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COUNCIL OF THE CITY OF PHILADELPHIA
PUBLIC HEARING AND PUBLIC MEETING
BEFORE THE COUNCIL COMMITTEE ON RULES

- - -
Room 400, City Hall
Philadelphia, Pennsylvania
Thurs., 6/4/98, 1:25 p.m.
- - -

BILL 980454 - Declaring it desirable for people served by Philadelphia School, Northeastern Hospital, and St. Joseph Villa Nursing Home, for the Hospitals and Higher Education Facilities Authority of Philadelphia to undertake certain projects. . .
BILL 980455 - Declaring it desirable for people served by Jefferson Health System and Albert Einstein Healthcare Network for Hospitals and Higher Education Facilities Authority of Phila. to participate in effort to provide for payment of certain outstanding obligations. . .
BILL 980389 - Declaring it desirable for people served by Greater Philadelphia Health Services II Corporation to undertake project. . .
BILL 980409 - Declaring it desirable for people served by Community College of Phila., for Hospitals and Higher Ed. Facilities Authority of Phila. to participate in a project. . .
BILL 980133 - Amending Philadelphia Zoning Maps of certain areas of land located in 27th Ward. . .
BILL 980342 - Amending Philadelphia Zoning Maps of certain areas of land located in 53rd Ward. . .
BILL 970714 - Amending Section of The Philadelphia Code, entitled "Contractor Parking". . .

PRESENT: COUNCILMAN JAMES F. KENNEY, Chair
COUNCILWOMAN AUGUSTA A. CLARK
COUNCILMAN DAVID COHEN
COUNCILWOMAN ANNA CIBOTTA VERNA

- - -
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1 COMMITTEE ON RULES

2 P R O C E E D I N G S

3 COUNCILMAN KENNEY: Ladies and
4 gentlemen, can I have your attention for one
5 minute. Bill No. 970173, which was recessed to
6 today, at this time, 1 o'clock, from May 14,
7 1998. Is going to be recessed until Monday, June
8 the 8th, at 10 a.m., in this room.

9 So anyone here -- and that's the agents
10 bill, the expeditors bill, whatever you want to
11 refer to it as. It's going to be recessed until
12 Monday June 8th, 10 a.m., in this room, okay? So
13 you won't have to sit around and wait all. . .

14 We will proceed with the rest of what's
15 on this calendar now as soon as we get done across
16 the hall. And I'll try to move that as quickly as
17 possible.

18 (Committee meeting stands in recess,
19 then reconvenes.)

20 COUNCILMAN KENNEY: Good afternoon,
21 ladies and gentlemen. A quorum of the Rules
22 Committee is present so we can begin our hearing.
23 We apologize for the delay and any inconvenience
24 that this has caused. We are discussing important
25 issues facing the City, including the transit

1 COMMITTEE ON RULES - BILL 980454

2 workers' strike.

3 As I had mentioned earlier, Bill No.
4 970713 is being recessed until Monday, June 8th,
5 at 10 a.m., in this room.

6 The first bill on the agenda today is
7 Bill No. 980454, which is an ordinance declaring
8 that it is desirable for the health, safety, and
9 welfare of the people of the area served by the
10 Philadelphia School, Northeastern Hospital, and
11 St. Joseph Villa Nursing Home, for the Hospitals
12 and Higher Education Facilities Authority of
13 Philadelphia to undertake certain projects for the
14 Philadelphia School, Northeastern Hospital, and
15 St. Joseph Villa Nursing Home, each of which are
16 nonprofit corporations organized under the laws of
17 the Commonwealth of Pennsylvania.

18 Good afternoon. Please identify
19 yourself for the record and proceed. And you know
20 about our microphone system.

21 MR. CRAMP: Thank you very much. Under
22 the circumstances, we are very grateful that
23 you've convened.

24 Also, in the interest of time, I
25 believe that we will consolidate some of our

1 COMMITTEE ON RULES - BILL 980454

2 thoughts, if we may, Mr. Chairman.

3 COUNCILMAN KENNEY: Go right ahead.

4 MR. CRAMP: Further, would you care for
5 us to overview all four bills that we're here for?
6 Or would you want to --

7 COUNCILMAN KENNEY: I think, in an
8 effort to keep the record straight, I'm going to
9 have to do each individual bill.

10 MR. CRAMP: Understood.

11 COUNCILMAN KENNEY: So you can
12 synopsise your testimony relative to each bill
13 separately but, I have to do them separately.

14 MR. CRAMP: Understood.

15 COUNCILMAN KENNEY: Okay, thank you.

16 MR. CRAMP: If I may, then, I'll be a
17 little more thorough in the opening remarks which
18 will be to this bill, 980454. And thereafter,
19 there will be a summation of these opening
20 remarks.

21 My name is Donald Cramp. I serve as
22 the Chief Executive Officer of the Hospitals
23 Higher Education Facilities Authority of
24 Philadelphia. I wish to make a brief introductory
25 statement in support of the proposed bill, 980454.

1 COMMITTEE ON RULES - BILL 980454
2 Greater Philadelphia Health Services
3 Incorporation II, Community College of
4 Philadelphia, Jefferson Health System, Albert
5 Einstein Health Care Network, and the Philadelphia
6 School, Northeastern Hospital, St. Joseph Villa
7 Nursing Home, which constitute our Renovation
8 Pool, have requested the assistance of the
9 Philadelphia Hospital Higher Education Facility
10 Authority to finance certain capital needs. These
11 requests were accepted for consideration by the
12 Authority Board.

13 A Public Tax Equity and Fiscal
14 Responsibility Act (TEFRA) hearing on each of
15 these, including the Greater Philadelphia Health
16 Services II Corporation, Jefferson Health System,
17 Albert Einstein Health Care Network, and the
18 Philadelphia School, Northeastern Hospital, St.
19 Joseph Villa Nursing Home, will be held in
20 accordance with published newspaper
21 advertisements. Both the Authority and the
22 particular organizations will be represented at
23 those respective TEFRA hearings.

24 To close, I wish to assure you, as
25 usual, that neither the City of Philadelphia nor

1 COMMITTEE ON RULES - BILL 980454

2 the Hospitals Authority has financial, legal
3 responsibility for the repayment of this debt.

4 Thank you very much.

5 COUNCILMAN KENNEY: Thank you very
6 much.

7 The other gentleman at the table, would
8 you please identify yourself for the record. And
9 if there's anything you'd like to add, please
10 proceed.

11 MR. SCOTT: My name's Kevin Scott, and
12 I'm acting in this capacity as special counsel to
13 the --

14 COUNCILMAN KENNEY: Mr. Scott, could
15 you please pull that microphone directly towards
16 you.

17 MR. SCOTT: My name is Kevin Scott.
18 And I'm acting in capacity of the first bill, as
19 transaction counsel to the Hospital Authority's
20 Renovation Pool. And I have no comments to add to
21 Mr. Cramp's.

22 COUNCILMAN KENNEY: Thank you very
23 much.

24 Are there any questions for these
25 witnesses relative to Bill No. 980454?

1 COMMITTEE ON RULES - BILL 980454

2 (No questions.)

3 COUNCILMAN KENNEY: Seeing none, is
4 there anyone else in the room to testify on
5 980454?

6 (No response.)

7 COUNCILMAN KENNEY: Will you be
8 requesting a suspension of the rules Mr. Cramp?

9 MR. CRAMP: Yes.

10 COUNCILMAN KENNEY: Oh, I'm sorry. Mr.
11 McGreal, would you like to --

12 MR. MCGREAL: I know you have a busy
13 schedule, so I request a suspension of the rules.

14 COUNCILMAN KENNEY: Could you identify
15 yourself for the record, please.

16 MR. MCGREAL: My name is Austin J.
17 McGreal, and I'm General Counsel to the Hospital
18 Authority.

19 On all four bills concerning the
20 Authority today, I would ask for the suspension of
21 the rules, if Your Honor seemed inclined to
22 recommend them.

23 COUNCILMAN KENNEY: Thank you very
24 much.

25 We will now proceed with Bill No.

1 COMMITTEE ON RULES - BILL 980455
2 980455, which is an ordinance declaring that it is
3 desirable for the health, safety, and welfare of
4 the people in the area served by Jefferson Health
5 System ("The System") and Albert Einstein
6 Healthcare Network ("AEHN") for the Hospitals and
7 Higher Education Facilities Authority of
8 Philadelphia to participate with the System and
9 AEHN in an effort to provide for the payment of
10 certain outstanding obligations of the member
11 hospitals and other affiliates of AEHN
12 collectively (The "AEHN Affiliates") and to fund
13 capital projects for AEHN and the AEHN Affiliates
14 consisting generally of the acquisition of skilled
15 nursing facilities and the acquisition of other
16 facilities and construction of capital
17 improvements for AEHN and the AEHN Affiliates.

18 Please identify yourself and proceed.

19 MR. CRAMP: Thank you, Mr. Chairman.
20 My name is Donald Cramp, and I serve as the Chief
21 Executive Officer of the Hospitals and Higher
22 Education Authority of Philadelphia.

23 The remarks that I made, if they could
24 be continued, in support this bill with the
25 following commentary. The Hospitals Authority

1 COMMITTEE ON RULES - BILL 980455
2 does support Bill 980455. Further, there will be
3 proper TEFRA hearings (Tax Equity and Fiscal
4 Responsibility Act hearings) with representatives
5 of the institution and the Authority present.

6 And, finally, there is no legal or
7 financial obligation by the City of Philadelphia
8 nor the Hospitals Authority for the repayment of
9 this debt. We fully support this bill.

10 Thank you, Mr. Chairman.

11 COUNCILMAN KENNEY: Could you please
12 identify yourself for the record and proceed if
13 there's anything else you'd like to add.

14 MR. CURRAN: My name's Mike Curran. I
15 am Chief Financial Officer of the Jefferson Health
16 System, and I'll be happy to answer any questions,
17 but I have no comments at this time.

18 COUNCILMAN KENNEY: Thank you very
19 much. Are there any questions for these
20 witnesses?

21 (No questions.)

22 COUNCILMAN KENNEY: Is there in anyone
23 else in the room to testify on this bill?

24 (No response.)

25 COUNCILMAN KENNEY: Thank you very

1 COMMITTEE ON RULES - BILL 980455

2 much.

3 Sir, I'm sorry, is there something
4 you'd like to add?

5 MR. LIEBERMAN: No. My name is Mark
6 Lieberman. I am General Counsel for Albert
7 Einstein, and I'd also be happy to answer any
8 questions but have no further comments.

9 COUNCILMAN KENNEY: Thank you very
10 much.

11 Since there are no questions from this
12 committee and no one else to testify, we will now
13 move to Bill No. 980389. Is that next on your
14 list, Mr. Cramp?

15 MR. CRAMP: Yes, sir.

16 COUNCILMAN KENNEY: Okay. 980389, an
17 ordinance declaring that it is desirable for the
18 health, safety, and welfare of the people in the
19 area served by Greater Philadelphia Health
20 Services II Corporation, a nonprofit corporation
21 organized under the laws of the Commonwealth of
22 Pennsylvania, which operates a long-term care
23 facility known as "Northwood Nursing Home and
24 Convalescent Center," located at 4621 Castor
25 Avenue, in Philadelphia, Pennsylvania, for the

1 COMMITTEE ON RULES - BILL 980389
2 Hospitals and Higher Education Facilities
3 Authority of Philadelphia to undertake a project
4 for Greater Philadelphia Health Services II
5 Corporation consisting of the refinancing of
6 certain indebtedness incurred in connection with
7 the acquisition of 148-bed long-term care facility
8 known as "Northwood Nursing Home and Convalescent
9 Center" financing or refinancing certain capital
10 expenditures with respect to the facility funding
11 a debt service reserve fund and paying certain
12 costs of issuance.

13 COUNCILMAN KENNEY: Please identify
14 yourself for the reported and proceed.

15 MR. CRAMP: Thank you very much, Mr.
16 Chairman. My name is Donald Cramp. I serve as
17 the Chief Executive Officer of the Philadelphia
18 Hospitals and Higher Education Authority of
19 Philadelphia.

20 May my opening remarks continue in
21 support of Bill 980389. May I also offer the
22 Chairman and the committee the following
23 reassurances. There will be proper TEFRA hearings
24 (Tax Equity and Fiscal Responsibility Act) with a
25 proper representation by the institution and the

1 COMMITTEE ON RULES - BILL 980389

2 Authority present.

3 Further, I would like to reassure that
4 there is no legal or financial responsibility by
5 the City of Philadelphia nor the Hospitals
6 Authority for the recovery and repayment of this
7 debt.

8 Thank you, Mr. Chairperson.

9 COUNCILMAN KENNEY: Thank you very
10 much.

11 Could you please identify yourself for
12 the record.

13 MR. BLACK: My name is Albert P. Black,
14 Jr. I'm Associate Vice President for Temple
15 University Health System.

16 COUNCILMAN KENNEY: Is there anything
17 you'd like to add to the testimony.

18 MR. BLACK: No, there's nothing I would
19 like to add to the testimony. I'd like to thank
20 the committee for their support.

21 COUNCILMAN KENNEY: Thank you for your
22 patience.

23 Are there any questions from members of
24 the committee on this bill?

25 (No questions.)

1 COMMITTEE ON RULES - BILL 980409

2 COUNCILMAN KENNEY: Is there anyone
3 else in the room to testify on this bill?

4 (No response.)

5 COUNCILMAN KENNEY: Seeing none, we
6 will now move to Bill No. 980409, which is an
7 ordinance declaring that it is desirable for the
8 health, safety, and welfare of the people in the
9 area served by the Community College of
10 Philadelphia for the Hospitals and Higher
11 Education Facilities Authority of Philadelphia to
12 participate with the Community College of
13 Philadelphia in a project consisting of one, the
14 acquisition and retrofitting of a certain facility
15 consisting of two classroom buildings and related
16 structures in the property located at 1200 Godfrey
17 Avenue, Philadelphia, PA, currently owned by
18 Pennsylvania College of Optometry; two, the
19 construction of capital improvements and
20 renovations to its main Center City campus; and,
21 three, the possible refunding of the Hospitals and
22 Higher Educations Facilities Authority of
23 Philadelphia's \$15,750,000 principal amount of
24 Community College revenue bonds, Series A, of
25 1994; said project to be carried out with the

1 COMMITTEE ON RULES - BILL 980409
2 financial assistance of the Hospitals and Higher
3 Education Facilities Authority of Philadelphia and
4 with the City of Philadelphia to be responsible
5 for paying a certain portion of the College's
6 payment obligations incurred for such purpose;
7 authorizing the Mayor to enter into an agreement
8 with the Community College of Philadelphia,
9 setting forth such payment obligation; and,
10 further, authorizing the Board of Trustees of the
11 Community College to enter into an amendment to an
12 existing loan agreement with the said Authority
13 setting forth the conditions of the Authority's
14 financial assistance and all loan repayment and
15 other obligations of the Community College of
16 Philadelphia.

17 Please identify yourself for the
18 reporter.

19 MR. CRAMP: Thank you, Mr. Chairman.
20 My name is Donald Cramp. I serve as the Chief
21 Executive Officer of the Hospitals and Higher
22 Education Facilities Authority of Philadelphia.

23 Inasmuch as this is the last testimony
24 for the bills before you today, may I begin by
25 expressing our sincere appreciation.

1 COMMITTEE ON RULES - BILL 980409

2 Community College is an example of all
3 the facilities that were before us this morning.
4 All these institutions have opportunities to issue
5 elsewhere. The courtesy shown to us by bringing
6 us into this session on such a business day, for
7 example; and, further, to have these financings in
8 place so that we can continue through the summer
9 months is gratefully appreciated.

10 I would like the continuation of my
11 opening remarks for the first bill to be continued
12 for this bill, if I may.

13 COUNCILMAN KENNEY: Yes, sir.

14 MR. CRAMP: Further, I would just
15 reassure that there will be proper TEFRA hearings,
16 as necessary. In this case, Community College has
17 adequate TEFRA hearing, and there will not be a
18 TEFRA hearing needed.

19 Finally, there is no legal and
20 financial obligation by the City of Philadelphia
21 nor the Hospitals Authority for the repayment of
22 this debt. The Hospitals Authority fully supports
23 Community College. We're pleased to have them
24 with us. And Bill No. 980409 is fully supported
25 by the Hospitals Authority.

1 COMMITTEE ON RULES - BILL 980409

2 Thank you very much, Mr. Chairman.

3 COUNCILMAN KENNEY: Thank you. Is
4 there anything that you would like to add to the
5 record as far as relative to the project or
6 projects involved.

7 MR. CRAMP: Mr. Thomas -- Dr. Thomas
8 Hock is with us. He might have a comment.

9 DR. HOCK: No, but I'd be happy to
10 answer any questions that you may have.

11 COUNCILMAN KENNEY: Fine.
12 Councilmember Cohen.

13 COUNCILMAN COHEN: I just want
14 Community College to know that the community of
15 both East and West Oak Lane and Germantown are
16 very anxiously awaiting for the coming of
17 Community College. They warmly welcome Community
18 College into the community. They've been looking
19 forward to it for a long time.

20 And we wish everybody well and we're
21 very pleased that the Hospitals and Higher
22 Education Authority is in a position to be of
23 assistance. We think it's a great thing for the
24 people of Philadelphia to have an expansion of
25 Community College's activity into that area.

1 COMMITTEE ON RULES - BILL 980409

2 DR. HOCK: Thank you very much. We're
3 looking forward to coming.

4 MR. SCOTT: Councilman Kenney.

5 COUNCILMAN KENNEY: Yes.

6 UNIDENTIFIED SPEAKER: I think the
7 attorney representing (unintelligible) has a
8 comment to make concerning -- there's some
9 liability the City has.

10 COUNCILMAN KENNEY: Please identify
11 yourself for the record.

12 MR. SCOTT: My name is Kevin Scott, and
13 we act as counsel to the Community College.

14 In this particular case, unlike the
15 other three financings that were approved before
16 this, the City of Philadelphia, as local sponsor
17 of the Community College, has certain obligations
18 that are set forth in the ordinance as to the debt
19 service on the bonds.

20 I just wanted to clarify that.

21 COUNCILMAN KENNEY: Thank you very
22 much.

23 Councilmember Clark.

24 COUNCILWOMAN CLARK: Just for the
25 record, could you tell us how much the City's

1 COMMITTEE ON RULES - BILL 980409

2 exposure is and what that liability is.

3 MR. SCOTT: Certainly. It's based on a
4 formula, and it's up to one half of the debt
5 service on the bonds.

6 COUNCILWOMAN CLARK: Up to one half?

7 MR. SCOTT: Correct.

8 COUNCILWOMAN CLARK: What does that
9 work out to in dollars? Can you give me a
10 ballpark dollar figure?

11 MR. SCOTT: Well, the principal amount
12 of the bonds will be roughly, on the high side,
13 \$10 million, so it would be debt service on \$5
14 million over 20 years.

15 COUNCILWOMAN CLARK: Well, if I really
16 wanted to know what that number is, get the
17 arithmetic myself, right?

18 COUNCILMAN KENNEY: Could you give some
19 estimation of what -- if it were today's numbers.

20 COUNCILWOMAN CLARK: In today's market,
21 yes.

22 MR. SCOTT: If you could give me one
23 second.

24 COUNCILMAN KENNEY: Sure.

25 MR. SCOTT: I think I could come up

1 COMMITTEE ON RULES - BILL 980409

2 with an estimate.

3 DR. HOCK: Yeah, let me answer the
4 question.

5 Because the City is buying the College
6 through its capital budget for the College, the
7 City's effective debt service will be about \$2.5
8 million the City's because of the 2.5 -- the
9 City's responsible for half of the \$10 million
10 project, but 2-1/2 is being paid for out of the
11 annual capital budget for the City.

12 The debt service on \$2.5 million, it is
13 roughly \$80,000 a year so you're talking about
14 \$220,000 a year, half of which would be the --
15 well, that's about it approximately, \$220,000 a
16 year.

17 COUNCILWOMAN CLARK: Thank you.

18 COUNCILMAN KENNEY: Thank you very
19 much.

20 COUNCILMAN COHEN: Mr. Chairman.

21 COUNCILMAN KENNEY: Yes, Councilmember
22 Cohen.

23 COUNCILMAN COHEN: My comment would be
24 it's a very modest investment and a very small
25 risk for a very wonderful purpose. And I think

1 COMMITTEE ON RULES - BILL 980409

2 Philadelphia is going to be stronger as a result
3 of that.

4 COUNCILWOMAN CLARK: I asked my
5 question so that I would know what I was
6 concurring with. I'm a strong and continued
7 supporter of Community College, and I couldn't
8 find a better investment of public dollars, but I
9 did want to know the level and the extent of our
10 exposure.

11 MR. CRAMP: May I make a comment?

12 COUNCILMAN KENNEY: Yes, you may.

13 MR. CRAMP: Following this meeting, I
14 will be sure to be better informed, but I would
15 like you to know that the Authority does have an
16 indemnification clause. And when we make that
17 statement, we mean it. We have an indemnification
18 clause in all of our contracts.

19 This technical explanation is at an
20 awkward moment, but please be assured what we say
21 before this committee, we are generally always
22 well-informed.

23 COUNCILMAN KENNEY: Thank you.

24 MR. CRAMP: Thank you.

25 COUNCILMAN KENNEY: Thank you very

1 COMMITTEE ON RULES - BILL 980133

2 much.

3 Is there anyone else to testify on this
4 bill?

5 (No response.)

6 COUNCILMAN KENNEY: Seeing none, thank
7 you very much for coming in today and for your
8 patience.

9 There are three bills left which are
10 technical in nature relative to zoning maps and
11 zoning designations.

12 Bill 980133, which is an ordinance to
13 amend the Philadelphia Zoning Maps by changing the
14 zoning designations of certain areas of land
15 located in the 27th Ward and within an area
16 bounded by Spruce Street, 34th Street, Civic
17 Center Boulevard, University Avenue, and 38th
18 Street from partly Class "R-15" residential,
19 partly class "C-4" commercial, partly class "C-3"
20 commercial, and partly class "IDD" (Institutional
21 Development District) to a designation of partly
22 class "R-15" residential, partly class "C-4"
23 commercial, partly class "C-3" commercial, and
24 partly class "IDD" Institutional Development
25 District.

1 COMMITTEE ON RULES - BILL 980133

2 Please identify yourself for the record
3 and proceed.

4 MR. DEEGAN: Good afternoon, Mr.
5 Chairman. Paul Deegan. I represent Philadelphia
6 Industrial Development Corporation. I'm here to
7 testify in support of this bill.

8 This bill makes a small adjustment to a
9 rezoning that was approved by City Council last
10 December by passage of Bill No. 970608. As you
11 can see by the attached map, the map that's
12 attached to the ordinance --

13 COUNCILMAN KENNEY: Yes.

14 MR. DEEGAN: -- the parcel fronting on
15 Civic Center Boulevard at Oxford Circle is squared
16 off to reflect the existing development of the
17 site. Inadvertently, the previous bill left off
18 the little notch in the corner, but the lot owned
19 by Children's Hospital actually is a square rather
20 than an indent.

21 So this is a small adjustment, and it
22 reflects existing conditions. There is no new
23 development planned.

24 The new zoning has been developed
25 through discussions with Children's Hospital, the

1 COMMITTEE ON RULES - BILL 980133

2 City Planning Commission of PIDC, and C-3

3 Commercial was generally agreed on as the most
4 appropriate zoning classification for the
5 development out there.

6 I ask that the committee act favorably
7 on this bill and that the committee report it out
8 with a recommendation that the rules of Council be
9 suspended to permit first reading at the next
10 regularly schedule session of City Council.

11 COUNCILMAN KENNEY: Thank you very
12 much.

13 MR. DEEGAN: Any questions from the
14 Committee?

15 The Chair recognizes Councilmember
16 Clark.

17 COUNCILWOMAN CLARK: Mr. Chairman, I
18 had a brief discussion with the sponsor of this
19 bill today, and I know that she wishes to see it
20 favorably considered.

21 COUNCILMAN KENNEY: Thank you very
22 much. Is there anyone else to testify on this
23 bill?

24 (No response.)

25 COUNCILMAN KENNEY: Seeing none, We

1 COMMITTEE ON RULES - BILL 980342
2 will move to Bill No. 980342, an ordinance
3 amending the Philadelphia Zoning Maps, by changing
4 the zoning designations of certain areas of land
5 Ward and within an area bound by Oxford Avenue,
6 Street from "L-3" Limited Industrial to "ACS" Area
7 Shopping Center.

8 Please identify yourself for the
9 record.

10 (Brief interruption.)

11 COUNCILMAN KENNEY: Let's recess one
12 minute.

13 - - -

14 (Proceedings resume.)

15 COUNCILMAN KENNEY: Please identify
16 yourself for the record and proceed.

17 MR. LOMBARD0: Yeah, good afternoon,
18 Mr. Chairman and members of the committee.
19 Richard Lombardo, Philadelphia Planning
20 Commissioner, testifying on Bill 980342.

21 I placed in front of each of you a new
22 Map B, which is an amendment to this bill. The
23 bill -- when the bill was drafted, it was
24 inadvertently drafted to cover too much property
25 that people did not wish to have the zoning

1 COMMITTEE ON RULES - BILL 980342

2 changed on.

3 COUNCILMAN KENNEY: So I understand,
4 you're requesting an amendment to the pink bill
5 right now.

6 MR. LOMBARD0: That's right.

7 COUNCILMAN KENNEY: Fine.

8 MR. LOMBARD0: Basically, what this
9 bill proposes to do is to rezone a number of
10 commercial uses that exist in the L-3 industrial
11 by nature of zoning board variances.

12 At the time the Zoning Board approved
13 the variances, they also approved the new
14 buildings to be used for uses permitted in area
15 shopping center. Councilman Mariano and the owner
16 of the property just basically are changing the
17 zoning to bring it up to conformance with the
18 Zoning Board variances.

19 In the drafting of the bill, the area
20 was exceeded and included two industrial
21 properties that are currently used industrially.
22 One is a self-storage facility; and the other, I
23 believe, make electrical parts, remanufacturing
24 for auto parts.

25 We are amending the bill to leave those

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2 properties zoned industrial, so we're cutting back
3 on the size of the area to become area shopping
4 center, as depicted in new Map B that I handed out
5 to everybody.

6 If you adopt the amendments, we will
7 give that new map to the Chief Clerk's office.

8 For the record, the Planning Commission
9 this afternoon at its meeting recommended adoption
10 of Bill No. 980342.

11 COUNCILMAN KENNEY: Thank you very
12 much.

13 Ms. Brill, could you identify yourself
14 for the record.

15 MS. BRILL: Yes. I'm Lorraine Brill
16 (ph.). I live at 814 Disston Street. I am
17 President of Upper Northwood Community Council.

18 We did the original rezoning remapping
19 with City Planning Commission, and the original
20 zoning bill was approved by City Council back on
21 March 14, 1974. This bill, 980342, is the first
22 recommended change since that time.

23 However, when we reviewed Map B, the
24 proposed zoning change in the original bill, we
25 realized the map was not correct. It would impact

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2 existing viable industrial properties that act as
3 a buffer between the residential areas running on
4 Algon Avenue and the proposed area shopping
5 center, which fronts on the westerly portion of
6 Levick Street and Oxford Avenue.

7 We've met with the developer for the
8 area shopping center property, also with
9 Councilman Mariano and Tom Chapman of the City
10 Planning Commission. We're all in agreement that
11 Map B is to be corrected by means of amending this
12 bill. And we're asking that this new Map B be
13 incorporated into the bill.

14 COUNCILMAN KENNEY: Thanks.

15 MS. BRILL: Please make sure that it's
16 the new map that goes in.

17 COUNCILMAN KENNEY: It will be done.

18 MS. BRILL: Okay.

19 Councilmember Clark.

20 COUNCILWOMAN CLARK: Your testimony is
21 construed to be in support of the bill as
22 amended?

23 MS. BRILL: As amended.

24 COUNCILWOMAN CLARK: Including the new
25 white page?

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2 MS. BRILL: Yes.

3 COUNCILWOMAN CLARK: To be substituted
4 for the map that's in the pink.

5 MS. BRILL: Yes, that's correct.

6 COUNCILMAN KENNEY: Thank you very much
7 for that clarification.

8 Are there any questions for these
9 witnesses?

10 (No further questions.)

11 COUNCILMAN KENNEY: Thank you very
12 much. Is there anyone else in the room to testify
13 on this bill?

14 (No response.)

15 COUNCILMAN KENNEY: Thank you very
16 much.

17 I'm going to ask your indulgence for
18 ten minutes, the people who are here for 970714.
19 I sincerely apologize. We're in the midst of this
20 SEPTA issue, and we are being requested to go
21 across the hall. I will be back as soon as
22 possible.

23 (Rules Committee public hearing stands
24 in recess.)

25 - - -

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2 (Proceedings resume.)

3 COUNCILMAN KENNEY: This is a
4 reconvened hearing of the Rules Committee to hear
5 testimony on Bill No. 970714, which is an
6 ordinance amending Section 12-2900 of The
7 Philadelphia Code, entitled "Contractor Parking,"
8 by amending the provisions related to contractor
9 parking permits, including providing for a new
10 parking permit for licensed real estate agents,
11 under certain terms and conditions.

12 Please identify yourself for the record
13 and proceed.

14 MR. DIXON: My name is Richard Dixon.
15 I'm the Director of Parking Management at the
16 Philadelphia Parking Authority.

17 The Philadelphia Parking Authority is
18 opposed to the proposed amendment to the
19 contractor parking ordinance which would allow
20 Realtors in Philadelphia special on-street parking
21 privileges. There are a number of valid reasons
22 for this opposition, which I would like to
23 address.

24 First and foremost, in the last year,
25 the Parking Authority has been asked to provide

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2 special parking privileges for a variety of
3 occupational entities ranging from social workers,
4 priests, teachers, parking recreation volunteers,
5 courier services, Red Cross volunteers, UPS
6 drivers, City employees, doctors, and funeral
7 directors.

8 There is no way to accommodate all of
9 these varied requests, although they could all
10 make the same claim to the need for special
11 parking privileges as do the Realtors.

12 Due to the increasing scarcity of
13 on-street parking spaces to accommodate the
14 public's need for short-term parking, this
15 amendment would further reduce the opportunity to
16 provide adequate public parking for shoppers,
17 visitors, and others who need to do business in
18 the City of Philadelphia.

19 This is an issue of fairness. Why do
20 Realtors deserve special consideration beyond that
21 afforded to others whose jobs also require them to
22 visit multiple sites in the course of the
23 workday?

24 The problem with doing it for one
25 constituency is that it will be more difficult to

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2 say no in the future when the next request comes
3 in. There is simply no way to provide special
4 parking privileges to everyone and continue to do
5 try to manage an already-limited on-street parking
6 supply.

7 The Parking Permit Program developed
8 for contractors is based on the legitimate needs
9 of those who need access to their vehicles for
10 tools and equipment. It is simply not reasonable
11 for a plumber or a carpenter to park several
12 blocks away and move tools and equipment to a
13 site. Further, the work of contractors generally
14 takes all day, and it is, therefore, necessary to
15 exempt them from the time limit restrictions.

16 Realtors have no such constraints.
17 They do not require heavy equipment, and their
18 visits rarely last longer than the limits allowed.
19 The proposed amendment would allow them to park
20 for up to two hours at meters without paying the
21 fee. Ninety percent of meters already allow for
22 two-hour parking. The only change this ordinance
23 would provide for is Realtors would get to park
24 free of charge.

25 In addition, allowing Realtors to park

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2 in loading zones would severely reduce the
3 availability for those businesses with legitimate
4 loading and unloading needs and will dramatically
5 increase the incidents of double-parking on City
6 streets.

7 Finally, we've all heard the news
8 reports concerning the abuse of other special
9 parking privileges. Abuse of parking privileges
10 for people with disabilities has been the subject
11 of numerous local and national reports. While the
12 original intent of the current City ordinance is
13 laudable, over 20 percent of all parking meters in
14 the core of Center City are now occupied all day
15 by vehicles with plates or placards for the
16 disabled.

17 There are more than 5300 licensed real
18 estate agents in the Philadelphia area. If each
19 of them is issued a placard, how will the use of
20 such placards be monitored for business use only?
21 There is no way to prevent the potential abuse of
22 those placards during nonbusiness hours.

23 In conclusion, real estate agents are
24 perfectly able to conduct their business within
25 the existing parking regulations. There is no

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2 unusual components of their work which requires
3 the waiving of meter fees or allowing parking in
4 loading zones.

5 The result of passage of this amendment
6 is reduced parking opportunities for others with
7 equally legitimate needs. Therefore, the Parking
8 Authority opposes this ordinance change.

9 I'd be happy to answer any questions
10 you have you may.

11 COUNCILMAN KENNEY: Thank you very much
12 for your testimony.

13 From my perspective, the issue is,
14 however, is that this, from my perspective, this
15 has already been opened up by allowing for special
16 privileges for contractors, many of whom aren't
17 even City residents.

18 So part of my concern is, while I
19 recognize that the Parking Authority receives
20 requests for these types of operations, some of
21 them, I think, making a subjective decision on my
22 part, wouldn't need them in the first place. I
23 mean, when was the last time a doctor made a house
24 call? Or why should a teacher -- I mean those,
25 kinds of issues.

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2 And the other issue, as far as courier
3 services and UPS drives or City employees, we're
4 not talking about necessarily people who are
5 attempting to sell and rent properties in the City
6 which brings in a tax base to the City, which
7 brings in new residents, turns over property,
8 turns over realty transfer taxes and other types
9 of taxes to the City. That's the first problem.

10 The second issue. As a result of your
11 testimony, it is because of abuse of parking
12 privileges for people with disabilities, I don't
13 think that's necessarily relevant to what we're
14 discussing.

15 If the Parking Authority has a need to
16 do a better job with keeping fraudulent people who
17 claim they're disabled from doing this, then they
18 should undertake the investigatory efforts
19 necessary to rid us of those frauds. That should
20 not reflect on the request, or what I believe is a
21 legitimate request, for real estate agents to have
22 this kind of permit parking. I mean, don't think
23 one has anything to do with the other.

24 If we need to clean up abuse of parking
25 privileges by people who claim they're disabled,

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2 let's do that. But that has -- I don't think that
3 has any relevance to any other individual
4 legitimate requests for similar parking
5 privileges.

6 And -- all right, I understand the
7 Parking Authority's position. I find it hard to
8 understand why it would be okay for us to give
9 parking privileges to a contractor who lives in
10 Montgomery County or in New Jersey the right to
11 park on the street all day and not someone who may
12 happen to be a City resident who is doing this
13 kind of work, which I think is critical for
14 downtown Center City.

15 I mean, I don't understand why one
16 group of out-of-town people can get one, but not
17 someone who lives in the City, doing important
18 work.

19 MR. DIXON: We do not dispute the fact
20 that Realtors, as a business, contribute greatly
21 to the City's economy. We draw the distinction
22 into what are the parking needs of the two groups
23 that are requesting these privileges.

24 Contractors almost always have
25 equipment that they need to get back and forth.

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2 They almost always need to be there longer than
3 the current time limits permit, so we've made that
4 exception because there's no way for them to do
5 their job effectively without exempting them from
6 the regulations.

7 Realtors, on the other hand, we
8 believe, can comply with the posted regulation;
9 and which this bill says that they actually must
10 do by setting a two-hour limit. That's what over
11 90 percent of the meters in the City offer now.
12 The only thing this gives them is that it's free
13 to them when it's not free to anybody else.

14 COUNCILMAN KENNEY: Well, there's no
15 desire or discussion to make this a free -- I
16 don't understand, free to whom?

17 MR. DIXON: Well, they would not have
18 to pay meter fees, they would be exempt from meter
19 fees.

20 COUNCILMAN KENNEY: Oh, but they would
21 pay for --

22 MR. DIXON: They would pay \$50 a year
23 for the placard.

24 MR. KENNEY: Okay.

25 (President Street appears.)

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2 PRESIDENT STREET: I apologize for
3 interrupting this committee meeting, and I
4 appreciate Chairman Kenny's indulgence.

5 The City Council session that has been
6 recessed, we recessed for about 30 minutes. That
7 session will stay in recess until 4 o'clock this
8 afternoon. Councilmembers, at 4 o'clock, in the
9 Council caucus room, will be meeting with the
10 City's representatives on the SEPTA Board. Mr.
11 Brookens will be back, Mr. Cohen has been invited
12 to be back, although I think he may decline our
13 invitation.

14 But we will further consider what we
15 will -- the Council might be able to do to effect
16 some kind of resolution of the SEPTA work
17 stoppage.

18 Mr. Kenny, thank you very much.

19 COUNCILMAN KENNEY: Here we go.

20 MR. DIXON: Um, Mr. --

21 COUNCILMAN KENNEY: Yeah, go ahead, you
22 can finish your statement.

23 MR. DIXON: If I can continue.

24 The other issue you raised about
25 contractors who don't live in the City versus

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2 Realtors who do, for any contractor that applies
3 for a placard, they must have a business privilege
4 license in the City; the vehicle must be
5 registered to the business, not to an individual;
6 they must be current in all taxes and fees owed to
7 the City.

8 The proposed ordinance has no such
9 requirement. Any licensed Realtor, from whatever
10 jurisdiction, is also eligible for these placards.

11 And in addition to that, there is no
12 provision for a business privilege license. The
13 vehicle can be registered to the -- would be
14 registered to the individual. And, therefore,
15 there's no way to check to see if the person for
16 whom working they're even has business privilege
17 license.

18 So it opens up an area -- that's why we
19 introduced the issue of the possibility of abuse
20 and just used the handicapped issue as an
21 example. There is virtually no way to check to
22 see that these placards are really being used for
23 the legitimate business needs of the people to
24 whom they are issued.

25 COUNCILMAN KENNEY: Right, but you do

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2 make special restrictions on neighborhood permit
3 parking for residents only?

4 MR. DIXON: That is correct.

5 COUNCILMAN KENNEY: They must prove
6 registration of the vehicle or a lease to get a
7 residential permit parking permit.

8 MR. DIXON: That's correct but that
9 doesn't -- that isn't --

10 COUNCILMAN KENNEY: No, I understand.
11 But what I'm saying is that we seem to have a
12 couple different standards. One is we can
13 restrict it to the residents of the City, the
14 special parking privilege only. And then we give
15 parking privileges to out-of-town businesses that
16 basically come in and, from my point of view, take
17 business away from City residents, but we make a
18 special provision and make it easier for them to
19 come over and do business or come from the
20 counties and do business.

21 I don't understand why we don't
22 restrict, for example, the contractor parking to
23 Philadelphia residents only.

24 MR. DIXON: We -- we made the decision
25 based on the parking needs of the people of the

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2 business that was applying. A contractor, in
3 order to do their job, needs to be exempted from
4 the requirements of the time limits specifically
5 because they need access to their vehicles for
6 equipment.

7 COUNCILMAN KENNEY: I'm not arguing
8 that -- the argument here --

9 MR. DIXON: The Chamber of Commerce
10 came in to testify on behalf of that bill, and it
11 was they who basically drew the guidelines as to,
12 This needs to be a business-specific type of
13 program and not a resident-specific type of
14 program. The residential permit parking program
15 is tailored exclusively for residents, and it's
16 designed specifically to prohibit the other
17 people.

18 COUNCILMAN KENNEY: Okay, all right. I
19 appreciate your testimony.

20 MR. DIXON: Thank you.

21 COUNCILMAN KENNEY: Mr. Kean and Mike
22 McGee, please.

23 (Leroy Kean comes forward.)

24 COUNCILMAN KENNEY: Please identify
25 yourselves for the record and proceed.

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2 MR. KEAN: Leroy Kean. I'm the 1998
3 President of the Greater Philadelphia Association
4 of Realtors.

5 COUNCILMAN KENNEY: Please proceed.

6 MR. KEAN: Good afternoon. My name is
7 Leroy Kean, and I am the 1998 President of the
8 Greater Philadelphia Association of Realtors.
9 With me today is Michael McGee, who is the Vice
10 President of Government and Public Affairs for the
11 Realtors of Southeast Regional Public Affairs
12 Department.

13 We are here today to express our
14 support for Bill 970714 and to urge members of the
15 Rules Committee to report the bill with a
16 favorable recommendation.

17 Our support for this proposal is based
18 on a simple premise -- that Realtors are the
19 City's ambassadors. As such, we promote
20 Philadelphia to perspective homeowners, renters,
21 and businesses on a daily basis.

22 As you know, Realtors rely heavily on
23 their vehicles to conduct business, whether going
24 on a listing presentation, showing a property to
25 prospective purchasers, or submitting an agreement

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2 of sale, a Realtor's car is an integral business
3 tool.

4 Some time ago, City Council provided
5 contractors with special parking privileges.
6 Presumably, Council recognized that contractors
7 needed relief from parking worries while
8 performing their jobs and trying to make a living.

9 In today's strong real estate market,
10 Realtors often show their clients multiple
11 properties, usually for about 30 minutes at each
12 stop. At a time when we should be focussed on
13 meeting our customer's needs, we shouldn't need to
14 worry about our supply of quarters, the time
15 remaining on the meter, or driving around
16 searching for a parking space. Therefore, we
17 believe that Realtors also deserve an opportunity
18 to obtain temporary parking permits.

19 It should be noted that, as sales
20 people, we are typically compensated only when a
21 property is sold or leased. When we are
22 successful, the City is also a significant
23 beneficiary of our efforts.

24 Each year, as a direct result of our
25 activities, Philadelphia reaps billions of dollars

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2 in revenue from transfer taxes, income taxes, and
3 other fees resulting from the addition and
4 retention of residents and businesses. Further,
5 the real estate industry generates jobs for
6 carpenters, inspectors, appraisers, attorneys, and
7 other groups, all of whom pay taxes to the City.

8 Finally, our members pay the City's
9 business privilege tax, personal, income, and
10 other business-related taxes because they live and
11 work in Philadelphia.

12 The Greater Philadelphia Association of
13 Realtors is committed to expanding the City's
14 economic and social infrastructure through the
15 increased home ownership rates and business
16 retention and recruitment. However, we need the
17 City's assistance to help us improve our quality
18 of service through the easier parking access.

19 We believe that temporary parking
20 permits will not only enhance our customer
21 relationships, it will illustrate that the City is
22 serious in its desire to attract residential and
23 commercial real estate investors.

24 Before closing, we would like to offer
25 a suggested amendment to Bill 970714. As drafted,

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2 the legislation provides a temporary parking
3 permit only for real estate selling services. We
4 believe that the language should be broader to
5 include other real estate services such as buying,
6 leasing, listing, and appraising.

7 On behalf of the over 1400 members of
8 the Greater Philadelphia Association of Realtors,
9 I urge you to report Bill 970714 from committee
10 with a favorable recommendation.

11 Thank you for this opportunity to
12 appear before you today. I would be happy to
13 answer any questions.

14 COUNCILMAN KENNEY: Thank you very much
15 for your testimony.

16 Ms. Gaige, could you give your
17 testimony. What I want to make sure is that the
18 people in the room know that we are on one other
19 bill on this committee. We have recessed that
20 bill's consideration till Monday morning, 10 a.m.,
21 June 8th. I intend to do same thing with this
22 bill today to keep it alive and report the others
23 out, so I want to get all the testimony on the
24 record now because of the length, how long it's
25 taken today to get this done.

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2 And then I have a few other things to
3 work on between now and Monday which, hopefully,
4 will get us where we all want to be.

5 So if you could identify yourself for
6 the record and proceed.

7 MS. GAIGE: Yes. My name is Harriet
8 Gaige. I live at 2313 Green Street, in
9 Philadelphia.

10 It is a pleasure and a privilege to
11 appear before this esteemed body to speak about
12 the necessity for and the value of Center City
13 parking for Realtors and how it affects the
14 further development of an increased revenue for
15 Philadelphia.

16 I am Harriet Gaige, 74 years old,
17 celebrating 35 years in real estate sales and
18 brokerage in Philadelphia.

19 Philadelphia has experienced a dramatic
20 change over the past 40 years. In 1958 and '59,
21 my husband and I watched the hearings on
22 television regarding Society Hill from our
23 Manhattan apartment.

24 Mr. Gaige was a reporter for
25 The Wall Street Journal, writing profiles on

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2 corporate executives, when I met and married him
3 in 1958. He was offered a job as financial copy
4 editor by Joe Livingston of The Evening Bulletin,
5 accepted it, and commuted to Philadelphia for
6 three and a half years.

7 We moved to Center City, Philadelphia,
8 in 1961, and I became a licensed real estate
9 salesperson in 1963.

10 Times have changed. In the 1960s,
11 people used to joke about Philadelphia. The first
12 prize was one week in Philadelphia; the second
13 prize was two weeks. Well, they don't joke
14 anymore. Today Philadelphia is considered one of
15 the most desirable cities in which to live. And
16 we in the real estate profession are proud to have
17 helped make this transformation possible.

18 This metamorphosis could not have
19 happened without the hard work and intelligence of
20 the Members of City Council, with the leadership
21 of President John Street and Mayor Ed Rendell.

22 Times have changed. Philadelphia was
23 known for its printing industry, graphic arts,
24 garment industry, the manufacturing of trains and,
25 of course, Philadelphia lawyers. Many of these

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2 firms have moved out of state or gone out of
3 business.

4 People used to entertain at home, and
5 there were few good restaurants. Now we are our
6 orchestra, ballet, the arts, museums,
7 universities, hospitals, medical care, financial
8 institutions, historic restorations, Penn's
9 Landing, Convention Center, fine hotels, and
10 dining in many world-famous restaurants. And, of
11 course, our Philadelphia lawyers.

12 We are known for a City Council that
13 makes good things happen.

14 Times have changed. In the 1960s,
15 agents showed two or three houses. There was a
16 one-sheet agreement of sale on two sides. There
17 were no home inspections, radon, lead, or
18 (unintelligible) clauses. There may have been a
19 termite addendum and a roofing addendum stating
20 that the roof was in good order and free from
21 leaks, but there was no disclosure form. There
22 was a mortgage contingency.

23 More times than not, the sellers,
24 buyers, and real estate agents negotiated at the
25 seller's kitchen table and were served coffee and

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2 cake, sometimes staying for a spaghetti-and-
3 meatball dinner, with a glass of red wine.

4 I don't recall open housing on Sundays,
5 and there was little cooperation between brokers.
6 There were no buyer-brokers. Now the buyers are
7 well informed, they attend open houses, and
8 compare values. Rarely does a buyer purchase a
9 home without having first inspected 10 to even 25
10 houses. Brokers cooperate in sales, and there are
11 buyer-brokers.

12 Every property has a disclosure form.
13 The agreements of sale consist of up to 15 pages,
14 with clauses for a mortgage, home inspection, wood
15 infestation, lead, and possibly more. Seldom do
16 the sellers and buyers speak with each other; all
17 communications are through the seller's agents and
18 co-agents, if there is one, or lawyers. Times
19 have changed.

20 In the 1960s, there were few
21 condominiums. There was Hopkinson House, Society
22 Hill Towers, and the Dorchester. Philadelphia was
23 a city of homes -- not condominiums or
24 cooperatives. Now condominiums are popular.
25 Philadelphia changed from rental units to a

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2 condominium. Wanamaker House, Center City I,
3 Independence Place, Abbott's Square, River's Edge
4 Academy House, 2201 Cherry, and the Rittenhouse
5 are a few.

6 Each unit brings in tax dollars even
7 though land they are built on small in size in
8 comparison to the number of units it accommodates.

9 There are numerous low-rise
10 condominiums. And when we show condominiums, not
11 only do we show our own and our office listings,
12 we show other agents' listing in the same
13 building.

14 This is time-consuming, and the
15 quarters and the meter run out. We have a choice
16 of excusing ourselves and running to the elevators
17 to get to the parking meter in time, or getting a
18 parking ticket.

19 Is it wise to interrupt a selling
20 presentation to run to a meter to drop in a few
21 more quarters or park your car in a garage a block
22 or two away. In many cases, if you cannot
23 secure a parking spot for the buyer, forget the
24 sale, you're out of luck. The buyer with a budget
25 up to \$500,000 with a fine car will not buy a

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2 property in Philadelphia without a parking space.

3 This problem becomes more evident when
4 we have to run to deposit quarters into a meter or
5 drive the car to find a meter person writing a
6 ticket or find a parking ticket already on the
7 windshield.

8 As we stated in our petition, we are
9 good will ambassadors for the City of
10 Philadelphia. Our hard work generates millions of
11 dollars in transfer tax for the City of
12 Philadelphia. We are, in effect, tax collectors
13 for real estate taxes, water and gas bills. We
14 make it possible for electricians, plumbers, and
15 contractors to secure work.

16 Real estate sales people are
17 considered individual contractors. And as such,
18 we pay the Philadelphia business privilege tax on
19 our gross income as well as our net income. Every
20 dollar we earn is reported.

21 Times have changed. We need your
22 help. Buyers are more demanding, everybody
23 requires more time and attention. Granting
24 Realtors the privilege of permit parking will
25 permit us to park without worrying about the meter

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2 running out.

3 It will afford us the opportunity to
4 show property in Queen Village, Society Hill,
5 Fitler Square, Logan Circle, Franklinton, Spring
6 Garden, Fairmount without the stress of being five
7 minutes late past the hour. This will enable us
8 to serve more buyers, sell more property, and
9 increase Philadelphia's tax revenue.

10 Many of us, like you work, day and
11 night, seven days a week. I know I do.

12 Times have changed, and it is time for
13 the Parking Authority to realize that although
14 they might get more quarters from us, the City of
15 Philadelphia could hundreds of thousands of
16 dollars in transfer taxes, city wage taxes, and
17 business in general by making working issues more
18 difficult for us to do our job.

19 Our job is essential to the continued
20 economic growth stability and vitality of the City
21 of Philadelphia, as plumbers, electricians, and
22 contractors working toward the same goal.

23 Thank you, Councilman Kenney, for
24 sponsoring this bill, and Councilman DiCicco, for
25 cosponsoring this bill. And thank, you members of

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2 City Council.

3 I would just like to add one thing on.

4 In listening to the gentleman from the
5 Philadelphia Parking Authority and in reviewing
6 their paper, it says that there are 5300 licensed
7 real estate agents. We're not looking for 5300
8 licenses; we're just looking for Center City
9 licenses to make life easy. And I would amend
10 that to maybe 300 to 400 tops that we would be
11 required to have.

12 Secondly --

13 COUNCILMAN KENNEY: I'm sorry. The
14 question I have on that particular issue --

15 MS. GAIGE: Mm-hmm.

16 COUNCILMAN KENNEY: -- is how would we
17 -- do you have any suggestions on how we would
18 limit it? How would we stop a person from
19 Northeast Philadelphia, for example, saying, Well,
20 listings in Center City, I need one. Do you
21 understand?

22 I mean, I can kind of understand their
23 point of view as it relates to the -- if you're
24 going to the whole universe of real estate agents
25 potentially, that would be unworkable. So how

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2 would you suggest limiting it to Center City only?

3 From, say, Spring Garden to South --

4 MS. GAIGE: Right. Seldom do you have
5 an agent from out of the area selling real estate
6 in Center City, and he's not down here every day,
7 day after day, running in and out to sell a
8 property or to stay three hours for an inspection
9 of a property.

10 I -- generally, they don't sell the
11 properties here. They cooperate with us and we do
12 all the legwork on it.

13 COUNCILMAN KENNEY: One thing of things
14 we're going to have to work on is the ability, if
15 we're going to be successful in this effort, is to
16 figure out a way to define -- to definitively
17 limit fairly access for Center City issues only.
18 If not, then it becomes a subjective, and it's
19 very difficult for any agency to determine who's
20 doing what, where. So that's something we have to
21 work on.

22 MS. GAIGE: Yes, yes.

23 COUNCILMAN KENNEY: In order to be
24 successful.

25 MS. GAIGE: Yes. The other thing is, I

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2 doubt very much -- we are willing to pay 100 or
3 \$125 for a permit.

4 COUNCILMAN KENNEY: Okay.

5 MS. GAIGE: And I doubt very much if
6 someone who is out in the Northeast wants to come
7 in and sell one property and is going to spend
8 \$125 a year for a permit. He'd rather get a \$15
9 ticket.

10 COUNCILMAN KENNEY: Than pay --

11 MS. GAIGE: Than pay \$125.

12 COUNCILMAN KENNEY: Okay.

13 MS. GAIGE: The other thing is, we
14 don't park in no-loading zones. We'd be stupid to
15 do that. We don't park on sidewalks because we
16 would abuse a privilege, and the owners of the
17 property would be very angry with us. We have to
18 be very careful of how we behave.

19 COUNCILMAN KENNEY: Again, behavior is
20 a very important element, but we have to figure
21 out a way to codify the behavior restrictions.

22 MS. GAIGE: I would also say that if
23 you see our car parked in front Strawbridge, we
24 don't belong there; we belong in the residential
25 areas. And we could restrict it to residential

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2 areas. There's no problem with that.

3 We're not trying to get away with
4 anything; we're just trying to do our job and have
5 a little bit of free time for ourselves.

6 You know, personally, I'm up until 3, 4
7 o'clock in the morning working.

8 COUNCILMAN KENNEY: Councilman DiCicco.

9 COUNCILMAN DICICCO: Thank you.

10 MS. GAIGE: And I want to thank you all
11 very much.

12 COUNCILMAN DICICCO: I have a question.

13 First, thank you for recognizing that
14 City Councilmembers do work many hours -- 17, 18,
15 what have you.

16 You were mentioning restricting the use
17 of the placard, or whatever we decide is the
18 better way to do this, to Center City. What is
19 your definition of Center City?

20 MS. GAIGE: Center City, on page 3, and
21 I have -- every one should have one up there.
22 There's one in front of Councilman Kenney's desk.

23 On my presentation, Center City would
24 consist of Queen Village, Society Hill,
25 Rittenhouse Square, Fidler Square, Logan Circle,

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2 Franklinton, Spring Garden, and Fairmount.

3 COUNCILMAN KENNEY: What the Chair's
4 commitment today is to work between now and the
5 recessed hearing on tightening this bill, perhaps
6 not to the point of support from the Parking
7 Authority, but tightening it to the point of
8 workability if they are forced to enforce it.

9 COUNCILMAN DICICCO: I have a question
10 for Mr. Dixon.

11 (Mr. Dixon comes forward.)

12 COUNCILMAN DICICCO: Mr. Dixon,
13 presently, the Parking Authority, I believe, will
14 issue parking permits, or temporary parking
15 permits, for contractors who are working within
16 certain commercial zones, or is it restricted just
17 to Center City? Plumbers, electricians.

18 MR. DIXON: It's anywhere in the City.

19 COUNCILMAN DICICCO: So that -- is that
20 an emergency permit?

21 MR. DIXON: No, it's a contractor
22 parking permit. And the requirements of that
23 permit are, they have to have a trade license
24 issued by the City for whatever trade they're
25 engaged in, a business privilege license, the

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2 vehicle must be registered in the name of the
3 business, the business must be current in all of
4 its taxes and fees owed to the City.

5 COUNCILMAN DICICCO: And what is the
6 fee for that?

7 MR. DIXON: \$125.

8 COUNCILMAN DICICCO: I don't know if
9 you testified to this earlier, I'm sorry, I
10 apologize. I was on the phone.

11 MR. DIXON: That's fine. It's \$125 a
12 year.

13 COUNCILMAN DICICCO: But it's good all
14 over the City?

15 MR. DIXON: Right.

16 COUNCILMAN DICICCO: Do you know how
17 many we have issued out there right now?

18 MR. DIXON: About 2,000.

19 COUNCILMAN DICICCO: Thank you. No
20 further questions.

21 MR. DIXON: If I could just add one
22 thing. It appears that your concerns are
23 basically that it's very inconvenient to have to
24 worry about carrying quarters around and all those
25 kinds of things.

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2 The time limit that is included in the
3 bill which is two hours, which is generally what
4 the parking regulations are.

5 Within the next six months, we're going
6 to have electronic meters on the street where you
7 can buy a debit card and you can put as much money
8 on it as you want, max out the time on the meter,
9 which will give you exactly the amount of time
10 that this ordinance allows you, without creating
11 yet another special privilege that we'll have to
12 defend when the next group of people comes along.

13 It will add a greater degree of
14 convenience to what you have to do and maybe
15 accomplish the same thing without enacting another
16 ordinance. I expect that they'll be on the street
17 by January.

18 COUNCILMAN DICICCO: And how would that
19 impact on the 2,000 licenses that are out there
20 today?

21 MR. DIXON: The contractors?

22 COUNCILMAN DICICCO: Yeah.

23 MR. DIXON: The contractors are
24 different because we have made a decision to
25 exempt them from the time limit because they need

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2 to be there all day in order to complete the job.

3 COUNCILMAN DICICCO: If they have a
4 debit card?

5 MR. DIXON: No, they'll still --

6 COUNCILMAN DICICCO: Oh, only because
7 of the two hours, okay.

8 MR. DIXON: Yeah. They'll be --
9 everybody will be restricted to the amount of time
10 that's allowed on the meter.

11 COUNCILMAN DICICCO: I understand.

12 MR. DIXON: So if it's a two-hour, it
13 would be two hours; a three-hour meter, three
14 hours; and so on.

15 But it would greatly increase the
16 convenience for people like Realtors who don't
17 want to worry about having \$50 worth of quarters
18 in their pocket because they're going to 10 or 12
19 spots in a day.

20 I just throw that on the table for your
21 consideration.

22 COUNCILMAN KENNEY: Okay, fine. Thank
23 you very much .

24 MS. GAIGE: May I just add something,
25 please?

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2 If you want a parameter, it would go
3 from Fairmount Avenue to Washington Avenue, from
4 river to river. That's all we're looking for.

5 COUNCILMAN KENNEY: Understand, all of
6 these issue that we're going to try to discuss --
7 area of specifications and other requirements that
8 hopefully will tighten the bill, again, perhaps
9 not to the Parking Authority's liking, but we're
10 going to try to do it within the next few days.

11 Councilmember Cohen.

12 COUNCILMAN COHEN: Well, I was asking,
13 what specifically would the bill do? I'm trying
14 to understand how permit parking applies here.

15 MR. DIXON: It would exempt people --
16 any licensed real estate agent would be eligible
17 for a placard, which would exempt them from
18 parking meter fees for up to two hours, and permit
19 them to park in loading zones for some unspecified
20 time.

21 COUNCILMAN COHEN: And they pay a fee
22 for that?

23 MR. DIXON: \$50 a year.

24 COUNCILMAN KENNEY: Again, so that
25 Councilman is not misled, there probably most

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2 likely will be changes in the fee, in the issue
3 relative to loading zones, and some other
4 changes. Again, this bill is being recessed till
5 June the 8th, at 10 a.m.

6 So there will be no action on it today,
7 but there are a number of things that need to be
8 corrected, again, even if the Parking Authority
9 can't find it in its heart -- if they have one.

10 MR. DIXON: Some of us do, Mr.
11 Chairman.

12 COUNCILMAN KENNEY: Sorry, I'm only
13 kidding. If they can't find in their heart to
14 support the bill, then at least it will be tighter
15 from some different aspects that we --

16 COUNCILMAN COHEN: Well, we'd love to
17 make the Parking Authority happy, but I think
18 we're even a little more interested in making the
19 Realtors happier.

20 And so, we're going to be working on
21 this bill to try to bring it about and make both
22 sides happy if at all possible.

23 COUNCILMAN KENNEY: Thank you.

24 MS. GAIGE: Thank you very much.

25 COUNCILMAN KENNEY: Thank you very much

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2 for your testimony.

3 Is there anyone else here to testify on
4 this bill?

5 (No response.)

6 COUNCILMAN KENNEY: Okay, just one
7 other issue before we end the public hearing.

8 COUNCILMAN COHEN: (Off-mike.) As a
9 matter of public record, Mr. Chairman. . .

10 COUNCILMAN KENNEY: That disclosure is
11 appreciated.

12 Just one other issue before we end the
13 public hearing. There is a request from the
14 Planning Commission for a revision to the
15 University of Pennsylvania Institutional
16 Development District Master Plan, southwest corner
17 of 40th, number 4-0, and Locust Street.

18 This is a letter from Barbara Kaplan,
19 Executive Director.

20 (Reading) Dear Council President
21 Street: Pursuant to Section 14-1107(c) of the
22 Philadelphia Code, the Planning Commission, on
23 April 17, 1997, approved the revision to the
24 Master Plan for the above-captioned property.

25 The amendment involves the construction

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2 of a 49,750 square foot, 3-story building for use
3 as a new dental office, with office space, a
4 retail space, and several conference rooms. The
5 proposed development is expected to facilitate
6 dental services for the University Dental School,
7 and has an approximate construction cost of \$14
8 million.

9 This proposal will allow the University
10 to provide dental services to the public under the
11 supervision of the University Dental School.
12 Building and the dental research facility. This
13 building will also connect the existing dental
14 school building and the dental research facility.

15 Therefore, the City Planning
16 Commission, at its meeting on May 21 1998,
17 approved this revision and recommended that City
18 Council also endorse this change.

19 I would appreciate receiving
20 notification of the Council's action on this
21 planned change.

22 Sincerely yours, Barbara Kaplan,
23 Executive Director.

24 That needed to be read into the record.

25 COUNCILMAN COHEN: We have to reply

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2 within 60 days. I assume we'll check with the
3 District Councilperson?

4 COUNCILMAN KENNEY: We will check with
5 the District Councilperson, but I understand she's
6 already given that approval, but we will confirm
7 that.

8 COUNCILMAN COHEN: Fine, very good.

9 COUNCILMAN KENNEY: And that will end
10 the hearing of the Rules Committee.

11 - - -

12 COUNCILMAN COHEN: We will now convene
13 a public meeting. And for the public meeting
14 purposes, I wanted to reiterate what was
15 reiterated in the hearing, that Bill No. 970714 is
16 being recessed to June 8, 1998, at 10 a.m., in
17 this room. And that Bill No. 970713 is being
18 recessed to June 8, 1998, at 10 a.m., in this
19 room. So that's 970714, 970713.

20 Also, Bill No. 970824 will be held.

21 And the Chair recognizes Councilwoman
22 Verna for a motion on Bill No. 980454.

23 COUNCILWOMAN VERNA: Thank you, Mr.
24 Chairman.

25 I move that Bill No. 980454 be reported

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2 out of committee with a favorable recommendation.

3 Also a recommendation that the rules of Council be
4 suspended so as to permit first reading at our
5 next session of Council.

6 (Duly seconded.)

7 COUNCILMAN KENNEY: Moved and seconded.

8 All in favor, aye?

9 There are none opposed.

10 Bill No. 980454 Is reported out of this
11 committee with a favorable recommendation, and a
12 request will be made for a rules suspension to
13 allow for first reading at our next Council
14 session.

15 The Chair recognizes Councilmember
16 Verna for a motion on Bill No. 980455.

17 COUNCILWOMAN VERNA: Mr. Chairman, I
18 move that Bill No. 980455 be reported out of
19 committee with a favorable recommendation. And I
20 further move that the rules of Council be
21 suspended so as to permit first reading at our
22 next session of Council.

23 (Duly seconded.)

24 COUNCILMAN KENNEY: Moved and seconded.

25 All in favor, aye?

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2 There are none opposed.

3 Bill No. 980455 is reported out of this
4 committee with a favorable recommendation, and a
5 request will be made for a rules suspension to
6 allow for first reading at our next Council
7 session.

8 The Chair recognizes Councilmember
9 Verna for a motion on Bill No. 980389.

10 COUNCILWOMAN VERNA: Mr. Chairman, I
11 move that Bill No. 980389 be reported out of
12 committee with a favorable recommendation. And
13 also a recommendation that the rules of Council be
14 suspended so as to permit first reading at our
15 next session of Council.

16 (Duly seconded.)

17 COUNCILMAN KENNEY: Moved and seconded.
18 All in favor, aye?

19 There are none opposed.

20 Bill No. 980389 is reported out of this
21 committee favorably, and a request will be made
22 for a rules suspension to allow for first reading
23 at our next Council session.

24 The next bill is -- The Chair
25 recognizes Councilmember Verna for a motion on

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2 Bill No. 980409.

3 COUNCILWOMAN VERNA: Mr. Chairman, I
4 move that Bill No. 980409 be reported out of
5 committee with a favorable recommendation. Also a
6 recommendation that the rules of Council be
7 suspended so as to permit first reading at our
8 next session of Council.

9 (Duly seconded.)

10 COUNCILMAN KENNEY: Moved and seconded.
11 All in favor, aye?

12 There are none opposed.

13 Bill No. 980409 is reported out of this
14 committee favorably, and a request will be made
15 for a rules suspension to allow for first reading
16 at our next Council session.

17 The Chair recognizes Councilmember Vern
18 for a motion to approve the amendment to 980133.

19 COUNCILWOMAN VERNA: Mr. Chairman, I
20 move that Bill No. 980133 be reported out of
21 committee with a favorable recommendation. Also a
22 request that the rules of Council be suspended so
23 as to permit first reading at our next session of
24 Council.

25 (Duly seconded.)

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2 COUNCILMAN KENNEY: Moved and seconded.

3 All in favor, aye?

4 There are none opposed.

5 Bill No. 980133 is reported out of this
6 committee favorably, and a request will be made
7 for a rules suspension to allow for first reading
8 at our next Council session.

9 The Chair recognizes Councilmember
10 Verna for a motion to approve the amendment to
11 980342.

12 COUNCILWOMAN VERNA: Mr. Chairman, I
13 move that the amendment, as presented, be adopted.
14 (Duly seconded.)

15 COUNCILMAN KENNEY: Moved and seconded.
16 All in favor, aye?

17 There are none opposed.

18 Bill No. 980342 will be amended
19 accordingly.

20 The Chair recognizes Councilmember Vern
21 for a motion on the amended bill.

22 COUNCILWOMAN VERNA: Mr. Chairman, I
23 move that Bill No. 980342 be reported out of
24 committee with a favorable recommendation, as
25 amended. Also a request that the rules of Council

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2 be suspended so as to permit first reading at our
3 next session of Council.

4 (Duly seconded.)

5 COUNCILMAN KENNEY: Moved and seconded.

6 All in favor, aye?

7 There are none opposed.

8 Bill No. 980342, as amended, is
9 reported out of this committee favorably, and a
10 request will be made for a rules suspension to
11 allow for first reading at our next Council
12 session.

13 The Chair recognizes Councilmember
14 Verna for a motion to approve the proposed
15 revision to the University of Pennsylvania's
16 Institutional Development District Master Plan.

17 COUNCILWOMAN VERNA: I so move, Mr.
18 Chairman.

19 (Duly seconded.)

20 COUNCILMAN KENNEY: Moved and seconded.

21 All in favor, aye?

22 There are none opposed. The revision
23 to the University of Pennsylvania's Institutional
24 Development District Master Plan, as requested, is
25 approved by the committee and will be reported at

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2 our next session of Council.

3 That will conclude the business of the
4 Rules Committee. Thank you for your attendance.

5 (Adjourned at 3:28 p.m.)

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RE: COUNCIL COMMITTEE ON RULES

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JOSEPHINE CARDILLO,

Registered Professional Reporter