



**Thursday, October 21, 2010**

PRESENT: 17 - Councilmembers Blackwell, Clarke, Council President Verna, DiCiccio, Goode, Green, Greenlee, Jones, Kelly, Kenney, Krajewski, Miller, O'Neill, Reynolds Brown, Rizzo, Sanchez and Tasco

Council met, a quorum being present.

Father Richard P. Connors of Nativity Blessed Virgin Mary Parish was introduced and offered an appropriate prayer.

COUNCILMEMBER TASCО MOVED TO APPROVE THE JOURNAL of the meeting of October 7, 2010.

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 No. 100360, which was passed by Council on September 30, 2010, was signed by the Mayor on October 12, 2010. (File No. 100696)

THE COMMUNICATION WAS READ.

- ☐ Transmitting a message advising Council that Bill No. 100288, which was passed by Council on September 30, 2010, was signed by the Mayor on October 20, 2010. (File No. 100697)

THE COMMUNICATION WAS READ.

- ☐ October 20, 2010

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

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For the following reasons, I am returning herewith to your Honorable Body Bill No. 100487, which was passed by Council at its session on September 30, 2010, without my signature.

I commend Council for its commitment to reducing the incidence of fraudulent real estate transactions. The idea that by filing a fraudulent deed someone can claim ownership of someone else's property is extremely troubling. Moreover, the crime is not one that is easily undone. It involves lawyers, court costs and countless hours to untangle a title. I know that many citizens have reached out to Council for assistance in this process and I appreciate the hard work by you and your staffs in providing help to citizens in clearing title to their homes.

Fraudulent real estate transactions are not unique to Philadelphia. This crime is committed all across the country, particularly in urban areas that feature large numbers of vacant or neglected properties. One particularly troubling aspect of fraudulent house sales is the perception that the government is complicit in the crime, because fraudulent deed filings often support the crime of fraudulent property sales. Use of the recording system as part of the fraud makes attractive the idea that a solution to this crime can be found in how the Department of Records performs its duties. For that reason, I understand Council's desire to combat this problem by amending the laws governing the recording of deeds.

The Department of Records takes the problem of fraudulent deeds very seriously and has implemented a number of policies to help reduce fraud. The primary tool in addressing fraud is community education about title insurance. The Department has created a number of informational sheets and also posted helpful material on its website where it can be conveniently accessed.

Since 2004, the Department has sent a letter to the record property owner each time a deed or mortgage is recorded against the property. If the recording was done without the owner's knowledge, this letter will alert them to that fact. To date, almost one million letters have been sent to property owners. The Department of Records also captures a photograph and signature for deeds presented in person. Pursuant to legislation passed in 2008, the Department reviews a number of items upon presentation of a deed, including names of the record owner and grantor, and available supporting documentation. Discrepancies are noted, and sent to the District Attorney's Office for review.

At the request of the Department, a Fraudulent Conveyance Task Force has been initiated to address property fraud, including members of the Records Department, the Philadelphia Bar Association, the District Attorney's Office, and

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attorneys from the title insurance industry and various non-profit organizations.

The Department of Records and my Administration take the crime of house theft seriously. I reject the allegation that by not fully supporting this legislation, my Administration does not care about combating this crime. In my view, however, rather than contributing to a reduction in house theft in any meaningful way, the bill would not significantly impact fraudulent sales. Moreover, I believe the bill would have unintended consequences for innocent purchasers of property lawfully sold to them. Lastly, I am advised, the bill cannot be lawfully enforced.

Bill 100487 would require the Department of Records to reject certain deeds presented for recording where the grantor and record owner names do not match, or where certain supporting documentation is missing. Those seeking to commit fraud, however, merely need to ensure that names match, or that sufficient fraudulent supporting documentation is provided, in order to avoid the document rejection requirements of the bill.

Moreover, there are many legitimate reasons why the name of the seller on a deed that is being recorded may not match the name of the owner on the deed of record. For example, someone may use a formal name, such as Robert, in one transaction, and a less formal name, such as Bob, in another transaction. A woman legitimately selling a house may use her married name in the transaction when title in a previous transaction had been in her maiden name. When the home buyer who does not have title insurance (the law only applies to transactions not involving insurance, lawyers and the like) tries to record his or her legitimate deed with mismatched names of the seller, he or she would not be permitted to do so under this bill. Once the deed is rejected, the new purchaser may have little recourse, as the seller has already received payment and may not be available to “fix” the mismatched names. The legitimate buyer, where there has been no fraud at all, would be left in limbo.

Lastly, the City Solicitor has advised me that under the requirements of state law, which define the minimum documentation requirements necessary to record a deed, the Department of Records cannot, even when told to do so by ordinance, reject deeds under the circumstances called for under the bill. In fact, the Department of Records currently is under an order of mandamus arising out of the case *Pennsylvania Land Title Association v. City of Philadelphia*, No. 3127, January Term 1997, which requires that the Department of Records ensure that any new document presented to the Department meeting state law requirements is recorded. For these reasons, the City Solicitor has opined that the Records Department cannot lawfully implement the deed rejection measures called for in Bill No. 100487.

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Accordingly, I am returning the bill to you without my signature.

I am certainly willing to continue to work with Council, as well as the District Attorney's Office, to try to reduce the incidence of fraudulent house sales. We must take a multi-faceted, multi-agency approach that includes education on the issue of fraud and the importance of obtaining title insurance. With the Police Department and District Attorney's Office, we need to ensure that the perpetrators of this crime are investigated and prosecuted. The time is also ripe to take a fresh look at the state laws which govern recording, as well as the laws and standards for notaries and I am inviting state representatives and Council to work with our existing Task Force to explore changes to state law that will help prevent this type of fraud. I look forward to working with you on these issues.

Respectfully,  
Michael A. Nutter,  
Mayor (File No. 100698)

**THE COMMUNICATION WAS READ.**

☐ Transmitting a bill amending Section 2 of an Ordinance (Bill No. 080434) approved July 2, 2008, entitled "An Ordinance Authorizing and directing the revision of lines and grades on a portion of City Plan No. 271 by striking from the City Plan and vacating a portion of Leithgow Street south of Reno Street and by reserving and placing on the City Plan a right of way for public utility purposes within the lines of Leithgow Street being stricken, all under certain terms and conditions," by extending the period for compliance with the terms and conditions stated therein, accompanied by an explanatory letter from the Streets Commissioner. (File No. 100699)

**THE COMMUNICATION WAS READ.**

☐ Transmitting a bill authorizing the revision of lines and grades on a portion of City Plan No. 149 by striking from the City Plan and vacating the legally open portions of Hartwell Lane from a point approximately two-hundred seventy-seven feet southwest of Seminole Street to a point approximately sixty-four feet further southwestwardly therefrom and reserving and placing on City Plan a right of way for water main purposes and public utility purposes within the lines of the portion of Hartwell Lane being stricken and authorizing acceptance of the grant to the City of the said right of way, under certain terms and conditions, accompanied by an explanatory letter from the Streets Commissioner. (File No. 100700)

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THE COMMUNICATION WAS READ.

- ❏ Transmitting a bill authorizing the Streets Commissioner, on behalf of the City, to enter into an agreement with the Commonwealth of Pennsylvania for the grant to the City of a right of way for sewer and drainage purposes extending through a portion of property located at the northwest corner of Thirteenth Street and Arch Street and authorizing the plotting upon City Plan No. 307 of the said right of way, accompanied by an explanatory letter from the Streets Commissioner. (File No. 100701)

THE COMMUNICATION WAS READ.

- ❏ Transmitting a bill authorizing the revision of lines and grades on a portion of City Plan No. 307 by striking from the City Plan and vacating Ridge Avenue from Vine Street to the intersection of Eighth Street and Race Street and reserving and placing on the City Plan a right of way for various purposes within the lines of Ridge Avenue being stricken and authorizing acceptance of the grant to the City of the said right of way, under certain terms and conditions, accompanied by an explanatory letter from the Streets Commissioner. (File No. 100702)

THE COMMUNICATION WAS READ.

- ❏ Transmitting a bill authorizing the revision of lines and grades on portions of various City Plans, within the vicinity of the Delaware Expressway (I-95) from the Vine Street Expressway (I-676) to the Philadelphia - Bucks County Line by placing on the City Plan, striking from the City Plan, relocating, and revising portions of the Delaware Expressway, its right of way, interchanges, and ramp connections and placing on the City Plan, striking from the City Plan, vacating, abandoning, relocating, and revising the lines and grades of intersecting and adjacent streets, roads, avenues, and rights of way affected thereby, all in order to conform with the lines and conditions established by the Commonwealth of Pennsylvania, accompanied by an explanatory letter from the Streets Commissioner. (File No. 100703)

THE COMMUNICATION WAS READ.

- ❏ Transmitting a bill authorizing Brandywine Realty Trust, 555 East Lancaster Avenue, Suite 100, Radnor, Pennsylvania, 19087, to legalize various existing sidewalk encroachments located on the east footway of Juniper Street between Sansom Street and Drury Street, the south footway of Drury Street at the intersection of Juniper Street, and the north footway of Sansom Street at the intersection of Juniper Street, under certain terms and conditions, accompanied by an explanatory letter from the Streets Commissioner. (File No. 100704)

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THE COMMUNICATION WAS READ.

- ☐ Transmitting a bill authorizing the Pennsylvania Academy of the Fine Arts, located at 128 North Broad Street, to construct, own and maintain various encroachments in the right-of-way on the west side of North Broad Street between Arch and Race Streets, the east side of North Carlisle Street between Cherry and Race Streets, and the south side of Cherry Street between North Carlisle and Burns Streets, under certain terms and conditions, accompanied by an explanatory letter from the Streets Commissioner. (File No. 100705)

THE COMMUNICATION WAS READ.

- ☐ Transmitting a bill approving the thirty-eighth amendment of the redevelopment proposal for the Model Cities Urban Renewal Area, being the area beginning at the northwest corner of Front street and Spring Garden street, including the thirtieth amendment to the urban renewal plan and the twenty-seventh amendment to the relocation plan, which provides, inter alia, for the additional land acquisition of approximately fifteen (15) properties for residential, institutional 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. accompanied by an explanatory letter from the Executive Director of the Redevelopment Authority. (File No. 100706)

THE COMMUNICATION WAS READ.

- ☐ Transmitting a bill 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 Haddington Urban Renewal Area, Unit Nos. 2 & 3 designated as Parcel Nos. 119 and 120 and also sometimes identified by house numbers and street addresses for Parcel No. 119 as 30 North Sixty-second street and for Parcel No. 120 as 41 North Sixty-second street; and authorizing the Redevelopment Authority to execute the redevelopment contract with Philadelphia Neighborhood Housing Services, Inc. and to take such action as may be necessary to effectuate the redevelopment contract, accompanied by an explanatory letter from the Executive Director of the Redevelopment Authority. (File No. 100707)

THE COMMUNICATION WAS READ.

- ☐ Transmitting a bill authorizing the Commissioner of Parks and Recreation, on behalf of The City of Philadelphia (the "City"), to enter into a license agreement with the Philadelphia Authority for Industrial Development ("PAID") pursuant to which PAID will operate certain programs at the Scanlon Ice Rink, the Laura Sims Skatehouse at Cobbs Creek, the rink at the Simons Recreation and Teen Access Center, the Rizzo Ice Rink and the Tarken Ice Rink, by entering into a

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long term sublicense agreement with the Ed Snider Youth Hockey Foundation (the "Foundation") for such operation, under certain terms and conditions, accompanied by an explanatory letter from the Commissioner of Parks and Recreation. (File No. 100708)

THE COMMUNICATION WAS READ.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

Councilmember Kenney Introduced and Referred the following Bill, Sponsored by Councilmembers Kenney, DiCiccio, Sanchez, Tasco and Blackwell:

☐ **Bill No. 100674:** An Ordinance Authorizing the Commissioner of Parks and Recreation, on behalf of The City of Philadelphia (the "City"), to enter into a license agreement with the Philadelphia Authority for Industrial Development ("PAID") pursuant to which PAID will operate certain programs at the Scanlon Ice Rink, the Laura Sims Skatehouse at Cobbs Creek, the rink at the Simons Recreation and Teen Access Center, the Rizzo Ice Rink and the Tarken Ice Rink, by entering into a long term sublicense agreement with the Ed Snider Youth Hockey Foundation (the "Foundation") for such operation, under certain terms and conditions.

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

Councilmember Kenney Introduced, Read and Adopted the following Resolution, Sponsored by Councilmember Kenney:

☐ **Resolution No. 100685:** Resolution Congratulating Walter Smith for his 50 years of service with the Union League of Philadelphia.

Councilmember Blackwell Introduced, Read and Adopted the following Resolution, Sponsored by Councilmember Blackwell:

☐ **Resolution No. 100686:** Resolution Authorizing the Commissioner of Public Property to execute and deliver to the Redevelopment Authority of the City of Philadelphia, without consideration, deeds conveying conditional fee simple title to certain City-owned lots or pieces of ground with the buildings and improvements thereon, situate in the Twenty-seventh Ward of the City of Philadelphia, pursuant to Chapter 16-400 of The Philadelphia Code and authorizing the Redevelopment Authority of the City of Philadelphia to dispose of such properties for rehabilitation and/or improvement in accordance with the terms of Chapter 16-400 of The Philadelphia Code.

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Councilmember Blackwell Introduced, Read and Adopted the following Resolution,  
Sponsored by Councilmember Blackwell:

- 📄 **Resolution No. 100687:** Resolution Authorizing the Commissioner of Public Property to execute and deliver to the Redevelopment Authority of the City of Philadelphia, without consideration, deeds conveying conditional fee simple title to certain City-owned lots or pieces of ground with the buildings and improvements thereon, situate in the Twenty-fourth, Twenty-seventh and Forty-sixth Wards of the City of Philadelphia, pursuant to Chapter 16-400 of The Philadelphia Code and authorizing the Redevelopment Authority of the City of Philadelphia to dispose of such properties for rehabilitation and/or improvement in accordance with the terms of Chapter 16-400 of The Philadelphia Code.

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

- 📄 **Bill No. 100675:** An Ordinance Amending Section 9-213 of The Philadelphia Code, entitled "Farmers' Markets," by adding as permissible locations the sidewalk of the east side of S. 22nd Street between Cross Street and Tasker Street and the sidewalk of the south side of Wharton Street between Hollywood Street and 29th Street, all under certain terms and conditions.

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

Councilmember Tasco Introduced the following Resolution for Councilmembers Council  
President Verna, Clarke, O'Neill and Rizzo, Sponsored by Councilmembers Tasco, Sanchez,  
Greenlee, Reynolds Brown, Green, Kelly, Miller, Jones and Krajewski:

- 📄 **Resolution No. 100688:** Resolution Expressing Council's intent that, in the event Council enacts legislation revising or curtailing the Deferred Retirement Option Plan ("DROP"), any such legislation will provide all City employees who are eligible to enroll in the DROP by virtue of their age and years of service with a "window of opportunity" to enroll before any changes affecting their eligibility take effect; encouraging those employees who have submitted a Preliminary Application to enroll in the DROP but have not yet finalized their application to reconsider their decision carefully in light of Council's commitment to provide them with an opportunity to apply and enroll in the DROP at a future date; and requesting the Board of Pensions to advise DROP-eligible employees of Council's intention.

THE RESOLUTION WAS READ.

DISCUSSION - COUNCILMEMBER TASCO - RESOLUTION NO. 100688 - (SEE NOTES  
OF TESTIMONY).



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☐ **Resolution No. 100688:** Resolution Expressing Council's intent that, in the event Council enacts legislation revising or curtailing the Deferred Retirement Option Plan ("DROP"), any such legislation will provide all City employees who are eligible to enroll in the DROP by virtue of their age and years of service with a "window of opportunity" to enroll before any changes affecting their eligibility take effect; encouraging those employees who have submitted a Preliminary Application to enroll in the DROP but have not yet finalized their application to reconsider their decision carefully in light of Council's commitment to provide them with an opportunity to apply and enroll in the DROP at a future date; and requesting the Board of Pensions to advise DROP-eligible employees of Council's intention.

THE RESOLUTION WAS ADOPTED.

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

☐ **Bill No. 100676:** An Ordinance Authorizing the revision of lines and grades on a portion of City Plan No. 149 by striking from the City Plan and vacating the legally open portions of Hartwell Lane from a point approximately two-hundred seventy-seven feet southwest of Seminole Street to a point approximately sixty-four feet further southwestwardly therefrom and reserving and placing on the City Plan a right-of-way for water main purposes and public utility purposes within the lines of the portion of Hartwell Lane being stricken and authorizing acceptance of the grant to the City of the said right-of-way, under certain terms and conditions.

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

Councilmember Miller Introduced, Read and Adopted the following Resolution, Sponsored by Councilmember Miller:

☐ **Resolution No. 100689:** Resolution Recognizing, Honoring, And Celebrating the Greater Philadelphia Coalition Against Hunger - For All Their Efforts in fighting hunger in Philadelphia.

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

☐ **Bill No. 100677:** An Ordinance Amending Section 2 of an Ordinance (Bill No. 060317) approved September 28, 2006, entitled "An Ordinance authorizing and directing the revision of lines and grades on a portion of City Plan No. 275 by extending Parker Avenue from its current terminus on the northeasterly side of a 66' wide right-of-way for railroad purposes, approximately 66' southwestward to

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the southwest side of said right-of-way, including the dedication to the City, free and clear of all encumbrances except for a right-of-way for railroad purposes, of the bed of the extension of Parker Avenue,” by extending the period for compliance with the terms and conditions stated therein.

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

Councilmember Jones Introduced, Read and Adopted the following Resolution, Sponsored by Councilmember Jones:

- 📄 **Resolution No. 100690:** Resolution Recognizing and honoring Kathy Manderino on her retirement as a Pennsylvania State Representative and her 18-years of dedication and commitment to the 194th Legislative District.

Councilmember Jones Introduced, Read and Adopted the following Resolution, Sponsored by Councilmember Jones:

- 📄 **Resolution No. 100691:** 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 Haddington Urban Renewal Area, Unit Nos. 2 & 3 designated as Parcel Nos. 119 and 120 and also sometimes identified by house numbers and street addresses for Parcel No. 119 as 30 North Sixty-second street and for Parcel No. 120 as 41 North Sixty-second street; and authorizing the Redevelopment Authority to execute the redevelopment contract with Philadelphia Neighborhood Housing Services, Inc. and to take such action as may be necessary to effectuate the redevelopment contract.

Councilmember Reynolds Brown Introduced, Read and Adopted the following Resolution, Sponsored by Councilmember Reynolds Brown:

- 📄 **Resolution No. 100692:** Resolution Calling on private and public enterprises who employ screen, stage, television, radio, sound recording and new media employees should endeavor wherever possible to meet with and enter into agreements with Actors Equity, American Federation of Television and Radio Artists, Screen Actors Guild and other unions and organizations that represent artists in Philadelphia, for the purpose of creating and maintaining a professional community within Philadelphia for the benefit of its citizenry.

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

- 📄 **Bill No. 100678:** An Ordinance Amending Title 14 of The Philadelphia Code, entitled “Zoning and Planning,” by adding a new Section 14-1642, entitled “I-95 Condemnation Corridor,” to permit the relocation of certain structures and

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devices in connection with the PennDOT project to widen portions of I-95 that pass through the City, under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

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

- 📄 **Bill No. 100679:** An Ordinance Authorizing the revision of lines and grades on portions of various City Plans, within the vicinity of the Delaware Expressway (I-95) from the Vine Street Expressway (I-676) to the Philadelphia - Bucks County Line by placing on the City Plan, striking from the City Plan, relocating, and revising portions of the Delaware Expressway, its right-of-way, interchanges, and ramp connections and placing on the City Plan, striking from the City Plan, vacating, abandoning, relocating, and revising the lines and grades of intersecting and adjacent streets, roads, avenues, and rights-of-way affected thereby, all in order to conform with the lines and conditions established by the Commonwealth of Pennsylvania.

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

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

- 📄 **Bill No. 100680:** An Ordinance Authorizing Brandywine Realty Trust, 555 East Lancaster Avenue, Suite 100, Radnor, Pennsylvania, 19087, to legalize various existing sidewalk encroachments located on the east footway of Juniper Street between Sansom Street and Drury Street, the south footway of Drury Street at the intersection of Juniper Street, and the north footway of Sansom Street at the intersection of Juniper Street, under certain terms and conditions.

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

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

- 📄 **Bill No. 100681:** An Ordinance Authorizing the revision of lines and grades on a portion of City Plan No. 307 by striking from the City Plan and vacating Ridge Avenue from Vine Street to the intersection of Eighth Street and Race Street and reserving and placing on the City Plan a right-of-way for various purposes within the lines of Ridge Avenue being stricken and authorizing acceptance of the grant to the City of the said right-of-way, under certain terms and conditions.

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

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

- 📄 **Bill No. 100682:** An Ordinance Authorizing the Streets Commissioner, on behalf of the City, to enter into an agreement with the Commonwealth of Pennsylvania for the grant to the City of a right-of-way for sewer and drainage purposes extending through a portion of property located at the northwest corner of Thirteenth Street and Arch Street and authorizing the plotting upon City Plan No. 307 of the said right-of-way.

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

Councilmember DiCicco Introduced, Read and Adopted the following Resolution, Sponsored by Councilmembers DiCicco and Kenney:

- 📄 **Resolution No. 100693:** Resolution Honoring and Recognizing Luca Sena, The Penn's View Hotel and Panorama Restaurant on the occasion of their 20th Anniversary.

Councilmember DiCicco Introduced, Read and Adopted the following Resolution, Sponsored by Councilmember DiCicco:

- 📄 **Resolution No. 100694:** Resolution Honoring and Recognizing Pamela Notaro, Laurie Mellon and Digitas Health Group for their service and commitment to the faculty, students and community of the Francis Scott Key School.

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

- 📄 **Bill No. 100673:** An Ordinance Approving the thirty-eighth amendment of the redevelopment proposal for the Model Cities Urban Renewal Area, being the area beginning at the northwest corner of Front street and Spring Garden street, including the thirtieth amendment to the urban renewal plan and the twenty-seventh amendment to the relocation plan, which provides, inter alia, for the additional land acquisition of approximately fifteen (15) properties for residential, institutional 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 REFERRED TO THE COMMITTEE ON RULES.

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


- 📄 **Bill No. 100683:** An Ordinance Amending Section 2 of an Ordinance (Bill No.

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080434) approved July 2, 2008, entitled “An Ordinance authorizing and directing the revision of lines and grades on a portion of City Plan No. 271 by striking from the City Plan and vacating a portion of Leithgow Street south of Reno Street and by reserving and placing on the City Plan a right-of-way for public utility purposes within the lines of Leithgow Street being stricken, all under certain terms and conditions,” by extending the period for compliance with the terms and conditions stated therein.


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

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

 **Bill No. 100684:** An Ordinance Authorizing the Pennsylvania Academy of the Fine Arts, located at 128 North Broad Street, to construct, own and maintain various encroachments in the right-of-way on the west side of North Broad Street between Arch and Race Streets, the east side of North Carlisle Street between Cherry and Race Streets, and the south side of Cherry Street between North Carlisle and Burns Streets, under certain terms and conditions.


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

Councilmember Clarke Introduced, Read and Adopted the following Resolution, Sponsored by Councilmember Clarke:

 **Resolution No. 100695:** Resolution Recognizing the X-Offenders for Community Empowerment for their positive community activism, services for the ex-offender community and their efforts in reducing gun violence in the City of Philadelphia.

## REPORTS FROM COMMITTEES

### COMMITTEE ON RULES

 **Bill No. 100498, as amended:** An Ordinance Amending Title 14 of The Philadelphia Code, entitled “Zoning and Planning,” by amending Chapter 14-1600, entitled “Miscellaneous,” by adding a new Section establishing the Roxborough Environmental Control District, all under certain terms and conditions.

COUNCILMEMBER KENNEY MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 100498.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

**Bill No. 100538, as amended:** An Ordinance Amending Section 9-605 of The Philadelphia Code, entitled "Towing," by providing that a vehicle may be relocated from the premises of a hospital without first being ticketed, under certain terms and conditions.

COUNCILMEMBER KENNEY MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 100538.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

**Bill No. 100554, as amended:** An Ordinance To amend the Institutional Development District Master Plan of the Aria Health System-Torresdale Campus (formerly Frankford Hospital), located at 10800 Knights Road, by allowing for the construction of a new building addition for use as a parking garage.

COUNCILMEMBER KENNEY MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 100554.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

**COMMITTEE ON FINANCE**

**Bill No. 100548, as amended:** An Ordinance Amending Chapter 19-200 of The Philadelphia Code, entitled "City Funds - Deposits, Investments, Disbursements," by revising the list of City depositories because of non-compliance with certain provisions of that Chapter, under certain terms and conditions.

COUNCILMEMBER TASCO MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 100548.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

**Bill No. 100549, as amended:** An Ordinance Amending Section 19-201 of The Philadelphia Code, entitled "City Depositories," by amending the process for the selection of City payroll depositories, under certain terms and conditions.

COUNCILMEMBER TASCO MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 100549.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

📄 **Bill No. 100612:** An Ordinance Amending Chapter 19-200 of The Philadelphia Code, entitled "City Funds - Deposits, Investments, Disbursements," by amending Section 19-201, entitled "City Depositories," by authorizing the City Treasurer to deposit funds in Wells Fargo Bank, National Association, under certain terms and conditions.

COUNCILMEMBER TASCO MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 100612.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

📄 **Bill No. 100654:** An Ordinance Authorizing the issuance of one or more series of general obligation bonds to provide funds to refund certain outstanding general obligation bonds of the City of Philadelphia; authorizing the Mayor, City Controller and City Solicitor or a majority of them to sell the bonds at public or private negotiated sale; setting forth the purposes for which the proceeds of the bonds will be expended; providing for the maturities and for other terms and conditions and for the form of the bonds; providing that bonds may be redeemable prior to maturity; providing sinking funds for the bonds and for appropriations to the Sinking Fund Commission for the payment thereof; authorizing agreements to provide credit enhancement or payment or liquidity sources for the bonds and certain other actions.

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

**COMMITTEE ON STREETS AND SERVICES**

📄 **Bill No. 100545:** An Ordinance Authorizing Francisco Hernandez to construct, own and maintain an enclosed set of stairs attached to 657 E. Allegheny Avenue, Philadelphia, Pennsylvania, that will encroach upon the sidewalk of "F" Street, under certain terms and conditions.

COUNCILMEMBER DICICCO MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 100545.

THE MOTION WAS DULY SECONDED AND AGREED TO.


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

📄 **Bill No. 100546:** An Ordinance Repealing Bill No. 090741, entitled "An ordinance authorizing the revision of lines and grades on a portion of City Plan No. 296, in the area laying northwest of Shawmont Avenue and southwest of

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Eva Street, by striking from the City Plan and abandoning a portion of a right-of-way for sewers and placing on the City Plan, in an alternate location within the same area, a right-of-way for drainage purposes and water main purposes and authorizing acceptance of the grant to the City of the said right-of-way being placed, under certain terms and conditions,” under certain terms and conditions.


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

 **Bill No. 100551:** An Ordinance Authorizing the Veteran Boxers Association to construct, own and maintain a pedestal with a sculpture of Joey Giardello on the traffic median created by the intersection of Passyunk Avenue, Mifflin Street and Thirteenth Street, under certain terms and conditions.

COUNCILMEMBER DICICCO MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 100551.

THE MOTION WAS DULY SECONDED AND AGREED TO.


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

 **Bill No. 100636:** An Ordinance Authorizing Thomas and Arlene Leschak, owners of Epicure Café, to construct, own and maintain an open-air sidewalk café at 3479 Bowman Street, aka 3401 Conrad Street, under certain terms and conditions.

COUNCILMEMBER DICICCO MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 100636.

THE MOTION WAS DULY SECONDED AND AGREED TO.


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

 **Bill No. 100652:** An Ordinance Authorizing the Federal Reserve Bank of Philadelphia, located at Ten Independence Mall West, to construct, own and maintain various encroachments in the right-of-way adjacent to the Federal Reserve Bank building on the 6th Street Entry, under certain terms and conditions.

COUNCILMEMBER DICICCO MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 100652.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

 **Bill No. 100653:** An Ordinance Authorizing Ashwin Patel, owner and operator of the newsstand located on the southwest corner of Chestnut Street and Tenth Street, to construct, use and maintain conduits in, under and across the southwest



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corner of Chestnut Street and Tenth Street for the purpose of supplying electrical service and telephone service to the newsstand, under certain terms and conditions.

COUNCILMEMBER DICICCO MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 100653.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

**COMMITTEE ON COMMERCE & ECONOMIC DEVELOPMENT**

 **Bill No. 100547, as amended:** An Ordinance Amending Section 19-2604 of The Philadelphia Code, relating to tax rates and credits for the business privilege tax, by amending the provisions providing a credit for contributions to community development corporations to add certain nonprofit intermediaries as eligible recipients of contributions, under certain terms and conditions.

COUNCILMEMBER GOODE MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 100547.


THE MOTION WAS DULY SECONDED AND AGREED TO.

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


**CONSIDERATION OF THE CALENDAR**

**BILLS ON FIRST READING**

**BILLS ON FIRST READING**

 **Bill No. 100498, as amended:** An Ordinance Amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning," by amending Chapter 14-1600, entitled "Miscellaneous," by adding a new Section establishing the Roxborough Environmental Control District, all under certain terms and conditions.

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

 **Bill No. 100538, as amended:** An Ordinance Amending Section 9-605 of The Philadelphia Code, entitled "Towing," by providing that a vehicle may be relocated from the premises of a hospital without first being ticketed, under certain terms and conditions.

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

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📄 **Bill No. 100554, as amended:** An Ordinance To amend the Institutional Development District Master Plan of the Aria Health System-Torresdale Campus (formerly Frankford Hospital), located at 10800 Knights Road, by allowing for the construction of a new building addition for use as a parking garage.

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

📄 **Bill No. 100548, as amended:** An Ordinance Amending Chapter 19-200 of The Philadelphia Code, entitled "City Funds - Deposits, Investments, Disbursements," by revising the list of City depositories because of non-compliance with certain provisions of that Chapter, under certain terms and conditions.

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

📄 **Bill No. 100549, as amended:** An Ordinance Amending Section 19-201 of The Philadelphia Code, entitled "City Depositories," by amending the process for the selection of City payroll depositories, under certain terms and conditions.

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

📄 **Bill No. 100612:** An Ordinance Amending Chapter 19-200 of The Philadelphia Code, entitled "City Funds - Deposits, Investments, Disbursements," by amending Section 19-201, entitled "City Depositories," by authorizing the City Treasurer to deposit funds in Wells Fargo Bank, National Association, under certain terms and conditions.

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

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📄 **Bill No. 100636:** An Ordinance Authorizing Thomas and Arlene Leschak, owners of Epicure Café, to construct, own and maintain an open-air sidewalk café at 3479 Bowman Street, aka 3401 Conrad Street, under certain terms and conditions.

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

- ☐ **Bill No. 100652:** An Ordinance Authorizing the Federal Reserve Bank of Philadelphia, located at Ten Independence Mall West, to construct, own and maintain various encroachments in the right-of-way adjacent to the Federal Reserve Bank building on the 6th Street Entry, under certain terms and conditions.

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

- ☐ **Bill No. 100653:** An Ordinance Authorizing Ashwin Patel, owner and operator of the newsstand located on the southwest corner of Chestnut Street and Tenth Street, to construct, use and maintain conduits in, under and across the southwest corner of Chestnut Street and Tenth Street for the purpose of supplying electrical service and telephone service to the newsstand, under certain terms and conditions.

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

- ☐ **Bill No. 100547, as amended:** An Ordinance Amending Section 19-2604 of The Philadelphia Code, relating to tax rates and credits for the business privilege tax, by amending the provisions providing a credit for contributions to community development corporations to add certain nonprofit intermediaries as eligible recipients of contributions, under certain terms and conditions.

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

**BILLS ON SECOND READING AND FINAL PASSAGE**

- ☐ **Bill No. 100488:** An Ordinance Authorizing transfers in appropriations for Fiscal Year 2011 within the General Fund from the Clerk of Quarter Sessions to the First Judicial District of Pennsylvania.

THE BILL WAS READ.

THE BILL WAS PASSED.

*The Ayes and Nays were as follows:*

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

*Nays: 0*

- ☐ **Bill No. 100539:** An Ordinance Amending Section 9-3300 of The Philadelphia Code, entitled "Erection, Use and Inspection of Tower Cranes," by revising the certification requirements for the operation, signaling and rigging of tower

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THE BILL WAS READ.

THE BILL WAS PASSED.

*The Ayes and Nays were as follows:*

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

*Nays: 0*

 **Bill No. 100537:** An Ordinance Amending Chapter 10-400 of The Philadelphia Code, entitled “Noise and Excessive Vibration,” by providing for certain exceptions, including, but not limited to, sounds created by school bells, church bells, and similar devices; all under certain terms and conditions.

THE BILL WAS READ.

THE BILL WAS PASSED.

*The Ayes and Nays were as follows:*

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

*Nays: 0*

**SPEECHES**

COUNCILMEMBER O'NEILL - (SEE NOTES OF TESTIMONY).

COUNCILMEMBER CLARKE MOVED TO ADJOURN

THE MOTION WAS DULY SECONDED AND AGREED TO.