

JOURNAL OF THE CITY COUNCIL OF PHILADELPHIA



Thursday, October 7, 2010

COUNCIL SESSION INFORMATION IN PROGRESS

PRESENT: 15 - Councilmembers Blackwell, Clarke, Council President Verna, Goode, Green, Greenlee, Jones, Kelly, Kenney, Miller, O'Neill, Reynolds Brown, Rizzo, Sanchez and Tasco

ABSENT: 2 - Councilmembers DiCicco and Krajewski

Council met, a quorum being present.

Father John Zaggarelli of Saint Gabriel's Roman Catholic Church was introduced and offered an appropriate prayer.

COUNCILMEMBER TASCO MOVED TO APPROVE THE JOURNAL of the meeting of September 30, 2010.

THE MOTION WAS DULY SECONDED AND AGREED TO.

LEAVES OF ABSENCE

Councilmember Tasco requested leave of absence for Councilmember Krajewski

THE REQUEST WAS GRANTED.

Councilmember Tasco requested leave of absence for Councilmember DiCicco

THE REQUEST WAS GRANTED.

COMMUNICATIONS

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

- Transmitting a bill authorizing the issuance of one or more series of general obligation bonds to provide funds to refund certain outstanding general obligation bonds of the City of Philadelphia; authorizing the Mayor, City Controller and City Solicitor or a majority of them to sell the bonds at public or private negotiated sale; setting forth the purposes for which the proceeds of the bonds will be expended; providing for the maturities and for other terms and conditions and for the form of the bonds; providing that bonds may be redeemable prior to maturity; providing sinking funds for the bonds and for appropriations to the Sinking Fund Commission for the payment thereof; authorizing agreements to provide credit enhancement or payment or liquidity sources for the bonds and certain other actions, accompanied by an explanatory letter from the City Treasurer. (File No. 100670)

THE COMMUNICATION WAS READ.

- Transmitting a bill authorizing Ashwin Patel, owner and operator of the newsstand located on the southwest corner of Chestnut Street and Tenth Street, to construct, use and maintain conduits in, under and across the southwest corner of Chestnut Street and Tenth Street for the purpose of supplying electrical service and telephone service to the newsstand, under certain terms and conditions, accompanied by an explanatory letter from the Streets Commissioner. (File No. 100671)

THE COMMUNICATION WAS READ.

- Transmitting a bill authorizing the Federal Reserve Bank of Philadelphia, located at Ten Independence Mall West, to construct, own and maintain various encroachments in the right-of-way adjacent to the Federal Reserve Bank building on the 6th Street Entry under certain terms and conditions, accompanied by an explanatory letter from the Streets Commissioner. (File No. 100672)

THE COMMUNICATION WAS READ.

INTRODUCTION OF BILLS AND RESOLUTIONS

Councilmember Kenney Introduced and Referred the following Bill, Sponsored by Councilmember Kenney:

- Bill No. 100651:** An Ordinance Amending Chapter 16-600 of The Philadelphia Code, entitled “Redevelopment Proposals and Contracts,” by setting forth certain additional requirements for Council's approval of redevelopment proposals and redevelopment contracts submitted to Council for approval under the provisions

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

Councilmember Kenney Introduced and Referred the following Bill for Councilmember DiCicco, Sponsored by Councilmember Kenney:

- ☐ **Bill No. 100652:** An Ordinance Authorizing the Federal Reserve Bank of Philadelphia, located at Ten Independence Mall West, to construct, own and maintain various encroachments in the right-of-way adjacent to the Federal Reserve Bank building on the 6th Street Entry, under certain terms and conditions.

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

- ☐ **Bill No. 100653:** An Ordinance Authorizing Ashwin Patel, owner and operator of the newsstand located on the southwest corner of Chestnut Street and Tenth Street, to construct, use and maintain conduits in, under and across the southwest corner of Chestnut Street and Tenth Street for the purpose of supplying electrical service and telephone service to the newsstand, under certain terms and conditions.

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

Councilmember Kenney Introduced, Read and Adopted the following Resolution, Sponsored by Councilmember Kenney:

- ☐ **Resolution No. 100657:** Resolution Congratulating Anne O'Callaghan for her work in the Irish Community and her numerous contributions to the welfare of immigrants living in Philadelphia.

Councilmember Kenney Introduced, Read and Adopted the following Resolution, Sponsored by Councilmembers Kenney, Council President Verna and Krajewski:

- ☐ **Resolution No. 100658:** Resolution Urging the Mayor, in light of the Pennsylvania Labor Relations Board's recent Order holding that Philadelphia's Fire Service Paramedics ("FSPs") do not belong in the same collective bargaining unit as firefighters, to direct all Administration officials to immediately halt ongoing and announced efforts to convert FSPs into non-represented employees, and to instead maintain the working conditions and benefits to which FSPs were entitled prior to the issuance of the Order, pending the resolution of this matter on appeal; and further authorizing Council to retain counsel to represent it in appeals and any related proceedings arising from the PLRB's Order, in order to support the position that FSPs are in fact fire personnel under Act 111 and should be entitled to remain in the uniformed Fire Department bargaining unit represented by the International Association of Fire Fighters,

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📄 **Resolution No. 100659:** Resolution Authorizing the Commissioner of Public Property to execute and deliver to the Redevelopment Authority of the City of Philadelphia, without consideration, deeds conveying conditional fee simple title to certain City-owned lots or pieces of ground with the buildings and improvements thereon, situate in the First 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.

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

📄 **Bill No. 100654:** An Ordinance Authorizing the issuance of one or more series of general obligation bonds to provide funds to refund certain outstanding general obligation bonds of the City of Philadelphia; authorizing the Mayor, City Controller and City Solicitor or a majority of them to sell the bonds at public or private negotiated sale; setting forth the purposes for which the proceeds of the bonds will be expended; providing for the maturities and for other terms and conditions and for the form of the bonds; providing that bonds may be redeemable prior to maturity; providing sinking funds for the bonds and for appropriations to the Sinking Fund Commission for the payment thereof; authorizing agreements to provide credit enhancement or payment or liquidity sources for the bonds and certain other actions.

THE BILL WAS REFERRED TO THE COMMITTEE ON FINANCE.

Councilmember Tasco Introduced, Read and Adopted the following Resolution, Sponsored by Councilmember Tasco:

📄 **Resolution No. 100660:** Resolution Honoring the Barristers' Association of Philadelphia on its 60th Anniversary.

Councilmember Miller Introduced, Read and Adopted the following Resolution, Sponsored by Councilmember Miller:

📄 **Resolution No. 100661:** 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 Seventeenth 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

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Councilmember Miller Introduced, Read and Adopted the following Resolution, Sponsored by Councilmember Miller:

- ☐ **Resolution No. 100662:** Resolution Proclaiming the Week of October 3rd 2010 as “National Fire Prevention Week.”

Councilmember Miller Introduced, Read and Adopted the following Resolution, Sponsored by Councilmembers Miller, Council President Verna, Blackwell, Reynolds Brown, Krajewski, Sanchez and Tasco:

- ☐ **Resolution No. 100663:** Resolution Proclaiming October 2010 as “National Breast Cancer Awareness Month” and supporting the numerous activities recognizing this effort around the country.

Councilmember Jones Introduced and Referred the following Bill, Sponsored by Councilmember Jones:

- ☐ **Bill No. 100655:** An Ordinance Amending Chapter 12-2700 of The Philadelphia Code, entitled “Permit Parking Districts,” by creating a new Section providing for the establishment of Special Permit Parking Districts in certain areas of the City where there is insufficient on-street parking and where special parking regulations are needed, adding definitions and making technical changes, all under certain terms and conditions.

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

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

- ☐ **Resolution No. 100664:** Resolution Recognizing The Salvation Army of Greater Philadelphia on its opening of the Ray and Joan Kroc Corps Community Center.

Councilmember Jones Introduced, Read and Adopted the following Resolution, Sponsored by Councilmember Jones:

- ☐ **Resolution No. 100665:** Resolution Declaring October 6th to the 13th, 2010 as “Beat the Reds Week.”

Councilmember Reynolds Brown Introduced, Read and Adopted the following Resolution, Sponsored by Councilmembers Reynolds Brown and Blackwell:

- ☐ **Resolution No. 100666:** Resolution Recognizing and Congratulating the Philadelphia Education Fund on the occasion of its 25th Anniversary.

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Councilmember Reynolds Brown Introduced, Read and Adopted the following Resolution,
Sponsored by Councilmember Reynolds Brown:

- ☐ **Resolution No. 100667:** Resolution Calling on the Public, Private, Charter and Parochial Schools of Philadelphia to explore and investigate the value of urban school gardens.

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

- ☐ **Resolution No. 100668:** Resolution Recognizing and Congratulating the Junior Diabetes Research Foundation on the occasion of the Walk to Cure Diabetes.
- ☐ **Bill No. 100656:** An Ordinance Amending Section 14-305 of The Philadelphia Code, entitled “C-4' Commercial District,” all under certain terms and conditions; and amending the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Hamilton Street, 19th Street, Callowhill Street and 20th Street.

THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

Councilmember Clarke Introduced, Read and Adopted the following Resolution, Sponsored
by Councilmember Clarke:

- ☐ **Resolution No. 100669:** 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 Thirty-second, Thirty-seventh and Forty-Seventh 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.

REPORTS FROM COMMITTEES

COMMITTEE ON LICENSES AND INSPECTIONS

- ☐ **Bill No. 100539:** An Ordinance Amending Section 9-3300 of The Philadelphia Code, entitled “Erection, Use and Inspection of Tower Cranes,” by revising the certification requirements for the operation, signaling and rigging of tower cranes, all under certain terms and conditions.


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TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 100539.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

COMMITTEE ON PUBLIC HEALTH AND HUMAN SERVICES

 **Bill No. 100537:** An Ordinance Amending Chapter 10-400 of The Philadelphia Code, entitled "Noise and Excessive Vibration," by providing for certain exceptions, including, but not limited to, sounds created by school bells, church bells, and similar devices; all under certain terms and conditions.


COUNCILMEMBER TASCO MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 100537.

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. 100488:** An Ordinance Authorizing transfers in appropriations for Fiscal Year 2011 within the General Fund from the Clerk of Quarter Sessions to the First Judicial District of Pennsylvania.


THE BILL WAS READ.

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

 **Resolution No. 100088-A:** Resolution Proposing an amendment to the Philadelphia Home Rule Charter to authorize Council to provide that fines imposed for violation of any ordinance prohibiting witness and victim intimidation must be paid into a special fund to be used only for assistance to victims and witnesses, and providing for the submission of the amendment to the electors of Philadelphia.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ORDERED PLACED ON NEXT WEEK'S CALENDAR.

 **Bill No. 100539:** An Ordinance Amending Section 9-3300 of The Philadelphia Code, entitled "Erection, Use and Inspection of Tower Cranes," by revising the certification requirements for the operation, signaling and rigging of tower cranes, all under certain terms and conditions.

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

📄 **Bill No. 100537:** An Ordinance Amending Chapter 10-400 of The Philadelphia Code, entitled "Noise and Excessive Vibration," by providing for certain exceptions, including, but not limited to, sounds created by school bells, church bells, and similar devices; all under certain terms and conditions.

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

SPEECHES

COUNCILMEMBERS TASCO, JONES, GREEN, GOODE, BROWN, AND MILLER - (SEE NOTES OF TESTIMONY).

COUNCILMEMBER CLARKE MOVED TO ADJOURN

THE MOTION WAS DULY SECONDED AND AGREED TO.