

COUNCIL OF THE CITY OF PHILADELPHIA
STATED MEETING

Room 400, City Hall
Philadelphia, Pennsylvania
Thursday, December 16, 2010
10:25 a.m.

PRESENT:

COUNCIL PRESIDENT ANNA C. VERNA
COUNCILWOMAN JANNIE BLACKWELL
COUNCILMAN DARRELL CLARKE
COUNCILMAN FRANK DiCICCO
COUNCILMAN W. WILSON GOODE, JR.
COUNCILMAN BILL GREEN
COUNCILMAN WILLIAM K. GREENLEE
COUNCILMAN CURTIS JONES, JR.
COUNCILMAN JACK KELLY
COUNCILWOMAN JOAN L. KRAJEWSKI
COUNCILWOMAN DONNA REED MILLER
COUNCILMAN BRIAN J. O'NEILL
COUNCILWOMAN MARIA D. QUINONES-SANCHEZ
COUNCILWOMAN BLONDELL REYNOLDS BROWN
COUNCILMAN FRANK RIZZO, JR.
COUNCILWOMAN MARIAN B. TASCO

MICHAEL A. DECKER, CHIEF CLERK

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1
2 COUNCIL PRESIDENT VERNA: Good
3 morning, everyone. I note that the hour
4 has come and that a quorum of this
5 Council is present.

6 Council will come to order.
7 Members will take their seats, and
8 visitors will retire to the seats outside
9 the rails.

10 To give our invocation this
11 morning, the Chair recognizes Pastor
12 Emanor Thertulien of New Covenant
13 Christian Church. He is here today as
14 the guest of Councilwoman Miller.

15 At this time, I would ask all
16 members and guests to please rise.

17 (Members and guests rise.)

18 PASTOR THERTULIEN: Heavenly
19 Father, we thank you this morning for
20 such a great privilege you give me to be
21 here, God, to lift you up, to thank you,
22 God, for everything you have done in our
23 lives.

24 Thank you for waking up this
25 morning. Thank you, God, for the gift of

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life. Thank you, God, for everybody here
at this time. God, we thank you for
their presence. God bless them, God.

Father, as they meet here, God,
to decide for our society, God, for our
city, we ask you please to bless all the
Councilmembers here. Have them, God, in
every decision they are voting today,
God, on, so that our decision, God, will
be, oh God, taken, God, chosen by you,
God, for our lives, for our people, God.

We thank you, God, for
everything. We pray you today, God, for
the City of Philadelphia, God, the City
of Brotherly Love. Bless our city, God.
Bless everybody, God. And stop the
shooting in the City, God. May your
love, God, be in our hearts, God, for
each other.

We pray you, Father God, to be
with our Mayor, God, and give each of us,
God, each of the members, God, wisdom
that they need, God, to take decision for
our lives, God.

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We thank you. We bless your
name, God. And as we are approaching,
God, the holiday season, we pray you for
their family members, God, to be with
them and provide financial -- have them
good in their financial needs, God, so
that, God, they can have a good season,
God, good holiday season, God.

And bless the new year, God.
We need your protection for the new year,
God. Give us safety, God, in the City,
God. Give us blessing, God. Protect us,
Father God, so that we all have a good
year, God, protect and guided by you,
God.

We thank you, God, for
everything. Thank you, God. Give them a
blessed day, good day today, God, and be,
God, in every decision, God. Right now
they got all the bills, God, they're
going to vote on today, God, and may
those bills, God, be our guide, choosing
by you, God, for our lives.

Once again, God, we bless you.

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We thank you, God. We praise your name
and we pray you in Jesus' name.

Amen.

(Amen.)

COUNCIL PRESIDENT Verna: The
Chair thanks the Pastor for his
invocation.

Council will be at ease.

(Council at ease.)

COUNCIL PRESIDENT Verna: The
next order of business is the approval of
the Journal of the meeting of Thursday,
December 9th, 2010, and the Chair
recognizes Councilwoman Tasco.

Councilwoman Tasco.

COUNCILWOMAN TESCO: Thank you,
Madam President. I move that the Journal
of the meeting of Thursday, December the
9th, 2010 be approved.

(Duly seconded.)

COUNCIL PRESIDENT Verna: It
has been moved and properly seconded that
the Journal of the meeting of Thursday,
December 9th, 2010 stand approved.

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2 All in favor will indicate by
3 saying aye.

4 (Aye.)

5 COUNCIL PRESIDENT VERNA: Those
6 opposed?

7 (No response.)

8 COUNCIL PRESIDENT VERNA: The
9 ayes have it, and the Journal is
10 approved.

11 Councilman DiCicco, did you
12 want to be recognized?

13 COUNCILMAN DiCICCO: Should I
14 do it now? Thank you, Madam President.

15 I just would like to announce
16 for those who are here today to testify
17 on Bill No. 100552-A, better known as the
18 4th and Race hotel bill, that if they
19 haven't already been told, I will be
20 introducing an amendment to the bill
21 today that will remove the digital sign
22 from that project. And I know there are
23 a number of people who were here last
24 week, and looking at e-mails and other
25 correspondence I've had this week, there

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2 are people who do not even live in the
3 neighborhood who are concerned about this
4 because of the sign.

5 By amending the bill today, the
6 bill will not move forward until January
7 27th of next year, at the earliest. If
8 they still wish to testify, obviously
9 that's their decision, but the bill as it
10 relates to the signage is being amended.

11 The signs will not be part of that
12 project as it stands today. So I know we
13 had about 30 or some odd folks, I'm being
14 told, that wanted to testify on the bill.
15 I'm making that announcement early. And
16 I know that Mr. Shiavo, who is the
17 President of OCCA, I believe will come up
18 as the first witness of that group and
19 read off the names of the folks who would
20 have been here to testify.

21 Thank you, Madam President.

22 COUNCIL PRESIDENT VERNA: Thank
23 you.

24 The next order of business is
25 requests for leave of absence, and the

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2 Chair recognizes Councilwoman Tasco.

3 COUNCILWOMAN TASCO: Thank you,
4 Madam President. On behalf of the
5 majority, a leave of absence is requested
6 for Councilman Kenney.

7 COUNCIL PRESIDENT VERNA: Thank
8 you. Leave will be granted.

9 The Chair recognizes Councilman
10 O'Neill.

11 COUNCILMAN O'NEILL: Madam
12 President, on behalf of the republicans,
13 there is no request for leave of absence.

14 COUNCIL PRESIDENT VERNA: The
15 Chair thanks the gentleman.

16 The Chair will dispense with
17 the regular order of business to
18 recognize the guests and visitors joining
19 us in Chambers this morning. On behalf
20 of all members of City Council, I welcome
21 you to our Council session. We
22 appreciate your taking the time to join
23 us as we attend to the legislative
24 affairs of our city. We certainly invite
25 you to come again.

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2 At this time, the Chair
3 recognizes Councilman DiCicco, who will
4 present a resolution honoring Luca Sena.

5 Would Mr. Sena and those
6 accompanying him please join the
7 Councilman at the podium. And I see that
8 Councilman DiCicco is being accompanied
9 by Councilman Greenlee.

10 Councilman DiCicco.

11 COUNCILMAN DiCICCO: Good
12 morning. Thank you, Madam President.

13 I have a resolution today
14 honoring and recognizing Luca Sena, The
15 Penn's View Hotel and Panorama Restaurant
16 on the occasion of their 20th
17 Anniversary.

18 Whereas, Luca Sena emigrated to
19 the United States with his father when he
20 was 19 years old and within two short
21 years they were able to earn enough money
22 to bring the rest of the family over from
23 Italy; and

24 Whereas, the family opened
25 their first restaurant, La Famiglia, in

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2 1976, winning accolades for the fine
3 Italian dining that they provided; and

4 Whereas, Luca Sena felt that
5 the City was missing a little European
6 flair, he opened The Penn's View Hotel
7 and Panorama Restaurant in 1990 to offer
8 great food in a casual environment. As
9 Luca likes to say, "The kind of place
10 that you would find if you got lost in a
11 little town in Italy"; and

12 COUNCILMAN GREENLEE: And
13 whereas, almost immediately after opening
14 Panorama, Luca Sena contacted the
15 Winekeeper Company of Santa Barbara to
16 build a wine tap system for his new
17 restaurant that would enable him to serve
18 wine by the glass while still maintaining
19 the open bottle in perfect condition; and

20 Whereas, Luca Sena had a new
21 wine keeper custom built by a local
22 refrigeration company to his exact
23 specifications that can hold 120 bottles
24 of wine under ideal conditions even when
25 opened; and

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Whereas, Panorama's wine keeper
has been recognized by the Guinness Book
of World Records as the largest wine
keeper in the world; and

COUNCILMAN DiCICCO: I've been
up to 100 bottles of the 120 so far. I
got 20 more to go.

Whereas, Luca Sena after 20
years still personally oversees all
aspects of both the hotel and restaurant
and is especially involved in every
aspect of the kitchen, although refuses
to chop onions.

Now, therefore, be it resolved,
by the Council of the City of
Philadelphia, honors and recognizes The
Penn's View Hotel and Panorama Restaurant
on their 20th Anniversary.

Further resolved, that an
engrossed copy of this resolution be
presented to Mr. Luca Sena as recognition
of the appreciation of this legislative
body.

This is a true and correct copy

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of the original resolution, adopted by
the Council of the City of Philadelphia
on the 21st day of October 2010. Signed
by Council President Verna, introduced by
myself and Councilman Kenney.

Congratulations, Mr. Sena.

(Applause.)

COUNCILMAN DiCICCO: And if I
can just add a little comment. The
restaurant/hotel is in my district and
I've come to know Mr. Sena and his family
over the last 15 years that I've been
serving in Council. Not only is it a
great eatery and a fine hotel, Mr. Sena
has always had the opportunity when the
opportunity presented itself to open his
doors up to the community. Old City
Civic Association and other groups who
needed assistance, needed a place to
meet, Luca always opened his doors and
provided some of the best food you could
ever have in the City of Philadelphia.

So not only is he a great
businessperson, he's also a great partner

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2 in the community, which makes not only
3 Old City a better place but the City of
4 Philadelphia, and I want to personally
5 thank you for your contributions,
6 Mr. Sena.

7 (Applause.)

8 COUNCIL PRESIDENT Verna: The
9 Chair recognizes Mr. Sena for remarks.

10 MR. Sena: Thank you, President
11 of City Council. Thank you, ladies and
12 gentlemen of City Council. And thank
13 you, my sister and my brother, who came
14 from Italy for the holidays, and they're
15 here today with me.

16 COUNCIL PRESIDENT Verna:
17 That's wonderful.

18 MR. Sena: And I would like to
19 thank my wife, my son Carlo and thank you
20 to the City of Philadelphia, because this
21 is a great place to do business,
22 regardless of what some people think. We
23 have the biggest wine system in the
24 world, and thank you. I thank you for
25 that. Thank you again. Happy holidays.

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2 (Applause.)

3 COUNCIL PRESIDENT VERNA: I
4 would like to invite Mr. Sena's sister
5 and brother-in-law to please approach.

6 (Council at ease.)

7 COUNCIL PRESIDENT VERNA: The
8 Chair now recognizes Councilman Jones,
9 who will present a citation honoring
10 Mr. King.

11 Would Mr. King and those
12 accompanying him please join the
13 Councilman at the podium.

14 COUNCILMAN JONES: All too
15 often if you look in the media, as they
16 depict urban youth, what you see is the
17 negative. You see the suspect running,
18 the defendant rising and our kids, our
19 youth, our future, sinking. Under
20 Chapter 18 verse 23, Abraham was arguing
21 about the City of Sodom and Gomorrah and
22 he was trying to compel God to understand
23 would you destroy the righteous with the
24 wicked. And at first, God said to
25 Abraham, Then show me 50 righteous

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2 people. And he couldn't. And Abraham
3 compelled and argued it down. And he
4 said, Well, then show me 20 righteous
5 people, and eventually that argument went
6 down to one. Show me one righteous man
7 and I will spare Sodom and Gomorrah.

8 Well, no matter what the media
9 says today, I bring before this body one
10 righteous man, and hopefully at the end
11 of the day, the story won't go like it
12 did in Sodom and Gomorrah for
13 Philadelphia.

14 Honoring and recognizing Iziah
15 King. And that's a strong name.

16 The Council of the City of
17 Philadelphia is pleased and proud to
18 honor and recognize Iziah King for his
19 achievements and for his dedication in
20 encouraging youth in his community.

21 Whereas, Iziah King was born
22 January 16th, 1992 in Philadelphia,
23 Pennsylvania. He was educated in the
24 Philadelphia public school systems,
25 attending Cook-Wissahickon Elementary

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School where he was an honor student,
William Leverington Middle School where
he earned second honors, and graduated
from Dobbins High School where he was
"All Public" in baseball; and

Whereas, Iziah earned four
scholarships while attending Dobbins High
School and achieved many other scholastic
endeavors; and

Whereas, Iziah spends lots of
his time mentoring young men and women
where he grew up in Abbotsford Homes,
playing sports, encouraging them to set
goals like he did. He is an example of
achievement to all of us and, most
importantly, to his peers.

Iziah attends the Art Institute
of Philadelphia and the Culinary Arts
Program. And, by the way, we are
exchanging recipes. He is currently
working in the kitchen at the Franklin
Institute.

Therefore, by virtue of this
citation, the City Council of the City of

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2 Philadelphia does hereby honor and
3 recognize Iziah King for his achievements
4 and for his dedication to encouraging
5 other youth in his community.

6 We wish him well in all future
7 endeavors and extend the sincere
8 gratitude and respect, admiration of this
9 legislative body, and we say to him
10 congratulations. Signed by myself and
11 Council President Anna Verna.

12 One good man.

13 (Applause.)

14 COUNCILMAN JONES: And a good
15 mom.

16 COUNCIL PRESIDENT VERNA: The
17 Chair recognizes Mr. King for remarks.

18 MR. KING: First, I just want
19 to thank my mom for all the love and
20 support through the years, and
21 Mr. Brinkley for recognizing me for my
22 accomplishment to the community and
23 school, and Chairman Jones and City Hall
24 for this citation.

25 Thank you.

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2 (Applause.)

3 COUNCIL PRESIDENT VERNA:

4 Council will be at ease.

5 (Council at ease.)

6 COUNCIL PRESIDENT VERNA: The

7 Chair now recognizes Councilwoman

8 Sanchez, who will present a citation

9 recognizing the Frankford Chargers.

10 (Applause.)

11 COUNCIL PRESIDENT VERNA: Would

12 the Frankford Chargers please join the

13 Councilwoman at the podium.

14 COUNCILWOMAN SANCHEZ: As these

15 fine young men walk up to the podium to

16 get their recognition, I want to make

17 note and thank Mayor Nutter, who was very

18 instrumental this year in helping all of

19 our groups be able to compete at Pop

20 Warner, particularly Tumar Alexander, who

21 I know is very supportive of what we do.

22 The Frankford Chargers are not

23 just a football team. They are a family.

24 They are when boys learn to become men,

25 where they have an opportunity to work

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2 with coaches who serve as mentors, and
3 given today's times and the challenges we
4 face in the community, I salute them,
5 because they are the positive, the
6 potential and the great things that are
7 going on in the neighborhoods throughout
8 the City but, in particular, to
9 Frankford.

10 I want to thank the coach,
11 Muhammad Rasheed, and Billy Gambrel, who
12 runs a first-class facility in Frankford,
13 and if you haven't had an opportunity to
14 go up there, you should. It is
15 tremendous and speaks to how the public
16 sector and the private sector in this
17 case when we get together, we can change
18 lives in neighborhoods.

19 So with that, recognizing and
20 honoring the Frankford Chargers on
21 winning the Pop Warner Football 160-pound
22 Regional Championship and advancing to
23 the National Semi-Final Game.

24 Whereas, the Frankford Chargers
25 compete in the Pop Warner Football League

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2 160-pound Division; and

3 Whereas, the Frankford Chargers
4 completed their 2010 season with a record
5 of 15 wins and two losses; and

6 Whereas, the Frankford Chargers
7 earned an entry into the Pop Warner
8 National Championship Tournament in
9 Orlando, Florida; and

10 Whereas, led by head coach
11 Rasheed Muhammad, quarterback Timothy and
12 running back Malik, the Chargers
13 progressed through the tournament and
14 advanced to the semi-finals;

15 Whereas, because of their
16 tremendous success, the Frankford
17 Chargers is now ranked as the number four
18 Pop Warner team in the nation.

19 Resolved, that the City of
20 Philadelphia hereby congratulates and
21 honors the Frankford Chargers and their
22 head coach Rasheed on this incredible
23 achievement. We honor you and your
24 impressive accomplishments on the
25 football field, but also for the fine

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2 work you do in shaping these young men.
3 We wish you much success in defending
4 this championship next season. You have
5 made the City proud, and we are proud
6 that you serve as ambassadors to the
7 City.

8 Further resolved, that an
9 engrossed copy of this resolution will be
10 presented in City Council.

11 Thank you very much.

12 (Applause.)

13 MR. COMPTON: I am Lorenz
14 Compton speaking on behalf of the
15 Frankford Chargers. We all know that we
16 didn't win the Super Bowl. That was one
17 of our goals, but our main goal was to go
18 down Florida and act with responsibility
19 and a great attitude and respect.

20 So we wanted to present Mayor
21 Nutter with this plaque of appreciation,
22 for a token of appreciation, this plaque.

23 (Applause.)

24 MR. GAMBREL: I want to thank
25 everyone here and I want to thank the

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2 Mayor and I want to thank the City
3 Council people and all the people that's
4 involved with helping this organization
5 out, and if it wasn't for the people in
6 Philadelphia that helped us go to where
7 we're going and where we're getting at
8 today, it was great that the City of
9 Philadelphia noticed what these young
10 people know to do and to behave
11 themselves and to do better in their
12 future.

13 I want to give many thanks to
14 all the Philadelphians and the Mayor and
15 the City Council again and all the work
16 that Coach Muhammad and the team has
17 done, which was a great job to make it
18 fourth in the whole country. It means
19 that there was a lot of work done, a lot
20 of discipline done and a lot of behavior
21 that made things possible, and I'm really
22 hopeful that they will continue to do
23 this and continue to accomplish things as
24 they did in the football throughout their
25 whole life with their education and

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support their families as they grow older
and do all the things necessary that it
takes to be a good young man.

I'm very thankful again to say
I received the American Flag the other
day from one of the Chargers from 1967.
He said he learned so much with the
Frankford Chargers, how to discipline
himself, how to work hard and do right,
and he's a nurse in the Army, been there
for years. He's about 53 years old now.
It made me feel great, all the hard work
that's going into this organization to
make things happen for these young
people. It's a great honor to be around
them to see things happening. And I'm
trying to see everything else. I'm
getting old now. I'm 74 years old, and I
want to see a lot more.

Thank you very much.

COUNCIL PRESIDENT Verna: Thank
you.

(Applause.)

COUNCIL PRESIDENT Verna:

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2 Again, congratulations.

3 Council will be at ease.

4 (Council at ease.)

5 COUNCIL PRESIDENT Verna: The

6 Chair now recognizes Councilman Clarke,

7 who will present a citation recognizing

8 the North Philadelphia Blackhawks.

9 (Applause.)

10 COUNCIL PRESIDENT Verna: Will

11 the members of that team please join the

12 Councilmembers at the podium. And I note

13 that Councilman Clarke is being

14 accompanied by Councilmembers Goode,

15 Greenlee, Rizzo and Green, also

16 Councilwoman Brown.

17 The Chair recognizes Councilman

18 Clarke.

19 COUNCILMAN CLARKE: Thank you,

20 Madam President. Madam President, it is

21 an honor to see the young men from

22 Frankford. It's a good thing to see

23 those young people doing good things and

24 being recognized for the good things as

25 opposed to some of the negatives that a

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2 very small percentage of people do in the
3 community. And I was glad to see that
4 Frankford -- actually close to my
5 district, not necessarily in my district,
6 but it's close enough for me to claim
7 them today, if Councilwoman Sanchez will
8 allow me to do that.

9 But today I have the pleasure
10 of recognizing an organization and a team
11 that is in the 5th Councilmanic District,
12 but before I do that, I just want to
13 recognize Brother Reggie Mtumishi. Most
14 of you probably don't know him.
15 Unfortunately, he is no longer here on
16 this earth with us, but I remember years,
17 years ago, Brother Reggie pulled together
18 this group and this league over at 11th
19 and Cecil B. Moore with an extremely
20 shoestring budget, pulled together this
21 organization and did really great work
22 and was always one that stayed in the
23 background, which is why a lot of people
24 don't talk about his name, but he was
25 really the guiding force behind pulling

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2 all this together, and I know he is in a
3 better place watching this with a smile
4 on his face, this particular honor.

5 So today, Madam President, it
6 gives us great pleasure to recognize and
7 honor the North Philadelphia Blackhawks
8 for winning the National Pop Warner
9 Football Championship.

10 (Applause.)

11 COUNCILMAN CLARKE: Whereas,
12 the North Philadelphia Blackhawks of
13 Philadelphia's Liberty Youth Athletic
14 Association are made up of 25 players
15 from the ages of 10 to 12 years old and
16 seven volunteer coaches; and

17 COUNCILMAN GOODE: Whereas, the
18 team had an undefeated season, competed
19 in and won their league and regional
20 championships to advance to the
21 championship round, ultimately won two
22 qualifying games before reaching the
23 championship; and

24 COUNCILMAN RIZZO: Whereas, on
25 Saturday, December 11th, 2010, the

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2 120-pound North Philadelphia Blackhawks
3 competed in the National Pop Warner
4 Football Championship held at Walt Disney
5 World Resort in Orlando, Florida. Not
6 bad.

7 COUNCILMAN GREEN: Whereas, in
8 that championship game, the Blackhawks
9 bested the Sweetwater Hawks in a
10 hard-fought game nationally televised on
11 ESPN, thereby becoming National Pop
12 Warner Football Champions; and

13 COUNCILMAN GREENLEE: Whereas,
14 the Blackhawks were led by head coach
15 Derrick Williams and count among the team
16 stars quarterback Fred Tydings, running
17 backs Qashah Carter, Aamir Brown, Craig
18 Jones and Tyliek Raynor, and linebacker
19 Brian "Hit Stick" Harvey; and

20 COUNCILWOMAN BROWN: Whereas,
21 in achieving their success, the
22 Blackhawks displayed sportsmanship,
23 character and remarkable athletic ability
24 throughout the entire season. Now
25 therefore

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2 COUNCILMAN CLARKE: Be it
3 resolved, that the North Philadelphia
4 Blackhawks be recognized and honored for
5 winning the National Pop Warner Football
6 Championship. I got to say it again.

7 (Applause.)

8 COUNCILMAN CLARKE: Further
9 resolved, that an engrossed copy of this
10 resolution be presented to the North
11 Philadelphia Blackhawks as a sincere
12 appreciation for their achievement by the
13 City Council of Philadelphia. Signed and
14 supported by all members of Council.

15 (Applause.)

16 COUNCILMAN CLARKE: At this
17 time, we would like to ask Coach Williams
18 to come and say a few words.

19 (Applause.)

20 COACH WILLIAMS: First, I want
21 to thank Mayor Nutter. Like I said in
22 every interview, every piece I did, we
23 really wouldn't have been able to go down
24 there and do it without him and the local
25 businesses of the City, Philadelphia

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2 Eagles, Mitchell & Ness, CBS.

3 I want to thank City Council
4 for inviting us, City Council for
5 presenting us with this citation. It's a
6 great accomplishment for our league, our
7 program, our kids to see that hard work
8 does really pay off. I mean, it just is
9 what it is, like a citation from the City
10 of Philadelphia for the North Philly
11 Blackhawks. I just want to say thanks,
12 y'all.

13 (Applause.)

14 COUNCIL PRESIDENT VERNA:

15 Council will be at ease.

16 MS. RICHARDSON: Good morning.

17 My name is Erica Richardson and I'm
18 currently the Vice-President of the
19 Blackhawks Athletic Club. On behalf of
20 the Blackhawks Athletic Club football and
21 cheer, we thank all of you from the
22 bottom of our hearts, also from my
23 President, current President, Jeff Days,
24 who couldn't be here because we had so
25 many days off for Disney, everybody just

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2 couldn't get here today, all the coaches
3 and staff, all of our parents. We have
4 wonderful parents. Our parents are here.
5 Stand up, parents.
6 (Applause.)
7 MS. RICHARDSON: Great parents,
8 coaching staff of Blackhawks,
9 cheerleaders.
10 We had a fantastic season.
11 These guys are national champions. We'll
12 never forget it.
13 Thank you.
14 (Applause.)
15 COUNCIL PRESIDENT VERNA:
16 Council will be at ease.
17 (Council at ease.)
18 COUNCIL PRESIDENT VERNA: The
19 next order of business is communications.
20 I'm sorry. The noise level is
21 much, much too high. If you're having
22 conversation, please do so in the
23 corridor. Thank you.
24 The Chair requests that the
25 Sergeant-At-Arms deliver the messages

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2 from the Mayor to the Chief Clerk.

3 The Chief Clerk will please
4 read the messages from the Mayor.

5 CHIEF CLERK: To the President
6 and members of the Council of the City of
7 Philadelphia, pursuant to Sections 4-604
8 and 2-307 of the Home Rule Charter, I am
9 today transmitting to the Council the
10 recommendations of the City Planning
11 Commission regarding the following bills:
12 Bill Nos. 100776, 100777, 100778, 100779,
13 100782, 100784, 100785, 100786, 100788,
14 100789, 100790, 100791, 100792, 100793
15 and 100842; and

16 I am pleased to advise you that
17 on December 15, 2010, I signed all of the
18 bills that were passed by Council at its
19 session on December 2, 2010; and

20 I am pleased to advise you that
21 on December 15, 2010, I signed the
22 following bills that were passed by
23 Council at its session on December 9,
24 2010: Bill Nos. 100712, 100713, 100714,
25 100773-A, 100774 and 100775; and

1 12/16/10 - STATED - COMMUNICATIONS

2 I am transmitting for the
3 consideration of your honorable body a
4 resolution approving the redevelopment
5 contract and disposition supplement of
6 the Redevelopment Authority of the City
7 of Philadelphia for the redevelopment and
8 urban renewal of a portion of the Point
9 Breeze Urban Renewal Area, designated as
10 Parcel Nos. 103 and 104 and also
11 sometimes identified by house addresses
12 and street addresses for Parcel No. 103
13 as 1626 through 36 Federal Street and for
14 Parcel No. 104 as 1218 through 28 South
15 Seventeenth Street; and

16 Also an ordinance amending
17 Section 2 of an ordinance (Bill No.
18 040505) approved June 21, 2004, entitled
19 "An ordinance authorizing the striking
20 from City Plan Nos. 270 and 258 of Sanger
21 Street from Tacony Street to the westerly
22 Pierhead Line of the Delaware River," by
23 extending the period for compliance with
24 the terms and conditions stated therein;
25 and

12/16/10 - STATED - COMMUNICATIONS

An ordinance amending Section 2
of an ordinance (Bill No. 080641)
approved November 19, 2008, entitled "An
ordinance authorizing the revision of
lines and grades on a portion of City
Plan No. 128 by striking from the City
Plan and vacating Eighteenth Street from
Cambria Street to Indiana Avenue," by
extending the period for compliance with
the terms and conditions stated therein;
and

An ordinance authorizing the
revision of lines and grades on a portion
of City Plan No. 157 by striking from the
City Plan and vacating the legally open
portions of American Street from Sedgley
Avenue southeastwardly to its terminus,
all under certain terms and conditions.

COUNCIL PRESIDENT VERNA: Thank
you. The messages will be printed in the
Journal.

Does the Chief Clerk have any
other communications in his possession?

CHIEF CLERK: I have none,

1 12/16/10 - STATED - INTRO. OF BILLS

2 Madam President.

3 COUNCIL PRESIDENT Verna: Thank
4 you.

5 The next order of business,
6 therefore, will be the introduction of
7 bills and resolutions, and the Chair
8 recognizes Councilwoman Blackwell.

9 COUNCILWOMAN BLACKWELL: Thank
10 you, Madam President. Today I introduce
11 one resolution that is co-sponsored by
12 every member of Council.

13 COUNCIL PRESIDENT Verna: Thank
14 you.

15 The Chief Clerk will please
16 read the title of the resolution.

17 CHIEF CLERK: A resolution
18 recognizing Vivian T. Miller for a career
19 of service to the citizens of
20 Philadelphia in her roles as Community
21 Organizer, Ward Leader and Philadelphia
22 Clerk of Quarter Sessions.

23 COUNCIL PRESIDENT Verna: Thank
24 you. This resolution will be placed on
25 our next session of Council for

1 12/16/10 - STATED - INTRO. OF BILLS
2 consideration.

3 The Chair recognizes Councilman
4 Greenlee.

5 COUNCILMAN GREENLEE: Thank
6 you, Madam President. I have no bills or
7 resolutions today.

8 COUNCIL PRESIDENT VERNA: The
9 Chair thanks the gentleman.

10 The Chair recognizes
11 Councilwoman Krajewski.

12 COUNCILWOMAN KRAJEWSKI: Thank
13 you, Madam President. I offer one bill.

14 COUNCIL PRESIDENT VERNA: Thank
15 you.

16 The Chief Clerk will please
17 read the title of the bill.

18 CHIEF CLERK: An ordinance
19 amending Section 2 of an ordinance (Bill
20 No. 040505) approved June 21, 2004,
21 entitled "An ordinance authorizing the
22 striking from City Plan Nos. 270 and 258
23 of Sanger Street from Tacony Street to
24 the westerly Pierhead Line of the
25 Delaware River," by extending the period

1 12/16/10 - STATED - INTRO. OF BILLS

2 for compliance with the terms and
3 conditions stated therein.

4 COUNCIL PRESIDENT Verna: This
5 bill will be referred to the appropriate
6 committee.

7 The Chair recognizes
8 Councilwoman Tasco.

9 COUNCILWOMAN TASCO: Madam
10 President, I offer one resolution on your
11 behalf.

12 COUNCIL PRESIDENT Verna: Thank
13 you.

14 The Chief Clerk will please
15 read the title of the resolution.

16 CHIEF CLERK: A resolution
17 approving the redevelopment contract and
18 disposition supplement of the
19 Redevelopment Authority of the City of
20 Philadelphia for the redevelopment and
21 urban renewal of a portion of the Point
22 Breeze Urban Renewal Area, designated as
23 Parcel Nos. 103 and 104 and also
24 sometimes identified by house addresses
25 and street addresses for Parcel No. 103

1 12/16/10 - STATED - INTRO. OF BILLS
2 as 1626 through 36 Federal Street and for
3 Parcel No. 104 as 1218 through 28 South
4 Seventeenth Street.

5 COUNCIL PRESIDENT Verna: This
6 resolution be will be placed on our
7 Second Reading and Final Passage Calendar
8 for our next session of Council.

9 The Chair recognizes
10 Councilwoman Miller.

11 COUNCILWOMAN MILLER: Thank
12 you, Madam President. Today I offer one
13 resolution and one bill.

14 COUNCIL PRESIDENT Verna: The
15 Chief Clerk will please read the title of
16 the bill.

17 CHIEF CLERK: An ordinance
18 amending Section 2 of an ordinance (Bill
19 No. 080641) approved November 19, 2008,
20 entitled "An ordinance authorizing the
21 revision of lines and grades on a portion
22 of City Plan No. 128 by striking from the
23 City Plan and vacating Eighteenth Street
24 from Cambria Street to Indiana Avenue,"
25 by extending the period for compliance

1 12/16/10 - STATED - INTRO. OF BILLS

2 with the terms and conditions stated
3 therein.

4 COUNCIL PRESIDENT Verna: The
5 bill will be referred to the appropriate
6 committee.

7 CHIEF CLERK: And a resolution
8 authorizing the Commissioner of Public
9 Property to execute and deliver to the
10 Redevelopment Authority of the City of
11 Philadelphia, without consideration,
12 deeds conveying conditional fee simple
13 title to certain City-owned lots or
14 pieces of ground with the buildings and
15 improvements thereon, situate in the
16 Seventeenth Ward of the City of
17 Philadelphia.

18 COUNCIL PRESIDENT Verna: This
19 resolution will be placed on our Calendar
20 for our next session of Council.

21 The Chair recognizes
22 Councilwoman Sanchez.

23 COUNCILWOMAN SANCHEZ: Thank
24 you, Madam President. I have two bills
25 and two resolutions.

1 12/16/10 - STATED - INTRO. OF BILLS

2 COUNCIL PRESIDENT VERNA: Thank
3 you.

4 The Chief Clerk will please
5 read the title of the first bill.

6 CHIEF CLERK: An ordinance to
7 amend the Philadelphia Zoning Maps by
8 changing the zoning designations of
9 certain areas of land located within an
10 area bounded by Second Street, Rising Sun
11 Avenue, Cayuga Street, Front Street, and
12 Hunting Park Avenue.

13 COUNCIL PRESIDENT VERNA: The
14 bill will be referred to the appropriate
15 committee.

16 CHIEF CLERK: And an ordinance
17 authorizing the revision of lines and
18 grades on a portion of City Plan No. 157
19 by striking from the City Plan and
20 vacating the legally open portions of
21 American Street from Sedgley Avenue
22 southeastwardly to its terminus.

23 COUNCIL PRESIDENT VERNA: This
24 bill will also be referred to the
25 appropriate committee.

1 12/16/10 - STATED - INTRO. OF BILLS

2 CHIEF CLERK: And a resolution
3 authorizing Council's Committee on
4 Housing, Neighborhood Development and the
5 Homeless to hold hearings on the
6 consequences of mass foreclosure in the
7 Kensington and Port Richmond
8 neighborhoods of rental properties owned
9 by Landvest Limited Liability Partnership
10 and related companies associated with
11 Robert N. Coyle, Sr.

12 COUNCIL PRESIDENT Verna: The
13 resolution will be placed on our Calendar
14 for our next session of Council to be
15 considered.

16 CHIEF CLERK: And a resolution
17 authorizing the Commissioner of Public
18 Property to execute and deliver to the
19 Redevelopment Authority of the City of
20 Philadelphia, without consideration,
21 deeds conveying conditional fee simple
22 title to certain City-owned lots or
23 pieces of ground with the buildings and
24 improvements thereon, situate in the
25 Seventh, Nineteenth and Thirty-Seventh

1 12/16/10 - STATED - INTRO. OF BILLS

2 wards of the City of Philadelphia.

3 COUNCIL PRESIDENT VERNA: Thank
4 you. This resolution will also be
5 referred to our Calendar for our next
6 session of Council.

7 The Chair recognizes Councilman
8 Green.

9 COUNCILMAN GREEN: Thank you,
10 Madam President. I have no bills or
11 resolutions today.

12 COUNCIL PRESIDENT VERNA: The
13 Chair thanks the gentleman.

14 The Chair recognizes Councilman
15 Jones.

16 COUNCILMAN JONES: Thank you,
17 Madam President. I have one bill
18 co-sponsored by Councilwoman Miller and
19 Councilman Clarke.

20 COUNCIL PRESIDENT VERNA: Thank
21 you.

22 The Chief Clerk will please
23 read the title.

24 CHIEF CLERK: An ordinance
25 amending Chapter 21-1200 of The

1 12/16/10 - STATED - INTRO. OF BILLS

2 Philadelphia Code, entitled "Police
3 Advisory Board," by providing additional
4 requirements for issuing annual reports
5 and responding to complaints, under
6 certain terms and conditions.

7 COUNCIL PRESIDENT Verna: The
8 bill will be referred to the appropriate
9 committee.

10 The Chair recognizes Councilman
11 Goode.

12 COUNCILMAN GOODE: Thank you,
13 Madam President. I offer no bills or
14 resolutions today.

15 COUNCIL PRESIDENT Verna: Thank
16 you.

17 The Chair recognizes
18 Councilwoman Brown.

19 COUNCILWOMAN BROWN: Thank you,
20 Madam President. No bills or resolutions
21 this morning.

22 COUNCIL PRESIDENT Verna: Thank
23 you.

24 Councilman DiCicco.

25 COUNCILMAN DiCICCO: Thank you,

1 12/16/10 - STATED - INTRO. OF BILLS

2 Madam President. No bills or resolutions
3 today.

4 COUNCIL PRESIDENT VERNA: Thank
5 you.

6 The Chair recognizes Councilman
7 O'Neill.

8 COUNCILMAN O'NEILL: Madam
9 President, no bills or resolutions today.

10 COUNCIL PRESIDENT VERNA: Thank
11 you.

12 The Chair recognizes Councilman
13 Clarke. Is he in the room?

14 (No response.)

15 COUNCIL PRESIDENT VERNA: The
16 Chair recognizes Councilman Kelly.

17 COUNCILMAN KELLY: No bills or
18 resolutions.

19 COUNCIL PRESIDENT VERNA: Thank
20 you.

21 The Chair recognizes Councilman
22 Rizzo.

23 COUNCILMAN RIZZO: Madam
24 President, no bills or resolutions today.

25 COUNCIL PRESIDENT VERNA: Thank

1 12/16/10 - STATED - REPORTS

2 you.

3 The next order of business is
4 reports from committees.

5 The Chair recognizes Councilman
6 Green for a report from the Committee on
7 Labor and Civil Service.

8 COUNCILMAN GREEN: Thank you,
9 Madam President. The Committee on Labor
10 and Civil Service reports one bill with a
11 favorable recommendation.

12 COUNCIL PRESIDENT VERNA: Thank
13 you.

14 The Chief Clerk will please
15 read the report.

16 CHIEF CLERK: To the President
17 and members of the Council of the City of
18 Philadelphia, the Committee on Labor and
19 Civil Service, to which was referred Bill
20 No. 100780, entitled "An ordinance
21 amending Title 22 of The Philadelphia
22 Code, entitled 'Public Employees
23 Retirement Code,' by expanding the scope
24 of 'Plan '10' and 'DC Plan' to cover
25 additional employees, including Fire

12/16/10 - STATED - REPORTS

Department employees; by revising the definition of 'Fire employee'; and by making technical changes; all under certain terms and conditions," respectfully reports it has considered the same and returns the attached bill to Council with a favorable recommendation.

COUNCIL PRESIDENT VERNA: Thank you. Bill No. 100780 will be placed on the First Reading Calendar for our next session of Council.

The Chair now recognizes Councilwoman Miller for a report from the Committee on Public Safety.

COUNCILWOMAN MILLER: Thank you, Madam President. The Committee on Public Safety reports one bill with a favorable recommendation.

COUNCIL PRESIDENT VERNA: Thank you.

The Chief Clerk will please read the report.

CHIEF CLERK: The Committee on Public Safety, to which was referred Bill

12/16/10 - STATED - REPORTS

No. 100722, entitled "An ordinance amending Chapter 10-818 of The Philadelphia Code to provide that no person shall carry a firearm on public streets or public property unless the person is licensed to carry such firearm by a political subdivision of the Commonwealth of Pennsylvania, regardless of whether the person possesses a license issued in another state, under certain terms and conditions," respectfully reports it has considered the same and returns the attached bill to Council with a favorable recommendation.

COUNCIL PRESIDENT VERNA: Thank you. Bill No. 100722 will be placed on our First Reading Calendar for our next session of Council.

The Chair now recognizes Councilman Jones for a report from the Joint Committees on Transportation and Public Utilities and the Environment.

COUNCILMAN JONES: Thank you, Madam President. The Joint Committees on

12/16/10 - STATED - REPORTS

Transportation and Public Utilities and
the Environment issues a report pursuant
to Resolution No. 100515.

COUNCIL PRESIDENT VERNA: Thank
you.

The Chief Clerk will please
read the report.

CHIEF CLERK: The Joint
Committees on Transportation and Public
Utilities and the Environment, to which
was referred Resolution No. 100515,
entitled "A resolution authorizing City
Council's Joint Committees on
Transportation and Public Utilities and
the Environment to hold hearings on the
economic and environmental impacts that
hydraulic drilling of Marcellus Shale
will have on Philadelphia and the
surrounding region," respectfully reports
that the Joint Committees held the
hearings authorized by Resolution No.
100515 on September 28, 2010 and that the
Joint Committees issued to the Council
the attached final report on the matters

1 12/16/10 - STATED - 2ND READING

2 discussed at the hearing.

3 COUNCIL PRESIDENT Verna: Thank
4 you.

5 The next order of business is
6 the consideration of the Calendar. As
7 there are no bills on the First Reading
8 Calendar, the Chair recognizes
9 Councilwoman Tasco for a motion
10 concerning the bills on the Second
11 Reading and Final Passage Calendar.

12 COUNCILWOMAN TESCO: Madam
13 President, I move that the bills on the
14 First Reading be -- motion approved.

15 COUNCIL PRESIDENT Verna: I
16 think, Marian, we have to move for the
17 rules of Council to be suspended.

18 COUNCILWOMAN TESCO: I move
19 that the rules of Council be suspended so
20 as to have the reading on the First
21 Calendar.

22 (Duly seconded.)

23 COUNCIL PRESIDENT Verna:
24 Marian, we're going to use a Consent
25 Agenda.

1 12/16/10 - STATED - 2ND READING

2 COUNCILWOMAN TASCO: Yes. It's
3 kind of confusing here.

4 I move that the rules of
5 Council be suspended to permit the use of
6 a Consent Agenda for the following bills
7 on the Second Reading and Final Passage
8 Calendar. These bills are 100861,
9 100862, 100863, 100865, 100866, 100867,
10 100868, 100799, 100800, 100801,
11 090588-A -- I'm sorry, Madam President.
12 It's a little confusing here for a moment
13 until we get this together.

14 I move that the rules of
15 Council be suspended to permit the use of
16 a Consent Agenda to consider the
17 following bills on the Second Reading and
18 Final Passage Calendar: Bills 100777,
19 100778, 100779, 100785, 100786, 100788,
20 100789, 100790, 100791, 100792, 100793,
21 100753, 100784, 100557, 100751, 100781,
22 100794, 100842, 100550, 100749, 100724,
23 100776, 100756, 100787 and 100843.

24 (Duly seconded.)

25 COUNCIL PRESIDENT VERNA: Thank

1 12/16/10 - STATED - 2ND READING
2 you. It has been moved and seconded that
3 the rules of Council be suspended to
4 permit the use of a Consent Agenda to
5 consider the bills just read by
6 Councilwoman Tasco.

7 All in favor will indicate by
8 saying aye.

9 (Aye.)

10 COUNCIL PRESIDENT Verna: Those
11 opposed?

12 (No response.)

13 COUNCIL PRESIDENT Verna: The
14 ayes have it, the motion carries, and we
15 will consider the Consent Agenda shortly.

16 The Chair again recognizes
17 Councilwoman Tasco for the purpose of
18 calling the bills up on the regular
19 Second Reading and Final Passage
20 Calendar.

21 COUNCILWOMAN TESCO: In
22 addition to the bills being considered
23 for the Consent Agenda, the following
24 bills and resolutions are being called up
25 for Second Reading and Final Passage

12/16/10 - STATED - PUBLIC COMMENT

Calendar today: 100861, 100862, 100863,
100865, 100866, 100867, 100868, 100799,
100800, 100801, 090588-A, 100489-A and
100656. Bill No. 100552-A is being
called up for amendment. All other bills
and resolutions are being held.

COUNCIL PRESIDENT Verna: Thank
you.

Before considering these bills
and resolutions, we will consider public
comment on those matters listed on the
Second Reading and Final Passage portion
of the Calendar for possible action at
today's session of Council.

Before our first speaker comes
forward, let me note that at last week's
session, a resolution was adopted to
amend Council's rules to provide for a
public comment period.

Under the newly amended rules,
the public comment procedure will operate
as follows: For each Council session,
there will be a sign-up sheet to
determine the order in which we receive

1 12/16/10 - STATED - PUBLIC COMMENT

2 public comment, although no one will be
3 denied the opportunity to provide public
4 comment because they have not previously
5 signed up.

6 Public comment is listed to
7 Philadelphia residents and taxpayers. So
8 when it is your turn to speak, please
9 state your name and where you live.
10 Also, if you are not a Philadelphia
11 resident, please state that you are a
12 Philadelphia taxpayer.

13 You will then have up to three
14 minutes to provide public comment on
15 bills and resolutions listed on the
16 Calendar for possible action at today's
17 session.

18 Again, I want to thank all of
19 you for your cooperation and patience as
20 we continue to implement this new
21 procedure.

22 I would ask the Chief Clerk to
23 please read the name of our first
24 speaker.

25 CHIEF CLERK: Joe Shiavo

1 12/16/10 - STATED - PUBLIC COMMENT
2 commenting on Bill No. 100552.

3 COUNCIL PRESIDENT VERNA: Good
4 morning, Mr. Shiavo. Please identify
5 yourself for the record.

6 MR. SHIAVO: My name is Joe
7 Shiavo. I live at 155 North 3rd Street
8 in Philadelphia and I am a City of
9 Philadelphia taxpayer.

10 Thank you, Madam President and
11 members of Council. And I'm responding
12 to those amendments that Councilman
13 DiCicco has forwarded regarding Bill
14 100552, and if I may pass through the
15 Clerk, I have a letter that was
16 previously submitted to Councilman
17 DiCicco and it itemizes the requests of
18 particular amendments; that is,
19 particular amendments that the Old City
20 Civic Association Development Committee
21 had requested be made to this bill. And,
22 in fact, one of our requests was that
23 there be no approvals for signage in this
24 bill and that there be no removal of
25 signage regulations in this bill. So we

12/16/10 - STATED - PUBLIC COMMENT

feel that these amendments forwarded today achieved two of those goals that we forwarded previously.

The remaining goal, in summary, would be that this bill would include no approvals for the 35,000 square foot ground floor commercial space of this particular proposal. There are no specific objections to the approvals for the hotel and all of its uses, and there are no objections to the liquor license that's anticipated for that hotel. There are also no objections to the approvals included in this bill for the 4th Street residential component of this proposal, but there are serious concerns on the part of community members regarding the ground floor commercial space because of its size and the uses that are described in the bill today, such as restaurants, entertainment, public assembly, all with the assumption of a liquor license associated with the entirety of that space.

1 12/16/10 - STATED - PUBLIC COMMENT

2 So I ask that you please take
3 into consideration the letter, if I may
4 pass it through the Clerk to
5 Councilmembers. And the point of
6 distributing this letter to you is so
7 that you're clear we are not
8 daisy chaining our objections one to the
9 next to protract this process. We have
10 made our concerns clear previously, and
11 we feel that these amendments address
12 some of those concerns and we have one
13 principal concern remaining.

14 May I?

15 COUNCIL PRESIDENT VERNA: Thank
16 you very much.

17 The Chief Clerk will -- thank
18 you, sir.

19 MR. SHIAVO: May I pass these
20 forward?

21 COUNCIL PRESIDENT VERNA: Are
22 you finished?

23 MR. SHIAVO: Thank you. I am
24 finished. Thank you for the opportunity.

25 COUNCIL PRESIDENT VERNA: Thank

1 12/16/10 - STATED - PUBLIC COMMENT

2 you. You have something to be
3 circulated?

4 MR. SHIAVO: Yes.

5 COUNCIL PRESIDENT Verna: Our
6 next witness?

7 CHIEF CLERK: Suellen Weiner.

8 MR. SHIAVO: I would like to,
9 on behalf of those who have registered to
10 speak on this bill, read the names of
11 those who have registered to speak. Some
12 of these residents may not be present
13 today because of the amendments forwarded
14 by Councilman DiCicco. Their concerns
15 were addressed or they felt that their
16 comments would best be made at the next
17 hearing of this bill. And those
18 residents who have registered that I am
19 aware of -- and there may be others, but
20 those I'm aware of are Janet Kalter, Joe
21 O'Donnell, Suellen Weiner, Bette Woolsey,
22 John Woolsey, Francesca DiCosmo, Dick
23 Tucker, Diane Stevens-Tucker, Bob Caruso,
24 Brian Fritz, Robert Jaffe, Lynell Wilcha,
25 Neil McLaughlin, Jim Curry, Vamsidhar

1 12/16/10 - STATED - PUBLIC COMMENT

2 Vurimindi, Richard Thom, Michael Barmash,
3 Don Todd, Ted Watson, Les Smith, Jerry
4 Fischer and David Bajohr.

5 Some of them may be here today
6 and wish to speak, but on behalf of the
7 others, I just wish Council to know that
8 it is not that they failed to appear, but
9 they wish to instead give testimony on
10 the 27th when the bill may next be
11 considered.

12 COUNCIL PRESIDENT Verna: Thank
13 you very much.

14 MR. SHIAVO: Thank you.

15 COUNCIL PRESIDENT Verna: Do we
16 have anyone here to testify on Bill No.
17 100552?

18 Please approach the witness
19 table.

20 MR. PATTERSON: Good morning.
21 My name is Ronald Patterson. I am an
22 attorney and I represent the owner and
23 proposed developer of the property that
24 would benefit from this bill, and my name
25 is on the witness list.

1 12/16/10 - STATED - PUBLIC COMMENT

2 I'd like to say that we are in
3 agreement with the removal of the
4 language that would extract the proposed
5 digital display sign from this building.
6 One of the conditions that we had
7 discussed with Councilman DiCicco in
8 discussing this particular item was that
9 it would not be able to be seen by
10 certain angles. By his arduous efforts
11 and pressing us to prove that, we are
12 unable to prove that at this time, so we,
13 of course, would agree that that not be
14 placed in the bill, and we thank him for
15 his mediation efforts.

16 As to the other items in the
17 bill, we have a private agreement that
18 we've drafted that we believe addresses
19 all of the remaining and other concerns
20 that we have offered to the Old City
21 Civic Association, and in the event that
22 they do not sign that, we hope that
23 somebody else would sign that so it
24 becomes part of the record. And as a
25 matter of fact, the Councilman has also

1 12/16/10 - STATED - PUBLIC COMMENT
2 offered to even enter into that agreement
3 with us.

4 So I thank you for your time.
5 COUNCIL PRESIDENT VERNA: Thank
6 you.

7 I understand that we're going
8 to have to read all of the names of
9 people who have called to testify on Bill
10 100552, the list of those that called in
11 to say that they wanted to make comment.

12 So I would ask the Chief Clerk
13 to very quickly go down the list.

14 CHIEF CLERK: Suellen Weiner.

15 (No response.)

16 CHIEF CLERK: Diane Tucker.

17 (No response.)

18 CHIEF CLERK: Robert Jaffe.

19 (No response.)

20 CHIEF CLERK: Janet Kalter.

21 COUNCIL PRESIDENT VERNA: Just
22 a moment. Is Janet Kalter here?

23 MS. KALTER: Yes. Shall I
24 testify now?

25 COUNCIL PRESIDENT VERNA: Yes.

1 12/16/10 - STATED - PUBLIC COMMENT

2 MS. KALTER: Good morning. My
3 name is Janet Kalter. I live at 155
4 North 3rd Street and I'm here to speak to
5 you today about Bill 100552.

6 I won't go over all of the
7 things that Joe Shiavo covered about the
8 things that we support on the bill, but I
9 will go back to the concern that we have
10 about the bill, the 35,000 square feet of
11 commercial space, since we have not yet
12 been informed about how it will be used.

13 We have seen some possible
14 proposals, and they caused great concern.
15 Although Mr. Ambrosi informed us at our
16 public meeting of November 22nd that this
17 location is a great site and he only
18 builds projects on great sites, he often
19 complains that he must make a huge effort
20 to create a critical mass to bring people
21 to the hotel at this location and that
22 being across the street from the granite
23 wall of the U.S. Mint is a major
24 hindrance to creating a successful
25 commercial endeavor.

1 12/16/10 - STATED - PUBLIC COMMENT

2 But let's compare this to the
3 hotel on the other side of that same
4 Mint. The Holiday Inn at 4th and Arch,
5 just one block south of Mr. Ambrosi's
6 site, has one of the most successful
7 occupancy rates in the City of
8 Philadelphia. It's catty-corner to the
9 firehouse, flanked by two religious
10 institutions and next to a graveyard.
11 The Holiday Inn must have an amazing
12 secret to success. Maybe that secret is
13 that it's in an exciting neighborhood,
14 Old City. By the way, it does have a
15 restaurant, a very modest restaurant,
16 without entertainment.

17 It is my belief that
18 Mr. Ambrosi is being unimaginative in his
19 efforts to find an appropriate use for
20 his commercial space. Not only is his
21 planned use as a restaurant/entertainment
22 venue strongly opposed by our community,
23 I believe it will definitely fail to
24 provide him with the critical mass he
25 hopes for.

1 12/16/10 - STATED - PUBLIC COMMENT

2 I ask him to think outside the
3 big box, expand on our successful
4 businesses, fashion, home furnishings,
5 arts, culture and personal care. Don't
6 give us more of what is already
7 overexpanded, restaurants and
8 entertainment venues.

9 Councilmembers, please remove
10 this use approval for the 35,000 square
11 feet commercial space from this bill.

12 Thank you.

13 COUNCIL PRESIDENT Verna: Thank
14 you very much.

15 MS. KALTER: And thank you,
16 Councilman DiCicco, for your amendment.

17 COUNCIL PRESIDENT Verna: Thank
18 you.

19 The next witness, please.

20 CHIEF CLERK: Brian Fritz.

21 (No response.)

22 CHIEF CLERK: Joseph O'Donnell.

23 MR. O'DONNELL: I'm a resident
24 of Philadelphia and I live at 113 North
25 Bread Street. I'm a representative of

1 12/16/10 - STATED - PUBLIC COMMENT

2 the National of Old City, a community of
3 152 residences, 333 residents, with four
4 on the way.

5 In view of the amendment today,
6 we would like to withhold our remarks
7 until the 27th.

8 Thank you, Madam.

9 COUNCIL PRESIDENT Verna: Thank
10 you.

11 CHIEF CLERK: Graham Copeland.

12 COUNCIL PRESIDENT Verna:

13 Mr. Copeland is here. Please approach
14 the microphone.

15 MR. COPELAND: Madam President,
16 Councilmembers, my name is Graham
17 Copeland. I live at 103 Conway Avenue,
18 Narberth, Pennsylvania. I am a taxpayer
19 in the City of Philadelphia.

20 I'm the Executive Director of
21 Old City District. We are a 12-year-old
22 special services district and municipal
23 authority. We have a Board of Directors,
24 19 members, comprised of Old City
25 residents and a diverse mix of local

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2 businesspeople, with a stake in the
3 well-being of Old City.

4 OCD's Board recently passed a
5 resolution in support of the 401 Race
6 Street redevelopment project proposed by
7 ARC Properties. The reasons are, we feel
8 that this is good for the local economy
9 and also good for the neighborhood. This
10 project represents an investment in our
11 community with the improvement of an
12 underutilized asset in an excellent
13 gateway location. From an urban design
14 perspective, it's a great example of
15 adaptive reuse and transforming an old
16 industrial facility, which many say is an
17 eyesore and some even say it's a blight,
18 into an exciting new, mixed-use facility
19 that will be aesthetically pleasing and
20 serve the local community, specifically
21 supporting the vital travel and tourism
22 industry.

23 The economic benefits to the
24 neighborhood of the City will be
25 significant. The spin-off benefits to

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2 local businesses will be huge. Business
3 and tourist travel consists of visitors
4 with typically high disposable incomes to
5 spend on lodging, shopping and dining,
6 and giving much-needed boost to the local
7 businesses, many of which have been
8 struggling in the current economy. This
9 project also creates much-needed jobs,
10 temporary jobs in construction and
11 permanent jobs in the hospitality
12 industry.

13 We're confident that working
14 together with Councilman DiCicco and City
15 Council, ARC Properties, Old City
16 District and Old City Civic Association,
17 we all can balance the interests of
18 improving the neighborhood, operating a
19 successful business operation and being a
20 good corporate neighbor, and together
21 move this important project forward to
22 fruition.

23 Thank you.

24 COUNCIL PRESIDENT VERA: Thank
25 you very much.

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2 Our next witness?

3 CHIEF CLERK: Judith Murray.

4 (No response.)

5 CHIEF CLERK: Lynell Wilcha.

6 MS. WILCHA: Good morning,

7 Councilmembers. My name is Lynell

8 Wilcha. I'm a resident and property

9 owner at 305 Cherry Street in

10 Philadelphia.

11 I have something that I need

12 the Clerk to distribute, if you can come

13 and get this box right now.

14 Our community's objection to

15 the proposed uses for the 35,000 square

16 foot ground floor commercial space of

17 this proposed project in no part

18 constitutes an objection to the hotel

19 proposed for the site. It is the use

20 approvals for the ground floor commercial

21 space included in Bill 100552 that are

22 critically concerning for the residents

23 of Old City. This is because they're

24 impactful approvals granted by this bill,

25 all prior to evidence of a plan for you

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2 or our community to review.

3 Perhaps different from
4 descriptions of this project you have
5 heard, the 35,000 square foot ground
6 floor commercial space included in the
7 project proposal would have absolutely no
8 business connection with the hotel
9 operation or the hotel operator. The
10 tenant occupying the ground floor space
11 is a separate tenant and entirely
12 independent from the hotel operation.

13 The bill affords the developer
14 use approvals for the restaurant, light
15 entertainment, public assembly of guests
16 and all assumptions of a liquor license
17 for the entire 35,000 square foot floor
18 area. However, you and our residents
19 have not seen the plan for this area
20 because there is no plan to date, and
21 there are many unanswered questions.

22 The restaurant operator that
23 the developer last identified as a
24 potential tenant for the ground floor
25 space is So'fa Entertainment. The

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2 brochures that I have had the Clerk pick
3 up are going to be distributed to
4 Councilmembers. You'll have 17 copies.

5 It is my opinion that So'fa
6 Entertainment appears to be a nightclub
7 operator, and perhaps upon your review of
8 the brochure, you will agree. Given the
9 information, it seems entirely reasonable
10 that area residents are concerned about
11 what exactly Mr. Ambrosi intends for this
12 enormous space. If his consideration for
13 So'fa Entertainment as the principal
14 operation any indication, it's likely to
15 be something that most of us would
16 identify as a nightclub.

17 Should this bill pass by
18 Council as written and this project fail,
19 even more importantly, our residents are
20 concerned about who or what will take
21 over the space in the future. So,
22 Councilmembers, please do not leave these
23 blank-check approvals for the 35,000
24 square foot space in Bill 100552. Amend
25 this bill to delete Clause 9(a)(3).

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2 Speaking on behalf of Old City residents,
3 it would be the responsible thing to do.

4 Thank you.

5 COUNCIL PRESIDENT Verna: Thank
6 you very much.

7 Our next witness?

8 CHIEF CLERK: Bette Woolsey.

9 (No response.)

10 CHIEF CLERK: John Woolsey.

11 (No response.)

12 CHIEF CLERK: Elizabeth

13 Templeton.

14 (No response.)

15 CHIEF CLERK: Richard Thom.

16 COUNCIL PRESIDENT Verna: Good
17 morning.

18 MR. THOM: Good morning.

19 Richard Thom. My address is 47 Highgate
20 Lane, Blue Bell, Pennsylvania. However,
21 I have a business at 212 Race Street and
22 I'm a taxpayer in the City of
23 Philadelphia.

24 In 1990, I wrote the current
25 zoning control legislation called the Old

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2 City Residential Special District

3 Controls. These controls provided us and

4 the Old City community with protections

5 from uses that we felt would be

6 detrimental to the residents, businesses

7 and property owners in the Old City area.

8 This bill seeks to lift those

9 protections, protections enacted by this

10 full Council in 1990, specifically on one

11 parcel of ground.

12 I urge Council to reject this

13 effort at spot rezoning.

14 Thank you.

15 COUNCIL PRESIDENT Verna: Thank
16 you very much.

17 CHIEF CLERK: Richard Tucker.

18 (No response.)

19 CHIEF CLERK: David Bajohr.

20 MR. BAJOHR: My name is David
21 Bajohr. I live at 209 North 4th Street.
22 I'm a Philadelphia taxpayer. I am also
23 the President of Old City Place Condo
24 Association located on the corner of 4th
25 and Race Street, the building closest to

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2 the closest proximity and most affected
3 by this development. We are 40 units and
4 over 60 residents, and I'm here today to
5 testify that Old City Place Condo
6 Association has voted to oppose this Bill
7 100552 in its current form for the
8 following reasons:

9 The ambiguity of the proposed
10 entertainment space comprising up to
11 35,000 square feet makes it hard to
12 understand the true usage nature of this
13 space and the impact on our building.

14 Secondly, security. We are
15 concerned by the lack of a governance
16 plan presented regarding the security
17 enforcement of this entertainment
18 section. When looking to attract a
19 critical mass, there should be a plan in
20 place to govern that mass, and we are --
21 this is something we have not seen to
22 this point.

23 Thirdly, parking. This project
24 will eliminate public parking spots in
25 and around our building and give less

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2 parking options to our residents. We'd
3 like to see a plan in place that may open
4 up or give more parking to the local
5 neighborhood.

6 We are encouraged, however, by
7 the changes in this morning's ordinance
8 with the LCD billboard sign, which we
9 were initially worried would face
10 one-half of our building.

11 To be clear, we as a building
12 are not against the development at this
13 site. In fact, we welcome it. The hotel
14 portion is an upgrade from the abandoned
15 building that sits there now. However,
16 these key points or lack of definition of
17 them leave us to be more worried about
18 this project than welcoming of it. Given
19 the current economic climate, we too
20 desire development in Old City, but the
21 right development and not at the expense
22 of our community.

23 We hope that City Council will
24 keep this in mind, as we are the
25 building, the community most affected by

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2 this project.
3 Thank you.
4 COUNCIL PRESIDENT Verna: Thank
5 you.
6 Our next witness?
7 CHIEF CLERK: Cynthia
8 Kishinchand.
9 (No response.)
10 CHIEF CLERK: Jim Curry.
11 (No response.)
12 CHIEF CLERK: Ed Fischer.
13 (No response.)
14 CHIEF CLERK: Norma Van Dyke.
15 MS. VAN DYKE: My name is Norma
16 Van Dyke. I defer any testimony on this
17 bill until it comes back as amended.
18 COUNCIL PRESIDENT Verna: Thank
19 you.
20 CHIEF CLERK: Michael Barmash?
21 (No response.)
22 CHIEF CLERK: Donald Todd.
23 (No response.)
24 CHIEF CLERK: Vamsidhar
25 Vurimindi.

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2 (No response.)
3 CHIEF CLERK: Francesca
4 DiCosmo.
5 (No response.)
6 CHIEF CLERK: Leslie Smith.
7 (No response.)
8 CHIEF CLERK: Cornelia
9 Tsakiridou.
10 (No response.)
11 CHIEF CLERK: Jerry Fischer.
12 (No response.)
13 CHIEF CLERK: Robert Caruso.
14 (No response.)
15 CHIEF CLERK: Ted Watson.
16 (No response.)
17 CHIEF CLERK: Denise Denner.
18 (No response.)
19 CHIEF CLERK: Austin Kelley.
20 COUNCIL PRESIDENT Verna: He's
21 here. And why don't you call the next
22 individual who would like to comment.
23 CHIEF CLERK: Iris Marie Bloom.
24 COUNCIL PRESIDENT Verna: Good
25 morning, sir. Please identify yourself

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2 for the record.

3 MR. KELLEY: Good morning. I'm
4 Austin Kelley. I live at 4514 Osage
5 Avenue in Philadelphia.

6 I want to urge the Council to
7 act as soon as possible on hydro-fracking
8 in the Delaware River Basin. We very
9 much need to have the opportunity to have
10 serious public comment here before they
11 begin enacting procedures that will
12 endanger our water supply. The public
13 health of millions and millions of us
14 depends on this. We need time in order
15 to prepare.

16 Their deadline for closing
17 comment is in mid-March, and we need to
18 be able to be sure that we will have
19 public comment here in Philadelphia,
20 where millions and millions depend on the
21 drinking water from the Delaware River,
22 and that we have time to be educated and
23 mobilize so that the various
24 constituencies who all drink the water
25 that comes from this river will have the

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2 opportunity to comment. This is
3 critically important. The health of our
4 children and our grandchildren, the
5 communities of all of us very, very much
6 depends on this.

7 In order to really effectively
8 respond, we are going to need a lot more
9 information than we currently have.
10 There's going to need to be a
11 comprehensive impact study that will look
12 at all the implications of fracking in
13 the Delaware River Basin. This we don't
14 have. We don't even yet know the
15 chemicals that are used in fracking due
16 to the notorious Halliburton Loophole to
17 the Energy Act of 2006.

18 So for these reasons and many,
19 many others, Philadelphia City Council
20 can and should follow the powerful lead
21 of New York and Pittsburgh, two
22 municipalities which stand to reap all
23 the negative effects, the poisoning and
24 environmental degradation of this
25 fracking but very, very few of the

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2 benefits.

3 We need to speak up. We need
4 to act in the interests of all of the
5 people that will be affected. And I
6 seriously do hope that the Council will
7 act strongly on this in January, if not
8 now, because time is of the essence.

9 Thank you.

10 COUNCIL PRESIDENT VERNA: Thank
11 you, Mr. Kelley.

12 Ms. Bloom, would you please
13 approach the microphone.

14 MS. BLOOM: Thank you for this
15 opportunity. I'm Iris Marie Bloom. I
16 live at 4808 Windsor Avenue in West
17 Philadelphia, and I would like to testify
18 in favor of the resolution to adopt the
19 report and recommendations based on the
20 September 28th hearing on high-volume
21 hydraulic fracturing for natural gas in
22 the shale.

23 I'd like to commend
24 Philadelphia City Council and
25 particularly Councilman Jones and

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2 Councilwoman Blondell Reynolds Brown and
3 my own Councilwoman, Jannie Blackwell,
4 for their wisdom and leadership on this
5 issue. I urge the full Council to pass
6 this resolution without delay for three
7 reasons.

8 One, we cannot afford the human
9 health costs and destructive long-term
10 environmental costs we already know will
11 result from this new risky, high-volume
12 shale gas drilling. We know this because
13 the science is already showing this type
14 of gas drilling degrades water quality
15 even when there are no acute
16 contamination incidents. But there are
17 acute contamination incidents all over
18 the country already and in the State of
19 Pennsylvania, and the number grows daily.

20 Two, it's an issue of social
21 justice. It is mostly relatively poor
22 rural people who are suffering the worst
23 impacts, winding up drinking benzene and
24 toluene, witnessing toxic suds in their
25 local creeks, watching fish die and, in

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2 some cases, watching their children vomit
3 after drinking their own tap water. This
4 has happened in Pennsylvania.

5 We have a moral obligation to
6 protect our neighbors rather than
7 sacrifice them. But it's also poor urban
8 residents who must face the rising costs
9 passed on to them and to us in
10 Philadelphia in the form of reduced water
11 quality and trace amounts of toxic
12 substances in our drinking water when we
13 do know that trace amounts of
14 carcinogens, endocrine disruptors,
15 mutagens and neurotoxins in our water and
16 air have a cumulative impact. In
17 worst-case scenarios, it's always people
18 onsite at the workplace and emergency
19 responders who are hurt and killed, but
20 everyone knows there's no adequate
21 emergency planning whatsoever for the
22 inevitable spills, explosions, fires and
23 blowouts caused by this industry.

24 Three, the increase in global
25 warming being caused by this type of gas

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2 drilling right now -- right now and
3 especially in the next two years, while
4 there is absolutely no EPA regulation of
5 their greenhouse gas emissions -- will
6 contribute to sea level rise, which is
7 already impacting the wetlands in the
8 Delaware River estuary. This may seem
9 abstract, but it's actually happening
10 right now. These wetlands are our
11 kidneys, and the forests that are being
12 destroyed upstream for gas drilling are
13 our lungs. Why would we want to destroy
14 our kidneys and our lungs?

15 In the longer term, through a
16 chain of events, including massive water
17 withdrawals for gas drilling, using water
18 80 percent of which is never returned to
19 our watershed, combined with sea level
20 rise and the increased drought from
21 global warming, Philadelphia is at risk
22 from the salt line reaching our water
23 intakes, and in that case, poor people
24 would also suffer the most.

25 So thank you for your wisdom.

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2 Please pass this bill without delay.

3 Thank you for this opportunity.

4 COUNCIL PRESIDENT VERNA: Thank
5 you very much.

6 Our next witness?

7 CHIEF CLERK: Denna Ballinger.

8 MR. McCLURE: I'm obviously not
9 Denna Ballinger. My name is Rich McClure
10 and I will be here testifying or
11 presenting testimony on behalf of
12 Building Owners and Managers Association.

13 Good morning, Councilmembers.

14 I appreciate the opportunity to be here.

15 Again, I'm here on behalf of Building
16 Owners and Managers Association. Our
17 members and tenants who occupy our
18 buildings represent probably the
19 largest -- collectively represent the
20 largest taxpayers in the City, here
21 speaking with regards to Bill No. 100756,
22 which calls for the imposition of a super
23 minimum wage, not just on the direct
24 beneficiary of City funds, but carries to
25 the tenants of various buildings and

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2 projects throughout the City.

3 This bill comes with many
4 unintended consequences, which we believe
5 have not been fully vetted, and
6 respectfully ask that the bill be held.

7 While laudable in its goal to
8 raise those out of poverty, the adverse
9 impacts are great in number. In
10 particular concern is that the bill will
11 dilute the impact of the City's already
12 limited economic development toolkit. It
13 will stymie development activity
14 throughout the City by specifically
15 placing a wage requirement that's not in
16 effect in surrounding states and
17 jurisdictions. I think a great example
18 of that might be some of the development
19 activity that's being proposed for East
20 Market Street. You're talking about a
21 significant redevelopment of an area that
22 is in need of it and will probably
23 require public assistance in order for
24 that project to happen. Can you imagine
25 telling tenants of the Gallery or other

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2 projects along there that they have to
3 pay the super minimum wage? I think
4 those tenants would be dissuaded to renew
5 leases or relocate out of the City or out
6 of that project.

7 It negates -- this bill also
8 negates incentives in place for the
9 City's green initiatives. Buildings
10 which commit to installation of green
11 roofs and expect to enjoy tax benefits
12 that are already in place will have
13 potentially the unintended consequence of
14 having the super minimum wage be imposed
15 on tenants which already occupy that
16 building. That's an untenable situation
17 for a building owner to be in.

18 From the business community's
19 perspective, the amendments contained in
20 Bill 100756 are an impediment to
21 attracting and retaining jobs in this
22 great city of ours. The amendments do
23 not create incentives to grow, but rather
24 reasons to leave the City or never locate
25 in the City in the first place.

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2 While other municipalities not
3 quite comparable to Philadelphia may have
4 implemented similar legislation, they are
5 not already burdened with the highest set
6 of taxes in the country, whether those
7 taxes be business privilege tax, real
8 estate tax, use and occupancy, wage tax,
9 high rise inspection fees and the
10 numerous other commercial real
11 estate-specific fees.

12 We applaud the effort of
13 Councilman Goode to attempt to find ways
14 to raise the City's poor and destitute.
15 We applaud the effort to hold any grant
16 funds or loan recipients accountable for
17 how those funds are spent.

18 That being said, we cannot
19 support the bill, however
20 well-intentioned, due to the likely
21 unintended consequences of reducing our
22 ability to attract and retain quality
23 tenants in the City.

24 COUNCIL PRESIDENT VERA:

25 Excuse me, sir. Your time is really up.

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2 Would you please conclude.

3 MR. McCLURE: Again, we
4 respectfully ask that this bill be held
5 today.

6 COUNCIL PRESIDENT VERNA: Thank
7 you.

8 The Chair recognizes Councilman
9 Goode.

10 COUNCILMAN GOODE: Thank you,
11 Madam President.

12 On November 2nd, over 190,000
13 voters confirmed Council's power to set a
14 local minimum wage and benefits standard.
15 On November 4th, I introduced Bill No.
16 100756 to expand the impact of that
17 standard.

18 The simple logic behind this
19 bill is that we provide economic
20 development subsidies to developers, not
21 only to create construction jobs but for
22 permanent job creation. Construction
23 jobs pay the prevailing wage, so the
24 permanent jobs should have a minimum wage
25 standard as well. Why are we

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2 guaranteeing prevailing wages for
3 construction workers and not set a wage
4 standard for service and hospitality and
5 other workers?

6 If developers want to benefit
7 from City financial aid, then they can't
8 be allowed to pay poverty wages or to use
9 that City financial aid to benefit any
10 other company that pays poverty wages.

11 In a city with a 25 percent
12 poverty rate, a person who works 40 hours
13 a week for 52 weeks a year should make a
14 liveable wage if the job was created with
15 public subsidy. This standard is
16 actually based on the local and state Job
17 Creation Tax Credit laws. I didn't
18 create this standard. It's actually a
19 standard created by Job Creation Tax
20 Credit laws.

21 Of course, there's also a small
22 business exemption, and companies can
23 request a waiver, if necessary. But if
24 you don't benefit from City financial
25 aid, guess what? It doesn't apply to

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2 you. This bill would now require the
3 developer and the tenant to pay the local
4 standard for only five years. That's
5 reasonable, and, of course, they can
6 apply for a waiver if they can prove that
7 they need one.

8 Unfortunately, some believe
9 that they should be able to get rich from
10 taxpayer money and still lease to
11 poverty-wage employers. This section of
12 The Philadelphia Code is titled "The 21st
13 Century Minimum Wage and Benefits
14 Standard" because we are not in the
15 1700's, 1800's or 1900's when there were
16 slaves, indentured servants or
17 sharecroppers and when women and people
18 of color had no rights.

19 Why should there be prevailing
20 wages for some workers and no wage
21 standards for service and hospitality
22 workers, who are mostly women, people of
23 color and Philadelphia residents?

24 A landmark new study by the
25 Center for American Progress analyzed

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2 nearly 20 years of data on this issue,
3 and the study is found on your desk. The
4 study reveals that cities around this
5 country have successfully incorporated
6 living wage standards into economic
7 development projects without harming job
8 growth and business growth.

9 So let's say a Merry Christmas
10 to those workers and a happier New Year
11 by expanding better wages and benefits.

12 Thank you.

13 COUNCIL PRESIDENT VERNA: Thank
14 you.

15 (Applause.)

16 COUNCIL PRESIDENT VERNA: Thank
17 you, sir.

18 Our next witness?

19 CHIEF CLERK: Lisa Baron.

20 COUNCIL PRESIDENT VERNA: Why
21 don't you call the next witness so they
22 could be standing.

23 CHIEF CLERK: David Cellini.

24 COUNCIL PRESIDENT VERNA: Good
25 morning.

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2 MS. BARON: Good morning, Madam
3 President and Councilmembers. My name is
4 Lisa Baron and I am a proud 22-year
5 resident of the Shawmont Valley located
6 in beautiful Upper Roxborough historic
7 district.

8 I am here today to ask for all
9 of your support of my Councilman, Curtis
10 Jones, and Bill No. 100546, which
11 Councilman Jones introduced and is
12 currently on the list of bills for final
13 passage.

14 By introducing this bill,
15 Councilman Jones took extraordinary
16 action to protect his constituents in the
17 21st Ward, who are already overburdened
18 with runoff problems during flood
19 conditions, and also to protect the
20 fragile natural habitat supported by the
21 Green Tree Run, which was one of the last
22 fresh water first-order streams in the
23 City of Philadelphia.

24 Several weeks ago, my neighbor,
25 David, and I dropped off a detailed

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2 packet to all of your offices requesting
3 support of this bill. Some of you kindly
4 accepted our invitation and came out to
5 visit the site, and we thank you for
6 that. We hope that by looking through
7 the materials dropped to you, you will
8 note that each and every civic
9 organization in the 21st Ward support
10 Bill No. 100546, along with many fine and
11 respected environmental groups, including
12 the Natural Lands Trust, the Audubon
13 Society, the Roxborough Conservancy and
14 the Roxborough Green Space Project.

15 Bill No. 100546 will help to
16 preserve the beauty of the Green Tree
17 Run, the Shawmont Valley and the 21st
18 Ward as a whole so that hopefully our
19 children and our grandchildren will
20 continue to enjoy this treasure for years
21 to come.

22 On behalf of my community, I
23 thank Councilman Jones for his
24 leadership, and I ask again for all of
25 your support of Bill No. 100546.

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2 Thank you.

3 COUNCIL PRESIDENT VERNA: Thank
4 you. Thank you very much.

5 Are you Mr. Cellini?

6 MR. CELLINI: Yes.

7 COUNCIL PRESIDENT VERNA: Okay.
8 You're next.

9 MR. CELLINI: My name is Dave
10 Cellini. I live at 20 Shawmont Avenue.
11 I've lived there for 25 years. And as a
12 community representative and President of
13 Residents of Shawmont Valley Association,
14 I ask your support for Bill No. 100546
15 introduced by Councilman Curtis Jones,
16 which will help protect this community
17 from storm water damages.

18 As we have seen countless times
19 before, additional development in this
20 steeply sloped area has led to
21 unnecessary property damage to taxpayers.
22 Over the last several years, my neighbors
23 have sustained over \$250,000 in property
24 damage. This is unacceptable. This bill
25 will help alleviate flooding.

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2 Adjoining civics, including
3 Roxborough Civic, Roxborough Green Space,
4 Neighborhood Preservation Alliance,
5 Dearnley Park Civic, including 21st Ward,
6 which is the umbrella group for
7 Roxborough, have all applauded Councilman
8 Jones' environmental stewardship by
9 introducing Bill No. 100546.

10 It's also important to note
11 that under current zoning reform
12 commission guidelines, which recommend
13 against steep slope and stream-side
14 development, this bill complements those
15 recommendations.

16 Thank you very much, and I
17 appreciate your vote in this direction.

18 COUNCIL PRESIDENT Verna: Thank
19 you, sir. Thank you.

20 Our next witness?

21 CHIEF CLERK: Melvin T. Sharpe,
22 Esquire, commenting on Bill No. 100121.

23 COUNCIL PRESIDENT Verna: Is
24 Mr. Sharpe here?

25 MR. SHARPE: I am, and thank

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2 you, Madam President. My name is Melvin
3 T. Sharpe, Jr. I'm an attorney in
4 Philadelphia and I'm also a resident of
5 the 5th Councilmanic District, Councilman
6 Clarke's district, and thank you. Today
7 I'm here to speak on Bill 001, I think
8 it's, 51 or 21.

9 COUNCIL PRESIDENT Verna: 21.

10 MR. SHARPE: Yes. That bill
11 relates to the special election in
12 regards to the political activities of
13 officers and City employees.

14 This issue has been an issue
15 that has affected a lot of people in my
16 community over the years. I also have
17 some clients that are City employees and
18 need to be very clear in regards to the
19 scope and the breadth of that law. I'm
20 not very clear from just reading it on
21 face what activities those are, and I
22 think they need to be very clearly
23 specified so that there are no conflicts
24 going forward and people understand,
25 because we need to have clarity in the

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2 political arena, and transparency.

3 I also have recently been at
4 the School District of Philadelphia, and
5 I think before the year is out, it's
6 important that the Committee on Education
7 should look at what is happening at the
8 School District of Philadelphia. Of
9 course, we are under the state's school
10 takeover, and that has been going on for
11 nine years now. I think it's important
12 that Council show some leadership and
13 look at what's happening at our schools
14 and hold public hearings on the issues
15 that are happening at the Philadelphia
16 School District since we're nine years
17 into that administration and seeming
18 indefinitely to be going forward
19 without --

20 COUNCIL PRESIDENT Verna:

21 Excuse me, sir.

22 MR. Sharpe: -- control over
23 that issue.

24 COUNCIL PRESIDENT Verna:

25 Excuse me, sir.

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2 MR. SHARPE: Yes.

3 COUNCIL PRESIDENT VERNA: What
4 you are speaking on is certainly not
5 germane to what is on our Calendar for
6 today. So would you please -- your
7 remarks should actually --

8 MR. SHARPE: Yes, President. I
9 did speak initially on a certain part,
10 and I was using the rest of the time that
11 I had to speak otherwise.

12 COUNCIL PRESIDENT VERNA: No.
13 No, sir. We're only going to allow you
14 to speak on whatever is on the Calendar
15 for today.

16 MR. SHARPE: Yes. I spoke
17 initially on the political activities and
18 that issue.

19 COUNCIL PRESIDENT VERNA: Okay.
20 Then you're finished?

21 MR. SHARPE: Yes, I am
22 finished. Thank you very much.

23 COUNCIL PRESIDENT VERNA:
24 You're welcome, sir.

25 MR. SHARPE: Have a good day.

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2 COUNCIL PRESIDENT Verna: Is
3 there anyone else here who wishes to
4 provide public comment?

5 CHIEF CLERK: Poune Saberi.

6 MS. SABERI: Actually, my name
7 is Poune Saberi. I'm a family physician
8 at the University of Pennsylvania. I
9 have lived in Center City Philadelphia
10 and been a taxpayer in Philadelphia for
11 more than ten years. I'm here today to
12 speak in favor of all the resolutions
13 regarding the Marcellus Shale gas
14 drilling's impact on Philadelphia.

15 This September 28th hearing was
16 an excellent beginning. However, it left
17 out a significant discussion on health
18 impact studies. These studies are only
19 just beginning to identify the hazardous
20 effects on human health by natural gas
21 drilling. For example, in a health
22 impact study conducted in a drilling
23 county in Colorado, they found a 40 fold
24 increased risk of cancer when exposed to
25 benzene, formaldehyde, crotonaldehyde and

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1,3-butadiene for a mere seven days.

Some might say that exposure to these chemicals might not happen, but just last week, the EPA confirmed that shale gas drilling contaminated the drinking water of two families with methane, hexane, benzene and toluene. Note that these are the same cancer-causing chemicals and endocrine disruptors.

I find it disturbing that public health findings such as these are not widely known.

In Texas, there has been a 25 percent increase in cases of pediatric asthma in regions where children live close to well pads. Also in Colorado, a study found a significant increase in violent crimes in towns close to drilling sites.

We must know much more about the impacts of shale gas drilling on human health before we invite these dangers into our own beautiful,

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2 life-filled watersheds. DRBC comment
3 period on its premature rules should be
4 at least two years so that it may be
5 informed by science and protect our
6 health.

7 I strongly support the City
8 Council in adopting the proposed
9 recommendations without any delay and
10 urge you, if possible, to take an even
11 stronger stand regarding protecting the
12 Delaware River watershed, because our
13 water, air, climate, fish, wildlife,
14 long-term economic vitality and public
15 health depend on it.

16 I thank this City Council for
17 allowing the residents of their city for
18 a chance to speak, and I commend their
19 wisdom in recognizing this key connection
20 between the environmental impacts of
21 natural gas drilling and public health.
22 You, by doing so, are protecting the
23 vulnerable and allowing the power of
24 science to stand up for all of us.

25 Thank you.

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2 COUNCIL PRESIDENT VERNA: Thank
3 you very much.

4 Our next witness?

5 CHIEF CLERK: Ronald Patterson
6 commenting on Bill No. 100552.

7 MR. PATTERSON: Thank you. I
8 made my comments earlier. Thank you.

9 COUNCIL PRESIDENT VERNA: Joe
10 Rapone commenting on Bill No. 100753.

11 MR. RAPONE: Hello, everyone.
12 Great to be here. It's really a new
13 experience for me. My name is Joe
14 Rapone. I live at 10 East Moreland
15 Street in Philadelphia. I am here to
16 comment on Bill No. 100753.

17 I'm here on behalf of 72 near
18 neighbors of the area where the developer
19 wants to build their project, and we're
20 here to request that you reject accepting
21 Bill 100753 for spot zoning at 10 East
22 Moreland Avenue in Philadelphia.

23 The bill was introduced here to
24 you in order to eliminate the need for
25 the developer to not have to get a

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2 variance on hours of operation. There
3 was a dispute about hours of operation
4 and there was a hearing at the ZBA. The
5 neighbors were -- did okay with that.
6 They got what they wanted in terms of
7 hours of operation. It was agreed upon
8 by ZBA. After that, in a closed-door
9 session, the ZBA reversed their decision
10 and granted a variance on unlimited hours
11 of operation to the developer. We
12 appealed that, and we now have the case
13 that's pending, and we would appreciate
14 it if City Council could at least table
15 or reject this bill until after the
16 neighbors and the developer have had the
17 opportunity to present our case in court.

18 If you approve this bill, it
19 more or less shuts us out. We don't
20 really have a case anymore, because since
21 the zoning has been changed, there's no
22 need for the variance. So we're looking
23 at this bill as a tactic to circumvent
24 the legal system in Philadelphia. We
25 have a problem with that. We think there

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should be transparency. We know that the Mayor is telling us that we should be more transparent, and closed-door reversals of zoning decisions we believe are not transparent.

So, again, I'm here today to request that you reject this, even though the Rules Committee approved it. We want you to take a stand and reject it. You will get a chance to hear it later. We will abide by whatever the court decision is when we have our trial. If they win the case, we will respect that, but we would expect it to be heard in a court of law very transparently, not behind closed doors.

We reject the idea of the Zoning Board reversing a decision without any hearing. Why do we have the Zoning Board if they can change a ruling with no one there? Why should I go and testify, win a case and then find a week later that in closed doors that decision has been reversed? There's something very

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2 suspicious here.

3 Perfect.

4 COUNCIL PRESIDENT Verna: Thank
5 you, sir.

6 Our next witness?

7 CHIEF CLERK: Ron Recko
8 commenting on Bill No. 100753.

9 MR. RECKO: My name is Ron
10 Recko. I am one of the founders of the
11 Chestnut Hill Residents Association, past
12 President of the Chestnut Hill Community
13 Association.

14 I'd like to address Council
15 here respectfully wondering why a bill is
16 being introduced to circumvent the
17 judicial process. There seems to be a
18 rush to judgment here. When the Zoning
19 Board voted four to zero unanimously to
20 put a proviso in restricting the hours
21 for Fresenius and everybody was happy
22 with that, except Fresenius, Fresenius
23 had the burden of proof to appeal this
24 decision, but, no, they got a hotshot
25 lawyer to come in and get the Zoning

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2 Board to reconsider the decision, and by
3 a vote of three to one, it was
4 reconsidered.

5 I talked to a judge in Common
6 Pleas Court and said just because the
7 Zoning Board reconsidered this and
8 they've done this on several occasions
9 doesn't make it right.

10 I'm asking City Council here to
11 make it right. There's no rush on this
12 project. If you look at it, why are we
13 circumventing this process? I was told
14 that it's easy to circumvent the judicial
15 process, just make a new law, make a new
16 bill, introduce it, councilmanic
17 privilege will prevail. And I'm
18 respectfully asking Donna Reed Miller to
19 not rely on councilmanic privilege, but
20 do the right thing. Do the right thing
21 for 72 people whose lives are going to be
22 impacted by the hours that Fresenius
23 wants to operate.

24 So, once again, thank you for
25 the opportunity to speak to you.

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2 Councilwoman Miller, please
3 have your day in court after we have our
4 day in court.

5 Thank you.

6 COUNCIL PRESIDENT Verna: Thank
7 you very much.

8 Our next witness?

9 CHIEF CLERK: Jim Foster
10 commenting on Bill No. 100753.

11 COUNCIL PRESIDENT Verna: Good
12 afternoon, sir. Please identify
13 yourself.

14 MR. FOSTER: My name is Jim
15 Foster. I'm a lifetime resident of East
16 Mount Airy and the publisher of Mount
17 Airy Independent and Germantown Chronicle
18 newspapers that circulate 46,000 editions
19 to all of the Germantown, Mount Airy and
20 Chestnut Hill community. Our newspaper
21 focuses on northwest civic and government
22 issues, zoning and development, and
23 quality of life issues primarily.

24 We have been following this
25 issue since its outset when the

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2 particular property was posted for a ZBA
3 hearing.

4 I'm here to comment on the
5 process, not necessarily the details. I
6 think that it's already been stated that
7 the process has gone seriously awry.

8 I would like to read the
9 Council a sentence from the opening
10 remarks of Chief Integrity Officer
11 Marcum. "Good ethics is good business.
12 People want to live, work and do business
13 with a city that provides services and
14 business opportunities in a way that is
15 not compromised by financial conflicts of
16 interest, favoritism or political
17 considerations," end quote.

18 I think it's fair to say that
19 this city presently has its hands full of
20 challenges on how governance and power
21 politics is played. New issues make the
22 front pages of the Inquirer weekly.

23 I am suggesting to the City
24 Council that they do not hear any further
25 testimony on this particular issue and

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table it. It is absolutely correct that this was posted. It was posted in the correct manner. The applicant had a qualified zoning attorney representing them in Ralph Pinkus. So qualified that he actually is rewriting the Zoning Code. So they certainly were adequately represented.

The community, without representation, made their own analysis of the situation. The near neighbors signed a significant petition and attended the hearing, and unanimously the Zoning Board of Adjustment granted the proviso on the hours. Bear in mind, members, the community did not object to the variance. They only wanted participation in the hours, and the unanimous granting of it was clear.

It is disconcerting to those of us who follow City government how the ZBA reverses itself in the dark and then puts the burden and expense on the community to appeal. That appeal should have been

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2 filed by the applicant and they should
3 have borne the responsibility for the
4 appeal. But the community bit their lip,
5 filed the appeal. There's a hearing
6 scheduled for March. So what happens is,
7 a politically energized end run around
8 integrity and good government takes place
9 with a zoning change, a spot zoning
10 change.

11 I think, folks, we've been here
12 before. These kinds of policies and
13 practices are what puts the Philadelphia
14 government on the front pages regularly.

15 I urge you to table this. Let
16 the March hearing take place, let due
17 process and good government triumph here.

18 Thank you.

19 COUNCIL PRESIDENT VERNA: Thank
20 you, Mr. Foster.

21 Our next witness?

22 CHIEF CLERK: Ann Ward Spaeth
23 commenting on Bill No. 100753.

24 MS. SPAETH: Thank you. My
25 name is Ann Ward Spaeth. I live at 15

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2 Laughlin Lane, Philadelphia 19118 and
3 been a resident there since 1960.

4 I am a member of the Chestnut
5 Hill Residents Association. I've been a
6 member of the Chestnut Hill Community
7 Association since '67. I am on its Board
8 at the current -- right now.

9 I feel they did not give
10 adequate consideration to the near
11 neighbors of this property. And,
12 further, though the Zoning Board
13 supported the neighbors and gave a very
14 fair decision which met the needs of all,
15 the reversal of that decision and the
16 introduction of this bill is contrary to
17 due process and to that due process which
18 is owed to every citizen of the City.

19 It impacts -- this type of
20 procedure -- Mr. Primavera, the counsel
21 person for the developer at the Rules
22 Committee, was asked how often he asks
23 the Zoning Board to reverse their
24 decisions in such a manner. He said
25 approximately 20 percent of the time.

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2 This means that every time these rules
3 are violated, the rights of citizens in
4 this city are violated. And I urge this
5 City Council to reject this bill at this
6 time.

7 Thank you very much.

8 COUNCIL PRESIDENT Verna: Thank
9 you.

10 Our next witness?

11 CHIEF CLERK: Joseph Parante
12 commenting on Bill No. 100536.

13 MR. PARANTE: Good morning.

14 COUNCIL PRESIDENT Verna: Good
15 afternoon. Please identify yourself for
16 the record.

17 MR. PARANTE: My name is Joseph
18 Parante. I am a taxpayer. Good morning,
19 Councilmembers.

20 COUNCIL PRESIDENT Verna: Good
21 morning. It's afternoon.

22 MR. PARANTE: My name is Joe
23 Parante. I am a taxpayer and owner of
24 Morton Towing and Recovery, a
25 Philadelphia-based towing company. I

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would first like to thank Councilmembers
and the City Administration for their
understanding and concern in the towing
of accident vehicles. I am also a City
salver who tows abandoned and stolen
rotational vehicles for the City of
Philadelphia.

I have been in the towing
industry for over 25 years. I am proud
of the work that my company does for the
City. Most importantly, I am the founder
of the Philadelphia Independent Towers
and Salvors Association. This
association has members of good, honest,
hard-working tow companies, body shops
and salvors whose business meet a
criteria of excellence.

In 2003, Councilman Rizzo
started working on a bill created to
ensure the proper removal of automobiles
from accident scenes. I became involved,
working along with his office, contacting
the insurance industry and bringing them
on board with the City. I have sat in

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2 numerous caucus meetings with the auto
3 industry, wreck chasers, Councilmembers
4 and some of the Philadelphia Towers and
5 Salvers Association members. I have met
6 with the Managing Director's Office to
7 discuss the needs to make a safer and
8 more efficient rotational program. I
9 have worked along with Councilman
10 Kenney's office to try to create a fair,
11 reliable program that will serve the best
12 interests of the public, the City and the
13 towing industry.

14 Unfortunately, the amendments
15 to Bill 100536-01 was only supposed to
16 pertain to rotational towing. It clearly
17 shows that the Parking Authority, the
18 towing industry's competitor, will become
19 an agency to govern all aspects of Bill
20 9-605. This bill is not in the best
21 interest nor in the best interest of the
22 towing industry.

23 I look around me at all of the
24 towing companies here today. These
25 towing companies are hard workers and

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they have families and they have to make
a living. I ask that the City of
Philadelphia -- independent towers and
salvers ask that the City sit down with
our Advisory Board and meet with Council,
L&I, the police, Deputy Mayor Gillison to
make Councilman Rizzo's original bill
stand. Remember, Council, you voted on
9-605 in May 5th, 2005, 16 to one in
favor of his bill.

COUNCIL PRESIDENT Verna:

Mr. Parante, your time is up, so please
conclude.

MR. PARANTE: Council, we can
do this. We can do this right.

Thank you very much.

COUNCIL PRESIDENT Verna: Thank
you.

Our next witness?

(Applause.)

CHIEF CLERK: Michael Henry
commenting on Bill No. 100536.

MR. HENRY: Good morning, Madam
President.

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2 COUNCIL PRESIDENT VERNA: Good
3 morning.

4 MR. HENRY: My name is Michael
5 Henry. I'm an attorney and I represent
6 the Philadelphia Independent Towing and
7 Salvors Association. I have an office at
8 2336 South Broad Street. I own that
9 building, and I'm a Philadelphia
10 taxpayer.

11 I'm here to express opposition
12 to Bill 100536, which transfers certain
13 authorities to the Parking Authority. We
14 have legal reasons, economic reasons and
15 public policy reasons for opposing the
16 bill.

17 From a legal standpoint, the
18 Parking Authority law authorizes City
19 Council to delegate municipal functions
20 to the Parking Authority that are
21 specifically enumerated in the Parking
22 Authority's law. This bill proposes to
23 delegate the municipal functions that are
24 beyond the Parking Authority's law. The
25 Parking Authority's law does not

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2 authorize the Parking Authority to act as
3 a regulatory agency for the purpose of
4 regulating the private towing industry in
5 Philadelphia.

6 From an economic standpoint,
7 this bill creates a whole new system of
8 rules and regulations which will
9 significantly increase the cost of doing
10 business through new fees, fines,
11 assessments and other charges, which will
12 be imposed and collected by the Parking
13 Authority. In addition, the bill sets up
14 the Parking Authority as both the
15 regulator and the competitor of the
16 towing industry and gives an unfair
17 advantage to the Parking Authority with
18 regard to the towing aspect of their
19 functions.

20 From a public policy
21 standpoint, we oppose the bill because
22 the bill authorizes the Parking Authority
23 to promulgate regulations in addition to
24 those that are contained in the bill.
25 This gives enormous power to the Parking

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Authority over the private towing industry in Philadelphia. City Council should carefully consider whether it should expand the powers of the Parking Authority to include this function, especially in light of its history in regulating taxicabs and limousines in Philadelphia.

Over the last five years, the Parking Authority has resisted efforts to comply with statutory rule-making procedures and rules that were enacted by the Legislature as a check and a balance over the power of regulatory agencies. By ignoring these rules, the Parking Authority violated the law when it enacted its regulations that govern taxicabs.

In April of this year, the Commonwealth Court issued a decision invalidating the entire body of regulations governing taxicabs and limousines. It's not wise to give expanded powers to an agency that resists

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any efforts for accountability that are enacted by the Legislature and by City Council.

So I think that for the legal and economic and public policy reasons that I've just expressed, we believe that the aspects of the bill that transfers this authority to the Parking Authority should be defeated.

Thank you.

COUNCIL PRESIDENT Verna: Thank you very much.

Our next witness?

(Applause.)

CHIEF CLERK: Alfonso Lee commenting on Bill No. 100536.

COUNCIL PRESIDENT Verna: Is Mr. Lee here?

(No response.)

COUNCIL PRESIDENT Verna: We don't see him. Anyone else on the list?

CHIEF CLERK: There's no one else on the list to testify, Madam President.

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2 COUNCIL PRESIDENT VERNA: Thank
3 you.

4 Is there anyone else here who
5 wishes to provide public comment on
6 today's agenda?

7 Please approach. Thank you.

8 MR. BEAUVAIS: Good morning,
9 members of Council. My name is Darwin
10 Beauvais. I'm at 1835 Market Street, and
11 I'm a taxpayer.

12 I wanted to comment on Bill No.
13 753. I notice there is opposition here,
14 and, in essence, I have three points.

15 One, they raised the issue that
16 it's spot zoning. It's the furthest
17 thing from spot zoning. If you look at
18 the bill, the bill is remapping of a
19 small portion of industrial property
20 that's surrounded by commercial and is
21 actually converting it to commercial. So
22 that should be dismissed.

23 Two, the bill was vetted by the
24 Law Department, our Planning Commission
25 and the Commerce Department. So I think

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2 we can rest assure that it's been looked
3 at.

4 Three, the bill has been
5 supported by the Chestnut Hill Residents
6 Association as well as the Business
7 Association.

8 (Audience members yelling,
9 "That's not true.")

10 COUNCIL PRESIDENT Verna: I'm
11 sorry. Please.

12 MR. Beauvais: It has been --
13 it has received support from the
14 Residents Association and the Business
15 Association, as well as having support
16 from the building trades.

17 All in all, what this bill is
18 doing is supporting a business to expand
19 in this city, which I think is admirable.

20 Thank you.

21 COUNCIL PRESIDENT Verna: Thank
22 you.

23 Our next witness?

24 No, sir. No, sir.

25 MR. Recko: You can't expect

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2 someone to come here and make mistruths
3 and lie and just let it go for the
4 record. The Chestnut Hill Residents
5 Association does not support this bill.

6 COUNCIL PRESIDENT VERNA: I'm
7 sorry, sir. We had a public hearing on
8 this and you said the same thing. We are
9 not going to debate this.

10 MR. BEAUVAIS: Okay.

11 COUNCIL PRESIDENT VERNA: We
12 are not going to debate it.

13 Our next witness?

14 MR. LEE: Good morning, City
15 Council. My name is Alfonso Lee. I'm a
16 resident of the City of Philadelphia. I
17 own a tow company that's based in
18 Bensalem, Pennsylvania. We do business
19 in Philadelphia.

20 I'm here to oppose the bill for
21 towing in the City of Philadelphia. I'd
22 like City Council to think of the impact
23 that this bill will have on all the
24 towers and other businesses of
25 Philadelphia. If you look at the

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2 trickle-down effect, you know, this is
3 hurting the auto industry, the auto parts
4 industry, auto mechanics and everybody
5 else. Right now I'm pretty sure City
6 Council wants to do everything that's in
7 the best interest of the people of
8 Philadelphia.

9 At present, you have companies
10 who refuse to do business in
11 Philadelphia, and subsequently a lot of
12 our work is going outside of the City of
13 Philadelphia. These companies that want
14 to do business in Philadelphia are
15 looking at this case here right now.
16 They're seeing how the towers are being
17 treated and debating whether they want to
18 have their business put inside
19 Philadelphia.

20 Currently, you have people who
21 now go to Cheltenham and to the counties
22 to do their shopping and everything else.
23 Well, if you have people that turn around
24 and go to the counties to do one thing
25 and then they start looking at the two

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2 percent sales tax additional that they
3 have to pay in Philadelphia, then all of
4 the sudden it gets worthwhile to do
5 everything outside of Philadelphia. Once
6 they start shopping outside of
7 Philadelphia, then the businesses of
8 Philadelphia starts to suffer. Once they
9 start taking their cars for repairs, what
10 are you going to do with the mechanics?
11 What are you going to do with all the
12 other businesses that fail because people
13 are now going outside of Philadelphia?

14 I urge City Council to think
15 about all the job losses that's going to
16 happen. And if Parking Authority takes
17 over the towing, it's not going to be
18 creating any jobs. It's just job
19 reallocation. You put somebody out of
20 work to turn around and put somebody in
21 work.

22 I urge City Council to actually
23 take a close look at this bill, even if
24 it requires the towers themselves to get
25 together to put a proposal together and

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2 to bring about changes.

3 Granted, you have some people
4 in the tow industry that's not as good as
5 others, and those few people make it bad
6 for the whole tow industry. Don't punish
7 the whole tow industry for a few people
8 that have hidden agendas of their own.

9 I'm pretty sure City Council
10 will take under advisement of what I've
11 said and should make the right decision,
12 because if you look at it, a lot of
13 people right now are looking at
14 Philadelphia to see exactly how the small
15 businesses are being treated. To give
16 you an example, I have a personal family
17 member who started out as a small
18 business here in Philadelphia, and she
19 left. Today, she operates a business out
20 of the county, has over 600 employees.

21 COUNCIL PRESIDENT VERNA:

22 Excuse me, sir. Your time is up. Please
23 conclude your comments.

24 MR. LEE: I'd just like City
25 Council to reconsider this bill and make

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2 the right decision.

3 COUNCIL PRESIDENT VERNA: Thank
4 you, sir. We appreciate your coming in.

5 Do we have anyone else to
6 testify?

7 Please approach the microphone,
8 identify yourself.

9 MR. KLOTZ: Good afternoon,
10 Madam President, members of City Council.
11 My name is Tom Klotz. I reside at 421
12 Porter Street in Philadelphia.

13 I am here today before you
14 today to ask all City Council members who
15 are in support of the bill before City
16 Council allowing PPA to regulate and
17 control all private towing within the
18 City limits, I ask that you consider
19 saving the livelihoods of thousands of
20 Philadelphia residents, along with tens
21 of thousands of their family members who
22 will be affected by the passing of this
23 bill. These citizens will be left no
24 choice but to seek unemployment and/or
25 public welfares and alternative income,

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2 further straining the City's economy.

3 You as Councilmembers have the
4 power to stop this bill by -- bill from
5 removing consideration of the Council. I
6 would like the Council to consider the
7 amount of people involved in the illegal
8 behavior or misconduct within the
9 industry. It is so minute that it is
10 outrageous to label the entire industry
11 as chaotic.

12 This is an industry full of
13 hard-working citizens that cannot, nor
14 will not, defend or protect those few
15 childish and misguided people within
16 their ranks. To ensure this, the people
17 in this industry have taken steps to form
18 a trade association and unionize to
19 regulate their own industry in order to
20 better serve the public and to protect
21 the owners and workers from a City agency
22 that already dominates the streets of
23 Philadelphia.

24 The private towers live on the
25 streets of Philadelphia. They spend

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2 their time, their money in the stores,
3 they pay their taxes and their bills, all
4 within the City limits. Their
5 contribution is a vital part of the
6 regrowth of our city's economy.

7 PPA and City Council has
8 already, in a previous bill passed, set
9 unreasonable restrictions and regulations
10 on them. PPA receives enough of the
11 public's money already, and City Council
12 has no right to infringe on the rights of
13 the City's respected and hard-working
14 owners and operators in the private
15 towing industry using the inexcusable
16 actions of a few barbaric as an excuse to
17 open the door even wider to a bill that
18 doesn't even address the actual core
19 issues.

20 By coming together in an
21 association, the private towers are
22 addressing themselves, and allow them to
23 be an important part of the City's
24 economy, as they should be.

25 Thank you.

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2 COUNCIL PRESIDENT Verna: Thank
3 you.

4 Our next witness? Do we have
5 anyone else to testify?

6 (No response.)

7 COUNCIL PRESIDENT Verna:
8 Seeing no one, the Chair recognizes
9 Councilwoman Miller.

10 COUNCILWOMAN MILLER: Thank
11 you, Madam President. I too want to just
12 add a few comments to 753, and I guess
13 this is the right way to do it. This
14 whole business of public comment is new
15 to us.

16 COUNCIL PRESIDENT Verna: Yes.
17 Please do.

18 COUNCILWOMAN MILLER: All
19 right. Thank you.

20 The issue of spot zoning
21 continues to come up. This is not spot
22 zoning. Everything in and around this
23 particular parcel of land that we're
24 remapping is commercial. The parcel is
25 currently zoned as G-2 and it's the most

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egregious zoning that we could have. I have other G-2 parcels in my district and one is a slaughterhouse that we could do nothing to stop it because of how it was zoned, and I just want to make that clear for the record.

And when these folks get up, yes, the Chestnut Hill Residents Association is not in support of this, but the Chestnut Hill Community Association, City Planning, PIDC, the Chestnut Hill Historical Association, Commerce are all in support. This is a good project. We have nothing to do with their day in court. That's totally separate. And when they talk about or make hints at inappropriate behavior, it's offensive and defamatory.

So I just want to make those comments just to set the record straight on some of this. So this is a good project.

Thank you.

COUNCIL PRESIDENT VERNA: Thank

1 12/16/10 - STATED - PUBLIC COMMENT

2 you.

3 The Chair recognizes Councilman
4 Clarke.

5 COUNCILMAN CLARKE: Thank you,
6 Madam President. Madam President, I was
7 out of the room at the time of the
8 introduction of bills, so at this time, I
9 would like to introduce one bill. Real
10 briefly, I would like to say it has
11 somewhat of a hybrid sponsorship in that
12 portions of the bill reflect, I guess you
13 could say, the Administration's version
14 of the bill, but with subsequent
15 conversations with all of the pertinent
16 parties, there have been some additions
17 to the bill that I think will make it a
18 much more acceptable bill to all of the
19 parties, with the clear understanding
20 that there is no final consensus on the
21 bill as it relates to this somewhat
22 controversial issue, but I think that
23 this introduction will facilitate
24 discussion and where hopefully we will
25 get a consensus and move this issue

1 12/16/10 - STATED - CONSENT AGENDA

2 along.

3 So with that, I would like to
4 introduce the one ordinance.

5 COUNCIL PRESIDENT VERNA: Thank
6 you.

7 The Chief Clerk will please
8 read the title of the bill.

9 CHIEF CLERK: An ordinance
10 authorizing the City Solicitor, on behalf
11 of the City of Philadelphia, to include
12 certain provisions, including the
13 transfer of real estate, in a settlement
14 agreement with the Cradle of Liberty
15 Council, Boy Scouts of America to resolve
16 litigation relating to 231 through 251
17 North 22nd Street, all under certain
18 terms and conditions.

19 COUNCIL PRESIDENT VERNA: Thank
20 you. The bill will be referred to the
21 appropriate committee.

22 We will now consider today's
23 Consent Agenda. After each title is
24 read, any member may object to the
25 inclusion of the bill on the Consent

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Agenda. Upon such an objection and
without debate, the bill will be
immediately removed from the Consent
Agenda and placed on our regular Final
Passage Calendar.

The Clerk will now please read
the title of the bills on the Consent
Agenda.

CHIEF CLERK: Bill No. 100777,
entitled "An ordinance authorizing the
Commissioner of Public Property to accept
from CSX Transportation, Inc. an easement
for an at-grade crossing on Race Street
between 23rd Street and the Schuylkill
River"; and

Bill No. 100778, entitled "An
ordinance authorizing the Commissioner of
Public Property on behalf of the City to
convey 741 South Chadwick Street, 745
South Chadwick Street, 1129 South
Sydenham Street, 1314 South Bancroft
Street, 1315 South Colorado Street, 1321
South Bancroft Street, 1411 South
Colorado Street, 1429 South Bouvier

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Street, 1502 Ellsworth Street, 1534 South
Opal Street, 1620 Reed Street, 1624
Fitzwater Street, 1626 Fitzwater Street,
1712 Dickinson Street, 2013 Kimball
Street, 2102 Carpenter Street, 2106
Carpenter Street, 2116 Carpenter Street,
2138 Carpenter Street, and 2236 Kimball
Street for fair market value"; and

Bill No. 100779, entitled "An
ordinance authorizing the Commissioner of
Public Property, on behalf of the City,
to accept from the Children's Hospital of
Philadelphia or its successors or
assigns, fee simple title or a lessor
property interest in any portion of the
real estate owned by CHOP and located
south of the South Street Bridge, east of
the Schuylkill River"; and

Bill No. 100785, entitled "An
ordinance authorizing the Commissioner of
Public Property, on behalf of the City,
to accept from Scattergood Foundation
easements in portions of land owned by
Scattergood Foundation and upon which

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Friends Hospital is located"; and

Bill No. 100786, entitled "An ordinance authorizing the Commissioner of Public Property on behalf of the City to convey 100 North 55th Street, 104 North 58th Street, 253 North 60th Street, 301 North 60th Street, 339 North 62nd Street, 355 North 62nd Street, 414 North 61st Street, 417 North 62nd Street, 545 North 63rd Street, and 5500 Lansdowne Avenue, for fair market value"; and

Bill No. 100788, entitled "An ordinance authorizing the Commissioner of Public Property on behalf of the City to convey 413 Mercy Street, 432 Sigel Street, 518 Pierce Street, 538 Dudley Street, 2038 East Susquehanna Avenue, 2045 East Fletcher Street, 2074 East York Street, 2129 East Susquehanna Avenue, 2317 Coral Street, 2327 South Franklin Street, 2427 Frankford Avenue, 2431 Coral Street, 2548 Coral Street, and 2624 Collins Street, for fair market value"; and

1 12/16/10 - STATED - CONSENT AGENDA

2 Bill No. 100789, entitled "An
3 ordinance authorizing the Commissioner of
4 Public Property on behalf of the City of
5 Philadelphia to convey to the
6 Philadelphia Authority for Industrial
7 Development, all or part of a parcel of
8 land and any improvements located on the
9 southwest corner of North Christopher
10 Columbus Boulevard and Race Street"; and

11 Bill No. 100790, entitled "An
12 ordinance amending Section 2 of an
13 ordinance (Bill No. 080760) approved
14 December 22nd, 2008, entitled 'An
15 ordinance authorizing and directing the
16 revision of lines and grades on a portion
17 of City Plan No. 307 by relocating the
18 westerly curb line and house line of
19 Fifteenth Street between Arch Street and
20 Cherry Street'"; and

21 Bill No. 100791, entitled "An
22 ordinance authorizing the Commissioner of
23 Public Property on behalf of the City to
24 convey 816 North 16th Street, 826 North
25 12th Street, 918 North 19th Street, 1015

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North Leithgow Street, and 1116 North 4th
Street for fair market value"; and

Bill No. 100792, entitled "An
ordinance authorizing the Commissioner of
Public Property, on behalf of the City of
Philadelphia, to enter into lease and
sublease agreements with the Philadelphia
Municipal Authority for certain land and
improvements located on the northwest
corner of North 15th Street and Arch
Street"; and

Bill No. 100793, entitled "An
ordinance authorizing the Department of
Public Property to enter into an easement
agreement with the Pennsylvania
Department of General Services allowing
the Department of General Services to use
portions of 1515 Arch Street"; and

Bill No. 100753, entitled "An
ordinance to amend the Philadelphia
Zoning Maps by changing the zoning
designations of certain areas of land
located within an area bounded by East
Moreland Avenue, Winston Street, East

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Mermaid Lane and Germantown Avenue"; and

Bill No. 100784, entitled "An ordinance to amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Eighth Street, Somerset Street, Seventh Street, and Lehigh Avenue"; and

Bill No. 100557, entitled "An ordinance amending Chapter 19-200 of The Philadelphia Code, entitled 'City Funds - Deposits, Investments, Disbursements,' by amending Section 19-203, entitled 'Payroll Deductions,' to add the Philadelphia Police and Fire Pipes and Drums to the list of entities for which payroll deductions may be authorized by City employees"; and

Bill No. 100751, entitled "An ordinance authorizing the Director of Finance, on behalf of the City of Philadelphia, to enter into a lease agreement to lease vehicles and equipment from the Philadelphia Municipal

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Authority"; and

Bill No. 100781, entitled "An ordinance authorizing the City to enter into an interagency agreement with the Commonwealth of Pennsylvania for a period of years for the Commonwealth to add City and School District taxes to the Commonwealth's on-line system for the electronic filing and payment of taxes"; and

Bill No. 100794, entitled "An ordinance amending Chapter 19-200 of The Philadelphia Code, entitled 'City Funds - Deposits, Investments, Disbursements,' by amending Section 19-203, entitled 'Payroll Deductions,' to add the Police and Firemen's Insurance Association to the list of entities for which payroll deductions may be authorized by City employees"; and

Bill No. 100842, entitled "An ordinance authorizing the Commissioner of Public Property to enter into a license or long term lease agreement and other

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related agreements between the City of Philadelphia as licensor or landlord, and the Center City District as licensee or tenant, for a certain parcel of land bounded approximately by John F. Kennedy Boulevard, 15th Street, South Penn Square and the west side of City Hall, commonly referred to as Dilworth Plaza"; and

Bill No. 100550, entitled "An ordinance amending Section 9-410 of The Philadelphia Code, entitled 'Pedicabs,' by broadening the definition of 'Pedicab,' and by making certain changes in the requirements for licensing and operation of Pedicabs"; and

Bill No. 100749, entitled "An ordinance amending Title 4 of The Philadelphia Code, amending Subcode 'A' (The Philadelphia Administrative Code) and Subcode 'PM' (The Philadelphia Property Maintenance Code), to require that the owners of residential properties that are vacant following foreclosure register, inspect and maintain such

1 12/16/10 - STATED - CONSENT AGENDA

2 properties"; and

3 Bill No. 100724, entitled "An
4 ordinance renaming and designating
5 Franklinton Park located between North
6 18th Street and North 19th Street and
7 between Hamilton Street and Shamokin
8 Street as 'Matthias Baldwin Park'; and

9 Bill No. 100776, entitled "An
10 ordinance authorizing the Commissioner of
11 Public Property, on behalf of the City,
12 to execute and record a Declaration of
13 Covenants, Conditions, and Restrictions
14 against a portion of Pennypack Park on
15 the Delaware, in favor of the United
16 States, to protect bald eagles and other
17 rare, endangered, or threatened birds";
18 and

19 Bill No. 100756, entitled "An
20 ordinance amending Chapter 17-1300 of The
21 Philadelphia Code, entitled 'Philadelphia
22 21st Century Minimum Wage and Benefits
23 Standard,' by broadening the definition
24 of the 'City financial aid recipients'
25 who are subject to that Chapter to

1 12/16/10 - STATED - CONSENT AGENDA

2 include certain persons or entities who
3 lease property or equipment from persons
4 or entities who receive City assistance";
5 and

6 Bill No. 100787, entitled "An
7 ordinance amending Chapter 19-2600 of The
8 Philadelphia Code, entitled 'Business
9 Privilege Taxes,' by extending the
10 'Special Tax Credit Opportunity for Job
11 Creation'"; and

12 Bill No. 100843, entitled "An
13 ordinance authorizing the City Solicitor,
14 on behalf of the City, to enter into a
15 multi-year contract with a provider of
16 codification, editing, and marketing
17 services to produce printed and
18 electronic versions of the 10th Edition
19 of The Philadelphia Code and the 2011
20 Reprint of The Philadelphia Home Rule
21 Charter, with periodic supplements to
22 each."

23 COUNCIL PRESIDENT VERA: Thank
24 you. These bills having been read on two
25 different days, the question for each

1 12/16/10 - STATED - CONSENT AGENDA
2 bill now is shall the bill pass finally.
3 The Clerk shall call the roll,
4 and upon being called, each Councilmember
5 shall vote aye on each of the bills, nay
6 on each of the bills or indicate those
7 bills for which the member is voting aye
8 and those voting nay.
9 At this time, I would ask the
10 Chief Clerk to please call the roll.
11 CHIEF CLERK: Councilwoman
12 Blackwell.
13 COUNCILWOMAN BLACKWELL: Aye on
14 all bills.
15 CHIEF CLERK: Councilman
16 Clarke.
17 COUNCILMAN CLARKE: Aye on all
18 bills.
19 CHIEF CLERK: Councilman
20 DiCicco.
21 COUNCILMAN DiCICCO: Aye on all
22 bills.
23 CHIEF CLERK: Councilman Goode.
24 COUNCILMAN GOODE: Aye on all
25 bills.

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2 CHIEF CLERK: Councilman Green.

3 COUNCILMAN GREEN: Aye on all

4 bills.

5 CHIEF CLERK: Councilman

6 Greenlee.

7 COUNCILMAN GREENLEE: Aye on

8 all bills.

9 CHIEF CLERK: Councilman Jones.

10 COUNCILMAN JONES: Aye on all

11 bills.

12 CHIEF CLERK: Councilman Kelly.

13 COUNCILMAN KELLY: Aye on all

14 bills.

15 CHIEF CLERK: Councilwoman

16 Krajewski.

17 COUNCILWOMAN KRAJEWSKI: Aye on

18 all bills.

19 CHIEF CLERK: Councilwoman

20 Miller.

21 COUNCILWOMAN MILLER: Aye on

22 all bills.

23 CHIEF CLERK: Councilman

24 O'Neill.

25 COUNCILMAN O'NEILL: Aye on all

1 12/16/10 - STATED - CONSENT AGENDA
2 bills.
3 CHIEF CLERK: Councilwoman
4 Reynolds Brown.
5 COUNCILWOMAN BROWN: Aye on all
6 bills.
7 CHIEF CLERK: Councilman Rizzo.
8 COUNCILMAN RIZZO: Aye on all
9 bills.
10 CHIEF CLERK: Councilwoman
11 Sanchez.
12 COUNCILWOMAN SANCHEZ: Aye on
13 all bills.
14 CHIEF CLERK: Councilwoman
15 Tasco.
16 COUNCILWOMAN TASCO: Aye on all
17 bills.
18 CHIEF CLERK: Council President
19 Verna.
20 COUNCIL PRESIDENT VERNA: Aye
21 on all bills.
22 A majority of all members
23 having voted in the affirmative, the
24 bills on the Consent Agenda are passed.
25 We will now consider the bills

1 12/16/10 - STATED - 2ND READING
2 and resolutions on the regular Second
3 Reading and Final Passage Calendar.

4 The Clerk will please read the
5 title of the first bill.

6 CHIEF CLERK: Resolution No.
7 100861, entitled "A resolution
8 authorizing the Commissioner of Public
9 Property to execute and deliver to the
10 Redevelopment Authority of the City of
11 Philadelphia, without consideration,
12 deeds conveying conditional fee simple
13 title to certain City-owned lots or
14 pieces of ground with the buildings and
15 improvements thereon, situate in the
16 Twenty-Fourth and Fifty-First Wards of
17 the City of Philadelphia."

18 COUNCIL PRESIDENT Verna: Thank
19 you.

20 The Chair recognizes
21 Councilwoman Blackwell.

22 COUNCILWOMAN BLACKWELL: Thank
23 you, Madam President. I move for the
24 adoption of the resolution.

25 (Duly seconded.)

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COUNCIL PRESIDENT Verna: It
has been moved and seconded that the
resolution be adopted.

All in favor will indicate by
saying aye.

(Aye.)

COUNCIL PRESIDENT Verna: Those
opposed?

(No response.)

COUNCIL PRESIDENT Verna: The
ayes have it and the resolution has been
passed.

We will now consider Resolution
No. 100862.

CHIEF CLERK: A resolution
approving the redevelopment contract and
disposition supplement of the
Redevelopment Authority of the City of
Philadelphia for the redevelopment and
urban renewal of a portion of the Mantua
Urban Renewal Area, designated as Parcel
No. 276 and also sometimes identified by
house number and street address for
Parcel No. 276 as 504 through 506 North

1 12/16/10 - STATED - 2ND READING

2 Thirty-Ninth Street.

3 COUNCIL PRESIDENT Verna: Thank
4 you.

5 The Chair recognizes
6 Councilwoman Blackwell.

7 COUNCILWOMAN BLACKWELL: Thank
8 you, Madam President. I move for the
9 adoption of the resolution.

10 (Duly seconded.)

11 COUNCIL PRESIDENT Verna: It
12 has been moved and seconded that the
13 resolution be adopted.

14 All in favor will say aye.

15 (Aye.)

16 COUNCIL PRESIDENT Verna: Those
17 opposed?

18 (No response.)

19 COUNCIL PRESIDENT Verna: The
20 ayes have it and the resolution is
21 adopted.

22 The Chief Clerk will please
23 read the title of Resolution No. 100863.

24 CHIEF CLERK: A resolution
25 honoring The Reinvestment Fund on its

1 12/16/10 - STATED - 2ND READING

2 25th Anniversary.

3 COUNCIL PRESIDENT Verna: Thank
4 you.

5 The Chair recognizes
6 Councilwoman Tasco.

7 COUNCILWOMAN TESCO: Madam
8 President, I move for the adoption of the
9 resolution.

10 (Duly seconded.)

11 COUNCIL PRESIDENT Verna: It
12 has been moved and seconded that the
13 resolution be adopted.

14 All in favor will indicate by
15 saying aye.

16 (Aye.)

17 COUNCIL PRESIDENT Verna: Those
18 opposed?

19 (No response.)

20 COUNCIL PRESIDENT Verna: The
21 ayes have it and the resolution is
22 adopted.

23 The Chief Clerk will please
24 read the title of Resolution No. 100865.

25 CHIEF CLERK: A resolution

12/16/10 - STATED - 2ND READING

authorizing the Council of the City of Philadelphia to issue a request for ideas and proposals on how the City can best employ its available natural resources as sources of alternative energy for the benefit of the City's infrastructure.

COUNCIL PRESIDENT Verna: Thank you.

The Chair recognizes Councilman Clarke.

COUNCILMAN CLARKE: I move for the adoption.

(Duly seconded.)

COUNCIL PRESIDENT Verna: It has been moved and seconded that the resolution be adopted.

All in favor will indicate by saying aye.

(Aye.)

COUNCIL PRESIDENT Verna: Those opposed?

(No response.)

COUNCIL PRESIDENT Verna: The ayes have it and the resolution is

1 12/16/10 - STATED - 2ND READING

2 adopted.

3 The Chief Clerk will please
4 read Resolution No. 100866.

5 CHIEF CLERK: A resolution
6 authorizing the Commissioner of Public
7 Property to execute and deliver to the
8 Redevelopment Authority of the City of
9 Philadelphia, without consideration,
10 deeds conveying conditional fee simple
11 title to certain City-owned lots or
12 pieces of ground with the buildings and
13 improvements thereon, situate in the
14 Twenty-Ninth Ward of the City of
15 Philadelphia.

16 COUNCIL PRESIDENT VERNA: Thank
17 you.

18 The Chair recognizes Councilman
19 Clarke.

20 COUNCILMAN CLARKE: I move for
21 the adoption.

22 (Duly seconded.)

23 COUNCIL PRESIDENT VERNA: It
24 has been moved and seconded that the
25 resolution be adopted.

1 12/16/10 - STATED - 2ND READING

2 All in favor will say aye.

3 (Aye.)

4 COUNCIL PRESIDENT Verna: Those
5 opposed?

6 (No response.)

7 COUNCIL PRESIDENT Verna: The
8 ayes have it and the motion passes.

9 We will now consider Resolution
10 No. 100867.

11 CHIEF CLERK: A resolution
12 authorizing the Commissioner of Public
13 Property to execute and deliver to the
14 Redevelopment Authority of the City of
15 Philadelphia, without consideration,
16 deeds conveying conditional fee simple
17 title to certain City-owned lots or
18 pieces of ground with the buildings and
19 improvements thereon, situate in the
20 Sixteenth and Forty-Seventh Wards of the
21 City of Philadelphia.

22 COUNCIL PRESIDENT Verna: The
23 Chair recognizes Councilman Clarke.

24 COUNCILMAN CLARKE: I move for
25 the adoption.

1 12/16/10 - STATED - 2ND READING

2 (Duly seconded.)

3 COUNCIL PRESIDENT Verna: It
4 has been moved and seconded that the
5 resolution be adopted.

6 All in favor will say aye.

7 (Aye.)

8 COUNCIL PRESIDENT Verna: Those
9 opposed?

10 (No response.)

11 COUNCIL PRESIDENT Verna: The
12 ayes have it and the resolution is
13 adopted.

14 The Chief Clerk will please
15 read the title of Resolution 100799.

16 CHIEF CLERK: Resolution No.
17 100799 --

18 COUNCIL PRESIDENT Verna: I'm
19 sorry. I missed one, 100868.

20 CHIEF CLERK: A resolution
21 authorizing the Commissioner of Public
22 Property to execute and deliver to the
23 Redevelopment Authority of the City of
24 Philadelphia, without consideration,
25 deeds conveying conditional fee simple

1 12/16/10 - STATED - 2ND READING
2 title to certain City-owned lots or
3 pieces of ground with the buildings and
4 improvements thereon, situate in the
5 Twentieth and Thirty-Second Wards of the
6 City of Philadelphia.

7 COUNCIL PRESIDENT Verna: The
8 Chair recognizes Councilman Clarke.

9 COUNCILMAN CLARKE: I move for
10 the adoption.

11 (Duly seconded.)

12 COUNCIL PRESIDENT Verna: It
13 has been moved and seconded that the
14 resolution be adopted.

15 All in favor will say aye.

16 (Aye.)

17 COUNCIL PRESIDENT Verna: Those
18 opposed?

19 (No response.)

20 COUNCIL PRESIDENT Verna: The
21 ayes have it and the resolution is
22 adopted.

23 The Chief Clerk will please
24 read the title of the next resolution.

25 CHIEF CLERK: Resolution No.

1 12/16/10 - STATED - 2ND READING

2 100799, entitled "A resolution confirming
3 the appointment of William H. Brown III
4 as a member of the Board of Ethics, to
5 serve in the term ending November 16,
6 2014."

7 COUNCIL PRESIDENT Verna: The
8 Chair recognizes Councilwoman Tasco.

9 COUNCILWOMAN TASCO: I move for
10 the adoption of the resolution.

11 (Duly seconded.)

12 COUNCIL PRESIDENT Verna: It
13 has been moved and seconded that the
14 resolution be adopted.

15 All in favor will say aye.

16 (Aye.)

17 COUNCIL PRESIDENT Verna: Those
18 opposed?

19 (No response.)

20 COUNCIL PRESIDENT Verna: The
21 ayes have it and the resolution is
22 adopted.

23 CHIEF CLERK: Resolution No.
24 100800, entitled "A resolution confirming
25 the appointment of Sanjuanita Gonzalez as

1 12/16/10 - STATED - 2ND READING

2 a member of the Board of Ethics, to serve
3 in the term ending November 16, 2013."

4 COUNCIL PRESIDENT Verna: The
5 Chair recognizes Councilwoman Tasco.

6 COUNCILWOMAN TASC0: I move for
7 the adoption of the resolution.

8 (Duly seconded.)

9 COUNCIL PRESIDENT Verna: It
10 has been moved and seconded that the
11 resolution be adopted.

12 All in favor will say aye.

13 (Aye.)

14 COUNCIL PRESIDENT Verna: Those
15 opposed?

16 (No response.)

17 COUNCIL PRESIDENT Verna: The
18 ayes have it and the resolution is
19 adopted.

20 CHIEF CLERK: Resolution No.
21 100801, entitled "A resolution confirming
22 the appointment of Sister Mary Scullion
23 as a member of the Board of Ethics, to
24 serve in the term ending November 16,
25 2015."

1 12/16/10 - STATED - 2ND READING

2 COUNCIL PRESIDENT Verna: The
3 Chair recognizes Councilwoman Tasco.

4 COUNCILWOMAN TASC0: I move for
5 the adoption of the resolution.

6 (Duly seconded.)

7 COUNCIL PRESIDENT Verna: It
8 has been moved and seconded that the
9 resolution be adopted.

10 All in favor will indicate by
11 saying aye.

12 (Aye.)

13 COUNCIL PRESIDENT Verna: Those
14 opposed?

15 (No response.)

16 COUNCIL PRESIDENT Verna: The
17 ayes have it and the resolution is
18 adopted.

19 I believe the next bill --

20 CHIEF CLERK: Bill No.
21 090588-A, entitled "An ordinance amending
22 Chapter 14-1800 of The Philadelphia Code,
23 entitled 'Zoning Board of Adjustment,' by
24 amending Section 14-1805, entitled
25 'Hearings,' by revising the number of

1 12/16/10 - STATED - 2ND READING
2 members of the Zoning Board of Adjustment
3 that shall constitute a quorum."

4 COUNCIL PRESIDENT VERNA: This
5 bill having been read on two different
6 days, the question now is shall the bill
7 pass finally.

8 The Chief Clerk will please
9 call the roll.

10 CHIEF CLERK: Councilwoman
11 Blackwell.

12 COUNCILWOMAN BLACKWELL: Aye.

13 CHIEF CLERK: Councilman
14 Clarke.

15 COUNCILMAN CLARKE: Aye.

16 CHIEF CLERK: Councilman
17 DiCicco.

18 COUNCILMAN DiCICCO: Aye.

19 COUNCIL PRESIDENT VERNA: We're
20 voting on Bill 588-A, top of Page 4.

21 COUNCILMAN DiCICCO: The
22 amendment?

23 COUNCIL PRESIDENT VERNA: No.
24 We're asking for your vote. Just say
25 aye.

1 12/16/10 - STATED - 2ND READING
2 COUNCILMAN DiCICCO: I did. I
3 said aye.
4 COUNCIL PRESIDENT VERNA: No
5 one heard you. Okay. Let's continue.
6 CHIEF CLERK: Councilman Goode.
7 COUNCILMAN GOODE: Aye.
8 CHIEF CLERK: Councilman Green.
9 COUNCILMAN GREEN: Aye.
10 CHIEF CLERK: Councilman
11 Greenlee.
12 COUNCILMAN GREENLEE: Aye.
13 CHIEF CLERK: Councilman Jones.
14 COUNCILMAN JONES: Aye.
15 CHIEF CLERK: Councilman Kelly.
16 COUNCILMAN KELLY: Aye.
17 CHIEF CLERK: Councilwoman
18 Krajewski.
19 COUNCILWOMAN KRAJEWSKI: Aye.
20 CHIEF CLERK: Councilwoman
21 Miller.
22 COUNCILWOMAN MILLER: Aye.
23 CHIEF CLERK: Councilman
24 O'Neill.
25 COUNCILMAN O'NEILL: Aye.

1 12/16/10 - STATED - 2ND READING

2 CHIEF CLERK: Councilwoman

3 Reynolds Brown.

4 COUNCILWOMAN BROWN: Aye.

5 CHIEF CLERK: Councilman Rizzo.

6 COUNCILMAN RIZZO: Aye.

7 CHIEF CLERK: Councilwoman

8 Sanchez.

9 COUNCILWOMAN SANCHEZ: Aye.

10 CHIEF CLERK: Councilwoman

11 Tasco.

12 COUNCILWOMAN TASCO: Aye.

13 CHIEF CLERK: Council President

14 Verna.

15 COUNCIL PRESIDENT VERNA: Aye.

16 The ayes are 16; the nays are
17 zero. A majority of all members having
18 voted in the affirmative, the bill
19 passes.

20 We will now consider Bill No.

21 100489-A.

22 CHIEF CLERK: An ordinance

23 authorizing the City of Philadelphia to
24 organize an authority to be known as The
25 Philadelphia Health Center Authority,

1 12/16/10 - STATED - 2ND READING

2 pursuant to the provisions of the
3 Municipality Authorities Act.

4 COUNCIL PRESIDENT VERNA: This
5 bill having been read on two different
6 days, the question now is shall the bill
7 pass finally.

8 The Chief Clerk will please
9 call the roll.

10 CHIEF CLERK: Councilwoman
11 Blackwell.

12 COUNCILWOMAN BLACKWELL: Aye.

13 CHIEF CLERK: Councilman
14 Clarke.

15 COUNCILMAN CLARKE: Aye.

16 CHIEF CLERK: Councilman
17 DiCicco.

18 COUNCILMAN DiCICCO: Aye.

19 CHIEF CLERK: Councilman Goode.

20 COUNCILMAN GOODE: Aye.

21 CHIEF CLERK: Councilman Green.

22 COUNCILMAN GREEN: Aye.

23 CHIEF CLERK: Councilman
24 Greenlee.

25 COUNCILMAN GREENLEE: Aye.

1 12/16/10 - STATED - 2ND READING
2 CHIEF CLERK: Councilman Jones.
3 COUNCILMAN JONES: Aye.
4 CHIEF CLERK: Councilman Kelly.
5 COUNCILMAN KELLY: Aye.
6 CHIEF CLERK: Councilwoman
7 Krajewski.
8 COUNCILWOMAN KRAJEWSKI: Aye.
9 CHIEF CLERK: Councilwoman
10 Miller.
11 COUNCILWOMAN MILLER: Aye.
12 CHIEF CLERK: Councilman
13 O'Neill.
14 COUNCILMAN O'NEILL: Aye.
15 CHIEF CLERK: Councilwoman
16 Reynolds Brown.
17 COUNCILWOMAN BROWN: Aye.
18 CHIEF CLERK: Councilman Rizzo.
19 COUNCILMAN RIZZO: Aye.
20 CHIEF CLERK: Councilwoman
21 Sanchez.
22 COUNCILWOMAN SANCHEZ: Aye.
23 CHIEF CLERK: Councilwoman
24 Tasco.
25 COUNCILWOMAN TASCO: Aye.

1 12/16/10 - STATED - 2ND READING

2 CHIEF CLERK: Council President

3 Verna.

4 COUNCIL PRESIDENT VERNA: Aye.

5 The ayes are 16; the nays are
6 zero. A majority of all members having
7 voted in the affirmative, the bill
8 passes.

9 We will now consider Bill No.

10 100552-A.

11 CHIEF CLERK: An ordinance

12 amending the Philadelphia Zoning Maps by
13 changing the zoning designations of
14 certain areas of land located within an
15 area bounded by Race Street, 4th Street,
16 5th Street and Florist Street; and by
17 amending Section 14-303 of The
18 Philadelphia Code, entitled "'C-3'
19 Commercial District."

20 COUNCIL PRESIDENT VERNA: Thank
21 you.

22 The Chair recognizes Councilman
23 DiCicco.

24 COUNCILMAN DiCICCO: Thank you,
25 Madam President. I move for the adoption

1 12/16/10 - STATED - 2ND READING
2 of the resolution, a copy of which has
3 been distributed to all members of City
4 Council.

5 COUNCIL PRESIDENT VERNA: An
6 amendment?

7 COUNCILMAN DiCICCO: The
8 amendment to Bill No. 100552-A.

9 (Duly seconded.)

10 COUNCIL PRESIDENT VERNA: All
11 in favor will indicate by saying aye.

12 (Aye.)

13 COUNCIL PRESIDENT VERNA: Those
14 opposed?

15 (No response.)

16 COUNCIL PRESIDENT VERNA: The
17 ayes have it and the amendment has been
18 adopted.

19 CHIEF CLERK: Bill No. 100656,
20 entitled "An ordinance amending Section
21 14-305 of The Philadelphia Code, entitled
22 "'C-4' Commercial District," all under
23 certain terms and conditions; and
24 amending the Philadelphia Zoning Maps by
25 changing the zoning designations of

1 12/16/10 - STATED - 2ND READING
2 certain areas of land located within an
3 area bounded by Hamilton Street, 19th
4 Street, Callowhill Street and 20th
5 Street."

6 COUNCIL PRESIDENT VERNA: Thank
7 you.

8 This bill having been read on
9 two different days, the question now is
10 shall the bill pass finally.

11 The Chief Clerk will please
12 call the roll.

13 CHIEF CLERK: Councilwoman
14 Blackwell.

15 COUNCILWOMAN BLACKWELL: Aye.

16 CHIEF CLERK: Councilman
17 Clarke.

18 COUNCILMAN CLARKE: Aye.

19 CHIEF CLERK: Councilman
20 DiCicco.

21 COUNCILMAN DiCICCO: Aye.

22 CHIEF CLERK: Councilman Goode.

23 COUNCILMAN GOODE: Aye.

24 CHIEF CLERK: Councilman Green.

25 COUNCILMAN GREEN: Aye.

1 12/16/10 - STATED - 2ND READING

2 CHIEF CLERK: Councilman

3 Greenlee.

4 COUNCILMAN GREENLEE: Aye.

5 CHIEF CLERK: Councilman Jones.

6 COUNCILMAN JONES: Aye.

7 CHIEF CLERK: Councilman Kelly.

8 COUNCILMAN KELLY: Aye.

9 CHIEF CLERK: Councilwoman

10 Krajewski.

11 COUNCILWOMAN KRAJEWSKI: Aye.

12 CHIEF CLERK: Councilwoman

13 Miller.

14 COUNCILWOMAN MILLER: Aye.

15 CHIEF CLERK: Councilman

16 O'Neill.

17 COUNCILMAN O'NEILL: Excuse me,

18 Mr. Chief Clerk. At this point, I just

19 want to abstain on the bill and explain

20 that Fox Rothschild, the firm that I'm

21 with, represents the party-of-interest in

22 this bill. I have had no discussions or

23 other involvement with it.

24 Thank you.

25 COUNCIL PRESIDENT VERNA: Thank

1 12/16/10 - STATED - 2ND READING

2 you.

3 CHIEF CLERK: Councilwoman

4 Reynolds Brown.

5 COUNCILWOMAN BROWN: Aye.

6 CHIEF CLERK: Councilman Rizzo.

7 COUNCILMAN RIZZO: Aye.

8 CHIEF CLERK: Councilwoman

9 Sanchez.

10 COUNCILWOMAN SANCHEZ: Aye.

11 CHIEF CLERK: Councilwoman

12 Tasco.

13 COUNCILWOMAN TASCO: Aye.

14 CHIEF CLERK: Council President

15 Verna.

16 COUNCIL PRESIDENT VERNA: Aye.

17 The ayes are 15; the nays are
18 zero. A majority of all members having
19 voted in the affirmative, the bill
20 passes, and the record will reflect that
21 Councilman O'Neill abstained.

22 The next bill to be called up
23 for consideration -- is that it?
24 Wonderful.

25 That concludes our Calendar for

12/16/10 - STATED - SPEECHES

today.

I would like to just take a moment, if I may, to wish you a very joyous Christmas and holiday season. We have all been through a very difficult and challenging year, not only in our city but throughout the entire nation. But even though we have often, very often, been faced with choosing from a lot of poor options, I feel that by working together we have been able to make steady progress for our citizens.

I want to express my sincere thanks to each and every one of you for all of your hard work and cooperation through the past year. I look forward to continued progress in 2011, and wish you, your families and everyone you love a blessed, healthy and safe holiday.

Thank you again, and God bless you all.

Are there speeches on the part of the minority?

(No response.)

1 12/16/10 - STATED - ADJOURNMENT

2 COUNCIL PRESIDENT Verna: Are
3 there speeches on the part of the
4 majority?

5 (No response.)

6 COUNCIL PRESIDENT Verna:
7 Seeing none -- wow, that's a switch --
8 the Chair recognizes Councilman Clarke.

9 COUNCILMAN CLARKE: Thank you,
10 Madam President. Madam President, I make
11 a motion that Council stand adjourned
12 until January 27, 2011, 10:00 a.m.

13 (Duly seconded.)

14 COUNCIL PRESIDENT Verna: It
15 has been moved and seconded that Council
16 stand adjourned until Thursday, January
17 27th at 10:00 a.m.

18 All in favor will say aye.

19 (Aye.)

20 COUNCIL PRESIDENT Verna: Those
21 opposed?

22 (No response.)

23 COUNCIL PRESIDENT Verna: The
24 ayes have it, the motion carries, and may
25 I suggest you all go into the Caucus

1 12/16/10 - STATED - ADJOURNMENT

2 Room, because lunch is waiting.

3 Thank you.

4 (Stated Meeting adjourned at

5 12:55 p.m.)

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1
2 CERTIFICATE

3 I HEREBY CERTIFY that the
4 proceedings, evidence and objections are
5 contained fully and accurately in the
6 stenographic notes taken by me upon the
7 foregoing matter on December 16, 2010, and
8 that this is a true and correct transcript of
9 same.

10
11
12
13
14 -----
15 MICHELE L. MURPHY
16 RPR-Notary Public
17
18
19

20 (The foregoing certification of this
21 transcript does not apply to any reproduction
22 of the same by any means, unless under the
23 direct control and/or supervision of the
24 certifying reporter.)
25