

JOURNAL OF THE CITY COUNCIL OF PHILADELPHIA



Wednesday, December 19, 2007

EXCUSED: 2 - Councilmembers Kenney and Tasco

PRESENT: 15 - Councilmembers Reynolds Brown, Greenlee, Goode, Kelly, Campbell, Ramos, Rizzo, Savage, DiCicco, Council President Verna, Blackwell, Clarke, Krajewski, Miller and O'Neill

Council met, a quorum being present

Councilmember Ramos was introduced and offered an appropriate prayer

COUNCILMEMBER BLACKWELL MOVED TO APPROVE THE JOURNAL
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SERIF;}}
\VIEWKIND4\UC1\PAR\F0\FS17 OF THE MEETING OF DECEMBER 13, 2007
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THE MOTION WAS DULY SECONDED AND AGREED TO.

Councilmember Blackwell requested leave of absence for
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\VIEWKIND4\UC1\PAR\F0\FS17 Councilmember Tasco
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THE REQUEST WAS GRANTED.

Councilmember Blackwell requested leave of absence for
{\RTF1\ANSI\ANSICPG1252\DEFF0\DEFLANG1033{\FONTTBL{\F0\FNIL\FCHARSET0 MS Sans Serif;}}
\VIEWKIND4\UC1\PAR\F0\FS17 Councilmember Kenney
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THE REQUEST WAS GRANTED.

COMMUNICATIONS

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

- ☐ Transmitting a message advising Council that Bill Nos. 070942, which was passed by Council on December 13, 2007, was signed by the Mayor on December 14, 2007. (File No. 071153)

THE COMMUNICATION WAS READ.

- ☐ December 19, 2007

TO THE PRESIDENT AND MEMBER OF
THE CITY OF PHILADELPHIA:

I have signed Bill No. 070910 which would require the City to pay vendor invoices within 60 days or pay monthly interest of 1½% on amounts claimed. City vendors would have a similar prompt pay requirement.

I note the Law Department has determined that significant portions of the legislation are unenforceable, because they exceed City Council's authority and will not be enforced by the City. Specifically, they are the provisions:

- Requiring the City to make prompt payments to contractors, or to pay interest on contracts not subject to Council approval and
- Requiring the City to require its contractors to make prompt payments to subcontractors, or to pay interest if the contract is not subject to competitive bidding or Council approval (e.g., one year professional services contracts).

Conversely, the City Solicitor has determined the City will be required to make prompt payments and to pay interest on late payments on any procurement contracts approved by City Council, typically, procurement contracts for more than one year. City also will be required to include in its procurement contracts a provision requiring the contractor to pay its subcontractors promptly and to pay interest on late payments to the extent the City's contract is for the purchase of goods or services and is either subject to competitive bidding (e.g., public works contracts; supply and equipment contracts); or approved by City Council. The requirement to include these provisions in competitively bid contracts is pursuant to the City's long-standing practice of complying with similar Council-imposed requirements, and is not necessarily lawfully required.

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With warmest regards I remain,

Sincerely
John F. Street (File No. 071154)

THE COMMUNICATION WAS READ.

 December 19, 2007

TO THE PRESIDENT AND MEMBERS OF
THE COUNCIL OF THE CITY OF PHILADELPHIA

I am returning without my signature Bill Nos. 070950, 070951 and 070952
which were passed by Council at its session on December 6, 2007.

Respectfully submitted

John F. Street
Mayor, City of Philadelphia (File No. 071155)

THE COMMUNICATION WAS READ.

 Transmitting a message advising Council that Bill Nos. 040876-AA, 070539-A,
070825, 070909, 070911, 070931, 070932, 070933, 070947, 070949, 070953,
070954 and 071001, which were passed by Council on December 6, 2007, were
signed by the Mayor on December 18, 2007. (File No. 071156)

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

RESOLUTIONS

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

 **Resolution No. 071149:** 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

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to certain City-owned lots or pieces of ground with the buildings and improvements thereon, situate in the Thirty-sixth, Fortieth and Forty-eighth 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.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

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

- 📄 **Resolution No. 071150:** 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 First and Thirty-ninth 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.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

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

- 📄 **Resolution No. 071151:** Resolution Honoring Dawn Staley for her achievements and civic service to the City of Philadelphia.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

CONSIDERATION OF THE CALENDAR

BILLS ON FINAL PASSAGE

- 📄 **Bill No. 070994-A, as amended:** An Ordinance Authorizing the Director of Finance, Commissioner of Public Property and other officials of the City to execute either directly or through the Philadelphia Authority for Industrial Development various agreements, instruments of conveyance and other

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transactional documents by and among the City, the Commonwealth of Pennsylvania and the Pennsylvania Convention Center Authority related to the development, construction, financing, operation and management of an expanded Pennsylvania Convention Center and including the defeasance of outstanding Pennsylvania Convention Center Authority bonds, the release of the lien of the Trust Indenture dated as of December 15, 1989, as amended and supplemented, relating to such bonds, the termination of the existing Lease and Service Agreement, the sale of the existing Convention Center building and improvements to the Philadelphia Authority for Industrial Development for further conveyance to the Commonwealth of Pennsylvania, or its designee and the execution of a long term ground lease of the land under the existing Convention Center to the Commonwealth of Pennsylvania; all under certain terms and conditions.

THE BILL WAS READ.

THE BILL WAS PASSED.

The Ayes and Nays were as follows:

Ayes: 15 - Councilmembers Reynolds Brown, Greenlee, Goode, Campbell, Kelly, Ramos, Savage, Rizzo, DiCicco, Council President Verna, Blackwell, Clarke, Krajewski, Miller and O'Neill

Nays: 0

COUNCIL PRESIDENT VERNA INTRODUCED MAYOR JOHN F. STREET TO ADDRESS THE COUNCIL - (SEE NOTES OF TESTIMONY FOR SPEECH)

COUNCIL PRESIDENT VERNA INTRODUCES SOLICITOR DIAZ - (SEE NOTES OF TESTIMONY FOR COMMENTS)

INTRODUCTION OF ORDINANCES AND RESOLUTIONS

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

- **Resolution No. 071152:** 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 Eighteenth Ward of the City of Philadelphia, pursuant to Chapter 16-400 of The Philadelphia Code and authorizing the Redevelopment Authority of the City of Philadelphia to dispose of such properties for rehabilitation and/or improvement in accordance with the terms of Chapter 16-400 of The Philadelphia Code.

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THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

SPEECHES

COUNCILMEMBER BLACKWELL - ECHOS COMMENTS OF LAST WEEK OF HER COLLEAGUES REGARDING COUNCILMEMBERS LEAVING COUNCIL

COUNCILMEMBER BLACKWELL THANKS THOSE THAT CONTRIBUTED TO HER YEARLY HOMELESS PARTY

COUNCILMEMBER BLACKWELL INVITES EVERYONE TO HER OFFICE CHRISTMAS PARRTY AT 12:00 NOON. (SEE NOTES OF TESTIMONY FOR ALL SPEECHES)

COUNCIL PRESIDENT VERNA THANKS ALL THREE OUT GOING COUNCILMEMBERS AND WISHES EVERYONE A MERRY CHRISTMAS - (SEE NOTES OF TESTIMONY)

COMMUNICATION

APPENDED TO THE SPECIAL COUNCIL MEETING OF DECEMBER 19, 2007 IS COMMUNICATIONS SIGNED BY THE MAYOR BUT NOT READ FOR THE TRANSCRIPT. THE FOLLOWING BILLS WERE SIGNED ON DECEMBER 21, 2007 AND JANUARY 3 AND 7, 2008 AS FOLLOWS:

TRANSMITTING A MESSAGE ADVISING COUNCIL THAT BILL NOS. 070390, 070679, 070870, 070876, 070940, 070941, 070943, 070944, 070946, 070948, 070955-AA, 070957, 070987, 070988, 070991, 070995, 070996, 070997, 070998, 070999, 071007, 071081, 070994-A, 040904-AAAA, 050341-AA, 070203-A, 070540, 070556, 070914, 070990, 070992, 071005-A, 071006, 071082, 071083, 071085, 050303, 070989, 070993 AND 071002, WERE SIGNED BY THE MAYOR. BILLS SIGNED JANUARY 3, 2008 AND JANUARY 7, 2008 HAVE NO FILE NO. IN LEGISTAR.

📄 See Legistar file for Mayor's communication letter. The information regarding this file No. 071157 was appended to December 19, 2007 Stated Meeting and was not read. (File No. 071157)

📄 See Legistar file for Mayor's communication letter. The information regarding this file No. 071158 was appended to Decembe 19, 2007 Stated Meeting and was not read. (File No. 071158)

COUNCILMEMBER BLACKWELL MOVED TO ADJOURN.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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