

JOURNAL OF THE CITY COUNCIL OF PHILADELPHIA



Thursday, October 1, 2009

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

Council met, a quorum being present.

Reverend Derrick Brennan of Canaan Baptist Church was introduced and offered an appropriate prayer.

COUNCILMEMBER TASCO MOVED TO APPROVE THE JOURNAL

of the meeting of September 24, 2009.

THE MOTION WAS DULY SECONDED AND AGREED TO.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

☐ **Resolution No. 090692:** Resolution Calling for Hearings on the *Art in City Hall* and the *1% for Art* Programs to Explore how these Programs can be Made to Better Serve the Citizens of Philadelphia.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

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

☐ **Resolution No. 090693:** 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

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improvements thereon, situate in the Sixth and Fifty-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.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

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

- 📄 **Bill No. 090686:** An Ordinance Amending Chapter 19-500 of The Philadelphia Code, entitled "Taxes and Rents - General," by providing for a temporary tax amnesty program under which delinquent taxpayers may satisfy their past due tax obligations with forgiveness of all or a portion of accrued interest and penalties, under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON FINANCE.

Councilmember Krajewski Introduced the following Resolution, Sponsored by Councilmembers Krajewski, Clarke, Kenney and O'Neill:

- 📄 **Resolution No. 090694:** Resolution Authorizing Council's Legislative Oversight Committee to hold public hearings to investigate the hearing, review and decision making processes of the Zoning Board of Adjustment and in furtherance of such investigation, authorizing the issuance of subpoenas to compel the attendance of witnesses and the production of documents to the full extent authorized under Section 2-401 of the Home Rule Charter.

THE RESOLUTION WAS READ.

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


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

- 📄 **Bill No. 090687:** An Ordinance Amending Bill No. 090212 (approved May 27, 2009), entitled "An Ordinance to adopt a Capital Program for the six Fiscal Years 2010-2015 inclusive," by revising and adding certain projects, amounts and sources.

THE BILL WAS REFERRED TO THE COMMITTEE ON FINANCE.


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

 **Bill No. 090688:** An Ordinance Amending Bill No. 090213 (approved May 27, 2009), entitled "An Ordinance to adopt a Fiscal 2010 Capital Budget," by revising and adding certain projects, amounts and sources.

THE BILL WAS REFERRED TO THE COMMITTEE ON FINANCE.


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

 **Resolution No. 090695:** Resolution Proclaiming October 2009 as "Crime Prevention Month."

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.


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

 **Resolution No. 090696:** 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 and Forty-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 Sanchez Introduced the following Resolution, Sponsored by Councilmembers Sanchez and Greenlee:


 **Resolution No. 090697:** Resolution Urging the Philadelphia Museum of Art to remain neutral in regards to the efforts of their security guards to form a collective bargaining unit.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

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Councilmember Sanchez Introduced the following Resolution, Sponsored by Councilmembers Sanchez, Jones and O'Neill:

 **Resolution No. 090698:** Resolution Authorizing the Council Committee on Parks, Recreation, and Cultural Affairs to conduct hearings on the challenges faced by the City's ethnic and cultural parades, and what measures the City can take to ensure that these important traditions are preserved.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED & REFERRED TO THE COMMITTEE ON PARKS, RECREATION AND CULTURAL AFFAIRS.


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

 **Resolution No. 090699:** Resolution Honoring and celebrating the Philadelphia Chapter of the Guardian Civic League for its fifty-four years of service to minority police officers and its commitment to fostering relationships with law enforcement officers and the communities they protect and serve.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.


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

 **Resolution No. 090700:** Resolution Honoring and recognizing the UniverSoul Circus upon its return to the City of Philadelphia.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

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

 **Bill No. 090689:** An Ordinance Amending Chapter 21-1700 of The Philadelphia Code, entitled "Publication of Notices by City," by providing that those provisions currently set to lapse on October 31, 2009 shall instead lapse at a later date specified herein; all under certain terms and conditions.

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

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

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- 📄 **Bill No. 090690:** An Ordinance Amending Chapter 19-2600 of The Philadelphia Code, entitled “Business Privilege Taxes,” to provide for a tax credit to surety companies that provide construction surety bonds to Disadvantaged Business Enterprises, all under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON FINANCE.

Councilmember Clarke Introduced the following Bill, Sponsored by Councilmembers Clarke, Greenlee and Rizzo:

- 📄 **Bill No. 090691:** An Ordinance Amending Section 9-605 of The Philadelphia Code, entitled “Towing,” and Section 12-2405, entitled “Removal or Immobilization of Parked Vehicles; Notice,” to prohibit the towing of vehicles identified as reported stolen unless an attempt has been made by the Police to give the vehicle owner an opportunity to recover the vehicle before the vehicle is towed; and adding Section 10-839 to require the reporting of stolen vehicles to the Police; all under certain terms and conditions.

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

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

- 📄 **Resolution No. 090701:** Resolution Endorsing the American Graduation Initiative.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

REPORTS FROM COMMITTEES

COMMITTEE ON COMMERCE & ECONOMIC DEVELOPMENT

- 📄 **Bill No. 090520, as amended:** An Ordinance Amending Chapter 17-1600 of The Philadelphia Code, entitled “Economic Opportunity Plans,” by providing that Council may by resolution determine that there are reasonable grounds to believe that a participant, contractor, project developer, or applicant for or recipient of financial assistance has failed to comply with the provisions of that Chapter and should be subject to debarment, and upon adoption of such a resolution, the Finance Director shall, after notice and hearing, make a final determination as to whether there has been a violation of the Chapter and whether debarment should be imposed, all under certain terms and conditions.


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THE MOTION WAS DULY SECONDED AND AGREED TO.

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


CONSIDERATION OF THE CALENDAR

BILL ON FIRST READING

-  **Bill No. 090520, as amended:** An Ordinance Amending Chapter 17-1600 of The Philadelphia Code, entitled "Economic Opportunity Plans," by providing that Council may by resolution determine that there are reasonable grounds to believe that a participant, contractor, project developer, or applicant for or recipient of financial assistance has failed to comply with the provisions of that Chapter and should be subject to debarment, and upon adoption of such a resolution, the Finance Director shall, after notice and hearing, make a final determination as to whether there has been a violation of the Chapter and whether debarment should be imposed, all under certain terms and conditions.

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

BILL ON FINAL PASSAGE

-  **Bill No. 090123-AAA, as amended:** An Ordinance Amending the provisions of The Philadelphia Code regulating dumpsters; in particular, repealing and reenacting the provisions of Section 10-722, entitled "Use of Dumpsters"; amending Section 9-604, entitled "Refuse Collection," to provide that persons licensed under that Section who own, rent or control dumpsters shall comply with all provisions of the new Section 10-722, and making compliance with such provisions a condition of the Garbage Collection License, the Waste Collection License, and the Recyclable Material Collection License, a condition that may be enforced by license revocation; amending the enforcement and penalty provision of Sections 10-718 and 10-719 relating to fines, penalties, and forfeitures for violations of the new Section 10-722; and amending Section 11-605, entitled "Construction Materials," to revise the provisions regulating construction dumpsters and Section 11-609, entitled "Administrative Provisions," to increase the fines for violations of Section 11-605; all under certain terms and conditions.

THE BILL WAS READ.


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COUNCILMEMBER GREEN MOVED TO AMEND BILL NO. 090123-AA (SEE FILE).

COUNCILMEMBER GREEN MOVED FOR THE ADOPTION OF THE AMENDMENT.

THE MOTION WAS DULY SECONDED AND AGREED TO.

THE AMENDMENT TO BILL NO. 090123-AA WAS ADOPTED.

 **Bill No. 090123-AAA, as amended:** An Ordinance Amending the provisions of The Philadelphia Code regulating dumpsters; in particular, repealing and reenacting the provisions of Section 10-722, entitled “Use of Dumpsters”; amending Section 9-604, entitled “Refuse Collection,” to provide that persons licensed under that Section who own, rent or control dumpsters shall comply with all provisions of the new Section 10-722, and making compliance with such provisions a condition of the Garbage Collection License, the Waste Collection License, and the Recyclable Material Collection License, a condition that may be enforced by license revocation; amending the enforcement and penalty provision of Sections 10-718 and 10-719 relating to fines, penalties, and forfeitures for violations of the new Section 10-722; and amending Section 11-605, entitled “Construction Materials,” to revise the provisions regulating construction dumpsters and Section 11-609, entitled “Administrative Provisions,” to increase the fines for violations of Section 11-605; all under certain terms and conditions.

THE BILL WAS AMENDED.

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

SPEECHES

COUNCILMEMBER TASCO, (SEE NOTES OF TESTIMONY)

COUNCILMEMBER MILLER - WANTS TO RECORDED AS VOTED AYE ON BILLS AND RESOLUTIONS WHEN SHE WAS OUT OF THE CHAMBERS (SEE NOTES OF TESTIMONY).

COUNCILMEMBERS JONES AND BLACKWELL (SEE NOTES OF TESTIMONY).

COUNCILMEMBER CLARKE MOVED TO ADJOURN

THE MOTION WAS DULY SECONDED AND AGREED TO.