

JOURNAL OF THE CITY COUNCIL OF PHILADELPHIA



Thursday, March 25, 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.

Reverend Adan Mairena of West Kensington Ministry at Norris Square was introduced and offered an appropriate prayer.

COUNCILMEMBER TASCO MOVED TO APPROVE THE JOURNAL
of the meeting of March 18, 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. 100095, which was passed by Council on March 18, 2010, was signed by the Mayor on March 24, 2010. (File No. 100211)

THE COMMUNICATION WAS READ.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

- ☐ **Resolution No. 100203:** Resolution Authorizing City Council's Committee on Legislative Oversight to hold public hearings to investigate the processes within the Capital Program to execute funding for capital projects and improvements and to identify and address regulatory and statutory obstacles in order to streamline the system and create a more efficient process.

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THE RESOLUTION WAS READ.

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

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

- ☐ **Resolution No. 100204:** Resolution Declaring April 2010 as Autism Awareness Month and Recognizing April 2nd, 2010 as World Autism Day in the City of Philadelphia.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

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

- ☐ **Bill No. 100195:** An Ordinance To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Logan Street, 20th Street, Rockland Street, 18th Street, Windrim Avenue, Germantown Avenue, Roberts Avenue, Wayne Avenue, Windrim Avenue, Roosevelt Boulevard, Roberts Avenue, Pulaski Avenue, Apsley Street, Stenton Avenue, Abbotsford Avenue and Germantown Avenue.

THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

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

- ☐ **Bill No. 100196:** An Ordinance To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Germantown Avenue, Cheltenham Avenue, Kenyon Street, Schoolhouse Lane, Wissahickon Avenue, and Rittenhouse Street.

THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

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

- ☐ **Bill No. 100197:** An Ordinance To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Knox Street, Wyneva Street, Wayne Avenue, Logan Street, Pulaski Avenue, and Manheim Street.

THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

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

- ☐ **Resolution No. 100205:** 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 Twelfth 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.

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

- ☐ **Resolution No. 100206:** 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-third, Thirty-seven and Forty-third 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 Goode Introduced the following Resolution for Councilmember Jones, Sponsored by Councilmember Goode:

- ☐ **Resolution No. 100207:** Resolution Recognizing, honoring and celebrating Dr. Craig B. Thompson and Dr. Joseph Straton for their admirable medical research with the Philadelphia Eagle DeSean Jackson's Foundation for Pancreatic Cancer.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

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Councilmember Goode Introduced the following Resolution for Councilmembers Jones and Blackwell, Sponsored by Councilmember Reynolds Brown:

- 📄 **Resolution No. 100208:** Resolution Recognizing, honoring and celebrating the African American Museum of Philadelphia in recognizing Senegal in this year's annual "Celebrate Africa" event.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

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

- 📄 **Resolution No. 100209:** Resolution Calling on the Delaware River Basin Commission to halt hydraulic fracturing operations until a full environmental impact assessment has been conducted.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

- 📄 **Resolution No. 100210:** Resolution Recognizing and celebrating 40 years of the Philadelphia Dance Company-Philadanco.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

Councilmember DiCicco Introduced the following Bill, Sponsored by Councilmembers DiCicco, Tasco and Kenney:

- 📄 **Bill No. 100198:** An Ordinance Amending Section 19-1301 of The Philadelphia Code, entitled "Real Estate Taxes," by revising the real estate tax rate, under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE OF THE WHOLE.

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

- 📄 **Bill No. 100199:** An Ordinance Amending Section 14-908 of The Philadelphia Code, entitled "Queen Village Neighborhood Conservation District," by deleting the provision which provided for the expiration of Section 14-908 one year after it became law, thereby reestablishing on a permanent basis the Queen Village Neighborhood Conservation District, under certain terms and conditions.

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THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

Councilmember Clarke Introduced the following Bill, Sponsored by Councilmembers Clarke, DiCicco and Kenney:

- ☐ **Bill No. 100200:** An Ordinance Amending Title 14 of The Philadelphia Code, entitled “Zoning and Planning,” by amending Section 14-231, entitled “Residential District Rules and Exceptions,” by providing for restrictions on placement, installation and maintenance of certain satellite dishes and antennas, under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

Councilmember Clarke Introduced the following Bill, Sponsored by Councilmembers Clarke, Goode, Miller, Blackwell and Reynolds Brown:

- ☐ **Bill No. 100201:** An Ordinance Amending Chapter 17-1600 of The Philadelphia Code, entitled “Economic Opportunity Plans,” by establishing standards for approvals of certain transactions involving the Philadelphia Authority for Industrial Development, including commitments to Economic Opportunity Plans.

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

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

- ☐ **Bill No. 100202:** An Ordinance Amending Chapter 19-2600 of The Philadelphia Code, entitled “Business Privilege Taxes,” by providing for the “Anti-Obesity Tax Credit,” under which qualifying businesses can receive a credit against the Business Privilege Tax for engaging in certain practices to curb obesity among consumers, all under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE OF THE WHOLE.

REPORTS FROM COMMITTEES

COMMITTEE ON PUBLIC PROPERTY AND PUBLIC WORKS


- ☐ **Bill No. 100094:** An Ordinance Authorizing the Philadelphia Authority for Industrial Development (PAID) to purchase approximately 20 acres on Summerdale Avenue between Foulkrod Street and Godfrey Avenue, under and subject to the Philadelphia Industrial and Commercial Development Agreement among the City, PAID, and the Philadelphia Industrial Development Corporation.

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COUNCILMEMBER CLARKE MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 100094.

THE MOTION WAS DULY SECONDED AND AGREED TO.


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

 **Bill No. 100101:** An Ordinance Amending Title 16 of The Philadelphia Code, entitled "Public Property," by setting forth certain requirements for Council's approval of redevelopment proposals and redevelopment contracts submitted to Council for approval under the provisions of the Urban Redevelopment Law.

COUNCILMEMBER CLARKE MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 100101.

THE MOTION WAS DULY SECONDED AND AGREED TO.


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

 **Bill No. 100130:** 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 the parcel measuring approximately 58,402 square feet which is located at 5326 Pulaski Avenue at the southwesterly side of Penn Street and Pulaski Avenue, with the buildings and improvements thereon, for further conveyance at nominal consideration.

COUNCILMEMBER CLARKE MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 100130.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

 **Bill No. 100132:** An Ordinance Authorizing the Commissioner of Public Property, on behalf of the City of Philadelphia, to extend the term of a sublease agreement between the Philadelphia Municipal Authority as landlord and the City of Philadelphia as tenant for mailroom operations space at 1628 JFK Boulevard, 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. 100132.

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. 100094:** An Ordinance Authorizing the Philadelphia Authority for Industrial Development (PAID) to purchase approximately 20 acres on Summerdale Avenue between Foulkrod Street and Godfrey Avenue, under and subject to the Philadelphia Industrial and Commercial Development Agreement among the City, PAID, and the Philadelphia Industrial Development Corporation.

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

📄 **Bill No. 100101:** An Ordinance Amending Title 16 of The Philadelphia Code, entitled "Public Property," by setting forth certain requirements for Council's approval of redevelopment proposals and redevelopment contracts submitted to Council for approval under the provisions of the Urban Redevelopment Law.

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

📄 **Bill No. 100130:** 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 the parcel measuring approximately 58,402 square feet which is located at 5326 Pulaski Avenue at the southwesterly side of Penn Street and Pulaski Avenue, with the buildings and improvements thereon, for further conveyance at nominal consideration.

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

📄 **Bill No. 100132:** An Ordinance Authorizing the Commissioner of Public Property, on behalf of the City of Philadelphia, to extend the term of a sublease agreement between the Philadelphia Municipal Authority as landlord and the City of Philadelphia as tenant for mailroom operations space at 1628 JFK Boulevard, 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. 100136, as amended:** An Ordinance Amending Chapter 19-3500 of The Philadelphia Code, entitled "General Acute Care Hospital Assessment," by clarifying its applicability to High Volume Medicaid Hospitals, by revising due dates, by making changes to conform to amendments to State law, and making technical changes, all under certain terms and conditions.

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

 **Bill No. 080029:** An Ordinance Authorizing the vacating of Byberry and Bensalem Road from Southampton-Byberry Road to the Philadelphia and Bucks County Line and the vacating of Burling avenue from the Roosevelt Boulevard to a dead-end approximately three thousand nine hundred (3,900) feet southeast of the Roosevelt Boulevard, 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. 090925:** An Ordinance Authorizing the revision of lines and grades on a portion of City Plan No. 248 by placing on the City Plan Saybrook Avenue from Lloyd Street to Seventy-second Street, approximately two-hundred three feet southeast of Woodland Avenue, under certain terms and conditions, including the dedication to the City of the bed of Saybrook Avenue.


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. 090926:** An Ordinance Authorizing the paving of Saybrook Avenue from Lloyd Street to Seventy-second Street, under certain terms and conditions.

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

 **Bill No. 100102:** An Ordinance Amending Section 2 of an Ordinance (Bill No. 080725) approved November 19, 2008, entitled “An Ordinance authorizing the revision of lines and grades on a portion of City Plan No. 120 by striking from the City Plan and vacating Cleveland Street from Girard Avenue to Stiles Street, under certain terms and conditions,” by extending the period for compliance with the terms and conditions stated therein.

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 BLACKWELL - (SEE NOTES OF TESTIMONY).

COUNCILMEMBER CLARKE MOVED TO ADJOURN

THE MOTION WAS DULY SECONDED AND AGREED TO.