

JOURNAL OF THE CITY COUNCIL OF PHILADELPHIA



Thursday, April 30, 2009

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

Council met, a quorum being present.

Reverend Arlington Medley of Victory Community Church was introduced and offered an appropriate prayer.

COUNCILMEMBER TASCO MOVED TO APPROVE THE JOURNAL of the meeting of April 23, 2009.

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. 080645-A and 090211, which were passed by Council on April 16, 2009, signed by the Mayor on April 29, 2009. (File No. 090372)

THE COMMUNICATION WAS READ.

- ☐ Transmitting a message advising Council that Bill No. 080930, which was passed by Council on April 23, 2009, was signed by the Mayor on April 29, 2009. (File No. 090373)

THE COMMUNICATION WAS READ.

- ☐ Transmitting a bill amending Chapter 19-200 of The Philadelphia Code, entitled "City Funds - Deposits, Investment, Disbursements," by amending Section 19-201, entitled "City Depositories," by authorizing the City Treasurer to deposit funds in TD Bank National Association, under certain terms and conditions, accompanied by an explanatory letter from the City Treasurer. (File No. 090374)

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THE COMMUNICATION WAS READ.

- ☐ Transmitting a bill the ordinance creates a zoning conservation district along the Delaware River from Allegheny Avenue to the Bucks County line in conjunction with development of a recreation path and abutting park. (File No. 090375)

THE COMMUNICATION WAS READ.

- ☐ Transmitting a bill authorizing the Office of the City Treasurer, on behalf of the City, to enter into an agreement with Wachovia Bank, N.A. for provision of payroll banking services to the City, under certain terms and conditions, accompanied by an explanatory letter from the City Treasurer. (File No. 090376)

THE COMMUNICATION WAS READ.

- ☐ Transmitting a bill authorizing the Commissioner of Public Property and the Procurement Commissioner, on behalf of the City, to enter into an agreement with Motorola, Inc., for Motorola to design, build, install, optimize, and maintain facilities and equipment for the upgrade of the City's 800 MHz trunked municipal radio communications system; and authorizing the Commissioner of Public Property, on behalf of the City, to enter into an agreement for the purpose of financing the lease of equipment, software and related services for the upgrade of the radio communications system with an option to purchase such equipment and software and to enter into an escrow agreement pursuant to the terms of the lease agreement; all under certain terms and conditions. (File No. 090377)

THE COMMUNICATION WAS READ.

INTRODUCTION OF BILLS AND RESOLUTIONS

Councilmember Blackwell Introduced the following Resolution, Sponsored by Councilmembers Blackwell, Council President Verna, Tasco, Rizzo, Jones, Green and Miller:

- ☐ **Resolution No. 090362:** Resolution Recognizing Dr. Constantine Papadakis President of Drexel University from 1996 Until his Death on April 5, 2009, for his Outstanding Service to the City of Philadelphia.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED BY STANDING VOTE.

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

- ☐ **Resolution No. 090363:** Resolution Calling on the City Council Committee on

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Public Health and Human Services to Hold Hearings to Investigate the City's Response Strategies to the Public Health Risks Posed by the Spread of Swine Flu.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED & REFERRED TO THE COMMITTEE ON PUBLIC HEALTH AND HUMAN SERVICES.

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

- 📄 **Bill No. 090347:** An Ordinance Authorizing Mayfair Community Development Corporation, 2990 Saint Vincent Street, Philadelphia, PA 19149, its successors and assigns, to construct, own and maintain streetscape improvements on the public footways of Frankford Avenue, from Harbison Avenue to Cottman Avenue, and Cottman Avenue from Frankford Avenue to Leon Street, under certain terms and conditions.

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

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

- 📄 **Bill No. 090348:** An Ordinance Amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning," by amending Section 14-1619, entitled "Frankford Avenue Special District Controls," by changing the boundaries of the area subject to the controls of the District, by changing the name of the District and by adding provisions with regard to signs.

THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

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

- 📄 **Bill No. 090349:** An Ordinance Amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning," by creating a new Section 14-1636, entitled "Delaware River Conservation District," providing for special use rules for development along the North Delaware River, under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

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

- 📄 **Bill No. 090350:** An Ordinance Amending Chapter 19-200 of The Philadelphia

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Code, entitled “City Funds - Deposits, Investments, Disbursements,” by amending Section 19-201, entitled “City Depositories,” by authorizing the City Treasurer to deposit funds in City National Bank, under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON FINANCE.

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

 **Bill No. 090351:** 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 TD Bank National Association, under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON FINANCE.

Councilmember Tasco Introduced (By Request) the following Bill, Sponsored by Councilmember Tasco:

 **Bill No. 090352:** An Ordinance Authorizing the Office of the City Treasurer, on behalf of the City, to enter into an agreement with Wachovia Bank, N.A. for provision of payroll banking services to the City, under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON FINANCE.

Councilmember Tasco Introduced the following Resolution, Sponsored by Councilmembers Tasco and Reynolds Brown:

 **Resolution No. 090364:** Resolution Recognizing and Acknowledging Mothers In Charge, Inc. on the launch of its first publication entitled, “Mothers In Charge, Faces of Courage.”

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

Councilmember Tasco Introduced the following Resolution, Sponsored by Councilmembers Tasco and Reynolds Brown:

 **Resolution No. 090365:** Resolution Calling upon the Mayor to create a Philadelphia Conservatorship Program.

THE RESOLUTION WAS READ.

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THE RESOLUTION WAS ADOPTED.

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

- ☐ **Resolution No. 090366:** Resolution Authorizing City Council's Committee on Public Safety to host a series of roundtables across the City focusing on Police Community Relations between the Philadelphia Police Department and the Citizens of Philadelphia, while fostering and encouraging improved relationships.

THE RESOLUTION WAS READ.

DISCUSSION - COUNCILMEMBER MILLER, RESOLUTION NO. 090366 (SEE NOTES OF TESTIMONY).

- ☐ **Resolution No. 090366:** Resolution Authorizing City Council's Committee on Public Safety to host a series of roundtables across the City focusing on Police Community Relations between the Philadelphia Police Department and the Citizens of Philadelphia, while fostering and encouraging improved relationships.

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

Councilmember Miller Introduced the following Resolution, Sponsored by Councilmembers Miller and Reynolds Brown:

- ☐ **Resolution No. 090367:** Resolution Honoring and recognizing Imhotep Institute Charter School as 2009 Pennsylvania Interscholastic Athletic Association State Boys Basketball Champions.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

Councilmember Jones Introduced the following Resolution, Sponsored by Councilmembers Jones and Green:

- ☐ **Resolution No. 090368:** Resolution Authorizing City Council's Committee on Technology and Information Services to hold hearings on the adequacy of the city's internet and e-mail services, the feasibility of a separate internet server for City Council and how improvements in speed and additional business functionality will enhance the ability of city employees to efficiently and effectively serve the citizens of Philadelphia.

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THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED & REFERRED TO THE COMMITTEE ON TECHNOLOGY AND INFORMATION SERVICES.

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

- 📄 **Bill No. 090353:** 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 allow two businesses to apply jointly for the credit, under certain terms and conditions.

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

Councilmember Reynolds Brown Introduced the following Resolution, Sponsored by Councilmembers Reynolds Brown, Miller, Sanchez and Greenlee:

- 📄 **Resolution No. 090369:** Resolution Authorizing Council's Committee on Law and Government to hold public hearings examining the level of participation of minorities and females in private sector law firms that are awarded contracts by the Law Department of the City of Philadelphia and the process by which professional contracts are awarded.

THE RESOLUTION WAS READ.

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

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

- 📄 **Resolution No. 090370:** Resolution Urging the Commonwealth of Pennsylvania's House of Representatives to pass House Bill 300, amending the Pennsylvania Human Relations Act to prohibit discrimination based on sexual orientation and gender identity or expression.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

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

- 📄 **Bill No. 090354:** An Ordinance Amending Chapter 14-400 of The Philadelphia

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Code, entitled “Commercial Entertainment District,” by revising and clarifying requirements relating to parking, height regulations, gross floor area and permitted uses, all under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

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

- 📄 **Bill No. 090355:** An Ordinance To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Christopher Columbus Boulevard, (former) Reed Street, the Delaware River, and Tasker Street (Extended).

THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

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

- 📄 **Bill No. 090356:** An Ordinance Amending Chapter 19-1300 of The Philadelphia Code, entitled “Real Estate Taxes,” by specifying a rate for future tax years that is dependent on total taxable assessed values certified by the Board of Revision of Taxes, and by making technical amendments, under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON FINANCE.

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

- 📄 **Bill No. 090357:** An Ordinance Amending Chapter 19-1300 of The Philadelphia Code, entitled “Real Estate Taxes,” by providing that real estate taxes levied under that Chapter shall be based on the average of several years of assessed values, so as to smooth out the effect of rapid increases in property values, and by making technical amendments, under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON FINANCE.

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

- 📄 **Bill No. 090358:** An Ordinance Amending Chapter 19-1800 of The Philadelphia Code, entitled “School Tax Authorization,” by providing that real estate taxes levied under that Chapter shall be based on the average of several years of assessed values, so as to smooth out the effect of rapid increases in property values, and by making technical amendments, under certain terms and conditions.

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THE BILL WAS REFERRED TO THE COMMITTEE ON FINANCE.

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

- 📄 **Bill No. 090359:** An Ordinance Authorizing the revision of lines and grades on a portion of City Plan Nos. 146 and 271 by striking from the City Plan and vacating Shackamaxon Street from Delaware Avenue southeastwardly to a dead end and reserving and placing on the City Plan a right-of-way for various utility purposes within the lines of Shackamaxon Street being stricken and by relocating portions of the southeasterly curblineline of Delaware Avenue from Ellen Street to Shackamaxon Street, all under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

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

- 📄 **Bill No. 090360:** An Ordinance Amending Chapter 19-1800 of The Philadelphia Code, entitled "School Tax Authorization," by specifying a rate for future tax years that is dependent on total taxable assessed values certified by the Board of Revision of Taxes, and by making technical amendments, under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON FINANCE.

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

- 📄 **Bill No. 090361:** An Ordinance Authorizing the Commissioner of Public Property and the Procurement Commissioner, on behalf of the City, to enter into an agreement with Motorola, Inc., for Motorola to design, build, install, optimize, and maintain facilities and equipment for the upgrade of the City's 800 MHz trunked municipal radio communications system; and authorizing the Commissioner of Public Property, on behalf of the City, to enter into an agreement for the purpose of financing the lease of equipment, software and related services for the upgrade of the radio communications system with an option to purchase such equipment and software and to enter into an escrow agreement pursuant to the terms of the lease agreement; all under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON TECHNOLOGY AND INFORMATION SERVICES.

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

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Property to execute and deliver to the Redevelopment Authority of the City of Philadelphia, without consideration, deeds conveying conditional fee simple title to certain City-owned lots or pieces of ground with the buildings and improvements thereon, situate in the Forty-seventh Ward of the City of Philadelphia, pursuant to Chapter 16-400 of The Philadelphia Code and authorizing the Redevelopment Authority of the City of Philadelphia to dispose of such properties for rehabilitation and/or improvement in accordance with the terms of Chapter 16-400 of The Philadelphia Code.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

REPORTS FROM COMMITTEES

COMMITTEE ON PUBLIC PROPERTY AND PUBLIC WORKS

Bill No. 080951: An Ordinance Authorizing the Commissioner of Public Property, on behalf of the City, to accept from the Delaware River Port Authority conveyance of title to certain parcels of land located in the vicinity of 8th and Race Streets and Florist Street, between 2nd and 4th Streets, under certain terms and conditions.

COUNCILMEMBER CLARKE MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 080951.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

Bill No. 090263: An Ordinance Authorizing the Commissioner of Public Property on behalf of the City to execute and deliver to the Philadelphia Authority for Industrial Development a deed conveying fee simple title to all or part of a certain approximately 4 acre parcel of land with the buildings and improvements thereon located in the vicinity of the intersection of Belmont Avenue and Monument Road, for further conveyance to the Commonwealth of Pennsylvania for nominal consideration, under certain terms and conditions.

COUNCILMEMBER CLARKE MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 090263.

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

📄 **Bill No. 080951:** An Ordinance Authorizing the Commissioner of Public Property, on behalf of the City, to accept from the Delaware River Port Authority conveyance of title to certain parcels of land located in the vicinity of 8th and Race Streets and Florist Street, between 2nd and 4th Streets, under certain terms and conditions.

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

📄 **Bill No. 090263:** An Ordinance Authorizing the Commissioner of Public Property on behalf of the City to execute and deliver to the Philadelphia Authority for Industrial Development a deed conveying fee simple title to all or part of a certain approximately 4 acre parcel of land with the buildings and improvements thereon located in the vicinity of the intersection of Belmont Avenue and Monument Road, for further conveyance to the Commonwealth of Pennsylvania for nominal consideration, 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. 090268:** An Ordinance Authorizing the Commissioner of Public Property, on behalf of the City to enter into an agreement to lease the Lincoln Financial Mural Arts Center at the Thomas Eakins House located at 1729 Mt. Vernon Street to the Philadelphia Authority for Industrial Development ("PAID") for further sublease by PAID to the Mural Arts Advocates, for use by the City of Philadelphia Mural Arts Program 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

📄 **Bill No. 090124, as amended:** An Ordinance Approving the dental amalgam brochure adopted by the Board of Health pursuant to Section 9-3102 of The Philadelphia Code.

THE BILL WAS READ.

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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 KELLY, BLACKWELL, JONES, GREEN, TASCO AND BROWN
(SEE NOTES OF TESTIMONY).

COUNCILMEMBER CLARKE MOVED TO ADJOURN

THE MOTION WAS DULY SECONDED AND AGREED TO.