

JOURNAL OF THE CITY COUNCIL OF PHILADELPHIA



Thursday, May 20, 2010

EXCUSED: 1 - Councilmember Rizzo

PRESENT: 16 - Councilmembers Blackwell, Clarke, Council President Verna, DiCicco, Goode, Green, Greenlee, Jones, Kelly, Kenney, Krajewski, Miller, O'Neill, Reynolds Brown, Sanchez and Tasco

Council met, a quorum being present.

Father Herb Sperger of Saint Thomas Aquinas was introduced and offered an appropriate prayer.

COUNCILMEMBER TASCO MOVED TO APPROVE THE JOURNAL

of the meeting of May 13, 2010.

THE MOTION WAS DULY SECONDED AND AGREED TO.

Councilmember O'Neill requested leave of absence for

Councilmember Rizzo

THE REQUEST WAS GRANTED.

COMMUNICATIONS

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

- ☐ Transmitting a message advising Council that Bill Nos. 100093, 100216, 100217 and 100227, which were passed by Council on May 6, 2010, were signed by the Mayor on May 19, 2010. (File No. 100406)

THE COMMUNICATION WAS READ.

- ☐ Transmitting a message advising Council that Bill Nos. 100218, which was passed by Council on May 13, 2010, was signed by the Mayor on May 19, 2010. (File No. 100407)

THE COMMUNICATION WAS READ.

📄 May 19, 2010

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

For the following reasons, I am returning herewith to your Honorable Body as disapproved Bill No. 100214, which was passed by Council at its session on May 6, 2010.

Bill No. 100214 adds to the City's Fire Code a provision stating that the Fire Department official in charge at the scene of a fire has the authority to direct uniformed Fire Department personnel, including paramedics, to engage in fire rescue, fire abatement, and emergency medical services. Based on this description of their potential duties, the bill then purports to draw a legal conclusion as to the status of paramedics under the Pennsylvania Policemen and Firemen Collective Bargaining Act, Act of 1968, P.L. 237, No. 111, 43 P.S. §§ 217.1 to 217.10 (“Act 111”).

Decisions about how to deploy Fire Department personnel are decisions committed to the highest levels of the chain of command of the Fire Department, both as a matter of policy and a matter of law. As a matter of policy, paramedics have not been authorized to engage in fire rescue and fire abatement work. Accordingly, contrary to the statement in the ordinance, the Fire Department official at the scene of a fire does not have the authority to direct paramedics to fight fires. Nor should such officials have such authority. Firefighting requires particularized training that is currently not required of our paramedics.

Moreover, it is clear, and I have been so advised by the City Solicitor, that our City Charter vests authority for making determinations regarding the role of Fire Department personnel exclusively with the Fire Department itself. Section 1-101(1) of the Home Rule Charter provides that “The executive and administrative power of the City . . . shall be exclusively vested in and exercised by a mayor and such other officers, departments, boards and commissions as are authorized in this charter.” In general, Council does not have the power to legislate as to how the Executive and Administrative branch performs its duties under the Charter. Moreover, the Fire Department is one of the Executive and Administrative Departments designated by the Charter and it is specifically directed to “train, equip, maintain, supervise and discipline an

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adequate number of firemen.” Charter Section 5-400. Thus, authority to determine how Fire Department personnel

will be supervised is exclusively vested in the Executive and Administrative Branch - specifically, the Fire Commissioner, and Council does not have the power to authorize Fire Department personnel in charge of a fire scene to, in turn, authorize paramedics to fight the fire.

In addition to the clear direction of the Charter, we can all appreciate the wisdom of leaving the decision as to which personnel may be authorized to perform which duties at the scene of a fire to the highest level of command of the Fire Department, *i.e.*, the Fire Commissioner.

Lastly, this bill entangles City Council in an ongoing dispute currently before the Pennsylvania Labor Relations Board, in which the City has sought a determination that its paramedics do not belong in the same collective bargaining unit as firefighters. The state law known as Act 111 gives special collective bargaining rights to firefighters. Because paramedics are not firefighters (as the paramedics have themselves established in a dispute regarding overtime pay; *see Lawrence v. City of Philadelphia*, 527 F.3d 299 (3d Cir. 2008), *cert. denied*, 129 S.Ct. 763 (2008)), the City has sought a determination making clear that they are not entitled to the special bargaining rights of firefighters. The PLRB has the exclusive authority under state law to determine which employees will be in which bargaining unit and what their bargaining rights will be. We expect that the PLRB will likely conclude that paramedics are not firefighters for purposes of Act 111. Whatever the outcome of the PLRB proceeding, the issue of whether the City's decision to seek to exclude paramedics from the Local 22 bargaining unit was correct must be decided by the PLRB, and not by Council through legislation such as Bill No. 100214. The City has no authority to make this determination of State law. Only the PLRB, subject to appeal to the State courts, has this authority.

Accordingly, because this bill would attempt to set policy regarding who has authority to direct the work of paramedics at the scene of a fire, which authority is already vested in the Fire Commissioner; because this attempt to set such policy exceeds Council's powers under the City's Home Rule Charter; and because Council entangles itself in an administrative dispute regarding the collective bargaining rights of the City's paramedics, I must oppose it going into law and therefore am returning it disapproved.

Respectfully,

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Michael A. Nutter,
Mayor (File No. 100409)

THE COMMUNICATION WAS READ.

- ☐ Transmitting a bill authorizing the Commissioner of Parks and Recreation, on behalf of The City of Philadelphia, to enter into an agreement with the Ed Snider Youth Hockey Foundation for the purpose of operating certain programs at the Scanlon Ice Rink, the Laura Sims Skatehouse at Cobbs Creek, the rink at the Simons Recreation and Teen Access Center, the Rizzo Ice Rink and the Tarken Ice Rink, under certain terms and conditions. (File No. 100410)

THE COMMUNICATION WAS READ.

- ☐ Transmitting a bill amending Title 2 of The Philadelphia Code, entitled “City-County Consolidation,” by abolishing the Office of the Clerk of Quarter Sessions and reassigning its powers, functions and duties; amending Title 22 of The Philadelphia Code, entitled “Public Employees Retirement Code,” by providing for pension and retirement rights for certain employees of the Office; and making conforming, technical changes to The Philadelphia Code; all under certain terms and conditions, accompanied by an explanatory letter from the Deputy Mayor for Public Safety. (File No. 100411)

THE COMMUNICATION WAS READ.

- ☐ Transmitting a Bill authorizing the Bond Committee to sell bonds at public or private negotiated sale, to provide funds toward various capital municipal purposes; providing for appropriations to the Sinking Fund Commission for the payment of such bonds; authorizing agreements to provide credit or payment or liquidity sources for the bonds in connection with issuance of the bonds, and certain other actions; providing for obtaining the consent of the electors to increasing the indebtedness of the City; and fixing a day and providing for arrangements for holding the election for obtaining such consent, accompanied by an explanatory letter from the Director of Finance. (File No. 100412)

THE COMMUNICATION WAS READ.

- ☐ Transmitting a bill authorizing the City of Philadelphia to enter into purchase obligations for the delivery of electric supply for use by facilities owned and leased by the City, including agreements that obligate payments for delivery of electric supply in the fiscal years 2011, 2012, 2013 and 2014, subject to certain terms and conditions, accompanied by an explanatory letter from the Deputy Mayor for Transportation and Utilities. (File No. 100413)

THE COMMUNICATION WAS READ.

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- ☐ Transmitting a bill authorizing the Commissioner of Public Property, on behalf of the City of Philadelphia, to lease property bounded generally by Catharine, 12th, Clymer and Fawn Streets from the Philadelphia Housing Authority, and placing it in the Fairmount Park System, managed by the Department of Parks and Recreation, under certain terms and conditions. (File No. 100414)

THE COMMUNICATION WAS READ.

- ☐ Transmitting a bill authorizing the Commissioner of Public Property, on behalf of the City of Philadelphia, to convey 1522 Parrish Street and 1524 Parrish Street to the Philadelphia Authority for Industrial Development, for further conveyance at fair market value, under certain terms and conditions. (File No. 100415)

THE COMMUNICATION WAS READ.

- ☐ Transmitting a bill authorizing the Commissioner of Public Property, on behalf of the City of Philadelphia, to lease from The School District of Philadelphia a certain parcel of property located in the 9100 block of Academy Road for further sublease to the Penn-Academy Athletic Association, under certain terms and conditions. (File No. 100416)

THE COMMUNICATION WAS READ.

- ☐ Transmitting a bill authorizing the Commissioner of Public Property to enter into an easement agreement with Northwest 15th Street Associates, or their designees, allowing Northwest 15th Street Associates to use portions of 1515 Arch Street under certain terms and conditions; authorizing Northwest 15th Street Associates to construct, use and maintain a marquee attached to the proposed building to be located at the northwest corner of 15th and Arch Streets and projecting over the footways of 15th and Arch Streets; and authorizing Northwest 15th Street Associates to construct, use and maintain a foundation encroachment under the footways of 15th,, Arch and Cherry Streets, under certain terms and conditions. (File No. 100417)

THE COMMUNICATION WAS READ.

- ☐ Transmitting a bill authorizing the paving of Fourth Street from Westmoreland Street to Ontario Street and Westmoreland Street from Lawrence Street to Fourth Street, under certain terms and conditions, accompanied by an explanatory letter from the Streets Commissioner. (File No. 100418)

THE COMMUNICATION WAS READ.

- ☐ Transmitting a bill authorizing the revision of lines and grades on a portion of City Plan Nos. 146 and 271 by closing Manderson Street, from Delaware Avenue to Frankford Avenue, to vehicular traffic, placing on the City Plan a

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certain triangularly-shaped area bounded by Delaware Avenue, Frankford Avenue, and Manderson Street, relocating a portion of the westerly curblin of Frankford Avenue, north of Laurel Street, a variable distance westwardly, and relocating the southwesterly curblin of Laurel Street, from Delaware Avenue to Canal Street, a variable distance northeastwardly and authorizing the opening of the heretofore unopened portion of the intersection of Delaware Avenue, Laurel Street, and Frankford Avenue, accompanied by an explanatory letter from the Streets Commissioner. (File No. 100419)

THE COMMUNICATION WAS READ.

- ☐ Transmitting a bill authorizing the revision of lines and grades on a portion of City Plan No. 154 by striking from the City Plan and vacating the southerly twelve feet wide portion of Erie Avenue from Germantown Avenue to Elder Street, under certain terms and conditions, accompanied by an explanatory letter from the Streets Commissioner. (File No. 100420)

THE COMMUNICATION WAS READ.

- ☐ Transmitting a bill authorizing Ilker Ugur, Owner of Café Fulya, to construct, own and maintain two tables, four chairs, and two benches on the sidewalks located at 727 South Second Street, under certain terms and conditions, accompanied by an explanatory letter from the Streets Commissioner. (File No. 100421)

THE COMMUNICATION WAS READ.

- ☐ Transmitting a bill authorizing the amendment of certain agreements between the City of Philadelphia and the Philadelphia Authority for Industrial Development (“PAID”) relating to an area surrounded by Pattison Avenue, 11th Street, Terminal Avenue and Broad Street (the “Wachovia and Arena Parcels”), to revise lot lines and make other technical changes; authorizing amendments to certain subleases for the Wachovia and Arena Parcels; and authorizing the grant to PAID of an easement over certain portions of FDR Park, all under certain terms and conditions. (File No. 100422)

THE COMMUNICATION WAS READ.

- ☐ Transmitting a bill authorizing the Director of Housing, on behalf of the City, to file applications with the United States Department of Housing and Urban Development (HUD) for a Community Development Block Grant (CDBG); to participate in the HOME Investment Partnership program and the Emergency Shelter Grant (ESG) program; and for a Housing Opportunities for Persons with AIDS (HOPWA) grant; and to file applications with the Commonwealth to obtain grants under the Act of

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April 12, 1956, P.L. 1449, Section 4, as amended, to prevent and eliminate blight; authorizing the Director of Housing and Director of Commerce to file applications to obtain other grants from the Commonwealth; authorizing the Director of Commerce to use the Section 108 Loan Guarantee Program; and authorizing the Director of Housing and the Director of Commerce to enter into all understandings and assurances contained in such applications and take all necessary action to accept the grants; all under certain terms and conditions. (File No. 100423)

THE COMMUNICATION WAS READ.

- 📄 Transmitting a resolution appointing Joe Abruzzi to the Board of Directors for the Manayunk Special Services District. (File No. 100424)

THE COMMUNICATION WAS READ.

- 📄 Transmitting a resolution appointing Bruce Kravetz to the Board of Directors for the Manayunk Special Services District. (File No. 100425)

THE COMMUNICATION WAS READ.

- 📄 Transmitting a resolution appointing Victor Ostroff to the Board of Directors for the Manayunk Special Services District. (File No. 100426)

THE COMMUNICATION WAS READ.

- 📄 Transmitting a resolution appointing Allen Newman to the Board of Directors for the Manayunk Special Services District. (File No. 100427)

THE COMMUNICATION WAS READ.

- 📄 Transmitting a resolution appointing Irene Madrak to the Board of Directors for the Manayunk Special Services District. (File No. 100428)

THE COMMUNICATION WAS READ.

- 📄 Transmitting a resolution appointing Mary Dougherty to the Board of Directors for the Manayunk Special Services District. (File No. 100429)

THE COMMUNICATION WAS READ.

- 📄 Transmitting a resolution appointing Christopher McGill to the Board of Directors for the Manayunk Special Services District. (File No. 100430)

THE COMMUNICATION WAS READ.

- 📄 Transmitting a resolution appointing William J. O'Brien to the Board of Directors for the Manayunk Special Services District. (File No. 100431)

THE COMMUNICATION WAS READ.

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- 📄 Transmitting a resolution appointing Rob Neducsin to the Board of Directors for the Manayunk Special Services District. (File No. 100432)

THE COMMUNICATION WAS READ.

- 📄 Transmitting a resolution appointing Dan Neducsin to the Board of Directors for the Manayunk Special Services District. (File No. 100433)

THE COMMUNICATION WAS READ.

- 📄 Transmitting a resolution appointing Sam Kroungold to the Board of Directors for the Manayunk Special Services District. (File No. 100434)

THE COMMUNICATION WAS READ.

- 📄 Transmitting a resolution appointing Jack Goldberg to the Board of Directors for the Manayunk Special Services District. (File No. 100435)

THE COMMUNICATION WAS READ.

- 📄 Transmitting a resolution appointing Rich Rivera to the Board of Directors for the Manayunk Special Services District. (File No. 100436)

THE COMMUNICATION WAS READ.

- 📄 Transmitting a resolution appointing Terri Loring to the Board of Directors for the Manayunk Special Services District. (File No. 100437)

THE COMMUNICATION WAS READ.

- 📄 Transmitting a resolution appointing Andrew Lipton to the Board of Directors for the Manayunk Special Services District. (File No. 100438)

THE COMMUNICATION WAS READ.

- 📄 Transmitting a resolution appointing Fran Sorokin to the Board of Directors for the Manayunk Special Services District. (File No. 100439)

THE COMMUNICATION WAS READ.

- 📄 Transmitting a resolution appointing Gertrude Solkov to the Board of Directors for the Manayunk Special Services District. (File No. 100440)

THE COMMUNICATION WAS READ.

- 📄 Transmitting a resolution appointing Mike Rose to the Board of Directors for the Manayunk Special Services District. (File No. 100441)

THE COMMUNICATION WAS READ.

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- Transmitting a resolution appointing Robert Swarbrick to the Board of Directors for the Manayunk Special Services District. (File No. 100442)

THE COMMUNICATION WAS READ.

- Transmitting a resolution appointing Bruce Cooper to the Board of Directors for the Manayunk Special Services District. (File No. 100443)

THE COMMUNICATION WAS READ.

- Transmitting a resolution appointing Rick Carocci to the Board of Directors for the Manayunk Special Services District. (File No. 100444)

THE COMMUNICATION WAS READ.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

- Bill No. 100358:** An Ordinance Amending Section 2 of an Ordinance (Bill No. 080487) approved July 2, 2008, entitled “An Ordinance authorizing and directing the revision of lines and grades on a portion of City Plan No. 269 by placing on the City Plan Health Sciences Drive from Civic Center Boulevard to Convention Avenue, placing on the City Plan East Service Drive and West Service Drive each from Civic Center Boulevard to Health Sciences Drive, placing on the City Plan a right-of-way for various purposes adjacent to Health Sciences Drive, placing on the City Plan a right-of-way for drainage purposes at the intersection of Civic Center Boulevard and Convention Avenue, and revising the curblines and grades of Civic Center Boulevard, all under certain terms and conditions, including the dedication to the City, free and clear of all encumbrances, of the beds of Health Sciences Drive, East Service Drive, and West Service Drive,” by extending the period for compliance with the terms and conditions stated therein.

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

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


- Resolution No. 100379:** Resolution Calling for Public Hearings before the City Council Committee on Housing, Neighborhood Development and the Homeless to Examine the Roles of the Redevelopment Authority and Department of Public Property in Improving Housing in the City of Philadelphia.

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THE RESOLUTION WAS READ.


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

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

-  **Bill No. 100359:** An Ordinance Authorizing the revision of lines and grades on a portion of City Plan No. 154 by striking from the City Plan and vacating the southerly twelve feet wide portion of Erie Avenue from Germantown Avenue to Elder Street, under certain terms and conditions.


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

Councilmember Tasco Introduced (By Request) the following Bill, Sponsored by Councilmember Tasco:

-  **Bill No. 100357:** An Ordinance Authorizing the Director of Housing, on behalf of the City, to file applications with the United States Department of Housing and Urban Development (HUD) for a Community Development Block Grant (CDBG); to participate in the HOME Investment Partnership program and the Emergency Shelter Grant (ESG) program; and for a Housing Opportunities for Persons with AIDS (HOPWA) grant; and to file applications with the Commonwealth to obtain grants under the Act of April 12, 1956, P.L. 1449, Section 4, as amended, to prevent and eliminate blight; authorizing the Director of Housing and Director of Commerce to file applications to obtain other grants from the Commonwealth; authorizing the Director of Commerce to use the Section 108 Loan Guarantee Program; and authorizing the Director of Housing and the Director of Commerce to enter into all understandings and assurances contained in such applications and take all necessary action to accept the grants; all under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON FINANCE.


Councilmember Tasco Introduced (By Request) the following Bill for Councilmember Council President Verna, Sponsored by Councilmember Tasco:

-  **Bill No. 100360:** An Ordinance Amending Title 2 of The Philadelphia Code, entitled "City-County Consolidation," by abolishing the Office of the Clerk of Quarter Sessions and reassigning its powers, functions and duties; amending Title 22 of The Philadelphia Code, entitled "Public Employees Retirement Code," by providing for pension and retirement rights for certain employees of the Office; and making conforming, technical changes to The Philadelphia Code; all under certain terms and conditions.

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

Councilmember Tasco Introduced (By Request) the following Bill, Sponsored by Councilmember Tasco:

-  **Bill No. 100361:** An Ordinance Authorizing the Commissioner of Parks and Recreation, on behalf of The City of Philadelphia, to enter into an agreement with the Ed Snider Youth Hockey Foundation for the purpose of operating certain programs at the Scanlon Ice Rink, the Laura Sims Skatehouse at Cobbs Creek, the rink at the Simons Recreation and Teen Access Center, the Rizzo Ice Rink and the Tarken Ice Rink, under certain terms and conditions.


THE BILL WAS REFERRED TO THE COMMITTEE ON PARKS, RECREATION AND CULTURAL AFFAIRS.

Councilmember Tasco Introduced (By Request) the following Bill, Sponsored by Councilmembers Tasco and Council President Verna:

-  **Bill No. 100362:** An Ordinance Authorizing the Bond Committee to sell bonds at public or private negotiated sale, to provide funds toward various capital municipal purposes; providing for appropriations to the Sinking Fund Commission for the payment of such bonds; authorizing agreements to provide credit or payment or liquidity sources for the bonds in connection with issuance of the bonds, and certain other actions; providing for obtaining the consent of the electors to increasing the indebtedness of the City; and fixing a day and providing for arrangements for holding the election for obtaining such consent.

THE BILL WAS REFERRED TO THE COMMITTEE ON FINANCE.


Councilmember Tasco Introduced (By Request) the following Bill, Sponsored by Councilmember Tasco:

-  **Bill No. 100363:** An Ordinance Authorizing the amendment of certain agreements between the City of Philadelphia and the Philadelphia Authority for Industrial Development (“PAID”) relating to an area surrounded by Pattison Avenue, 11th Street, Terminal Avenue and Broad Street (the “Wachovia and Arena Parcels”), to revise lot lines and make other technical changes; authorizing amendments to certain subleases for the Wachovia and Arena Parcels; and authorizing the grant to PAID of an easement over certain portions of FDR Park, all under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON PARKS, RECREATION AND CULTURAL AFFAIRS.

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

-  **Resolution No. 100380:** Resolution Declaring May 29-31, 2010, Cherokee Heritage Weekend in Celebration of the Seventeenth Annual Cherokee Indian Festival.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

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


-  **Bill No. 100364:** An Ordinance Authorizing the paving of Fourth Street from Westmoreland Street to Ontario Street and Westmoreland Street from Lawrence Street to Fourth Street, under certain terms and conditions.

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

DISCUSSION - COUNCILMEMBER JONES - DEMOCRATIC NOMINEE DAN ONOROTO (SEE NOTES OF TESTIMONY).


DISCUSSION - COUNCIL PRESIDENT VERNA STATES: "I WOULD SUGGEST THAT THE CHIEF CLERK READ THE 21 RESOLUTIONS ALL AT ONE TIME, AND WE'LL MAKE A SINGLE MOTION. (SEE NOTES OF TESTIMONY).

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

-  **Bill No. 100365:** An Ordinance Authorizing Tom Leschak to construct, own and maintain an open-air sidewalk cafe at 3401 Conrad Street, under certain terms and conditions.

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


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

-  **Bill No. 100366:** An Ordinance Authorizing the striking from City Plan No. 169 and abandoning of a portion of a right-of-way for construction and maintenance of sewer which extends southeastwardly and southwardly from City Avenue, southwest of 54th Street, and the plotting on the City Plan of a right-of-way for drainage and sewer purposes in an alternate location east of the said existing right-of-way and authorizing acceptance of the grant to the City of the said proposed right-of-way, under certain terms and conditions.

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

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

-  **Bill No. 100367:** An Ordinance To amend the Institutional Development District Master Plan of Saint Joseph's University, by allowing for the construction of a new student residence hall at the corner of City and Cardinal Avenues.

THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

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

-  **Bill No. 100368:** An Ordinance Authorizing the City of Philadelphia to enter into purchase obligations for the delivery of electric supply for use by facilities owned and leased by the City, including agreements that obligate payments for delivery of electric supply in the fiscal years 2011, 2012, 2013 and 2014, subject to certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON TRANSPORTATION AND PUBLIC UTILITIES.

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

-  **Resolution No. 100381:** Resolution Appointing Rob Neducsin to the Board of Directors for the Manayunk Special Services District.

THE RESOLUTION WAS REFERRED TO THE COMMITTEE OF THE WHOLE.

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

-  **Resolution No. 100382:** Resolution Appointing William J. O'Brien to the Board of Directors for the Manayunk Special Services District.

THE RESOLUTION WAS REFERRED TO THE COMMITTEE OF THE WHOLE.

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

-  **Resolution No. 100383:** Resolution Appointing Christopher McGill to the Board of Directors for the Manayunk Special Services District.

THE RESOLUTION WAS REFERRED TO THE COMMITTEE OF THE WHOLE.

Councilmember Jones Introduced the following Resolution, Sponsored by Councilmember


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Jones:

 **Resolution No. 100384:** Resolution Appointing Mary Dougherty to the Board of Directors for the Manayunk Special Services District.

THE RESOLUTION WAS REFERRED TO THE COMMITTEE OF THE WHOLE.

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

 **Resolution No. 100385:** Resolution Appointing Irene Madrak to the Board of Directors for the Manayunk Special Services District.

THE RESOLUTION WAS REFERRED TO THE COMMITTEE OF THE WHOLE.

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

 **Resolution No. 100386:** Resolution Appointing Allen Newman to the Board of Directors for the Manayunk Special Services District.

THE RESOLUTION WAS REFERRED TO THE COMMITTEE OF THE WHOLE.

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

 **Resolution No. 100387:** Resolution Appointing Victor Ostroff to the Board of Directors for the Manayunk Special Services District.

THE RESOLUTION WAS REFERRED TO THE COMMITTEE OF THE WHOLE.

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

 **Resolution No. 100388:** Resolution Appointing Bruce Kravetz to the Board of Directors for the Manayunk Special Services District.

THE RESOLUTION WAS REFERRED TO THE COMMITTEE OF THE WHOLE.

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

 **Resolution No. 100389:** Resolution Appointing Joe Abruzzi to the Board of Directors for the Manayunk Special Services District.

THE RESOLUTION WAS REFERRED TO THE COMMITTEE OF THE WHOLE.

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

 **Resolution No. 100390:** Resolution Appointing Rick Carocci to the Board of Directors for the Manayunk Special Services District.

THE RESOLUTION WAS REFERRED TO THE COMMITTEE OF THE WHOLE.

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

 **Resolution No. 100391:** Resolution Appointing Bruce Cooper to the Board of Directors for the Manayunk Special Services District.

THE RESOLUTION WAS REFERRED TO THE COMMITTEE OF THE WHOLE.

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

 **Resolution No. 100392:** Resolution Appointing Robert Swarbrick to the Board of Directors for the Manayunk Special Services District.

THE RESOLUTION WAS REFERRED TO THE COMMITTEE OF THE WHOLE.

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

 **Resolution No. 100393:** Resolution Appointing Mike Rose to the Board of Directors for the Manayunk Special Services District.

THE RESOLUTION WAS REFERRED TO THE COMMITTEE OF THE WHOLE.

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

 **Resolution No. 100394:** Resolution Appointing Gertrude Solkov to the Board of Directors for the Manayunk Special Services District.

THE RESOLUTION WAS REFERRED TO THE COMMITTEE OF THE WHOLE.

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

 **Resolution No. 100395:** Resolution Appointing Fran Sorokin to the Board of Directors for the Manayunk Special Services District.

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THE RESOLUTION WAS REFERRED TO THE COMMITTEE OF THE WHOLE.

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

 **Resolution No. 100396:** Resolution Appointing Andrew Lipton to the Board of Directors for the Manayunk Special Services District.

THE RESOLUTION WAS REFERRED TO THE COMMITTEE OF THE WHOLE.

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

 **Resolution No. 100397:** Resolution Appointing Terri Loring to the Board of Directors for the Manayunk Special Services District.


THE RESOLUTION WAS REFERRED TO THE COMMITTEE OF THE WHOLE.

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

 **Resolution No. 100398:** Resolution Appointing Rich Rivera to the Board of Directors for the Manayunk Special Services District.

THE RESOLUTION WAS REFERRED TO THE COMMITTEE OF THE WHOLE.

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

 **Resolution No. 100399:** Resolution Appointing Jack Goldberg to the Board of Directors for the Manayunk Special Services District.

THE RESOLUTION WAS REFERRED TO THE COMMITTEE OF THE WHOLE.

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

 **Resolution No. 100400:** Resolution Appointing Sam Kroungold to the Board of Directors for the Manayunk Special Services District.

THE RESOLUTION WAS REFERRED TO THE COMMITTEE OF THE WHOLE.


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

 **Resolution No. 100401:** Resolution Appointing Dan Neducsin to the Board of Directors for the Manayunk Special Services District.

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THE RESOLUTION WAS REFERRED TO THE COMMITTEE OF THE WHOLE.

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

-  **Bill No. 100369:** An Ordinance Amending Chapter 20-1700 of The Philadelphia Code, entitled “Philadelphia Re-Entry Employment Program (“PREP”) for Ex-Offenders,” and amending Chapter 19-2600 of The Philadelphia Code, entitled “Business Privilege Taxes,” by modifying the duties of certain City officials with respect to the PREP program; by expanding eligibility for the PREP tax credit and modifying the terms of the PREP tax credit; and by providing for the participation of certain tax-exempt organizations in the PREP program, all under certain terms and conditions.

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


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

-  **Resolution No. 100403:** Resolution Honoring the life and achievements of Lena Calhoun Horne.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.


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

-  **Resolution No. 100404:** Resolution Calling on the United States Congress to renew the Child Nutrition and WIC Reauthorization Act and preserve Philadelphia's Universal School Meals Program.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

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

-  **Bill No. 100370:** An Ordinance Authorizing Ilker Ugur, owner of Café Fulya, to construct, own and maintain two tables, four chairs, and two benches on the sidewalks located at 727 South Second Street, under certain terms and conditions.

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

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

- ☐ **Bill No. 100371:** An Ordinance Authorizing the National Museum of American Jewish History, located at 101 South Independence Mall East, to construct, own and maintain various encroachments in the rights-of-way adjacent to the Museum building on 5th Street, Market Street, and Ludlow Street, and to improve a portion of the right-of-way adjacent to the Museum building on 5th Street, all under certain terms and conditions.

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

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

- ☐ **Bill No. 100372:** An Ordinance Authorizing the Commissioner of Public Property, on behalf of the City of Philadelphia, to lease property bounded generally by Catharine, 12th, Clymer and Fawn Streets from the Philadelphia Housing Authority, and placing it in the Fairmount Park System, managed by the Department of Parks and Recreation, under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON PARKS, RECREATION AND CULTURAL AFFAIRS.

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

- ☐ **Resolution No. 100405:** 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-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.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

Councilmember O'Neill Introduced the following Bill, Sponsored by Councilmember O'Neill:

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- ☐ Property, on behalf of the City of Philadelphia, to lease from The School District of Philadelphia a certain parcel of property located in the 9100 block of Academy Road for further sublease to the Penn-Academy Athletic Association, under certain terms and conditions.

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

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

- ☐ **Bill No. 100374:** 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 a deed conveying fee simple title to a certain tract of City-owned land with buildings and improvements thereon, situate 1244 N. 4th Street in the City of Philadelphia, for further conveyance.

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

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

- ☐ **Bill No. 100375:** An Ordinance Authorizing the Commissioner of Public Property, on behalf of the City of Philadelphia, to convey 1522 Parrish Street and 1524 Parrish Street to the Philadelphia Authority for Industrial Development, for further conveyance at fair market value, under certain terms and conditions.

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


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

- ☐ **Bill No. 100376:** An Ordinance Authorizing the revision of lines and grades on a portion of City Plan Nos. 146 and 271 by closing Manderson Street, from Delaware Avenue to Frankford Avenue, to vehicular traffic, placing on the City Plan a certain triangularly-shaped area bounded by Delaware Avenue, Frankford Avenue, and Manderson Street, relocating a portion of the westerly curblineline of Frankford Avenue, north of Laurel Street, a variable distance westwardly, and relocating the southwesterly curblineline of Laurel Street, from Delaware Avenue to Canal Street, a variable distance northeastwardly and authorizing the opening of the heretofore unopened portion of the intersection of Delaware Avenue, Laurel Street, and Frankford Avenue.

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

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

 **Bill No. 100377:** An Ordinance To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Norris Street, 9th Street, Berks Street, and 10th Street, by amending Section 14-304 of The Zoning Code, entitled “C-3” Commercial District, by amending Section 14-1402 of The Philadelphia Code, entitled “Parking in Residential Districts”; and by amending Section 14-1405 of The Philadelphia Code, entitled “Off-Street Loading,” under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

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

 **Bill No. 100378:** An Ordinance Authorizing the Commissioner of Public Property to enter into an easement agreement with Northwest 15th Street Associates, or their designees, allowing Northwest 15th Street Associates to use portions of 1515 Arch Street under certain terms and conditions; authorizing Northwest 15th Street Associates to construct, use and maintain a marquee attached to the proposed building to be located at the northwest corner of 15th and Arch Streets and projecting over the footways of 15th and Arch Streets; and authorizing Northwest 15th Street Associates to construct, use and maintain a foundation encroachment under the footways of 15th, Arch and Cherry Streets, under certain terms and conditions.

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

SPECIAL BUSINESS

Councilmember Goode

moved for the suspension of the rules to permit consideration of the resolution.

THE MOTION WAS DULY SECONDED AND AGREED TO.


The Ayes and Nays were as follows:

Ayes: 16 - Councilmembers Blackwell, Clarke, Council President Verna, DiCicco, Goode, Green, Greenlee, Jones, Kelly, Kenney, Krajewski, Miller, O'Neill, Reynolds Brown, Sanchez and Tasco

Nays: 0

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


 **Resolution No. 100402:** Resolution Requesting the Mayor to return to Council Bill No. 090580-A, entitled “An Ordinance providing for the submission to the qualified electors of the City of Philadelphia of the proposal set forth in a Resolution approved by Council proposing an amendment of The Philadelphia Home Rule Charter confirming Council's power to enact ordinances that (i) require the City, City contractors and recipients of City financial assistance to provide their employees a minimum level of pay and benefits, and/or that require certain or all City contracts to include provisions mandating compliance with such a requirement; and (ii) provide remedies for violations, including debarment from doing business with the City or receiving City financial assistance for a specified period of time; and authorizing Council to specify procedures for such debarments by conferring powers and duties on existing City agencies, including Council, or by creating new agencies for such purposes; and authorizing the appropriate officers to publish notice and to make arrangements for the special election,” for the purpose of reconsideration by the Council of the vote by which said bill passed Council.

THE RESOLUTION WAS READ.

Councilmember Goode

moved for the adoption.

THE MOTION WAS DULY SECONDED AND AGREED TO.

 **Resolution No. 100402:** Resolution Requesting the Mayor to return to Council Bill No. 090580-A, entitled “An Ordinance providing for the submission to the qualified electors of the City of Philadelphia of the proposal set forth in a Resolution approved by Council proposing an amendment of The Philadelphia Home Rule Charter confirming Council's power to enact ordinances that (i) require the City, City contractors and recipients of City financial assistance to provide their employees a minimum level of pay and benefits, and/or that require certain or all City contracts to include provisions mandating compliance with such a requirement; and (ii) provide remedies for violations, including debarment from doing business with the City or receiving City financial assistance for a specified period of time; and authorizing Council to specify procedures for such debarments by conferring powers and duties on existing City agencies, including Council, or by creating new agencies for such purposes; and authorizing the appropriate officers to publish notice and to make arrangements for the special election,” for the purpose of reconsideration by the Council of the vote by which

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THE RESOLUTION WAS ADOPTED.

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



May 20, 2010

**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 20, 2010, Bill No. 090580-A, entitled “An Ordinance Providing for the submission to the qualified electors of the City of Philadelphia of the proposal set forth in a Resolution approved by Council proposing an amendment of the Philadelphia Home Rule Charter confirming Council's power to enact ordinances that (i) require the City, City contractors and recipients of City financial assistance to provide their employees a minimum level of pay and benefits, and/or that require certain or all City contracts to include provisions mandating compliance with such a requirement; and (ii) provide remedies for violations, including debarment from doing business with the City or receiving City financial assistance for a specified period of time; and authorizing Council to specify procedures for such debarments by conferring powers and duties on existing City agencies, including Council, or by creating new agencies for such purposes; and authorizing the appropriate officers to publish notice and to make arrangements for the special election,” for the purpose of reconsideration by the Council of the vote by which said bill passed Council.

Respectfully,
Michael A. Nutter
Mayor (File No. 100408)

THE COMMUNICATION WAS READ.

Councilmember Goode

moved that the vote by which Bill No. 090580-A passed Council be reconsidered.

THE MOTION WAS DULY SECONDED AND AGREED TO.



Bill No. 090580-AA, as amended: An Ordinance Providing for the submission to the qualified electors of the City of Philadelphia of the proposal set forth in a Resolution approved by Council proposing an amendment of the Philadelphia Home Rule Charter confirming Council's power to enact ordinances that (i)

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require the City, City contractors and recipients of City financial assistance to provide their employees a minimum level of pay and benefits, and/or that require certain or all City contracts to include provisions mandating compliance with such a requirement; and (ii) provide remedies for violations, including debarment from doing business with the City or receiving City financial assistance for a specified period of time; and authorizing Council to specify procedures for such debarments by conferring powers and duties on existing City agencies, including Council, or by creating new agencies for such purposes; and authorizing the appropriate officers to publish notice and to make arrangements for the special election.

THE BILL WAS RECONSIDERED.

The Ayes and Nays were as follows:

Ayes: 16 - Councilmembers Blackwell, Clarke, Council President Verna, DiCicco, Goode, Green, Greenlee, Jones, Kelly, Kenney, Krajewski, Miller, O'Neill, Reynolds Brown, Sanchez and Tasco

Nays: 0

THE BILL WAS READ.

THE BILL AGAIN, BEING BEFORE THE COUNCIL, COUNCILMEMBER GOODE MOVED TO AMEND BILL NO. 090580-A. (SEE FILE).

COUNCILMEMBER GOODE MOVED FO THE ADOPTION OF THE AMENDMENT.

THE MOTION WAS DULY SECONDED AND AGREED TO.

THE AMENDMENT TO BILL NO. 090580-A WAS ADOPTED.

☐ **Bill No. 090580-AA, as amended:** An Ordinance Providing for the submission to the qualified electors of the City of Philadelphia of the proposal set forth in a Resolution approved by Council proposing an amendment of the Philadelphia Home Rule Charter confirming Council's power to enact ordinances that (i) require the City, City contractors and recipients of City financial assistance to provide their employees a minimum level of pay and benefits, and/or that require certain or all City contracts to include provisions mandating compliance with such a requirement; and (ii) provide remedies for violations, including debarment from doing business with the City or receiving City financial assistance for a specified period of time; and authorizing Council to specify procedures for such debarments by conferring powers and duties on existing City agencies, including Council, or by creating new agencies for such purposes; and authorizing the appropriate officers to publish notice and to make arrangements for the special election.

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THE BILL WAS AMENDED.

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

Councilmember Kenney

moved that the vote by which Bill No. 100214 was passed by Council be reconsidered.

THE MOTION WAS DULY SECONDED AND AGREED TO.


 **Bill No. 100214:** An Ordinance Amending Title 4 of The Philadelphia Code, entitled “The Philadelphia Building Construction And Occupancy Code,” by amending Subcode F, entitled “The Philadelphia Fire Code,” by further delineating the Philadelphia Fire Department's mission and obligation to provide fire and other emergency services via uniformed fire personnel including Firefighters and Fire Service Paramedics, and clarifying that all uniformed fire personnel, including Fire Service Paramedics, are authorized and required to act as fire personnel.

THE BILL WAS RECONSIDERED.

THE BILL, AGAIN BEING BEFORE THE COUNCIL, THE QUESTION BEING: SHALL THE BILL NO. 100214 PASS NOTWITHSTANDING THE DISAPPROVAL OF THE MAYOR?

ON THE RECONSIDERATION OF THE VOTE BY WHICH BILL NO. 100214 PASSED COUNCIL THE CLERK WILL CALL THE ROLL.

PLEASE NOTE THAT A VOTE OF AYE IS A VOTE TO OVERRIDE THE MAYOR'S VETO; A VOTE OF NO IS TO SUSTAIN THE MAYOR'S VETO.

 **Bill No. 100214:** An Ordinance Amending Title 4 of The Philadelphia Code, entitled “The Philadelphia Building Construction And Occupancy Code,” by amending Subcode F, entitled “The Philadelphia Fire Code,” by further delineating the Philadelphia Fire Department's mission and obligation to provide fire and other emergency services via uniformed fire personnel including Firefighters and Fire Service Paramedics, and clarifying that all uniformed fire personnel, including Fire Service Paramedics, are authorized and required to act as fire personnel.

THE BILL WAS READ.

THE BILL WAS VETO OVERRIDDEN.

The Ayes and Nays were as follows:


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Ayes: 16 - Councilmembers Blackwell, Clarke, Council President Verna, DiCicco, Goode, Green, Greenlee, Jones, Kelly, Kenney, Krajewski, Miller, O'Neill, Reynolds Brown, Sanchez and Tasco

Nays: 0

CONSIDERATION OF THE CALENDAR

BILLS ON FINAL PASSAGE

 **Bill No. 100092-A:** An Ordinance Amending Title 14 of The Philadelphia Code, entitled “Zoning and Planning,” by amending Section 14-1631, entitled “Off-Street Parking Control District,” by expanding the boundaries to be included in one such district and making certain technical changes, all under certain terms and conditions.

THE BILL WAS READ.


THE BILL WAS PASSED.

The Ayes and Nays were as follows:

Ayes: 16 - Councilmembers Blackwell, Clarke, Council President Verna, DiCicco, Goode, Green, Greenlee, Jones, Kelly, Kenney, Krajewski, Miller, O'Neill, Reynolds Brown, Sanchez and Tasco

Nays: 0

BILLS ON SECOND READING AND FINAL PASSAGE

 **Bill No. 100252:** An Ordinance Authorizing Marianos Chris Fetfatzes, owner of 738 MOC Inc. (aka Hawthornes), 1108 Fitzwater Street, Philadelphia, Pennsylvania, to construct, own and maintain an encroachment in the form of an open-air café on the sidewalk located at 738-742 South 11th Street, under certain terms and conditions.


THE BILL WAS READ.

THE BILL WAS PASSED.

The Ayes and Nays were as follows:

Ayes: 16 - Councilmembers Blackwell, Clarke, Council President Verna, DiCicco, Goode, Green, Greenlee, Jones, Kelly, Kenney, Krajewski, Miller, O'Neill, Reynolds Brown, Sanchez and Tasco

Nays: 0

 **Bill No. 100158, as amended:** An Ordinance Amending Section 12-1109 of The Philadelphia Code, entitled “Permits Required for Parades, Processions and

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Assemblages,” by conditioning the issuance of such permits on the applicant's agreement to reimburse the City for additional costs the City incurs as a result of the activity for which the permit is issued, subject to a maximum reimbursement amount; by making such maximum reimbursement amount retroactive; and by requiring refunds to persons who reimbursed the City for costs in excess of such maximum amount, all under certain terms and conditions.


THE BILL WAS READ.

THE BILL WAS PASSED.

The Ayes and Nays were as follows:

Ayes: 14 - Councilmembers Blackwell, Clarke, Council President Verna, Goode, Green, Greenlee, Kelly, Kenney, Krajewski, Miller, O'Neill, Reynolds Brown, Sanchez and Tasco

Nays: 2 - Councilmembers DiCicco and Jones

 **Bill No. 100226:** An Ordinance Amending Section 2 of an Ordinance (Bill No. 040511) approved June 21, 2004, entitled “An Ordinance authorizing the revision of lines and grades on a portion of City Plan No. 55 in the area bounded by Aramingo Avenue, Frankford Creek, and Adams Avenue, under certain terms and conditions,” by extending the period for compliance with the terms and conditions stated therein.


THE BILL WAS READ.

THE BILL WAS PASSED.

The Ayes and Nays were as follows:

Ayes: 16 - Councilmembers Blackwell, Clarke, Council President Verna, DiCicco, Goode, Green, Greenlee, Jones, Kelly, Kenney, Krajewski, Miller, O'Neill, Reynolds Brown, Sanchez and Tasco

Nays: 0

 **Bill No. 100115:** An Ordinance To adopt a Capital Program for the six Fiscal Years 2011-2016 inclusive.

THE BILL WAS READ.

THE BILL WAS PASSED.

The Ayes and Nays were as follows:

Ayes: 16 - Councilmembers Blackwell, Clarke, Council President Verna, DiCicco, Goode, Green, Greenlee, Jones, Kelly, Kenney, Krajewski, Miller, O'Neill, Reynolds Brown, Sanchez and Tasco

Nays: 0

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 **Bill No. 100116:** An Ordinance To adopt a Fiscal 2011 Capital Budget.


THE BILL WAS READ.

THE BILL WAS PASSED.

The Ayes and Nays were as follows:

Nays: 0

Ayes: 16 - Councilmembers Blackwell, Clarke, Council President Verna, DiCicco, Goode, Green, Greenlee, Jones, Kelly, Kenney, Krajewski, Miller, O'Neill, Reynolds Brown, Sanchez and Tasco

 **Bill No. 100117, as amended:** An Ordinance Adopting the Operating Budget for Fiscal Year 2011.


THE BILL WAS READ.

THE BILL WAS PASSED.

The Ayes and Nays were as follows:

Ayes: 14 - Councilmembers Blackwell, Clarke, Council President Verna, DiCicco, Goode, Greenlee, Jones, Kelly, Kenney, Krajewski, Miller, Reynolds Brown, Sanchez and Tasco

Nays: 2 - Councilmembers Green and O'Neill

 **Bill No. 100119:** 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 READ.

THE BILL WAS PASSED.

The Ayes and Nays were as follows:

Ayes: 16 - Councilmembers Blackwell, Clarke, Council President Verna, DiCicco, Goode, Green, Greenlee, Jones, Kelly, Kenney, Krajewski, Miller, O'Neill, Reynolds Brown, Sanchez and Tasco

Nays: 0

 **Bill No. 100120:** 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 READ.


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THE BILL WAS PASSED.

The Ayes and Nays were as follows:

Ayes: 16 - Councilmembers Blackwell, Clarke, Council President Verna, DiCicco, Goode, Green, Greenlee, Jones, Kelly, Kenney, Krajewski, Miller, O'Neill, Reynolds Brown, Sanchez and Tasco

Nays: 0

 **Bill No. 100131, as amended:** An Ordinance Amending Chapter 10-700 of The Philadelphia Code, entitled “Refuse and Littering,” by providing for a sanitation services fee, under certain terms and conditions.


THE BILL WAS READ.

THE BILL WAS PASSED.

The Ayes and Nays were as follows:

Ayes: 10 - Councilmembers Clarke, Council President Verna, Goode, Greenlee, Jones, Kenney, Miller, Reynolds Brown, Sanchez and Tasco

Nays: 6 - Councilmembers Blackwell, DiCicco, Green, Kelly, Krajewski and O'Neill

 **Bill No. 100254, as amended:** An Ordinance Amending Title 19 of The Philadelphia Code, entitled “Finance, Taxes and Collections,” by adding a new Chapter entitled “Tobacco and Tobacco-Related Products Tax,” under certain terms and conditions.


THE BILL WAS READ.

THE BILL WAS PASSED.

The Ayes and Nays were as follows:

Ayes: 13 - Councilmembers Blackwell, Clarke, Council President Verna, Green, Greenlee, Jones, Kelly, Kenney, Krajewski, Miller, Reynolds Brown, Sanchez and Tasco

Nays: 3 - Councilmembers DiCicco, Goode and O'Neill

 **Bill No. 100284, as amended:** An Ordinance Amending Section 19-1301 of The Philadelphia Code, entitled “Real Estate Taxes,” by revising the real estate tax rate, under certain terms and conditions.

THE BILL WAS READ.

THE BILL WAS PASSED.

The Ayes and Nays were as follows:

Ayes: 11 - Councilmembers Clarke, Council President Verna, DiCicco, Goode, Greenlee, Jones, Kenney, Miller, Reynolds Brown, Sanchez and Tasco

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Nays: 5 - Councilmembers Blackwell, Green, Kelly, Krajewski and O'Neill

☐ **Bill No. 100156, as amended:** An Ordinance Amending Section 14-304 of The Philadelphia Code, entitled "C-3 Commercial District," amending Section 14-1402 of The Philadelphia Code, entitled "Parking in Residential Districts," and amending Section 14-1405 of The Philadelphia Code, entitled "Off-street Loading," all under certain terms and conditions .

THE BILL WAS READ.

THE BILL WAS PASSED.

The Ayes and Nays were as follows:

Ayes: 16 - Councilmembers Blackwell, Clarke, Council President Verna, DiCicco, Goode, Green, Greenlee, Jones, Kelly, Kenney, Krajewski, Miller, O'Neill, Reynolds Brown, Sanchez and Tasco

Nays: 0

☐ **Bill No. 100253-A, as amended:** An Ordinance Amending Title 14 of The Philadelphia Code, relating to "Zoning and Planning," by amending Chapter 14-1600, entitled "Miscellaneous," by amending Section 14-1611, entitled "Benjamin Franklin Parkway Controls," by exempting certain building features from being considered as part of the height of a building within a specified area subject to the Benjamin Franklin Parkway Controls, under certain terms and conditions.

THE BILL WAS READ.

COUNCILMEMBER CLARKE MOVED TO AMEND BILL NO. 100253 (SEE FILE).

COUNCILMEMBER CLARKE MOVED FOR THE ADOPTION OF THE AMENDMENT.

THE MOTION WAS DULY SECONDED AND AGREED TO.

THE AMENDMENT TO BILL NO. 100253 WAS ADOPTED.

☐ **Bill No. 100253-A, as amended:** An Ordinance Amending Title 14 of The Philadelphia Code, relating to "Zoning and Planning," by amending Chapter 14-1600, entitled "Miscellaneous," by amending Section 14-1611, entitled "Benjamin Franklin Parkway Controls," by exempting certain building features from being considered as part of the height of a building within a specified area subject to the Benjamin Franklin Parkway Controls, under certain terms and conditions.

THE BILL WAS AMENDED.

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

SPEECHES

COUNCILMEMBERS CLARKE, GREEN AND BLACKWELL (SEE NOTES OF TESTIMONY).

COUNCILMEMBER CLARKE MOVED TO ADJOURN

THE MOTION WAS DULY SECONDED AND AGREED TO.