

JOURNAL OF THE CITY COUNCIL OF PHILADELPHIA



Thursday, May 4, 2006

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

Council met, a quorum being present.

Reverend Thomas G. Spears, III of Overbrook Presbyterian Church was introduced and offered an appropriate prayer.

COUNCILMEMBER BLACKWELL MOVED TO APPROVE THE JOURNAL OF THE MEETING OF APRIL 27, 2006.

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. 060012 and 060056, which were passed by Council on April 20, 2006, were signed by the Mayor on May 4, 2006. (File No. 060366)

THE COMMUNICATION WAS READ.

- May 4, 2006

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

I am returning herewith as requested by your Resolution adopted May 4, 2006, Bill No. 060144, entitled "An Ordinance amending the Ordinance approved June 28, 1966 (Bill No. 1845), as amended, known as the 'Philadelphia Housing Development Agreement Ordinance,' and entitled 'An Ordinance authorizing the Commissioner of Public Property on behalf of the City to enter into an agreement with the Philadelphia Housing Development Corporation to provide for low cost residential development and redevelopment in the City and to cooperate in certain

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housing programs, including the transfer of certain parcels of land, under certain terms and conditions,' by requiring the express approval of Council by ordinance prior to the transfer of any City-owned property pursuant to that Ordinance or pursuant to the agreement authorized by that ordinance," for the purpose of reconsideration by the Council of the vote by which said bill passed Council.

Respectfully submitted,
John F. Street (File No. 060367)

THE COMMUNICATION WAS READ.

- ☐ Transmitting a resolution approving the annual Program Statement and Budget for the expenditure of the Neighborhood Transformation Initiative (NTI) Bond Proceeds for Fiscal Year 2007. (File No. 060368)

THE COMMUNICATION WAS READ.

- ☐ Transmitting a bill authorizing Laura Vernola and LW Restaurant Holdings, d/b/a "Deuce Restaurant," to construct, operate and maintain an open-air sidewalk café located at 1040 N. 2nd Street, under certain terms and conditions. (File No. 060369)

THE COMMUNICATION WAS READ.

- ☐ Transmitting a bill authorizing and directing the revision of lines and grades on a portion of City Plan No. 299 by placing on the City Plan Epiphany Place and a right-of-way for gas main purposes, and including the dedication to the City, free and clear of all encumbrances, of the bed of Epiphany Place, all under certain terms and conditions. (File No. 060370)

THE COMMUNICATION WAS READ.

- ☐ Transmitting a bill authorizing the Commissioner of Public Property to execute and deliver to the Philadelphia Authority for Industrial Development, for nominal consideration, a deed conveying fee simple title to a certain tract of City-owned land with buildings and improvements thereon, situate 1213-19 S. 15th Street in the City of Philadelphia, for further conveyance at less than fair market value. (File No. 060371)

THE COMMUNICATION WAS READ.

- ☐ Transmitting a bill authorizing the City Solicitor, on behalf of the City, to enter into a multi-year contract with a provider of codification, editing, and marketing services to produce printed and electronic versions of the 9th edition of The Philadelphia Code and periodic supplements, all under certain terms and conditions, accompanied by an explanatory letter from the City Solicitor. (File No. 060372)

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THE COMMUNICATION WAS READ.

- ☐ Transmitting a bill approving the thirty-fifth 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 twenty-seventh amendment to the urban renewal plan and the twenty-fifth amendment to the relocation plan, which provides, inter alia, for the additional land acquisition of fourteen (14) properties for residential and related uses; the additional land acquisition of approximately sixty-six (66) properties for institutional and related uses; the additional land acquisition of one (1) property for commercial 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. 060373)

THE COMMUNICATION WAS READ.

- ☐ Transmitting a bill authorizing the Commissioner of Public Property on behalf of the City of Philadelphia to execute and deliver to the Philadelphia Authority for Industrial Development, for nominal consideration, a deed or deeds conveying fee simple title to five parcels of City-owned land with the buildings and improvements thereon situated at the northwest corner of Third Street and Fairmount Avenue, and known as 700, 702 and 704 North Third Street and 309 and 311 Fairmount Avenue, for the purpose of conveyance, for nominal consideration, to the Northern Liberties Neighbors Association or its designee, all under certain terms and conditions. (File No. 060374)

THE COMMUNICATION WAS READ.

INTRODUCTION OF ORDINANCES AND RESOLUTONS

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

- ☐ **Bill No. 060335:**An Ordinance authorizing the City Solicitor, on behalf of the City, to enter into a multi-year contract with a provider of codification, editing, and marketing services to produce printed and electronic versions of the 9th edition of The Philadelphia Code and periodic supplements, all under certain terms and conditions.

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

- ☐ **Bill No. 060336:**An Ordinance authorizing the Commissioner of Public Property to execute and deliver to the Philadelphia Authority for Industrial Development,

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for nominal consideration, a deed conveying fee simple title to a certain tract of City-owned land with buildings and improvements thereon, situate 1213-19 S. 15th Street in the City of Philadelphia, for further conveyance at less than fair market value.

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

- ☐ **Bill No. 060337:**An Ordinance authorizing and directing the revision of lines and grades on a portion of City Plan No. 299 by placing on the City Plan Epiphany Place and a right-of-way for gas main purposes, and including the dedication to the City, free and clear of all encumbrances, of the bed of Epiphany Place, all under certain terms and conditions.

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

- ☐ **Bill No. 060338:**An Ordinance authorizing the Commissioner of Public Property on behalf of the City of Philadelphia to execute and deliver to the Philadelphia Authority for Industrial Development, for nominal consideration, a deed or deeds conveying fee simple title to five parcels of City-owned land with the buildings and improvements thereon situated at the northwest corner of Third Street and Fairmount Avenue, and known as 700, 702 and 704 North Third Street and 309 and 311 Fairmount Avenue, for the purpose of conveyance, for nominal consideration, to the Northern Liberties Neighbors Association or its designee, all under certain terms and conditions.

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

- ☐ **Bill No. 060339:**An Ordinance amending Chapter 9-1000 of The Philadelphia Code, entitled "Trades," by amending Section 9-1004 entitled "Contractors," by clarifying the exception from the contractor license requirement for property owners who perform work on their properties, under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON LICENSES AND INSPECTIONS.

- ☐ **Bill No. 060340:**An Ordinance amending Subcode "PM" (Property Maintenance Code) of Title 4 (Building Construction and Occupancy Code) of The Philadelphia Code, by adding a new Section PM-307.1.2 entitled "Construction Excavations," requiring certain measures to ensure that construction excavations be made safe where no work has been done within the past six months, all under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON LICENSES AND INSPECTIONS.

- ☐ **Bill No. 060341:**An Ordinance authorizing Laura Vernola and LW Restaurant Holdings, d/b/a "Deuce Restaurant," to construct, operate and maintain an open-air sidewalk café located at 1040 N. 2nd Street, under certain terms and

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conditions.

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

📄 **Bill No. 060342:**An Ordinance to amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Delaware Avenue, Columbia Street, the Delaware River and Shackamaxon Street.

THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

📄 **Bill No. 060343:**An Ordinance amending Section 9-213 of The Philadelphia Code, entitled "Farmers' Markets," by adding a permissible location on the sidewalk of the west side of the 900 block of North 2nd Street, all under certain terms and conditions.

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

📄 **Bill No. 060344:**An Ordinance to amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Delaware Avenue, Penn Street, Ellen Street (extended), the Delaware River and Spring Garden Street (extended).

THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

📄 **Bill No. 060345:**An Ordinance amending Chapter 9-600 of The Philadelphia Code, entitled "Service Businesses," to add new provisions to prohibit the sale, from certain retail establishments, of "blunts," "loosies," cigarette papers, cigars, and other items that may be otherwise legal but that are commonly used as drug paraphernalia, under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON LICENSES AND INSPECTIONS.

📄 **Bill No. 060346:**An Ordinance amending Subcode "A" (Administrative Code) of Title 4 (Building Construction and Occupancy Code) of The Philadelphia Code, by amending Section A-302, entitled "Permits," by requiring the posting of certificates of insurance along with posted construction permits, under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON LICENSES AND INSPECTIONS.


📄 **Bill No. 060347:**An Ordinance approving the thirty-fifth 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 twenty-seventh amendment to the urban renewal plan and the twenty-fifth amendment to the relocation plan, which provides, inter alia, for the additional land acquisition of fourteen (14) properties for residential and related uses; the additional land acquisition of approximately sixty-six (66) properties for institutional and related uses; the additional land acquisition of one (1) property

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for commercial 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.

RESOLUTIONS

 **Resolution No. 060348:**Resolution proclaiming the month of May, 2006 as "NATIONAL DRUG TREATMENT COURT MONTH" in the City of Philadelphia.

WHEREAS, Drug treatment courts provide the focus and leadership for community-wide, anti-drug systems, bringing together criminal justice, treatment, education and other community partners in the fight against drug abuse and criminality; and

WHEREAS, Drug treatment court programs combine intensive judicial supervision, mandatory substance abuse treatment and drug testing, escalating sanctions and incentives and offender accountability in order to break the cycle of drug addiction, reduce recidivism and promote public safety; and

WHEREAS, The judges, prosecutors, defense attorneys, treatment professionals, law enforcement and corrections personnel, researchers and educators, national and community leaders and others dedicated to the movement have had a profound impact through hard work and commitment to their communities; and

WHEREAS, The drug treatment court movement has grown nationwide from 12 courts in 1994 to over 1,700 drug treatment courts that are in operation or in the planning stages; and

WHEREAS, We support the monumental accomplishments of The Philadelphia Treatment Court, the first established in the Commonwealth of Pennsylvania in 1997. To date, the Philadelphia Treatment Court has accepted approximately 2,037 participants and credits 1,114 individuals with successfully completing the intensive program; and

WHEREAS, We recognize that The Philadelphia Treatment Court has received national distinction as a Mentor Court from the U.S. Department of Justice and the National Association of Drug Court Professionals (NADCP), one of only 30 mentor courts in the country. The court has hosted national and international dignitaries, judges and court staff; now therefore

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RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA,
That we hereby proclaim the month of May, 2006 as "NATIONAL DRUG
TREATMENT COURT MONTH."

FURTHER RESOLVED, That an Engrossed copy of this resolution be
presented to The Philadelphia Treatment Court as evidence of the respect and
admiration of this legislative body in recognizing the practitioners and
participants who make drug treatment courts work and the significant
contributions that drug treatment courts have made, and continue to make, in
reducing drug usage and crime.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

☐ **Resolution No. 060349:**Resolution calling upon the Attorney General of the
United States to immediately remove Donald V. Ferlise from his immigration
judge position in Philadelphia due to his documented history of inappropriate
treatment of those appearing before him.

WHEREAS, The Third Circuit Court wrote, "It is a hallmark of the American
system of justice that anyone who appears as a litigant in an American courtroom
is treated with dignity and respect. That expectation must be met regardless of the
citizenship of the parties or the nature of the litigation"; and

WHEREAS, Judge Donald V. Ferlise's courtroom conduct has been condemned
on multiple occasions in opinions of the United States Court of Appeals for the
Third Circuit; and

WHEREAS, On April 28, 2006, federal appeals panel ruled that Judge Ferlise
prejudged cases and bullied asylum-seekers by denying them a right to fair
hearings; and

WHEREAS, One of these cases involved petitioner Abou Cham of The Gambia
who filed an application for asylum due to his relationship with his uncle, Dawda
K. Jawara, who was president of The Gambia until he was ousted by a military
coup on July 22, 1994; and

WHEREAS, During the hearing, Judge Ferlise intimidated Cham into a state of
confusion with "abusive" comments; and

WHEREAS, Judge Maryanne Trump Barry of 3rd U.S. Circuit Court of Appeals
wrote, "Judge Ferlise continually abused an increasing distraught petitioner
(Cham), rendering him unable to coherently respond to Judge Ferlise's questions .

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. . The belligerence of the questioning and the tension in the courtroom fairly leap off the pages of the record"; and


WHEREAS, According to a 2000 study published by the San Jose Mercury News, Judge Ferlise is ranked among the 10 toughest asylum judges in the country. Between 1995 and 1999, Ferlise granted only 74 of 715 asylum requests; and

WHEREAS, Currently, the Attorney General is conducting a comprehensive review of the immigration courts citing concerns that certain immigration judges fail to treat persons appearing before them with appropriate respect and consideration and therefore fail to produce the quality of work expected from employees of the Department of Justice; now, therefore, be it


RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That we call upon the Attorney General of the United States to immediately remove Donald V. Ferlise from his immigration judge position in Philadelphia due to his documented history of inappropriate treatment of persons appearing before him.

THE RESOLUTION WAS READ.

DISCUSSION - COUNCILMEMBERS KENNEY AND BLACKWELL - DONALD V. FERLISE
- (SEE NOTES OF TESTIMONY)

 **Resolution No. 060349:**Resolution calling upon the Attorney General of the United States to immediately remove Donald V. Ferlise from his immigration judge position in Philadelphia due to his documented history of inappropriate treatment of those appearing before him.

THE RESOLUTION WAS ADOPTED.

 **Resolution No. 060350:**Resolution approving the annual Program Statement and Budget for the expenditure of the Neighborhood Transformation Initiative (NTI) Bond Proceeds for Fiscal Year 2007.

WHEREAS, Pursuant to Bill No.010694, as amended by Bill No. 020036, Council must approve, by resolution, an annual Program Statement and Budget for the expenditure of proceeds of Neighborhood Transformation Initiative bonds; and

WHEREAS, Council wishes to approve of the annual Program Statement and Budget for Fiscal Year 2007; now, therefore be it

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA:


Section 1. The annual Program Statement and Budget for the expenditure of the Neighborhood Transformation Initiative (NTI) Bond Proceeds for Fiscal Year

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2007, attached hereto as "Exhibit A," is hereby approved.

Section 2. The Chief Clerk of the Council shall keep on file and make available to the public for inspection during regular office hours the exhibited referenced in this Resolution.

THE RESOLUTION WAS REFERRED TO THE COMMITTEE ON HOUSING, NEIGHBORHOOD DEVELOPMENT AND THE HOMELESS.

 **Resolution No. 060351:**Resolution authorizing the Commissioner of Public Property to execute and deliver to the Redevelopment Authority of the City of Philadelphia, without consideration, deeds conveying conditional fee simple title to certain City-owned lots or pieces of ground with the buildings and improvements thereon, situate in the Sixth Ward of the City of Philadelphia, pursuant to Chapter 16-400 of The Philadelphia Code and authorizing the Redevelopment Authority of the City of Philadelphia to dispose of such properties for rehabilitation and/or improvement in accordance with the terms of Chapter 16-400 of The Philadelphia Code.

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

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

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA

SECTION 1. The Commissioner of Public Property is hereby authorized to execute and deliver to the Redevelopment Authority of the City of Philadelphia, without consideration, deed conveying conditional fee simple title to 4122 Poplar Street pursuant to Chapter 16-400 of The Philadelphia Code, under certain terms and conditions.

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

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

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THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

☐ **Resolution No. 060352:**Resolution calling for honor and integrity in existing collective bargaining agreements regarding housing reorganization and furthermore calling for no circumvention of the process through any reorganization effort.

WHEREAS, Philadelphia has a national reputation as a "Labor City"; and

WHEREAS, Labor negotiations often take place; and

WHEREAS, If labor negotiations are not successful re-negotiations must occur; and

WHEREAS, Employee layoffs under adverse circumstances can be viewed as union busting; and

WHEREAS, A city like Philadelphia has the ability and responsibility to protect and provide for its employees who are also city residents; now therefore

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, Calling for honor and integrity in existing collective bargaining agreements regarding housing reorganization and furthermore calling for no circumvention of the process through any reorganization effort.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

☐ **Resolution No. 060353:**Resolution adopting findings of fact and conclusions of law with respect to certain appeals filed in the Philadelphia Court of Common Pleas regarding Council's decision disapproving applications to sell malt and brewed beverages for consumption off- premises.

WHEREAS, Act 39 of 2005 requires that an application to the Pennsylvania Liquor Control Board for a permit to sell malt or brewed beverages for off-premises consumption in Philadelphia must be accompanied by a copy of the approval of such application by Council, which must render a decision by ordinance or resolution within forty-five days of receipt of a request for such approval; and

WHEREAS, In accordance with Sections 9-2906 and 9-2907 of the Philadelphia Code, after a hearing conducted by a hearing examiner appointed by Council,

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Council, by Resolution, disapproved the application referenced in the attached findings of fact and conclusions of law; and

WHEREAS, An appeal of Council's final decision has been filed in the referenced application; and

WHEREAS, In accordance with Section 9-2909(1) of the Philadelphia Code, Council has prepared findings of fact and conclusions of law with respect to this application; and

WHEREAS, Section 9-2909(2) of the Philadelphia Code requires that Council must adopt findings of fact and conclusions of law by Resolution; now, therefore,


RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA,

THAT The Council hereby ADOPTS the findings of fact and conclusions of law in the following appeal filed in the Philadelphia Court of Common Pleas regarding Council's decision disapproving the application to sell malt and brewed beverages for consumption off-premises:

BPA2005-2134, Buffalo Bill's Charcoal Pit, Inc., 3505 Lancaster Ave, 19104

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

 **Resolution No. 060354:**Resolution approving Drexel University's proposed amendment to its Institutional Development District Master Plan pursuant to Chapter 14-1107(c) of The Philadelphia Code relating to "Zoning and Planning."

WHEREAS, By resolution dated April 20, 2006, the City Planning Commission recommended approval of Drexel University's proposed amendment to its Institutional Development District Master Plan allowing Drexel to construct a two story, 11,500 square foot addition to the existing Hagerty Library located at the Southwest Corner of 33rd and Market Streets in the 3rd Councilmanic District of Philadelphia ("Proposed Amendment"); and

WHEREAS, The Powelton Village Civic Association by written correspondence dated March 20, 2006 stated that the Association would not oppose the proposed new addition to the existing Hagerty Library pursuant to Section 14-1107(c) of The Philadelphia Code; and

WHEREAS, Chapter 14-1107(c) requires City Council to approve, disapprove

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or defer the Proposed Amendment within 45 days of City Planning's recommendation or the Proposed Amendment is presumed approved; now, therefore be it

RESOLVED BY THE COUNCIL OF THE CITY OF PHILADELPHIA,

Approving Drexel University's proposed amendment to its Institutional Development District Master Plan pursuant to Chapter 14-1107(c) of the Philadelphia Code relating to "Zoning and Planning."

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

 **Resolution No. 060355:**Resolution calling on interested community groups and civic associations to contract or join venture with city agencies and/or authorities to do community based development or work as Community Development Corporations; and furthermore calling for public agencies that have expertise in community based development to likewise be authorized to carry out said functions.

WHEREAS, Philadelphia is a city of neighborhoods with economic development plans; and

WHEREAS, There are many neighborhood block associations and civic groups in our city; and

WHEREAS, Many community organizations have the ability to engage in neighborhood building; and

WHEREAS, All interested neighbors deserve the right to engage in development plans for their communities; and

WHEREAS, Many blocks do not have organized community based organizations or Community Development Corporations; and

WHEREAS, Many public agencies have engaged in community building; and

WHEREAS, The Neighborhood Transformation Initiative legitimized all block level and neighborhood level planning; now therefore


RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA,

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Calling on interested community groups and civic associations to contract or join venture with city agencies and/or authorities to do community based development or work as Community Development Corporations; and furthermore calling for public agencies that have expertise in community based development to likewise be authorized to carry out said functions.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

 **Resolution No. 060356:**Resolution congratulating the Boys Varsity Basketball Team of Simon Gratz High School for winning the 2006 Public League Basketball Championship.

WHEREAS, Before a sold-out Tom Gola Arena at LaSalle University, Simon Gratz boy's varsity basketball team won over Communications Tech, 62-36; and

WHEREAS, It was the largest victory margin in Pub final history, surpassing a 24-pointer in 1985 (Murrell Dobbins Tech 86, Southern 62); and

WHEREAS, The Bulldogs, who had contributions from the whole team, displayed impressive teamwork which led them to victory; and

WHEREAS, This impressive teamwork produced a dominating record of 24 wins and just 5 losses; and

WHEREAS, The Bulldogs, led by the duo of Malik Alvin and Velton Jones, along with Tommy Sykes, Jamal Watson, George Melton, Ishmawiyl McFadden, Brandon Combs, Sean Gilbert, Bernard Williams, Raheem Sanders, Karl Howard, Jeremy Herbert, and Steve Newton proudly represented their school for the Public League Championship; and

WHEREAS, This team of champions deserve sincere congratulations on an outstanding job and a fantastic victory; now therefore

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That we hereby honor the Boys Varsity Basketball Team of Simon Gratz High School for winning the 2006 Public League Basketball Championship.

FURTHER RESOLVED, That an Engrossed copy of this resolution be presented to the Simon Gratz Varsity Basketball Team Head Coach, Leonard Poole, Jr., further evidencing the sincere sentiments of this legislative body.

THE RESOLUTION WAS READ.

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THE RESOLUTION WAS ADOPTED.

☐ **Resolution No. 060357:**Resolution authorizing the Commissioner of Public Property to execute and deliver to the Redevelopment Authority of the City of Philadelphia, without consideration, deeds conveying conditional fee simple title to certain City-owned lots or pieces of ground with the buildings and improvements thereon, situate in the Fourth Ward of the City of Philadelphia, pursuant to Chapter 16-400 of The Philadelphia Code and authorizing the Redevelopment Authority of the City of Philadelphia to dispose of such properties for rehabilitation and/or improvement in accordance with the terms of Chapter 16-400 of The Philadelphia Code.

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

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

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA

SECTION 1. The Commissioner of Public Property is hereby authorized to execute and deliver to the Redevelopment Authority of the City of Philadelphia, without consideration, deed conveying conditional fee simple title to 5535 Lansdowne Avenue, 5701, 5703, 5705 Master Street and 1426 North 56th Street pursuant to Chapter 16-400 of The Philadelphia Code, under certain terms and conditions.

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

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

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

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📄 **Resolution No. 060358:**Resolution honoring the 70th Anniversary of North Light Community Center.

WHEREAS, The North Light Boys Club was founded in 1936 during the depression era by School Principal Anne Wright, and Police Captain Franklin P. Luckman, as a drop-in center for young men from the community in an effort to provide positive alternatives to the increasing instances of juvenile crime; and

WHEREAS, In 1938, North Light moved to its present location at 175 Green Lane in the Manayunk section of Philadelphia and became incorporated as a non-profit agency in 1940; and

WHEREAS, In 1990, the agency underwent a name change to North Light Community Center in an effort to better reflect present day programs which provide services for both males and females ranging in ages from pre-school to senior citizens; and

WHEREAS, The Community Center has evolved from a drop-in center for boys into a multi-service agency that focuses on such programs as after-school activities for children, as well as tutoring and scholarship programs for students in elementary through graduate school; and

WHEREAS, The quality of North Light's contribution to the community has been widely recognized over the years, including honors presented by the Philadelphia Foundation, Philadelphia County Medical Society, the Commonwealth of Pennsylvania, and Apple Computer Corporation; and

WHEREAS, The North Light Community Center is committed to keeping programs affordable for all community members by raising the majority of funds needed to support operations through grant opportunities, corporate sponsorships, private donations, and a host of fundraising activities such as the annual golf outing and auction; now therefore


RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That we hereby honor and commend the North Light Community Center on the occasion of its 70th Anniversary; and

FURTHER RESOLVED, That an Engrossed copy of this resolution be presented to the North Light Community Center as a symbol of this legislative body's gratitude for the role it has played in enriching the quality of life for the citizens of Philadelphia.

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THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

 **Resolution No. 060359:**Resolution honoring the Reverend Dr. Albert Franklin Campbell on the occasion of his 40th Pastoral Anniversary.

WHEREAS, The Reverend Dr. Albert F. Campbell was born on September 19, 1932 in Wichita, Kansas and later moved to the City of Philadelphia; and

WHEREAS, He graduated with a Master of Divinity from the Union Theological Seminary and holds an honorary Doctorate of Divinity Degree from Eastern Baptist Theological Seminary; and

WHEREAS, In 1966, Reverend Campbell became pastor at Mount Carmel Baptist Church in West Philadelphia after having served as the pastor of the Beulah Baptist Church in New York from 1961 to 1966; and

WHEREAS, Reverend Campbell has served the people of his community by working diligently to bring educational resources to the neighborhood and by working to improve government and community service programs; and

WHEREAS, Reverend Campbell has always been a dedicated, hard-working minister of the gospel. In addition, he has served in a leadership capacity on boards, such as President of Eden Cemetery Company, Vice-President of the Mount Carmel Baptist Federal Credit Union, Chair of Mount Carmel Gardens, Chair of Stephen Smith Home, and Vice-Chair of Stephen Smith Towers, he has also served on the boards of the Free Library of Philadelphia, and Berean Federal Savings Bank; and

WHEREAS, Pastor Campbell is a deeply devoted and loving husband to his wife, Ruth, and is a very proud parent to sons, Albert Jr. and Milton King (deceased); now therefore

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That we hereby honor and commend the Reverend Dr. Albert Franklin Campbell on the occasion of his 40th pastoral anniversary; and

FURTHER RESOLVED, That an Engrossed copy of this resolution be presented to Reverend Albert F. Campbell as a symbol of this legislative body's gratitude for his pastoral leadership and the role he has played to serve God and Humanity.

THE RESOLUTION WAS READ.

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THE RESOLUTION WAS ADOPTED.

- ☐ **Resolution No. 060360:**Resolution declaring the week of May 21 through May 27, 2006 as National Public Works Week.

WHEREAS, Public works infrastructure, facilities and services are of vital importance to the health, safety and welfare of the citizens of Philadelphia; and

WHEREAS, Such facilities and services could not be provided without the dedicated efforts of public works professionals, engineers and administrators from all levels of government who are responsible for designing, building, operating and maintaining transportation, water supply, sewage and refusal disposal systems, public buildings, and other structures and facilities essential to serve our citizens; and

WHEREAS, In 1932, the Southeastern Pennsylvania Chapter of public works employees was formed, and this founding chapter led to the creation of similar chapters and ultimately the American Public Works Association which now consists of approximately 20,000 members across the country; and

WHEREAS, It is in the public interest for all citizens and civic leaders of this country to learn about the array of facilities and services provided through the public works infrastructure; now therefore

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That we hereby declare the week of May 21 through May 27, 2006 as "National Public Works Week," and urge all citizens to join with the American Public Works Association in activities and ceremonies designed to pay tribute to our public works professionals, engineers and administrators for the substantial contributions they have made to our national health, safety and welfare.

FURTHER RESOLVED, That an Engrossed copy of this resolution be presented to Leonard Bernstein, the President of the Southeastern Pennsylvania Chapter of the American Public Works Association as evidence of the sincere sentiments of this legislative body.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

- ☐ **Resolution No. 060361:**Resolution urging the support of the General Assembly of Pennsylvania to support the Governor's proposed 2006-2007 education budget.

WHEREAS, The City of Philadelphia cannot continue to revitalize its economy

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without creating and maintaining an educated workforce that is prepared to meet the challenges of the 21st Century knowledge-based economy; and

WHEREAS, The success of students in Philadelphia is vital to the economic well-being of the state as a whole; and

WHEREAS, The Philadelphia School District has made considerable strides toward improving the quality of education in Philadelphia's schools, and is in the process of continuing broad based reforms; and

WHEREAS, The Philadelphia School District still faces the difficult task of providing an adequate level of education for its diverse student body of 196,000, many of whom attend struggling inner city schools; and

WHEREAS, Due to the budget that has passed the State House, the Philadelphia School District is currently facing a shortfall that is forcing cuts in schools across the district in areas including classroom staff, library staff, and extracurricular programs for the 2006-2007 academic year; and

WHEREAS, These potentially steep cuts for the 2006-2007 academic year and beyond have caused serious concern among City parents, students and education advocates; and

WHEREAS, The Philadelphia School District depends heavily on the \$25 million state appropriation; and

WHEREAS, The Governor proposed budget contains the \$25 million to fund 43 of the lowest performing schools in the School District and to help finance private managers running several of its schools; and


WHEREAS, The City of Philadelphia and the Philadelphia School District entered into a partnership with the State of Pennsylvania in 2001 with the expectation that this annual appropriation was not bound by any specific time limit; now, therefore, be it

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That we hereby urge the General Assembly of the Commonwealth of Pennsylvania to adopt the Governor's proposed 2006-2007 education budget.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

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 **Resolution No. 060362:**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 and Nineteenth Wards of the City of Philadelphia, pursuant to Chapter 16-400 of The Philadelphia Code and authorizing the Redevelopment Authority of the City of Philadelphia to dispose of such properties for rehabilitation and/or improvement in accordance with the terms of Chapter 16-400 of The Philadelphia Code.

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

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

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA


SECTION 1. The Commissioner of Public Property is hereby authorized to execute and deliver to the Redevelopment Authority of the City of Philadelphia, without consideration, deed conveying conditional fee simple title to 1511 Cadwallader Street, 269 W. Indiana Avenue, 1947 Mutter Street and 3073 N. Reese Street pursuant to Chapter 16-400 of The Philadelphia Code, under certain terms and conditions.

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

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

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

 **Resolution No. 060363:**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 First, Second and Thirty-first Wards of the City of Philadelphia, pursuant to Chapter 16-400 of The Philadelphia Code and authorizing the Redevelopment Authority of the City of Philadelphia to dispose of such properties for rehabilitation and/or improvement in accordance with the terms of Chapter 16-400 of The Philadelphia Code.

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

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

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA


SECTION 1. The Commissioner of Public Property is hereby authorized to execute and deliver to the Redevelopment Authority of the City of Philadelphia, without consideration, deed conveying conditional fee simple title to 2001 East Cumberland Street, 1911 and 1913 East Harold Street, 2618 Jasper Street, 518 and 520 Pierce Street and 1220 Peters Street pursuant to Chapter 16-400 of The Philadelphia Code, under certain terms and conditions.

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

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

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

 **Resolution No. 060365:**Resolution recognizing, Honoring, and Celebrating the 10th Anniversary of "It's Your Call With Lynn Doyle," especially recognizing Lynn Doyle for her Journalistic Excellence as Host and Executive Producer.

WHEREAS, It's the 10th Anniversary of "Its Your Call With Lynn Doyle," which is widely- recognized for its journalistic integrity and importance; and

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WHEREAS, Doyle is host and executive producer for CN8's Emmy Award-winning "It's Your Call with Lynn Doyle," as well as political director for CN8, the Comcast Network; and

WHEREAS, This program, which reaches 7.1 million homes across nine states, has been recognized for its quality and value to the public good with four Emmy Awards for outstanding performance in the areas of talk show programming and journalism; and

WHEREAS, Doyle's career began in the newspaper industry and has included stints in local, regional and national television, as well as, government and public relations; and

WHEREAS, Doyle has been lauded for her ability to secure hard-to-get interviews with high profile guests who can speak about the tough issues facing the country today; and

WHEREAS, Doyle, as political director, is responsible for leading and anchoring the network's award-winning election coverage and selecting the political content that airs on CN8; and

WHEREAS, In addition, Doyle serves as executive producer for other CN8 political programming including: "The Battling Bills;" national, regional and local political races; and special event coverage such as the State of the Union Address; and

WHEREAS, Outside of CN8, Doyle is president and founder of LDTV, Inc., a television production company that develops programming, advertising, and video communications for various clients; and

WHEREAS, In addition to Comcast, which is the nation's largest cable company, Doyle has worked for CNBC, QVC, and she has been recognized for her more than 25 years of television news excellence with multiple Emmy, Telly, and Beacon Awards.

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That City Council hereby Recognizes, Honors, and Celebrates the 10th Anniversary Of "It's Your Call With Lynn Doyle," especially recognizing Lynn Doyle for her Journalist Excellence as Host and Executive Producer.

FURTHER RESOLVED, That an Engrossed copy of this resolution be presented to Lynn Doyle as further evidencing the sincere admiration and gratitude of this

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legislative body.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

REPORTS FROM COMMITTEES


COMMITTEE OF THE WHOLE

 **Bill No. 060001, as amended:**An Ordinance to adopt a Capital Program for the six Fiscal Years 2007-2012 inclusive.

COUNCILMEMBER BLACKWELL MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 060001.

THE MOTION WAS DULY SECONDED AND AGREED TO.


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

 **Bill No. 060002, as amended:**An Ordinance to adopt a Fiscal 2007 Capital Budget.

COUNCILMEMBER BLACKWELL MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 060002.

THE MOTION WAS DULY SECONDED AND AGREED TO.


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

 **Bill No. 060003, as amended:**An Ordinance adopting the Operating Budget for Fiscal Year 2007.

COUNCILMEMBER BLACKWELL MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 060003.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

 **Bill No. 060004:**An Ordinance amending Section 19-1801 of The Philadelphia Code, entitled "Authorization of Tax," to further authorize the Board of Education of the School District of Philadelphia to impose a tax on real estate within the City of Philadelphia; all under certain terms and conditions.

COUNCILMEMBER BLACKWELL MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 060004.

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. 060006:**An Ordinance amending Section 19-2604 of The Philadelphia Code, relating to tax rates, credits and alternative tax computation for the business privilege tax, by reducing certain tax rates, under certain terms and conditions.

COUNCILMEMBER BLACKWELL MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 060006.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

📄 **Bill No. 060008:**An Ordinance amending Chapter 19-1800 of The Philadelphia Code, entitled "School Tax Authorization," by amending Section 19-1806, entitled "Authorization of Realty Use and Occupancy Tax," to further authorize the Board of Education of the School District of Philadelphia to impose a tax on the use or occupancy of real estate within the School District of Philadelphia.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

📄 **Bill No. 060014, as amended:**An Ordinance amending Chapter 19-2600 of The Philadelphia Code, entitled "Business Privilege Taxes," by adding a new exception from the definition of "Receipts" under certain terms and conditions.

COUNCILMEMBER BLACKWELL MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 060014.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

📄 **Bill No. 060089:**An Ordinance amending Section 19-2604 of The Philadelphia Code, relating to tax rates, credits and alternative tax computation for the business privilege tax, by reducing certain tax rates, under certain terms and conditions.

COUNCILMEMBER BLACKWELL MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 060089.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

📄 **Bill No. 060090:**An Ordinance amending Section 19-2604 of The Philadelphia Code, relating to tax rates, credits and alternative tax computation for the business privilege tax, by reducing certain tax rates, under certain terms and conditions.

COUNCILMEMBER BLACKWELL MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS

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TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 060090.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

**JOINT COMMITTEES ON TECHNOLOGY & INFORMATION
SERVICES & PUBLIC PROPERTY PUBLIC WORKS**

- 📄 **Bill No. 060160, as amended:**An Ordinance for the purpose of creating a citywide wireless broadband Internet access system, to bridge the digital divide, to increase the efficiency and reduce costs of government, and to promote economic development and tourism, authorizing the Managing Director, on behalf of the City of Philadelphia, to enter into a Management and Service agreement with Wireless Philadelphia, a Pennsylvania not-for-profit corporation, pursuant to which Wireless Philadelphia will provide management services relating to a citywide wireless broadband Internet access system and will develop and implement programs to bridge the digital divide, and to enter into an agreement with the Philadelphia Authority for Industrial Development granting the Authority certain rights for the authorization of the placement of wireless communications equipment on certain municipally-owned street light fixtures; all under certain terms and conditions.

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

SPECIAL BUSINESS

Councilmember Clarke Moved Because This Resolution Was Not Circulated Yesterday, That The Rules Of Council Be Suspended To Permit Consideration Of This Resolution At This Time.

THE MOTION WAS DULY SECONDED AND AGREED TO.

DISCUSSION - COUNCILMEMBER DARRELL CLARKE - RESOLUTION NO. 060364 - LOOPHOLE AND DISPOSING OF PROPERTY FROM PHDC - (SEE NOTES OF TESTIMONY

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

- 📄 **Resolution No. 060364:**Resolution requesting the Mayor to return to Council Bill No. 060144, entitled "An Ordinance amending the Ordinance approved June 28, 1966 (Bill No. 1845), as amended, known as the 'Philadelphia Housing Development Agreement Ordinance,' and entitled 'An Ordinance authorizing the Commissioner of Public Property on behalf of the City to enter into an agreement with the Philadelphia Housing Development Corporation to provide for low cost residential development and redevelopment in the City and to cooperate in certain housing programs, including the transfer of certain parcels of land, under certain

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terms and conditions,' by requiring the express approval of Council by ordinance prior to the transfer of any City-owned property pursuant to that Ordinance or pursuant to the agreement authorized by that Ordinance," for the purpose of reconsideration by the Council of the vote by which said bill passed Council.

WHEREAS, Bill No. 060144 was passed by this Council on April 20, 2006, and thereafter presented to the Mayor for his signature; and

WHEREAS, Council now wishes to reconsider the vote by which said bill passed Council; now therefore be it

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA,


That Council hereby requests the Mayor to return to it Bill No. 060144, entitled "An Ordinance amending the Ordinance approved June 28, 1966 (Bill No. 1845), as amended, known as the 'Philadelphia Housing Development Agreement Ordinance,' and entitled 'An Ordinance authorizing the Commissioner of Public Property on behalf of the City to enter into an agreement with the Philadelphia Housing Development Corporation to provide for low cost residential development and redevelopment in the City and to cooperate in certain housing programs, including the transfer of certain parcels of land, under certain terms and conditions,' by requiring the express approval of Council by ordinance prior to the transfer of any City-owned property pursuant to that Ordinance or pursuant to the agreement authorized by that Ordinance," for the purpose of reconsideration by the Council of the vote by which said bill passed Council.

THE RESOLUTION WAS READ.

Councilmember Clarke Moved For The Adoption of Resolution No. 060364.

THE MOTION WAS DULY SECONDED AND AGREED TO.

DISCUSSION - COUNCILMEMBERS CLARKE AND BLACKWELL - RESOLUTION 060364 - COUNCILMEMBER BLACKWELL ASK FOR CLARITY OF CHANGING FROM BILL TO A RESOLUTION - (SEE NOTES OF TESTIMONY)

 **Resolution No. 060364:**Resolution requesting the Mayor to return to Council Bill No. 060144, entitled "An Ordinance amending the Ordinance approved June 28, 1966 (Bill No. 1845), as amended, known as the 'Philadelphia Housing Development Agreement Ordinance,' and entitled 'An Ordinance authorizing the Commissioner of Public Property on behalf of the City to enter into an agreement with the Philadelphia Housing Development Corporation to provide for low cost residential development and redevelopment in the City and to cooperate in certain housing programs, including the transfer of certain parcels of land, under certain terms and conditions,' by requiring the express approval of Council by ordinance

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prior to the transfer of any City-owned property pursuant to that Ordinance or pursuant to the agreement authorized by that Ordinance," for the purpose of reconsideration by the Council of the vote by which said bill passed Council.

THE RESOLUTION WAS ADOPTED.

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

📄 May 4, 2006

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

I am returning herewith as requested by your Resolution adopted May 4, 2006, Bill No. 060144, entitled "An Ordinance amending the Ordinance approved June 28, 1966 (Bill No. 1845), as amended, known as the 'Philadelphia Housing Development Agreement Ordinance,' and entitled 'An Ordinance authorizing the Commissioner of Public Property on behalf of the City to enter into an agreement with the Philadelphia Housing Development Corporation to provide for low cost residential development and redevelopment in the City and to cooperate in certain housing programs, including the transfer of certain parcels of land, under certain terms and conditions,' by requiring the express approval of Council by ordinance prior to the transfer of any City-owned property pursuant to that Ordinance or pursuant to the agreement authorized by that ordinance," for the purpose of reconsideration by the Council of the vote by which said bill passed Council.

Respectfully submitted,
John F. Street (File No. 060367)

THE COMMUNICATION WAS READ.

Councilmember Clarke Moved That The Vote By Which Bill No. 060144 Passed Council Be Reconsidered.

THE MOTION WAS DULY SECONDED AND AGREED TO.

📄 **Bill No. 060144-A:**An Ordinance amending the Ordinance approved June 28, 1966 (Bill No. 1845), as amended, known as the "Philadelphia Housing Development Agreement Ordinance," and entitled "An Ordinance authorizing the Commissioner of Public Property on behalf of the City to enter into an agreement with the Philadelphia Housing Development Corporation to provide for low cost residential development and redevelopment in the City and to cooperate in certain housing programs, including the transfer of certain parcels of land, under certain terms and conditions," by requiring the express approval of Council by ordinance prior to the transfer of any City-owned property pursuant to that Ordinance or pursuant to the agreement authorized by that Ordinance.

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THE BILL WAS RECONSIDERED.

THE BILL AGAIN, BEING BEFORE THE COUNCIL, COUNCIL PRESIDENT VERNA STATED: THE BILL WILL BE BE PLACED ON THE SECOND READING AND FINAL PASSAGE CALENDAR

- 📄 **Bill No. 060144-A:**An Ordinance amending the Ordinance approved June 28, 1966 (Bill No. 1845), as amended, known as the "Philadelphia Housing Development Agreement Ordinance," and entitled "An Ordinance authorizing the Commissioner of Public Property on behalf of the City to enter into an agreement with the Philadelphia Housing Development Corporation to provide for low cost residential development and redevelopment in the City and to cooperate in certain housing programs, including the transfer of certain parcels of land, under certain terms and conditions," by requiring the express approval of Council by ordinance prior to the transfer of any City-owned property pursuant to that Ordinance or pursuant to the agreement authorized by that Ordinance.

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

CONSIDERATION OF THE CALENDAR

BILLS ON FIRST READING

- 📄 **Bill No. 060142:**An Ordinance to amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Southampton Road, A Railroad Right-of-Way, Hornig Road and the Roosevelt Boulevard.

THE BILL WAS READ.

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

- 📄 **Bill No. 060162:**An Ordinance to amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Worthington Road, the Poquessing Creek Park, Carter Road and Southampton Road.

THE BILL WAS READ.

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

- 📄 **Bill No. 060001, as amended:**An Ordinance to adopt a Capital Program for the six Fiscal Years 2007-2012 inclusive.

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

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📄 **Bill No. 060002, as amended:**An Ordinance to adopt a Fiscal 2007 Capital Budget.

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

📄 **Bill No. 060003, as amended:**An Ordinance adopting the Operating Budget for Fiscal Year 2007.

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

📄 **Bill No. 060004:**An Ordinance amending Section 19-1801 of The Philadelphia Code, entitled "Authorization of Tax," to further authorize the Board of Education of the School District of Philadelphia to impose a tax on real estate within the City of Philadelphia; all under certain terms and conditions.

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

📄 **Bill No. 060006:**An Ordinance amending Section 19-2604 of The Philadelphia Code, relating to tax rates, credits and alternative tax computation for the business privilege tax, by reducing certain tax rates, under certain terms and conditions.

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

📄 **Bill No. 060008:**An Ordinance amending Chapter 19-1800 of The Philadelphia Code, entitled "School Tax Authorization," by amending Section 19-1806, entitled "Authorization of Realty Use and Occupancy Tax," to further authorize the Board of Education of the School District of Philadelphia to impose a tax on the use or occupancy of real estate within the School District of Philadelphia.

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

📄 **Bill No. 060014:**An Ordinance amending Chapter 19-2600 of The Philadelphia Code, entitled "Business Privilege Taxes," by adding a new exception from the definition of "Receipts" under certain terms and conditions.

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

📄 **Bill No. 060089:**An Ordinance amending Section 19-2604 of The Philadelphia Code, relating to tax rates, credits and alternative tax computation for the business privilege tax, by reducing certain tax rates, under certain terms and conditions.

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

📄 **Bill No. 060090:**An Ordinance amending Section 19-2604 of The Philadelphia Code, relating to tax rates, credits and alternative tax computation for the business privilege tax, by reducing certain tax rates, under certain terms and conditions.

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

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Bill No. 060160: An Ordinance for the purpose of creating a citywide wireless broadband Internet access system, to bridge the digital divide, to increase the efficiency and reduce costs of government, and to promote economic development and tourism, authorizing the Managing Director, on behalf of the City of Philadelphia, to enter into a Management and Service agreement with Wireless Philadelphia, a Pennsylvania not-for-profit corporation, pursuant to which Wireless Philadelphia will provide management services relating to a citywide wireless broadband Internet access system and will develop and implement programs to bridge the digital divide, and to enter into an agreement with the Philadelphia Authority for Industrial Development granting the Authority certain rights for the authorization of the placement of wireless communications equipment on certain municipally-owned street light fixtures; all 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. 060088: An Ordinance to amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Broad Street, Lehigh Avenue, 24th Street, Fox Street, Hunting Park Avenue and Erie Avenue.

THE BILL WAS READ.

THE BILL WAS PASSED.

The Ayes and Nays were as follows:

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

Nays: 0

Bill No. 060115: An Ordinance approving the third amendment of the redevelopment proposal for the Convention Center Renewal Area, being the area generally bounded by Market street, Juniper street, Commerce street, Thirteenth street, Race street, Twelfth street and Vine street, including the third amendment to the renewal plan and the second amendment to the relocation plan, which provides for certain changes in the renewal plan, namely, a change in the permitted permanent land use, accessory uses, urban design and architectural controls for the parcel located on the south side of Arch street and the west side of Twelfth street; the provision of certain relocation services, as required by law and certain other minor revisions.

THE BILL WAS READ.


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THE BILL WAS PASSED.

The Ayes and Nays were as follows:

Nays: 0

*Ayes: 15 - Councilmembers Reynolds Brown, Goode, Kelly, Kenney, Ramos, Rizzo, DiCicco,
Council President Verna, Blackwell, Nutter, Clarke, Krajewski, Miller, Tasco and O'Neill*

 **Bill No. 060182:**An Ordinance to amend the Philadelphia Zoning Maps by changing the zoning designations of the following area of the City: area generally bounded by Verree Road, Charette Road, Alicia Street, Alicia Street extended and Marchman Road.


THE BILL WAS READ.

THE BILL WAS PASSED.

The Ayes and Nays were as follows:

*Ayes: 15 - Councilmembers Reynolds Brown, Goode, Kelly, Kenney, Ramos, Rizzo, DiCicco,
Council President Verna, Blackwell, Nutter, Clarke, Krajewski, Miller, Tasco and O'Neill*

Nays: 0

 **Bill No. 060260-A:**An Ordinance amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning," by amending Section 14-104, entitled "Non-Conforming Structures and Uses," by amending provisions relating to the reconstruction of non-conforming structures, 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, Goode, Kelly, Kenney, Ramos, Rizzo, DiCicco,
Council President Verna, Blackwell, Nutter, Clarke, Krajewski, Miller, Tasco and O'Neill*

Nays: 0

 **Bill No. 051105:**An Ordinance authorizing the Philadelphia Authority for Industrial Development ("PAID") to file an application with the Office of the Budget, Commonwealth of Pennsylvania, under the Redevelopment Assistance Capital Program, in an amount not to exceed Five Hundred Thousand Dollars (\$500,000) to assist in the development of Moore College of Art and Design; and authorizing the City to enter into an agreement with PAID in furtherance of grant requirements; all under certain terms and conditions.

THE BILL WAS READ.

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THE BILL WAS PASSED.

The Ayes and Nays were as follows:

*Ayes: 15 - Councilmembers Reynolds Brown, Goode, Kelly, Kenney, Ramos, Rizzo, DiCicco,
Council President Verna, Blackwell, Nutter, Clarke, Krajewski, Miller, Tasco and O'Neill*

Nays: 0

Bill No. 060181:An Ordinance amending Section 19-203 of The Philadelphia Code, entitled "Payroll Deductions," by adding a new subsection permitting City employees who are bargaining unit members of Fraternal Order of Police, Philadelphia Lodge 5, to authorize payroll deductions for contributions to COPPAC, 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, Goode, Kelly, Kenney, Ramos, Rizzo, DiCicco,
Council President Verna, Blackwell, Nutter, Clarke, Krajewski, Miller, Tasco and O'Neill*

Nays: 0

Bill No. 060185:An Ordinance removing a portion of the property known generally as the Byberry State Hospital from the Philadelphia Keystone Opportunity Zone, subject to the request and consent of the owners of said Property, 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, Goode, Kelly, Kenney, Ramos, Rizzo, DiCicco,
Council President Verna, Blackwell, Nutter, Clarke, Krajewski, Miller, Tasco and O'Neill*

Nays: 0

Bill No. 060262:An Ordinance authorizing the Commissioner of Public Property, on behalf of the City of Philadelphia, to acquire from the School District of Philadelphia, fee simple title to the properties known as 4800-4802 Fairmount Avenue and 4927-4931 Chestnut Street and transfer them to the Redevelopment Authority of the City of Philadelphia, under certain terms and conditions.

THE BILL WAS READ.

THE BILL WAS PASSED.

The Ayes and Nays were as follows:

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*Ayes: 15 - Councilmembers Reynolds Brown, Goode, Kelly, Kenney, Ramos, Rizzo, DiCicco,
Council President Verna, Blackwell, Nutter, Clarke, Krajewski, Miller, Tasco and O'Neill*

Nays: 0

SPEECHES

COUNCILMEMBER KRAJEWSKI - NAZARETH HOSPITAL - STROKE SCREENINGS - (SEE NOTES OF TESTIMONY)

COUNCILMEMBER NUTTER - STROKE SCREENINGS - THANKS COUNCILMEMBER KRAJEWSKI AND ACKNOWLEDGES HE WILL BE GOING OVER TO THE CAUCUS ROOM - (SEE NOTES OF TESTIMONY)

COUNCIL PRESIDENT VERNA - STROKE SCREEING - STATES: EVERYONE SHOULD GET CHECKED - (SEE NOTES OF TESTIMONY)

COUNCILMEMBER TASCO MOVED TO ADJOURN.

THE MOTION WAS DULY SECONDED AND AGREED TO.