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COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON STREETS AND SERVICES

- - -

Room 400, City Hall
Philadelphia, Pennsylvania
Wednesday, January 25, 2006
10:25 a.m.

- - -

PRESENT:

COUNCILMAN FRANK DiCICCO, CHAIRMAN
COUNCILMAN JUAN RAMOS, VICE-CHAIRMAN
COUNCILMAN DARRELL L. CLARKE
COUNCILWOMAN DONNA REED MILLER
COUNCILMAN MICHAEL A. NUTTER
COUNCILMAN FRANK RIZZO

BILLS 051140, 051201, 051202, 051234, 051145,
051106 and 051107

- - -

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Litigation Support Services
Eleven Penn Center
1835 Market Street, Suite 600
Philadelphia, Pennsylvania 19103
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COUNCILMAN DiCICCO: Good

3

morning, everyone. I apologize for the

4

delay.

5

This is the Committee on

6

Streets and Services. My name is Frank

7

DiCicco. I'm the Chair of this

8

Committee. The other members attending

9

today are, to my left, Councilman Frank

10

Rizzo, to my right is Councilman Darrell

11

Clarke, to his right is Councilwoman

12

Donna Reed Miller, and standing up doing

13

an interview is Councilman Nutter,

14

Michael Nutter. We do have a quorum.

15

This is the public hearing on

16

the Committee of Streets and Services, so

17

we will now proceed and I will ask the

18

Clerk to read the title of the first

19

bill.

20

THE CLERK: Bill No. 051140, an

21

ordinance authorizing and directing the

22

revision of lines and grades on a portion

23

of City Plan Nos. 356 and 378 by striking

24

from the City Plan the Industrial Highway

25

from the Philadelphia-Delaware County

1 1/25/06 - STREETS - BILL 051140, ETC.
2 Line to Island Avenue, and by reserving
3 and placing on the City Plan a certain
4 right-of-way within the bed of the
5 Industrial Highway for drainage purposes,
6 water main purposes, gas main purposes
7 and public utility purposes, if needed,
8 under certain terms and conditions.

9 COUNCILMAN DiCICCO: Good
10 morning. Please identify yourself for
11 the record and proceed with your
12 testimony.

13 MR. MORELLI: Good morning,
14 Mr. Chairman and members of the
15 Committee. My name is Frank Morelli,
16 Survey Bureau Manager of the Department
17 of Streets, and the Department of Streets
18 would like to offer the following
19 testimony on Bill No. 051140.

20 This is an administrative
21 ordinance requested by Mr. Charles
22 Isdell, Director of Aviation,
23 Philadelphia International Airport,
24 Terminal E, Philadelphia, PA 19153.

25 The purpose of this ordinance

1 1/25/06 - STREETS - BILL 051140, ETC.
2 is to strike Industrial Highway from the
3 Philadelphia-Delaware County Line to
4 Island Avenue from the City Plan for the
5 Airport's Runway 17-35 Extension Project.

6 This ordinance is supported by
7 the Department of Streets and is
8 recommended to your Committee for
9 favorable action.

10 MR. SOFFER: Good morning,
11 Mr. Chairman, members of the Streets and
12 Services Committee. My name is Martin
13 Soffer. I'm the Director of the
14 Development Planning Division and I'm
15 here to testify on behalf of the City
16 Planning Commission.

17 The purpose of this ordinance
18 is to strike from the City Plan the
19 Industrial Highway, also known as State
20 Route 291, to facilitate an expansion of
21 an existing Runway 17-35 at the
22 Philadelphia International Airport. This
23 proposed project would assure maximum
24 public safety. Also, all of the
25 environmental impacts under the National

1 1/25/06 - STREETS - BILL 051140, ETC.
2 Environmental Policy Act have been
3 addressed.

4 The Planning Commission has
5 reviewed and approved this action on
6 August 18, 2005. Therefore, the Planning
7 Commission recommends that Bill No.
8 051140 be approved.

9 Thank you.

10 COUNCILMAN DiCICCO: Thank you.
11 Thank you for your testimony.

12 Any questions for these
13 witnesses from the Committee?

14 The Chair recognizes
15 Councilmember Clarke.

16 COUNCILMAN CLARKE: Thank you,
17 Mr. Chairman.

18 Real briefly, 291, is that the
19 road that runs parallel to I-95?

20 MR. MORELLI: Correct.

21 COUNCILMAN CLARKE: It's kind
22 of an access road when you want to return
23 to the Airport?

24 MR. MORELLI: Correct.

25 COUNCILMAN CLARKE: You would

1 1/25/06 - STREETS - BILL 051140, ETC.

2 be striking what portion of that?

3 MR. MORELLI: From the Delaware
4 County line to Island Avenue, and the
5 existing traffic flow would then be
6 diverted to Bartram Avenue and then they
7 would come out onto Island Avenue at that
8 point.

9 COUNCILMAN CLARKE: So it would
10 not affect the portion adjacent to the
11 actual Airport, the parking garage along
12 that route? You know where the return
13 road is?

14 MR. MORELLI: Yes. That
15 section of Industrial Highway, or 291,
16 that's the section that we're speaking of
17 that would be stricken from the City
18 Plan.

19 COUNCILMAN CLARKE: And the
20 alternate route would then be what?
21 Bartram?

22 MR. MORELLI: Bartram Avenue.
23 And there would be improvements done to
24 Bartram Avenue to handle the traffic.

25 COUNCILMAN CLARKE: Would that

1 1/25/06 - STREETS - BILL 051140, ETC.
2 have any effect on any commercial or
3 residential properties in terms of the
4 increased traffic?

5 MR. MORELLI: There are no
6 other commercial properties adjoining
7 that.

8 COUNCILMAN CLARKE: Along
9 Bartram? Okay. All right. Thank you.
10 Thank you, Mr. Chairman.

11 COUNCILMAN DiCICCO: Any other
12 questions?

13 (No response.)

14 COUNCILMAN DiCICCO: Let the
15 record reflect that the Vice-Chair of the
16 Streets and Services Committee,
17 Councilmember Juan Ramos, is in
18 attendance as well.

19 I would ask the Clerk to read
20 the title of the next bill.

21 I'm sorry. I apologize.
22 Anyone else here who wishes to testify
23 for or against this bill?

24 Gentlemen, I apologize. Good
25 morning. Please identify yourself for

1 1/25/06 - STREETS - BILL 051140, ETC.
2 the record and proceed with your
3 testimony.

4 MR. DAVENGER: Yes. Good
5 morning, Mr. Chairman and members of the
6 Committee for Streets and Services. I'm
7 Calvin Davenger, Deputy Director of
8 Aviation for the City of Philadelphia,
9 responsible for planning and
10 environmental stewardship at the Airport,
11 and I am pleased to submit this testimony
12 in support of Bill No. 051140.

13 The Division of Aviation has
14 updated its Master Plan to analyze and
15 study needs relative to operations and
16 increases in passenger demand at the
17 Philadelphia International Airport. The
18 main goal of the Master Plan was to
19 determine what was causing aircraft
20 delays at the Airport.

21 In 2004, the Airport was ranked
22 the fourth most delayed airport in the
23 nation. Since then, operations have been
24 increasing and aircraft types being
25 utilized are evolving. These factors

1 1/25/06 - STREETS - BILL 051140, ETC.
2 continue to aggravate the problem with
3 delays.

4 The Master Plan looked at
5 existing passenger and aircraft operation
6 levels as well as forecasts for future
7 use, and measured both against the
8 existing capacity of the facilities to
9 handle these activities. This
10 information was reviewed and formally
11 approved by the Federal Aviation
12 Administration, or the FAA, in February
13 2004. The analysis indicated that by
14 2010 delays would increase from 10
15 minutes per operation to almost 19
16 minutes. The FAA considers an airport
17 with annualized average delays of more
18 than five minutes to be congested.

19 As part of its analysis, the
20 FAA identified PHL as an airport that
21 contributes to delays throughout the
22 national air space system. The delays at
23 PHL are aggravated by the inadequacies of
24 the existing airfield configuration,
25 which hamper the efficient flow of

1 1/25/06 - STREETS - BILL 051140, ETC.
2 aircraft operations in all weather
3 conditions. The FAA determined that the
4 project proposed by the City to remedy
5 these problems would require the Airport
6 to prepare an Environmental Impact
7 Statement, or EIS, under the National
8 Environmental Policy Act, NEPA. The EIS
9 reviewed the impact of the Runway 17-35
10 Extension Project on all effected
11 resources.

12 The FAA issued its record of
13 decision under NEPA for the Runway 17-35
14 Extension Project in April 2005 in favor
15 of the extension. This extension is
16 intended to reduce the aforementioned
17 aircraft operational delay in the short
18 term. The Airport expects construction
19 of the extension to Runway 17-35 to be
20 completed by December 2007.

21 Bill No. 051140 is essential to
22 completion of the 640-foot northern
23 extension of Runway 17. The project
24 would require relocation of the runway
25 safety areas, connecting taxiways,

1 1/25/06 - STREETS - BILL 051140, ETC.
2 navigational aids and lights, as well as
3 associated utility services to the land
4 occupied by State Route 291. Partial
5 demolition of State Route 291 at the
6 Runway 17 extension work area would
7 require vehicular traffic to be
8 redirected onto Bartram Avenue between
9 Industrial Highway and Island Avenue.
10 This segment shall be reassigned as State
11 Route 291 and will experience nominal
12 increases in traffic as vehicles are
13 diverted from existing State Route 291.
14 The FAA's EIS document contains letters
15 from PennDOT District 6 and the City of
16 Philadelphia Street's Department in
17 support of the action.

18 The Division of Aviation held
19 extensive meetings with the Eastwick
20 community, which may be impacted by the
21 closure of State Route 291 contemplated
22 herein. I am pleased to advise that the
23 Eastwick Project Area Committee issued a
24 letter of support of Bill No. 051140 on
25 December 22, 2005.

1 1/25/06 - STREETS - BILL 051140, ETC.

2 The Runway 17-35 Extension

3 Project will benefit the region through
4 delay savings to travelers of \$38 million
5 per year, creation of 1,200
6 project-related jobs and airline delay
7 reductions equating to 12,000 hours per
8 year and \$24 million per year upon
9 completion. The Eastwick community will
10 benefit from improvements to key Bartram
11 Avenue intersections, reductions in
12 vehicle emissions and the possible growth
13 in Airport employment of local residents.

14 In order to reduce delays at
15 the Airport and maintain the tight
16 construction schedule for the runway
17 extension, I urge the Committee to
18 approve the partial closure of State
19 Route 291.

20 I greatly appreciate the
21 opportunity to speak with you today in
22 support of Bill No. 051140. I will be
23 happy to answer any questions you may
24 have.

25 COUNCILMAN DiCICCO: Thank you.

1 1/25/06 - STREETS - BILL 051140, ETC.

2 Thank you for your testimony.

3 Any questions for this witness
4 from the Committee?

5 (No response.)

6 COUNCILMAN DiCICCO: Is there
7 anyone else here who wishes to testify
8 for or against this bill?

9 (No response.)

10 COUNCILMAN DiCICCO: Thank you,
11 gentlemen. And seeing none, I would ask
12 the Clerk to read the title of the next
13 bill.

14 THE CLERK: Bill No. 051201, an
15 ordinance authorizing and directing the
16 revision of lines and grades on a portion
17 of City Plan No. 298 by extending Almat
18 Place approximately 105 feet, placing the
19 extension of Almat Place and a new
20 cul-de-sac at the resultant dead-end
21 turnaround, and striking and vacating
22 those portions of the former cul-de-sac
23 of Almat Place lying outside the lines
24 of the newly extended Almat Place, under
25 certain terms and conditions, including

1 1/25/06 - STREETS - BILL 051140, ETC.

2 the dedication to the City, free and
3 clear of all encumbrances, of the bed of
4 Almatt Place extended.

5 MR. MORELLI: Good morning,
6 Mr. Chairman and members of the
7 Committee. My name is Frank Morelli,
8 Survey Bureau Manager of the Department
9 of Streets, and the Department of Streets
10 would like to offer the following
11 testimony on Bill No. 051201.

12 This is not an administrative
13 ordinance, but an ordinance requested by
14 Mr. Jothy Varughese, TJ Grace
15 Enterprises, 108 Almatt Place,
16 Philadelphia, PA 19115.

17 The purpose of this ordinance
18 is to extend the existing Almatt Place to
19 subdivide the lot at 108 Almatt Place for
20 the construction of four detached
21 single-family dwellings.

22 This ordinance is supported by
23 the Department of Streets and is
24 recommended to your Committee for
25 favorable action.

1 1/25/06 - STREETS - BILL 051140, ETC.

2 COUNCILMAN DiCICCO: Good
3 morning again.

4 MR. SOFFER: Good morning, Mr.
5 Chairman, members of the Streets and
6 Services Committee. My name is Martin
7 Soffer, Director, Development Planning
8 Division, and I'm here to testify on
9 behalf of the City Planning Commission.

10 The purpose of this ordinance
11 is to extend Almat Place to allow for
12 the construction of four new
13 single-family detached dwellings.

14 The Planning Commission has
15 reviewed and approved a subdivision plat
16 for this development on August the 18th,
17 2005. Therefore, the Planning Commission
18 recommends that Bill No. 051201 be
19 approved.

20 Thank you.

21 COUNCILMAN DiCICCO: Thank you.

22 Any questions for these
23 witnesses from the Committee?

24 (No response.)

25 COUNCILMAN DiCICCO: Is there

1 1/25/06 - STREETS - BILL 051140, ETC.

2 anyone else here who wishes to testify
3 for or against this bill?

4 (No response.)

5 COUNCILMAN DiCICCO: Seeing
6 none, I will ask the Clerk to read the
7 title of the next bill.

8 THE CLERK: Bill No. 051202, an
9 ordinance authorizing the paving of the
10 extension of Almatt Place, under certain
11 terms and conditions.

12 MR. MORELLI: Good morning, Mr.
13 Chairman and members of the Committee.
14 My name is Frank Morelli, Survey Bureau
15 Manager of the Department of Streets, and
16 the Department of Streets would like to
17 offer the following testimony on Bill No.
18 051202.

19 This is not an administrative
20 ordinance, but an ordinance requested by
21 Ms. Jothy Varughese, TJ Grace
22 Enterprises, 108 Almatt Place,
23 Philadelphia, PA 19115.

24 The purpose of this ordinance
25 is to pave the extension of Almatt Place

1 1/25/06 - STREETS - BILL 051140, ETC.
2 to subdivide the lot at 108 Almatt Place
3 for the construction of four
4 single-family dwellings.

5 This ordinance is supported by
6 the Department of Streets and is
7 recommended to your Committee for
8 favorable action.

9 COUNCILMAN DiCICCO: Thank you.

10 Any questions for this witness
11 from the Committee?

12 (No response.)

13 COUNCILMAN DiCICCO: Anyone
14 else here who wishes to testify for or
15 against this bill?

16 (No response.)

17 COUNCILMAN DiCICCO: Seeing
18 none, I will ask the Clerk to read the
19 title of the next bill.

20 THE CLERK: Bill No. 051234, an
21 ordinance authorizing the revision of
22 lines and grades on a portion of City
23 Plan No. 266 by striking from the City
24 Plan and vacating Jefferson Street and
25 Heston Street, each from 52nd Street to

1 1/25/06 - STREETS - BILL 051140, ETC.
2 Paxon Street; by striking from the City
3 Plan and vacating Paxon Street from
4 Jefferson Street to Columbia Avenue; and
5 by reserving and placing on the City Plan
6 rights-of-way for gas main purposes,
7 water main purposes and drainage purposes
8 within the beds of the streets being
9 stricken by this ordinance, if necessary,
10 all under certain terms and conditions.

11 MR. MORELLI: Good morning,
12 Mr. Chairman and members of the
13 Committee. My name is Frank Morelli,
14 Survey Bureau Manager of the Department
15 of Streets, and the Department of Streets
16 would like to offer the following
17 testimony on Bill No. 051234.

18 This is not an administrative
19 ordinance, but an ordinance requested by
20 Mr. Brian Conlon, Project Manager, Langan
21 Engineering and Environmental Services,
22 30 South 17th Street, Suite 1500,
23 Philadelphia, PA 19103, who represents
24 Gold West Limited Partnership.

25 The purpose of this ordinance

1 1/25/06 - STREETS - BILL 051140, ETC.
2 is to strike and vacate these streets
3 from the City Plan for the construction
4 of a retail shopping center.

5 This ordinance is supported by
6 the Department of Streets and is
7 recommended to your Committee for
8 favorable action.

9 COUNCILMAN DiCICCO: Thank you.

10 MR. SOFFER: Good morning, Mr.
11 Chairman and members of the Streets and
12 Services Committee. My name is Martin
13 Soffer, Director of Development Planning
14 Division, and I'm here to testify on
15 behalf of the City Planning Commission.

16 The purpose of this ordinance
17 is to strike from the City Plan three
18 streets in the West Parkside neighborhood
19 to allow for the consolidation of parcels
20 for the construction of a
21 300,000-square-foot shopping center;
22 namely, the Park West Town Center.

23 The Planning Commission has
24 reviewed and approved the redevelopment
25 area plan for the proposed shopping

1 1/25/06 - STREETS - BILL 051140, ETC.
2 center on March 10, 2005. Therefore, the
3 Planning Commission recommends that Bill
4 No. 051234 be approved.

5 Thank you.

6 COUNCILMAN DiCICCO: Thank you.

7 The Chair recognizes Councilman
8 Nutter.

9 COUNCILMAN NUTTER: Thank you,
10 Mr. Chairman.

11 First, I certainly want to
12 thank the City departments who have been
13 involved in this, and while it may not
14 sound like the most riveting bill that's
15 come before the Streets and Services
16 Committee, it is essential to what is one
17 of the most exciting developments to take
18 place in the West Philadelphia area, and
19 without this kind of ordinance, the
20 proposed shopping center and retail
21 complex in West Parkside would not be
22 possible.

23 So first I want to say thank
24 you for your work both at the Survey
25 Bureau and at the Planning Commission, as

1 1/25/06 - STREETS - BILL 051140, ETC.

2 well as recognize the efforts of the
3 Goldenberg Group, the West Philadelphia
4 Financial Services Institution and PIDC,
5 all of whom are represented here today.
6 They are helping to make history in West
7 Philadelphia, and I appreciate all of the
8 efforts of everyone involved. Thank you
9 very much.

10 Thank you, Mr. Chairman.

11 COUNCILMAN DiCICCO: Thank you.

12 Any other questions for these
13 witnesses from the Committee?

14 (No response.)

15 COUNCILMAN DiCICCO: Is there
16 anyone else here who wishes to testify
17 for or against this bill?

18 (No response.)

19 COUNCILMAN DiCICCO: Seeing
20 none, I will ask the Clerk to read the
21 title of the next bill.

22 THE CLERK: Bill No. 051145, an
23 ordinance regulating the movement of
24 traffic on Chestnut Street; in
25 particular, authorizing right turns to be

1 1/25/06 - STREETS - BILL 051140, ETC.
2 made from Chestnut Street at certain
3 intersections in Center City
4 Philadelphia.

5 MR. WASHINGTON: Good morning,
6 Chairman and Committee members. My name
7 is Mark Washington, and I'm the District
8 2 Traffic Engineer. I'm here to testify
9 on Bill No. 051145.

10 The Streets Department has no
11 objections to removing the No Right Turn
12 prohibitions currently posted at 15th and
13 Chestnut Streets and at 17th and Chestnut
14 Streets. Work orders have been issued
15 and we expect the restrictions to be
16 removed by February 8, 2006.

17 Thank you for the opportunity
18 to appear before you today. I will be
19 happy to answer any questions you may
20 have at this time.

21 COUNCILMAN DiCICCO: Thank you.

22 The Chair recognizes
23 Councilmember Clarke.

24 COUNCILMAN CLARKE: Thank you,
25 Mr. Chairman.

1 1/25/06 - STREETS - BILL 051140, ETC.

2 One brief question. As it
3 relates to this portion of Chestnut
4 Street being converted to right turns,
5 how are we going to handle the bus lanes
6 on this section of Chestnut Street that
7 is a dedicated bus lane? Will there be a
8 merge into that lane to allow right
9 turns?

10 MR. WASHINGTON: Well, normally
11 if you have a street that has a dedicated
12 bus lane, an example would be Walnut
13 Street, you wouldn't be allowed to -- if
14 you're a passenger car or a non-bus
15 vehicle, you'll be allowed to use the bus
16 lane if you're going to make the right
17 turn at the next intersection.

18 COUNCILMAN CLARKE: So is it
19 throughout the particular block you can
20 merge into the right lane and make that
21 right turn?

22 MR. WASHINGTON: Yes. Yes, as
23 long as you're making the right turn.

24 COUNCILMAN CLARKE: As long as
25 you're making the right turn. All right.

1 1/25/06 - STREETS - BILL 051140, ETC.

2 I know earlier there were some concerns
3 about federal money that was allocated
4 for this particular project, the Chestnut
5 Street relocation. There were some
6 concerns about us not adhering to the
7 federal regs as it related to having a
8 dedicated lane; therefore, no right
9 turns.

10 Have we gotten beyond that
11 hurdle?

12 MR. WASHINGTON: I was told by
13 my boss yesterday, Charles Denny, that we
14 had lost fundings from the Federal
15 Transit because we're lifting the ban.
16 So we have already lost --

17 COUNCILMAN CLARKE: So we
18 already lost it?

19 MR. WASHINGTON: Lost the
20 money, yes.

21 COUNCILMAN CLARKE: So it
22 doesn't really matter, then.

23 MR. WASHINGTON: Not at all.

24 COUNCILMAN CLARKE: All right.

25 Thank you.

1 1/25/06 - STREETS - BILL 051140, ETC.

2 COUNCILMAN DiCICCO:

3 Councilwoman Miller.

4 COUNCILWOMAN MILLER: Well,
5 part of my question was just answered in
6 your answer. I was just wondering why we
7 all the sudden restricted right turns on
8 Chestnut Street. But it was due to
9 federal funding?

10 MR. WASHINGTON: The original
11 scope of the Chestnut Street Transit
12 Project that was conducted in the mid
13 '90s was to, yes, bring vehicles back to
14 Chestnut Street but to make it more
15 pedestrian friendly for folks who are
16 walking along Chestnut Street.

17 COUNCILWOMAN MILLER: So that
18 the ability to make a right turn was
19 eliminated because of pedestrian --

20 MR. WASHINGTON: Yes. Pretty
21 much what happened was, I believe the
22 Federal Transit Administration and the
23 Federal Highway Administration, they
24 wanted us to make the street a
25 pedestrian-friendly street, and most of

1 1/25/06 - STREETS - BILL 051140, ETC.

2 the cost of the project came from federal
3 monies, and as a condition of being able
4 to have the federal pay a chunk for this
5 project, we had to make the street
6 pedestrian friendly.

7 COUNCILWOMAN MILLER: And
8 pedestrian friendly means no right turns?

9 MR. WASHINGTON: That's
10 correct. Yes, ma'am.

11 COUNCILWOMAN MILLER: But you
12 can make left turns, though, correct?

13 MR. WASHINGTON: Yes, you can.

14 COUNCILWOMAN MILLER: I just
15 don't understand the difference, but I
16 don't need you to explain it.

17 COUNCILMAN CLARKE: Because it
18 was a turn on red.

19 COUNCILWOMAN MILLER: The turn
20 on red?

21 MR. WASHINGTON: Yes. If
22 you're a driver, you're on the left-hand
23 side, so you have a better low-bed
24 visibility if you turn from the left.
25 Where the right, you kind of have -- it's

1 1/25/06 - STREETS - BILL 051140, ETC.
2 not much as far as visibility difference,
3 but I think their argument was, the
4 driver is on the left-hand side of the
5 car, so you're able to easily make a left
6 turn versus making a right turn.

7 COUNCILWOMAN MILLER: I was on
8 Chestnut Street one day needing to make a
9 right turn and I could not believe that I
10 couldn't make a right turn. I had to
11 just keep driving down. But where
12 there's a will, there's a way, and that's
13 all I'll say about that one. But thank
14 you.

15 MR. WASHINGTON: Okay.

16 COUNCILMAN DiCICCO: Thank you.

17 Any other questions for this
18 witness from the Committee?

19 (No response.)

20 COUNCILMAN DiCICCO: Is there
21 anyone else here who wishes to testify
22 for or against the bill?

23 (No response.)

24 COUNCILMAN DiCICCO: Seeing
25 none, I will ask the Clerk to read the

1 1/25/06 - STREETS - BILL 051140, ETC.

2 title of the next bill.

3 THE CLERK: Bill No. 051106, an
4 ordinance amending Title 12 of The
5 Philadelphia Code, entitled "Traffic
6 Code," to provide for conditions on
7 enforcement of prohibitions on parking a
8 vehicle if the vehicle is not registered
9 or not displaying a valid registration
10 plate; all under certain terms and
11 conditions.

12 COUNCILMAN DiCICCO: There are
13 no witnesses, I understand, from the
14 Parking Authority.

15 COUNCILMAN RIZZO: Yes.
16 There's no need.

17 COUNCILMAN DiCICCO: So I will
18 ask Councilman Rizzo if he has any
19 comments.

20 COUNCILMAN RIZZO: I was
21 distracted. This is the red light camera
22 or the parking sticker?

23 COUNCILMAN CLARKE: Parking.

24 COUNCILMAN RIZZO: Okay. And
25 the Parking Authority, as we all know,

1 1/25/06 - STREETS - BILL 051140, ETC.
2 has agreed on a moratorium, and I'll read
3 it so it's clear. "This bill is only to
4 remove the presumption that a vehicle
5 lacking a registration sticker is not
6 validly registered. The ticketing agency
7 must verify that the vehicle is not
8 validly registered before a ticket can be
9 issued. Any unregistered vehicles parked
10 on the City streets will be cited under
11 the current legislation."

12 You recollect that many of our
13 constituents were being given tickets
14 because they were not applying the
15 sticker to the license plate and they
16 were keeping it in the vehicle. The
17 Parking Authority decided to start
18 enforcing that and they were giving the
19 hundred-dollar ticket to a person that
20 the vehicle was actually registered but
21 not displaying the sticker.

22 So the Parking Authority agreed
23 that that was not a good situation,
24 because they did not have the technology
25 like the Police Department to be able to

1 1/25/06 - STREETS - BILL 051140, ETC.

2 verify that that vehicle was

3 unregistered.

4 So all we're taking away is the
5 presumption because it's not being
6 displayed that the vehicle is not
7 registered. If the Parking Authority
8 some day has the ability to verify like a
9 police officer can, then they would be
10 able to enforce that, but the point is,
11 that many people were being given tickets
12 that did not display the ticket but their
13 vehicle was registered, and this is just
14 to take that presumption away. And the
15 Parking Authority has agreed to stop
16 writing that ticket but asked me please
17 to take that presumption away so they
18 have a clear understanding of the
19 regulation.

20 COUNCILMAN DiCICCO: Councilman
21 Clarke.

22 COUNCILMAN CLARKE: Thank you,
23 Mr. Chairman.

24 Is the Parking Authority
25 seeking the ability to verify

1 1/25/06 - STREETS - BILL 051140, ETC.
2 registration?

3 COUNCILMAN RIZZO: They have
4 not indicated that they want to get into
5 that business. I think that they agreed
6 with the criticisms that this was a
7 police authority, but who knows if some
8 day they would pursue and get the ability
9 to physically run the license plate and
10 verify whether or not it is registered or
11 unregistered. At this moment, it does
12 not appear that they're pursuing that,
13 but who knows what could happen in the
14 future.

15 COUNCILMAN CLARKE: Is it your
16 understanding that if in fact they
17 determine that they needed to have the
18 ability to do that, they would have to go
19 through City Council or could they just
20 do it through the state?

21 COUNCILMAN RIZZO: Being a
22 state agency, I would assume that if they
23 wanted to do that, they could at the
24 state level.

25 COUNCILMAN DiCICCO: I'm not

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2 clear on that either. I don't think they
3 can do it just because the state gave
4 them the authority. I think we would
5 need to enact the legislation. What they
6 would need is the authority to be able to
7 ticket at that level. I think we would
8 still be part of that process. I'm not
9 clear on that.

10 COUNCILMAN RIZZO: The
11 information that I have is that they
12 could if they pursued it. I don't
13 believe that they would have to come to
14 Council, because, again, the ability for
15 them to do that. But I can tell you
16 this: I had that conversation with the
17 Executive Director and I don't really
18 think they want to be in that business,
19 but, again, who knows. They could
20 eventually want to get back at it. And I
21 think that if they had to come to
22 Council, that would be a good thing, but
23 I'm not sure that they would have to.

24 COUNCILMAN CLARKE: I'm just a
25 little concerned about the Parking

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2 Authority's ever-increasing powers. If
3 in fact they're interested in doing this,
4 this is now taking away powers that are
5 currently given to the Philadelphia
6 Police Department, and I'm a little
7 concerned about that.

8 COUNCILMAN RIZZO: Councilman
9 Clarke, this issue here is to try to fix
10 a problem that exists right now. I think
11 I learned from you --

12 COUNCILMAN CLARKE: And I
13 appreciate the fact that you jumped on
14 that one.

15 COUNCILMAN RIZZO: I think you
16 used a line on me a few weeks ago, This
17 is the issue that's in front of me today.
18 I don't know about the future.

19 COUNCILMAN CLARKE: Right.
20 Okay. Thank you.

21 Thank you, Mr. Chairman.

22 COUNCILMAN DiCICCO: Thank you,
23 gentlemen.

24 Any other questions for these
25 witnesses?

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2 (No response.)

3 COUNCILMAN DiCICCO: Is there
4 anyone else here who wishes to testify
5 for or against the bill?

6 (No response.)

7 COUNCILMAN DiCICCO: Seeing
8 none, I will ask the Clerk to read the
9 title of the next bill.

10 THE CLERK: Bill No. 051107, an
11 ordinance amending Chapter 12-3000 of The
12 Philadelphia Code, entitled "Use of an
13 Automated Red Light Enforcement System to
14 Prevent Red Light Violations," by
15 amending limitations on the use of
16 information collected under the red light
17 enforcement system, all under certain
18 terms and conditions.

19 COUNCILMAN RIZZO: Thank you.
20 Mr. Chairman, can I speak on this?

21 COUNCILMAN DiCICCO: Councilman
22 Rizzo.

23 COUNCILMAN RIZZO: One of the
24 issues that has arisen and, again, the
25 state legislature is presently working on

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2 legislation and we were asked by the
3 Parking Authority to try to be consistent
4 with the state legislation, and this
5 particular bill is before us today and
6 I'll read exactly what the situation is.

7 "In light of concerns previously
8 expressed over the tension between public
9 safety and personal privacy, it is
10 important to be able to review the red
11 light camera data."

12 What we were trying to do here,
13 the Parking Authority could not legally
14 release data on the performance of the
15 red light camera program, so the state
16 legislature is right now working on
17 legislation, and this is basically
18 paralleling the state legislature, where
19 if there is a request from a
20 Councilmember that has a red light camera
21 in their district to see how many tickets
22 are written, to see how many accidents
23 occur, that the Parking Authority right
24 now is not legally allowed to release
25 that information.

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2 So what this will do when the
3 state legislation -- this alone will not
4 allow that information to be released.
5 It isn't about who or what. It is about
6 crashes. It is about the number of
7 violations. And what basically motivated
8 this is that the media asked for how many
9 red light runners there were at a
10 particular location and the Parking
11 Authority wasn't able legally to do that.
12 And I could understand, and I asked why,
13 and they said because the law presently
14 as it's written does not allow them to
15 release that information.

16 So again the Parking Authority
17 came to me and said, since this red light
18 camera issue was something that I was
19 involved with, asked me if I can work
20 with the state legislature and get this
21 legislation adopted that would eventually
22 allow them if a member of Council asked
23 or the media asked about the number of
24 violations, et cetera, crashes at a
25 particular intersection.

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2 COUNCILMAN CLARKE:

3 Mr. Chairman.

4 COUNCILMAN DiCICCO: Councilman
5 Clarke.

6 COUNCILMAN CLARKE: Thank you,
7 Mr. Chairman.

8 Councilman, on this particular
9 bill calling for the release of certain
10 information, what level of specificity
11 will that information be? Will it talk
12 about the tag numbers of an individual or
13 just simply give raw numbers?

14 COUNCILMAN RIZZO: Raw numbers.

15 COUNCILMAN CLARKE: Is that
16 spelled out anywhere in the legislation
17 or any regulatory process?

18 COUNCILMAN RIZZO: What I've
19 been told, that ours is mirroring the
20 state legislation. I'm not sure it
21 specifically tells, but in conversations,
22 it is strictly statistics. There is no
23 license plate information, there is no
24 who did the violation. It is that from
25 December 1st to December 31st, 55 tickets

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2 were written going northbound on the
3 Roosevelt Boulevard at Grant, east/west.
4 No other information.

5 What happened, I think Anthony
6 Twyman from the Inquirer just wanted to
7 get a feel for a story on what the effect
8 of the traffic cameras had on that
9 particular intersection and he simply
10 asked a question how many tickets were
11 written there, and they wouldn't release
12 the information. As you can imagine,
13 that caused a little bit of tension,
14 because just how many tickets is --

15 COUNCILMAN CLARKE: I don't
16 think I necessarily have a problem with
17 the amount of tickets or the amount of
18 violations. My concern is potentially if
19 the tag numbers of individuals are given
20 out, and I think that's getting a
21 little --

22 COUNCILMAN RIZZ0: Definitely
23 part of the legislation says that that is
24 not the case. I'll read this.

25 COUNCILMAN CLARKE: Okay.

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2 COUNCILMAN RIZZO: "The
3 restrictions set forth in this paragraph
4 are intended to protect the privacy of
5 individuals and not refer to information
6 relating to the specific driver and
7 vehicle." So there will be none of that
8 information released, and that's in the
9 legislation.

10 COUNCILMAN CLARKE: Thank you.
11 Thank you, Councilman.

12 COUNCILMAN RIZZO: Thanks for
13 bringing that up. That's important.

14 So all this is is to -- it's
15 tough to have a program and to move
16 forward if you don't know how it's
17 performing, and they will not release the
18 information until they're allowed to.

19 COUNCILMAN CLARKE: Thank you,
20 Councilman.

21 COUNCILMAN RIZZO: Thank you.

22 COUNCILMAN DiCICCO: Any other
23 questions for these two witnesses again?

24 (No response.)

25 COUNCILMAN DiCICCO: Is there

1 1/25/06 - STREETS - BILL 051140, ETC.

2 anyone else here who wishes to testify
3 for or against the bill?

4 (No response.)

5 COUNCILMAN DiCICCO: Seeing
6 none, this concludes the public hearing
7 on the Committee of Streets and Services.
8 We will now go into the public meeting.

9 I'll ask Councilman Ramos to
10 please make a motion on the first bill.

11 COUNCILMAN RAMOS: I move that
12 Bill 051140 be reported out of Committee
13 with a favorable recommendation. I
14 further move that the rules of Council be
15 suspended to permit first reading of this
16 bill at our next Council meeting.

17 (Duly seconded.)

18 COUNCILMAN DiCICCO: It has
19 been properly moved and seconded that
20 Bill No. 051140 be reported out of this
21 Committee with a favorable recommendation
22 and that the rules of Council be
23 suspended so as to permit first reading
24 at our next Council session.

25 All those in favor?

1 1/25/06 - STREETS - BILL 051140, ETC.

2 (Aye.)

3 COUNCILMAN DiCICCO: Those
4 opposed?

5 (No response.)

6 COUNCILMAN DiCICCO: The ayes
7 have it. The bill is approved.

8 Councilman Ramos.

9 COUNCILMAN RAMOS: I move that
10 Bill No. 051201 be reported out of
11 Committee with a favorable
12 recommendation. I further move that the
13 rules of Council be suspended to permit
14 first reading of this bill at our next
15 Council meeting.

16 (Duly seconded.)

17 COUNCILMAN DiCICCO: It has
18 been properly moved and seconded that
19 Bill No. 051201 be reported out of
20 Committee with a favorable recommendation
21 and that the rules of Council be
22 suspended so as to permit first reading
23 at our next session.

24 All those in favor signify by
25 saying aye.

1 1/25/06 - STREETS - BILL 051140, ETC.

2 (Aye.)

3 COUNCILMAN DiCICCO: Those
4 opposed?

5 (No response.)

6 COUNCILMAN DiCICCO: The ayes
7 have it. The bill is approved.

8 Councilman Ramos.

9 COUNCILMAN RAMOS: I move that
10 Bill No. 051202 be reported out of
11 Committee with a favorable recommendation
12 and further move that the rules of
13 Council be suspended to permit first
14 reading of this bill at our next Council
15 meeting.

16 (Duly seconded.)

17 COUNCILMAN DiCICCO: It has
18 been properly moved and seconded that
19 Bill No. 051202 be reported out of
20 Committee with a favorable recommendation
21 and that the rules of Council be
22 suspended so as to permit first reading
23 at our next session.

24 All those in favor signify by
25 saying aye.

1 1/25/06 - STREETS - BILL 051140, ETC.

2 (Aye.)

3 COUNCILMAN DiCICCO: Those
4 opposed?

5 (No response.)

6 COUNCILMAN DiCICCO: The bill
7 is approved.

8 Councilman Ramos.

9 COUNCILMAN RAMOS: I move that
10 Bill No. 051234 be reported out of
11 Committee with a favorable recommendation
12 and further move that the rules of
13 Council suspended to permit first reading
14 of this bill at our next Council meeting.

15 (Duly seconded.)

16 COUNCILMAN DiCICCO: It has
17 been properly moved and seconded that
18 Bill No. 051234 be reported out of this
19 Committee with a favorable recommendation
20 and that the rules of Council be
21 suspended.

22 All those in favor signify by
23 saying aye.

24 (Aye.)

25 COUNCILMAN DiCICCO: Those

1 1/25/06 - STREETS - BILL 051140, ETC.

2 opposed?

3 (No response.)

4 COUNCILMAN DiCICCO: The bill
5 is approved.

6 Councilman Ramos.

7 COUNCILMAN RAMOS: I move that
8 Bill No. 051145 be reported out of
9 Committee with a favorable recommendation
10 and further move that the rules of
11 Council be suspended to permit first
12 reading of this bill at our next Council
13 meeting.

14 (Duly seconded.)

15 COUNCILMAN DiCICCO: It has
16 been properly moved and seconded that
17 Bill No. 051145 be reported out of
18 Committee with a favorable recommendation
19 and that the rules of Council be
20 suspended.

21 All those in favor signify by
22 saying aye.

23 (Aye.)

24 COUNCILMAN DiCICCO: Those
25 opposed?

1 1/25/06 - STREETS - BILL 051140, ETC.

2 (No response.)

3 COUNCILMAN DiCICCO: The bill
4 is approved.

5 Councilman Ramos.

6 COUNCILMAN RAMOS: I move that
7 Bill No. 051106 be reported out of
8 Committee with a favorable
9 recommendation. I further move that the
10 rules of Council be suspended to permit
11 first reading of this bill at our next
12 Council meeting.

13 (Duly seconded.)

14 COUNCILMAN DiCICCO: It has
15 been properly moved and seconded that
16 Bill No. 051106 be reported out of this
17 Committee with a favorable recommendation
18 and that the rules of Council be
19 suspended.

20 All those in favor signify by
21 saying aye.

22 (Aye.)

23 COUNCILMAN DiCICCO: Those
24 opposed?

25 (No response.)

1 1/25/06 - STREETS - BILL 051140, ETC.

2 COUNCILMAN DiCICCO: The bill
3 is approved.

4 Councilman Ramos.

5 COUNCILMAN RAMOS: I move that
6 Bill No. 051107 be reported out of
7 Committee with a favorable recommendation
8 and further move that the rules of
9 Council be suspended to permit first
10 reading of this bill at our next Council
11 meeting.

12 COUNCILMAN DiCICCO: It has
13 been properly moved and seconded that
14 Bill No. 051107 be reported out of this
15 Committee with a favorable recommendation
16 and that the rules of Council be
17 suspended.

18 All those in favor signify by
19 saying aye.

20 (Aye.)

21 COUNCILMAN DiCICCO: Those
22 opposed?

23 (No response.)

24 COUNCILMAN DiCICCO: The bill
25 is approved.

1 1/25/06 - STREETS - BILL 051140, ETC.

2 This concludes the Committee on
3 Streets and Services. I thank all
4 Committee members and all those in
5 attendance today. Thank you.

6 (Committee on Streets and
7 Services adjourned at 11:00 a.m.)

8 - - -

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CERTIFICATE

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contained fully and accurately in the

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stenographic notes taken by me upon the

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foregoing matter on January 25, 2006, and that

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this is a true and correct transcript of same.

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MICHELE L. MURPHY

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