doing a show at The 20 Grand with Mr. Butler by Motown's Berry Gordy who signed her to recording contract and changed her professional name from Tammi Montgomery to Tammi Terrell; and

WHEREAS, Tammi Terrell was a well known artist on the Motown label and is fondly remembered for some of the greatest duets of all time with Marvin Gaye, which include: "Ain't No Mountain High Enough," "Ain't Nothing Like the Real Thing," "Your Precious Love, and "You're All I Need to Get By;" and

WHEREAS, Ms. Terrell collapsed on stage in Mr. Gaye's arms at the age of 22 and on March 15, 1970, Tammi Terrell died from a brain tumor at the age of 24; and

WHEREAS, in June 2005, Bank House Books will release "My Sister Tommie, Tammi Terrell's Biography," the true life story of Motown sweetheart and legend Ms. Tammi Terrell as told by her sister Ludie Montgomery; now therefore

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RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That we declare June 16th "Tammi Terrell Day."

FURTHER RESOLVED, That an Engrossed Copy of this resolution be presented to Ms. Ludie Montgomery as an expression of the sincere sentiments of this legislative body.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

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

☐ **Resolution No. 050480:**Resolution declaring June 3, 2005 as "Safe Night Philadelphia Day."

WHEREAS, Safe Night Philadelphia is a city-wide effort to address the issue of youth safety by training students and community based organizations on how to deal with conflict and anger; and

WHEREAS, Safe Night Philadelphia was developed from Safe Night USA, a program that reaches and encourages people across the country to hold "Safe Nights" for young people and a "Safe Night" is an event, planned by young people and adults, which integrate fun with lessons in conflict resolution, leadership development, and anger management; and

WHEREAS, Safe Night USA originated in the wake of the tragedy at Columbine High School and was adapted by Milwaukee, Wisconsin in the mid-1990s as a response to rising youth homicide rates; and

WHEREAS, Dr. Victoria Yancey, Reverend Diane Fauntleroy, and Michael Johnson brought the Safe Night program to Philadelphia and Safe Night Philadelphia is being hosted by the School District of Philadelphia's Faith-Based Taskforce in partnership with the City of Philadelphia, Urban Family Council, Philadelphia Police Department, Urban League of Philadelphia, Mothers in Charge, Philadelphia Phillies, Boys and Girls Clubs of Philadelphia, Anti-Defamation League, Men United for a Better Philadelphia, Philadelphia Department of Recreation, and Town Watch Integrated Services; and

WHEREAS, Safe Night Philadelphia will be held in all High Schools, Boys and Girls Clubs, Youth-Net Centers, Police Athletic League centers, and other participating sites from 4:00 p.m. to 6:00 p.m. on Friday, June 3, 2005; now therefore

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
RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That we declare June 3, 2005 as "Safe Night Philadelphia Day" and salute Dr. Yancey, Rev. Fauntleroy, and Mr. Johnson for bringing this program to Philadelphia.

FURTHER RESOLVED, That an Engrossed Copy of this resolution be presented to representatives of Safe Night Philadelphia as an expression of the sincere sentiments of this legislative body.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

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

 **Resolution No. 050481:**Resolution declaring May 28-30, 2005, Cherokee Heritage Weekend in Celebration of the Twelfth Annual Cherokee Indian Festival.

WHEREAS, Predating the arrival of the European explorers by almost five hundred years, the Cherokee Indians occupied much of the Southern Appalachian Mountain area to the eastern seaboard of what is now the United States, and provided the new settlers with techniques of working and living on the land; and

WHEREAS, The Cherokee Nation, today, consists of there major groups: the Eastern Band, the Western Band, and the Southeastern Cherokee Confederacy, representing the largest Native American group in the United States; and

WHEREAS, The Southeastern Cherokee Confederacy of Pennsylvania, which was designated as an official Cherokee group in July 1988, with Buffy Red Feather Brown's appointment as Chief and Hamilton Hawk Brown as Vice Chief by the Trial Office at Ochiocnee, Georgia, now counts 18,375 Native Americans within the Commonwealth of Pennsylvania; and

WHEREAS, The Southeastern Cherokee Confederacy of Pennsylvania has flourished since its formation. The tribal council has been successful in preserving the Cherokee Language, whose written alphabet was invented in 1821 by Sequoyah, making the first Native American Newspaper, The Phoenix, possible in 1828; and

WHEREAS, The Southeastern Cherokee Confederacy also offers the culture of the Cherokee Nation to students in public and private schools and universities throughout the Commonwealth with exhibitions of dance, arts, crafts, music, and

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Cherokee regalia and ideals; and

WHEREAS, The Southeastern Cherokee Confederacy of Pennsylvania preserves the tradition of great respect for learning and education through its Scholarship Fund and the sponsorship of the Cherokee Festival, enabling the award of four-year scholarships to worthy and needy students; and

WHEREAS, The Southeastern Cherokee Confederacy will host representatives from at least ten states at the Cherokee Festival over the Memorial Day weekend in its fundraising activities; now therefore


RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That we declare May 28-30, 2005, Cherokee Heritage Weekend and salute the Twelfth Annual Cherokee Indian Festival.

FURTHER RESOLVED, That an Engrossed Copy of this resolution be presented to Chief Buffy Red Feather Brown for her zealous representation of the Cherokee people and her embodiment of the Indian way and spirit, as an expression of the sincere sentiments of this legislative body.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

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

 **Resolution No. 050482:**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 Fourth Ward of the City of Philadelphia, pursuant to Chapter 16-400 of The Philadelphia Code and authorizing the Redevelopment Authority of the City of Philadelphia to dispose of such properties for rehabilitation and/or improvement in accordance with the terms of Chapter 16-400 of The Philadelphia Code.

WHEREAS, Chapter 16-400 of The Philadelphia Code relating to vacant property, grants the City the power to convey certain classes of real property to the Redevelopment Authority of the City of Philadelphia, without consideration, to implement the public purpose set forth in that Chapter; and

WHEREAS, The Vacant Property Review Committee has recommended acceptance and disposition of the vacant property listed below; now therefore

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RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA

SECTION 1. The Commissioner of Public Property is hereby authorized to execute and deliver to the Redevelopment Authority of the City of Philadelphia, without consideration, deed conveying fee simple title to 5606 Lansdowne Avenue pursuant to Chapter 16-400 of The Philadelphia Code, under certain terms and conditions.


SECTION 2. The Redevelopment Authority is hereby authorized to dispose of the aforementioned property for rehabilitation and/or improvements under certain terms and conditions pursuant to Chapter 16-400 of The Philadelphia Code.

SECTION 3. The City Solicitor is hereby authorized to prepare or to approve all instruments and documents and to include in such instruments and documents such terms and conditions as are necessary to effectuate the purpose of Chapter 16-400 of The Philadelphia Code.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

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

 **Resolution No. 050483:**Resolution urging the Pennsylvania U.S. Senators and Congressional Delegation to Oppose the Proposed Cut in Federal Funding for Adult Basic and Literacy Education and the Even Start Program.

WHEREAS, Low literacy skills contribute to chronic unemployment, low productivity, low self-esteem, and impact on a parent's ability to teach their own children reading and writing skills; and

WHEREAS, Jobs are becoming increasingly information sensitive with more than 50% of all new jobs requiring some post-secondary education; and

WHEREAS, According to the Pennsylvania Association for Adult Continuing Education, nearly 50% of adults in Pennsylvania need literacy skills to be effective workers, parents and citizens; and

WHEREAS, In Philadelphia, one of every three citizens reads at or below the 8th grade level; and

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WHEREAS, The President's proposed budget calls for a drastic reduction in Adult Basic and Literacy Education from \$501 million in Fiscal Year 2005 to a recommended \$131 million for Fiscal Year 2006; and

WHEREAS, For Pennsylvania, this would result in a 75% cut from \$19.2 million to \$4.785 million; and

WHEREAS, The President's proposal calls for the complete elimination of the Even Start Program which is a cornerstone of family literacy providing children under the age of 8 with basic skills needed to achieve academic success and parents with the skills needed to be competent and effective teachers of their children; and

WHEREAS, These federal funding cuts to adult and family literacy programs will insure that the economic barriers and impediments to self-sufficiency resulting from low literacy skills remain in place for thousands of Americans and their children; and

WHEREAS, The economic and social costs of unemployment and dependency are far greater than the investment made in promoting adult and family literacy and life-long learning; now therefore

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That we hereby urge the Pennsylvania U.S. Senators and Congressional Delegation to oppose the proposed cut and work to maintain federal funding levels for Adult Basic and Literacy Education and the Even Start Program.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

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

- ☐ **Resolution No. 050484:**Resolution authorizing the Commissioner of Public Property to execute and deliver to the Redevelopment Authority of the City of Philadelphia, without consideration, deeds conveying conditional fee simple title to certain city-owned lots or pieces of ground with the buildings and improvements thereon, situate in the Thirty-first Ward of the City of Philadelphia, pursuant to Chapter 16-400 of The Philadelphia Code and authorizing the Redevelopment Authority of the City of Philadelphia to dispose of such properties for rehabilitation and/or improvement in accordance with the terms of Chapter 16-400 of The Philadelphia Code.

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WHEREAS, Chapter 16-400 of The Philadelphia Code relating to vacant property, grants the City the power to convey certain classes of real property to the Redevelopment Authority of the City of Philadelphia, without consideration, to implement the public purpose set forth in that Chapter; and

WHEREAS, The Vacant Property Review Committee has recommended acceptance and disposition of the vacant property listed below; now therefore

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA

SECTION 1. The Commissioner of Public Property is hereby authorized to execute and deliver to the Redevelopment Authority of the City of Philadelphia, without consideration, deed conveying fee simple title to 2100 & 2102 E. Cumberland street pursuant to Chapter 16-400 of The Philadelphia Code, under certain terms and conditions.


SECTION 2. The Redevelopment Authority is hereby authorized to dispose of the aforementioned property for rehabilitation and/or improvements under certain terms and conditions pursuant to Chapter 16-400 of The Philadelphia Code.

SECTION 3. The City Solicitor is hereby authorized to prepare or to approve all instruments and documents and to include in such instruments and documents such terms and conditions as are necessary to effectuate the purpose of Chapter 16-400 of The Philadelphia Code.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

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

 **Resolution No. 050485:**Resolution approving the redevelopment contract and disposition supplement of the Redevelopment Authority of the City of Philadelphia for the redevelopment and urban renewal of a portion of the Model Cities Urban Renewal Area, designated as Parcel No. 395 also sometimes identified by house number and street address as 1616-1618 North Bailey street; and authorizing the Redevelopment Authority to execute the redevelopment contract with Andre Taylor and to take such action as may be necessary to effectuate the redevelopment contract and disposition supplement.

WHEREAS, The Redevelopment Authority of the City of Philadelphia (hereinafter "Redevelopment Authority") has prepared and submitted an urban

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renewal plan and a redevelopment proposal for the redevelopment of the Model Cities Urban Renewal Area, (hereinafter "Model Cities"), which said plan and proposal were approved by Ordinance of the Council on December 15, 1969, as amended; and

WHEREAS, The Redevelopment Authority has prepared a redevelopment contract for a portion of Model Cities, designated as Parcel No. 395 also sometimes identified by house number and street address as 1616-1618 North Bailey street (the "Property"). The area of said Property is bounded as follows:

Parcel No. 395 (1616-1618 North Bailey street). All that certain lot or piece of ground situated in the Twenty-ninth Ward of the City of Philadelphia beginning at a point on the westerly side of Bailey street (fifty feet wide) at the distance of one hundred eighty seven feet northward from the northerly side of Oxford street (fifty feet wide); Containing in front or breadth on the said Bailey street forty five feet and extending of that width in length or depth westward between parallel lines at right angles to the said Bailey street eighty seven feet six inches to a point.

The said redevelopment contract is in substantial conformity with the amended urban renewal plan and the amended redevelopment proposal approved by the Council.

WHEREAS, Andre Taylor desire to enter into the said redevelopment contract for the Property; and

WHEREAS, The Redevelopment Authority has prepared a disposition supplement providing inter alia for development controls and regulations imposed upon the Property.

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That the redevelopment contract and disposition supplement submitted by the Redevelopment Authority of the City of Philadelphia (hereinafter "Redevelopment Authority") for the redevelopment of that portion of Model Cities, as hereinabove more particularly described, is hereby approved. City Council authorizes the Redevelopment Authority to proceed with minor changes in substantial conformity with the hereby approved redevelopment contract and disposition supplement. The Redevelopment Authority is authorized to execute the hereby approved redevelopment contract with Andre Taylor (hereinafter "Redeveloper"). The Redevelopment Authority and the Redeveloper are authorized to take such action in substantial conformity to the redevelopment contract as may be necessary to carry it out.

RESOLVED, The Redevelopment Authority and the Redeveloper are authorized to prepare or cause to be prepared for introduction into the Council such ordinances or resolutions as may be necessary for changes in zoning, streets, alleys, public ways, street patterns, location and relocation of public utilities, and related items which are required in order to facilitate and effectuate the redevelopment contract and disposition supplement hereby approved. Accordingly, the Council hereby declares that it will cooperate in helping to carry

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out the redevelopment contract and disposition supplement and requests the various officials, departments, boards and agencies of the City having administrative responsibilities in the premises likewise to cooperate to such end and to exercise their respective functions and powers in a manner consistent with the redevelopment contract and disposition supplement.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

REPORTS FROM COMMITTEES

COMMITTEE OF THE WHOLE

- 📄 **Bill No. 050190:**An Ordinance dissolving the Networks Tax Increment Financing District, being the area generally bounded by Sixteenth Street on the west, Spring Garden Street on the north, Hamilton Street on the south, and Fifteenth Street on the east, in accordance with the Tax Increment Financing Act, being the Act of July 11, 1990, P.L. 465, No. 113, as amended.

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

- 📄 **Bill No. 050236:**An Ordinance dissolving the 1600 North Broad Tax Increment Financing District and creating the Avenue North Tax Increment Financing District, being the approximately three-acre site at 1600-36 North Broad Street generally bounded by Cecil B. Moore Avenue on the north, Broad Street on the east, Oxford Street on the south, and Carlisle Street on the west, all in accordance with the Tax Increment Financing Act, being the Act of July 11, 1990, P.L. 465, No. 113, as amended, and authorizing the Director of Finance and other offices of the City to execute documents and do all things necessary to carry out the intent of this Ordinance.

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

COMMITTEE ON RULES

- 📄 **Bill No. 050215:**An Ordinance approving the second amendment of the redevelopment proposal for the 44th and Aspen Urban Renewal Area, being the area generally bounded by Lancaster avenue, Belmont avenue, Pennsgrove street, Forty-second street, Haverford avenue, Forty-fourth street, Fairmount avenue and Forty-seventh street, including the second amendment to the urban renewal plan and the relocation plan, which provides, inter alia, for the additional land acquisition of approximately six (6) properties for residential and related uses; the provision of certain relocation services, as required by law; and declaring that condemnation is not imminent with respect to the Project.

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COUNCILMEMBER CLARKE MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 050215.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

- 📄 **Bill No. 050229:**An Ordinance approving the twelfth amendment of the redevelopment proposal for the Mantua Urban Renewal Area, being the area beginning at the intersection of Fortieth street and Spring Garden street, including the ninth amendment to the urban renewal plan and the relocation plan, as amended, which provides, inter alia, for the additional land acquisition of approximately forty three (43) properties for residential and related uses; the provision of certain relocation services, as required by law and declaring that condemnation is not imminent with respect to the Project.

COUNCILMEMBER CLARKE MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 050229.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

COMMITTEE ON LAW AND GOVERNMENT

- 📄 **Resolution No. 050428:**Resolution proposing an amendment to the Philadelphia Home Rule Charter relating to City leases, contracts, concessions and the provision of financial assistance, and providing for the submission of the amendment of the electors of Philadelphia.

THE RESOLUTION WAS ORDERED PLACED ON NEXT WEEK'S CALENDAR.

CONSIDERATION OF THE CALENDAR

BILLS ON FIRST READING

- 📄 **Bill No. 050215:**An Ordinance approving the second amendment of the redevelopment proposal for the 44th and Aspen Urban Renewal Area, being the area generally bounded by Lancaster avenue, Belmont avenue, Pennsgrove street, Forty-second street, Haverford avenue, Forty-fourth street, Fairmount avenue and Forty-seventh street, including the second amendment to the urban renewal plan and the relocation plan, which provides, inter alia, for the additional land acquisition of approximately six (6) properties for residential and related uses; the provision of certain relocation services, as required by law; and declaring that condemnation is not imminent with respect to the Project.

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

Bill No. 050229:An Ordinance approving the twelfth amendment of the redevelopment proposal for the Mantua Urban Renewal Area, being the area beginning at the intersection of Fortieth street and Spring Garden street, including the ninth amendment to the urban renewal plan and the relocation plan, as amended, which provides, inter alia, for the additional land acquisition of approximately forty three (43) properties for residential and related uses; the provision of certain relocation services, as required by law and declaring that condemnation is not imminent with respect to the Project.

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

BILLS ON FINAL PASSAGE

Bill No. 040772-AA, as amended:An Ordinance amending Title 17 of The Philadelphia Code, entitled "Contracts and Procurement," by adding provisions regulating the process by which the City awards professional services contracts and other non-competitively bid contracts, and prohibiting persons from entering into such contracts or from receiving City financial assistance if they or certain related parties have made certain contributions to elected City officers or candidates for City offices, all under certain terms and condition.

THE BILL WAS READ.

COUNCILMEMBER NUTTER MOVED TO AMEND BILL NO. 040772-A AS FOLLOWS:

PROPOSED AMENDMENT TO BILL NO. 040772-A

* * *

(DUE TO EXTENSIVE CHANGES IN BILL NO. 040772-A SEE FILE FOR OFF THE FLOOR AMENDMENTS OR SEE THE AS AMENDED PINK BILL NO. 040772-AA IN FILE)

THE AMENDMENT WAS READ.

COUNCILMEMBER NUTTER MOVED FOR THE ADOPTION OF THE AMENDMENT

THE AMENDMENT TO BILL NO. 040772-A WAS ADOPTED

Bill No. 040772-AA, as amended:An Ordinance amending Title 17 of The Philadelphia Code, entitled "Contracts and Procurement," by adding provisions regulating the process by which the City awards professional services contracts and other non-competitively bid contracts, and prohibiting persons from entering into such contracts or from receiving City financial assistance if they or certain related parties have made certain contributions to elected City officers or

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candidates for City offices, all under certain terms and condition.

THE BILL WAS AMENDED.

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

BILLS ON SECOND READING AND FINAL PASSAGE

📄 **Bill No. 040771-A:**An Ordinance providing for the submission to the qualified electors of the City of Philadelphia of the proposal set forth in a Resolution approved by Council proposing amendment of the Philadelphia Home Rule Charter relating to City leases, contracts, concessions and the provision of financial assistance; fixing the date of a special election for such purpose; prescribing the form of ballot question to be voted on; and authorizing the appropriate officers to publish notice and to make arrangements for the special election.

THE BILL WAS READ.

COUNCILMEMBER NUTTER MOVED TO AMEND BILL NO. 040771 AS FOLLOWS:

PROPOSED AMENDMENT TO BILL NO. 040771

* * *

SECTION 1.CHANGE: May 17, 2005 TO: November 8, 2005, CHANGE: 040818 TO: 050428, CHANGE 2004 TO: 2005

SECTION 3. CHANGE 040818 TO: 050428

SECTION 4. CHANGE: May 17, 2005 TO: November 8, 2005

* * *

THE AMENDMENT WAS READ

COUNCILMEMBER NUTTER MOVED FOR THE ADOPTION OF THE AMENDMENT


THE AMENDMENT TO BILL NO. 040771 WAS ADOPTED.

📄 **Bill No. 040771-A, as amended:**An Ordinance providing for the submission to the qualified electors of the City of Philadelphia of the proposal set forth in a Resolution approved by Council proposing amendment of the Philadelphia Home Rule Charter relating to City leases, contracts, concessions and the provision of financial assistance; fixing the date of a special election for such purpose; prescribing the form of ballot question to be voted on; and authorizing the appropriate officers to publish notice and to make arrangements for the special election.

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THE BILL WAS AMENDED.

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

 **Bill No. 050301-A, as amended:**An Ordinance amending Title 20 of The Philadelphia Code, entitled "Officers and Employees," by amending the provisions relating to campaign contributions and expenditures, relating to, including but not limited to, the District Attorney, City Controller, Register of Wills, Sheriff, Clerk of Quarter Sessions Court and City Commissioner.

THE BILL WAS READ.

COUNCILMEMBER O'NEILL MOVED TO AMEND BILL NO. 050301 AS FOLLOWS:

PROPOSED AMENDMENT TO BILL NO. 050301

* * *

(1) DELETE: two thousand dollars (\$2,000) REPLACE WITH: two thousand five hundred dollars (\$2,500)

ADD:

(6) On January 1, 2008 and on January 1 every four years thereafter, the maximum amounts set forth in Section 20-110002(1) and (2) shall be adjusted as follows. On the December 15 immediately preceding the adjustment, the Finance Director shall calculate the "CPI Multiplier" by dividing the average consumer price index for Philadelphia during calendar year 2005. To determine the average consumer price index for Philadelphia, the Finance Director shall use the latest available figures for the Consumer Price Index for all urban Consumers (CPI-U) All Items Index, Philadelphia, Pennsylvania, as measured by the United States Department of Labor, Bureau of Labor Statistics. After calculating the CPI Multiplier, the Finance Director shall calculate the new maximum amounts as follows:

(i) The maximum amount for purposes of Section 20-1002(1) shall equal \$2,500, multiplied by the CPI Multiplier, rounded to the nearest \$100.

(ii) The maximum for purposes of Section 20-1002(2) shall equal \$10,000, multiplied by the CPI Multiplier, rounded to the nearest \$100.

The Finance Director shall certify the new maximum amounts in writing to the Mayor, the City Council President and Chief Clerk of Council.

Section 2. Effective Date. This Ordinance shall be effective immediately, provided, however, that contributions to candidates for District Attorney or City Controller made before this ordinance becomes law shall not be considered in determining compliance with the contribution limits established by this ordinance.

* * *


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THE AMENDMENT WAS READ.

COUNCILMEMBER O'NEILL MOVED FOR THE ADOPTION OF THE AMENDMENT.


THE MOTION WAS DULY SECONDED AND AGREED TO.

THE AMENDMENT TO BILL NO. 050301 WAS ADOPTED.

 **Bill No. 050301-A, as amended:**An Ordinance amending Title 20 of The Philadelphia Code, entitled "Officers and Employees," by amending the provisions relating to campaign contributions and expenditures, relating to, including but not limited to, the District Attorney, City Controller, Register of Wills, Sheriff, Clerk of Quarter Sessions Court and City Commissioner.

THE BILL WAS AMENDED.

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

 **Bill No. 050166:**An Ordinance amending the Ordinance of April 22, 1975 (Bill No. 1796), establishing the Prison Industries Revolving Fund and providing for the administration thereof, by establishing a mechanism to authorize charges for goods and services produced by Prison Industries, by authorizing expenditures from the Fund for personnel costs, repair costs and other services required for the operation of Prison Industries, and by authorizing sales by Prison Industries to all City agencies and authorities and to non-profit agencies with whom the City has contracts, all under certain terms and conditions.

THE BILL WAS READ.


THE BILL WAS PASSED.

The Ayes and Nays were as follows:

Ayes: 16 - Councilmembers Reynolds Brown, Cohen, Goode, Kelly, Kenney, Ramos, Rizzo, DiCicco, Council President Verna, Blackwell, Nutter, Clarke, Mariano, Miller, Tasco and O'Neill

Nays: 0

Absent: 1 - Councilmember Krajewski

 **Resolution No. 050429:**Resolution memorializing Council's intent not to authorize the issuance of debt by the City or any other agency unless the sale of bonds and the selection of bond firms and professionals is conducted under a transparent process that seeks the selection of the most qualified firms and professionals at the best possible prices.

THE RESOLUTION WAS READ.


DISCUSSION - RESOLUTION NO. 050429 - COUNCILMEMBERS NUTTER, CLARKE, BLACKWELL, KENNEY, O'NEILL AND GOODE - BONDS AND BOND PROCEDURES -

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COUNCIL PROCEDURES - (SEE NOTES OF TESTIMONY)

DISCUSSION - RESOLUTION NO. 050429 - COUNCILMEMBER GOODE - WITHDRAWS HIS SPONSORSHIP FROM RESOLUTION NO. 050429 - (SEE NOTES OF TESTIMONY)

DISCUSSION - RESOLUTION NO. 050429 - COUNCILMEMBER NUTTER AGREE TO HOLD RESOLUTION NO. 050429 UNTIL THE END OF THE CALENDAR - (SEE NOTES OF TESTIMONY)

 **Resolution No. 050429:**Resolution memorializing Council's intent not to authorize the issuance of debt by the City or any other agency unless the sale of bonds and the selection of bond firms and professionals is conducted under a transparent process that seeks the selection of the most qualified firms and professionals at the best possible prices.

THE RESOLUTION WAS ORDERED PLACED ON NEXT WEEK'S CALENDAR.

NOTE: COUNCIL RECESSED AT 12:00 NOON

NOTE: COUNCIL RECONVENED AT 5:15 P.M - (SEE NOTES OF TESTIMONY FOR ORDER OF COUNCIL SESSION ONCE IT RECONVENED) - ALL MATTERS ABOVE ARE THE USUAL STATED MEETING ORDER AND INCLUDES ALL ORDER AFTER COUNCIL RECONVENED

COUNCILMEMBER TASCO MOVED TO ADJOURN.

THE MOTION WAS DULY SECONDED AND AGREED TO.