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COUNCIL OF THE CITY OF PHILADELPHIA

3

COMMITTEE ON STREETS AND SERVICES

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Room 400, City Hall
Philadelphia, Pennsylvania
Tuesday, October 13, 2009
2:15 p.m.

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PRESENT:

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COUNCILMAN FRANK DiCICCO, CHAIR

11

COUNCILMAN BILL GREEN

12

COUNCILMAN WILLIAM GREENLEE

13

COUNCILMAN CURTIS JONES, JR.

14

COUNCILMAN JAMES F. KENNEY

15

COUNCILWOMAN MARIA QUINONES-SANCHEZ

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BILLS 090469, 090665, 090669, 090518, 090468,
090572, 090576, 090662, 090569, 090664,
090666, 090670 and 090586

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COUNCILMAN DiCICCO: Good

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afternoon, everyone. The Committee on

4

Streets and Services is now in session.

5

My name is Councilman DiCicco. I'm the

6

Chair of this committee. To my far left

7

is Councilwoman Maria Quinones-Sanchez,

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Councilman Green to my immediate left.

9

Councilman Greenlee just walked out.

10

He'll be back. Councilman Jones to my

11

immediate right, and I believe Councilman

12

Kenney will be appointed to this

13

committee so that we are certain to have

14

a quorum at the end of the public

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hearing.

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There are a number of bills

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that are being held. Bill No. 090469 is

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being held. Bill No. 090665, as well as

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Bill No. 090669 are all being held at the

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request of the sponsors.

21

I'll ask Mr. Abernathy to read

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those bills that we expect not to have

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any discussion on because there seems to

24

be an agreement. We'll do those first

25

since we have written testimony, have

1 10/13/09 - STREETS - BILL 090469, etc.
2 them placed into the record, and then
3 we'll proceed with the two bills that we
4 do know we will have some testimony on.

5 Mr. Abernathy.

6 THE CLERK: Bill No. 090518, an
7 ordinance authorizing the construction of
8 a water main and appurtenant work
9 required to provide public water service,
10 in a portion of Millman Street; and

11 Bill 090468, an ordinance
12 authorizing the revision of lines and
13 grades on a portion of City Plan No. 55
14 by striking from the City Plan Duncan
15 Street from Aramingo Avenue to The
16 Delaware Expressway and reserving and by
17 placing on the City Plan, and authorizing
18 City acceptance of, a right-of-way for
19 drainage purposes and public utility
20 purposes within the lines of Duncan
21 Street being stricken, under certain
22 terms and conditions; and

23 Bill No. 090572, an ordinance
24 authorizing Vilna Gaston to construct,
25 own and maintain an open-air sidewalk

1 10/13/09 - STREETS - BILL 090469, etc.

2 cafe at 5222 to 24 Walnut Street, under

3 certain terms and conditions; and

4 Bill No. 090576, an ordinance

5 authorizing the paving of 26th Street

6 from Penrose Avenue to a point

7 southwardly therefrom, under certain

8 terms and conditions; and

9 Bill No. 090662, an ordinance

10 authorizing Jeffrey Papa to construct,

11 own and maintain an open-air sidewalk

12 cafe at 2400 South 19th Street, under

13 certain terms and conditions; and

14 Bill No. 090664, an ordinance

15 amending Chapter 9-200 of The

16 Philadelphia Code, entitled "Commercial

17 Activities on Streets," by amending

18 Section 9-211, entitled "Boxes for the

19 Distribution of News and Printed

20 Material," relating to the regulation of

21 newspaper boxes on the public sidewalk,

22 by prohibiting the placement of a

23 publishers' box within the vicinity of

24 the National Museum for Jewish American

25 History, all under certain terms and

1 10/13/09 - STREETS - BILL 090469, etc.

2 conditions; and

3 Bill No. 090666, an ordinance

4 amending Section 9-205 of The

5 Philadelphia Code, entitled "Sidewalk

6 Sales," to prohibit vending on both sides

7 of Aramingo Avenue and within a one block

8 radius on all streets intersecting

9 Aramingo Avenue, between Lehigh Avenue

10 and Duncan Street; all under certain

11 terms and conditions; and

12 Bill No. 090670, an ordinance

13 amending Chapter 10-700 of The

14 Philadelphia Code, entitled "Refuse and

15 Littering," by providing for additional

16 penalties and consequences for short

17 dumping, under certain terms and

18 conditions.

19 COUNCILMAN DiCICCO: Thank you.

20 (Witness approached witness

21 table.)

22 COUNCILMAN DiCICCO: Mr. Holst,

23 I think you heard me earlier.

24 MR. HOLST: Right. I wasn't

25 sure of the procedure.

1 10/13/09 - STREETS - BILL 090469, etc.

2 COUNCILMAN DiCICCO: If you
3 have anything to say. If not --

4 MR. HOLST: No. If you have
5 any questions.

6 COUNCILMAN DiCICCO: Any
7 questions of this witness from this
8 committee?

9 (No response.)

10 COUNCILMAN DiCICCO: Anyone
11 else here who wishes to testify for or
12 against any of the bills that have just
13 been read into the record?

14 (No response.)

15 COUNCILMAN DiCICCO: Seeing
16 none, thank you, Mr. Holst.

17 Mr. Abernathy, please read the
18 title of the next bill.

19 THE CLERK: Bill No. 090569, an
20 ordinance amending Section 9-206 of The
21 Philadelphia Code, entitled "Sidewalk
22 Vendors in Neighborhood Business
23 Districts," by creating the Oregon Avenue
24 Business Corridor District; all under
25 certain terms and conditions.

1 10/13/09 - STREETS - BILL 090469, etc.

2 (Witness approached witness
3 table.)

4 COUNCILMAN DiCICCO: Please
5 state your name for the record and
6 proceed with your testimony.

7 MR. HAIGLER: Good afternoon,
8 Chairman DiCicco and members of the
9 Committee. I am Otis Haigler, Jr.,
10 Director of Legislative Affairs for the
11 Department of Licenses and Inspections.
12 Today I'm here to provide testimony on
13 Bill 090569 which, if enacted, will
14 establish a neighborhood vending district
15 to be entitled the "Oregon Avenue
16 Business Corridor District" within the
17 designated boundaries mentioned in the
18 bill.

19 The Department offers no
20 objections to the enactment of this bill
21 and technical amendments that will be
22 offered by Councilman Kenney to clarify
23 the process for the selection of vendors
24 to conduct vending activity at one of the
25 approved locations within the designated

1 10/13/09 - STREETS - BILL 090469, etc.
2 area.

3 Thank you for the ability to
4 provide the testimony, and I will be
5 happy to answer any questions at this
6 time.

7 COUNCILMAN DiCICCO: Thank you,
8 Mr. Haigler.

9 Any questions for this witness
10 from the Committee?

11 (No response.)

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

15 (No response.)

16 COUNCILMAN DiCICCO: Councilman
17 Kenney.

18 COUNCILMAN KENNEY: You have no
19 opposition to what we're trying to do?

20 MR. HAIGLER: Not at all.

21 COUNCILMAN KENNEY: And the
22 Department has no -- I know you don't,
23 but does the Department have any
24 opposition to what we're trying to do?

25 MR. HAIGLER: Not at all.

1 10/13/09 - STREETS - BILL 090469, etc.

2 COUNCILMAN KENNEY: Then I have
3 no questions.

4 COUNCILMAN DiCICCO: Thank you,
5 Mr. Haigler.

6 MR. HAIGLER: Thank you.

7 COUNCILMAN DiCICCO: Mr.
8 Abernathy, please read the title of the
9 next bill.

10 Any other witnesses on this
11 bill?

12 (No response.)

13 COUNCILMAN DiCICCO: Seeing
14 none, Mr. Abernathy, please read the
15 title of the next bill.

16 THE CLERK: Bill No. 090586, an
17 ordinance amending Chapter 10-700 of The
18 Philadelphia Code, entitled "Refuse and
19 Littering," by repealing Section 10-726,
20 entitled "Commercial Establishment Waste
21 Management," and by making technical
22 conforming amendments, all under certain
23 terms and conditions.

24 (Witnesses approached witness
25 table.)

1 10/13/09 - STREETS - BILL 090469, etc.

2 COMMISSIONER TOLSON: Good

3 morning.

4 COUNCILMAN DiCICCO: Good

5 afternoon.

6 COMMISSIONER TOLSON: Or good

7 afternoon. Good afternoon, Councilman

8 DiCicco.

9 COUNCILMAN DiCICCO: Excuse me,

10 Commissioner.

11 Does everyone have a copy of

12 the Commissioner's testimony?

13 (Yes.)

14 COUNCILMAN DiCICCO: Thank you.

15 COMMISSIONER TOLSON: Good

16 afternoon, Councilman DiCicco and members

17 of the Streets and Services Committee. I

18 am Clarena Tolson, Commissioner of the

19 Streets Department. I'm here with Deputy

20 Commissioner Carlton Williams of the

21 Sanitation Division. We are here this

22 afternoon to offer testimony regarding

23 Bill No. 090586, which repeals Section

24 10-726, entitled "Commercial

25 Establishment Waste Management."

1 10/13/09 - STREETS - BILL 090469, etc.

2 In May of 2009, City Council
3 passed an amendment to the Code giving
4 the Streets Department the authority to
5 charge a fee to commercial establishments
6 that receive trash and recycling
7 collection services from the City. These
8 changes were essential to address the
9 City's unprecedented budget crisis. The
10 global economic crisis has forced the
11 City to make major changes to the way
12 services are delivered to the citizens of
13 this city. Most of the agencies have
14 endured significant cuts to service.

15 In FY09, the Streets Department
16 budget was reduced by \$10 million. Many
17 services were reduced or eliminated,
18 including bulk collection, mechanical
19 leaf collection and residential
20 mechanical cleaning. In FY10, the
21 Streets Department took an additional \$16
22 million budget reduction that
23 significantly impacted our service
24 delivery. The additional service cuts
25 included closing area drop-off centers,

1 10/13/09 - STREETS - BILL 090469, etc.
2 reducing residential curbside trash
3 set-out limits, downsizing recycling
4 education and outreach programming, and
5 implementing fees to small commercial
6 establishments to maintain commercial
7 collections at those locations.

8 The small commercial
9 establishment fee allows the Streets
10 Department to continue providing curbside
11 rubbish and recycling collection without
12 reducing or eliminating the service to
13 small businesses. Most cities require
14 businesses, regardless of size, to have
15 private waste collection services. We
16 believe the \$500 fee is an alternative to
17 continue providing services to small
18 commercial establishments without service
19 interruption. Under the existing law, a
20 fee will be charged annually to each
21 commercial establishment that receives
22 City collection. There are an estimated
23 15,000 small commercial establishments
24 that receive City collection services.
25 Commercial properties are defined as

1 10/13/09 - STREETS - BILL 090469, etc.
2 having at least one retail or
3 professional office unit. Buildings that
4 are exclusively residential will not be
5 assessed a fee and will remain eligible
6 for City collection at no charge,
7 providing that there are no more than six
8 units and collection volumes meet
9 existing set-out limits. Under existing
10 regulations, premises of six or less
11 units with at least one commercial
12 establishment would be billed.

13 This fee allows the Streets
14 Department to continue services to small
15 businesses at a reasonable cost.
16 Unfortunately, additional services will
17 need to be eliminated if the fee is
18 revoked and alternatives are not found.

19 The Administration has been
20 discussing possible alternatives with the
21 sponsor, Councilman DiCicco. We
22 understand the concerns raised by many
23 members of Council regarding the fiscal
24 impact to small businesses related to the
25 new fee. We are especially mindful of

1 10/13/09 - STREETS - BILL 090469, etc.
2 this given the difficult and challenging
3 economic conditions we exist in.

4 However, as Council knows, the
5 economic crisis also impacted the City
6 severely, and as described in my
7 testimony, the Streets Department has had
8 to increase various fees and fines as
9 well as to reduce or eliminate many
10 services.

11 We would like the opportunity
12 to continue working with the sponsor to
13 craft a workable solution and, therefore,
14 respectfully request that the bill be
15 held in committee.

16 Thank you for the opportunity
17 to testify, and I look forward to working
18 with City Council to provide the quality
19 services our citizens deserve.

20 COUNCILMAN DiCICCO: Thank you,
21 Commissioner. Just for the record, you
22 and I and your deputy met, I believe,
23 either in June or July. Somewhere this
24 past summer we had a meeting to discuss
25 this fee structure.

1 10/13/09 - STREETS - BILL 090469, etc.

2 COMMISSIONER TOLSON: Correct.

3 COUNCILMAN DiCICCO: And I

4 suggested maybe we did something across

5 the board, meaning that any

6 establishment -- all business privilege

7 licensees throughout the City of

8 Philadelphia maybe would have to bear

9 part of the burden on this, and if I

10 recall correctly, we came up with a

11 number of about \$70 a year if every

12 business, whether they were small

13 business or large institutional

14 businesses that already have commercial

15 pickup, would be billed. You brought

16 that back to the Law Department, and I

17 believe that they said that was not

18 doable because they considered that would

19 be considered as a tax; is that correct?

20 COMMISSIONER TOLSON: That's

21 correct.

22 COUNCILMAN DiCICCO: Just so

23 that we know we did have that

24 conversation. Then I think the next

25 conversation we had, aside from the time

1 10/13/09 - STREETS - BILL 090469, etc.

2 I came to testify, which I think was in
3 August, if I'm not mistaken, at the
4 Municipal Services Building, was last
5 week, 4 o'clock, either Wednesday or
6 Thursday. I forgot what day it was. And
7 that's when you disclosed to me at that
8 time that the Law Department didn't think
9 this was -- my recommendation on the \$70
10 a year was not doable because they didn't
11 think it was legal or because it would be
12 considered a tax.

13 COMMISSIONER TOLSON: That's
14 correct.

15 COUNCILMAN DiCICCO: Is that
16 fairly accurate?

17 More recently, about an hour
18 and a half or two ago, you and I had a
19 telephone conversation where I asked you
20 about the current regulations, where if a
21 property has six or less units,
22 residential units, but has one or more of
23 those units as commercial/retail, they
24 would be billed under the current
25 regulation; is that correct?

1 10/13/09 - STREETS - BILL 090469, etc.

2 COMMISSIONER TOLSON: Those who
3 are six or less would not be billed.

4 COUNCILMAN DiCICCO: Even if
5 they have a retail component?

6 COMMISSIONER TOLSON: If they
7 have a retail component, they would be.
8 But if it's residential only, they would
9 not be.

10 COUNCILMAN DiCICCO: Right. So
11 I asked you the question since, in my
12 opinion -- and I think the opinion of all
13 the folks I've talked to -- if a building
14 is a residential rental apartment
15 building, whether it's one apartment or
16 more than one, why are they not being
17 billed? Why would we not bill them,
18 because they're income-producing
19 properties?

20 COMMISSIONER TOLSON: We can
21 certainly go back and examine that a
22 little bit more closely.

23 COUNCILMAN DiCICCO: And that's
24 what we talked about about an hour ago,
25 because I have to assume when we got to

1 10/13/09 - STREETS - BILL 090469, etc.
2 the \$70, it's because of the -- I forgot
3 what the exact number was of all the
4 business privilege licensees in the City
5 of Philadelphia, brought that down to --

6 COMMISSIONER TOLSON: One
7 hundred thousand.

8 COUNCILMAN DiCICCO: One
9 hundred thousand. If you're getting to
10 the \$500 fee based on the 15,000 small
11 businesses, I have to assume there are
12 more than 15,000 rental buildings in the
13 City of Philadelphia.

14 COMMISSIONER TOLSON: That's
15 correct.

16 COUNCILMAN DiCICCO: And a
17 considerable amount of those are not what
18 I would consider the high rise where they
19 would have regular commercial pickup.
20 I'm talking about through every
21 neighborhood there are duplexes,
22 triplexes, quadriplexes. We're picking
23 up their trash at no cost. And you're
24 familiar with where I live?

25 COMMISSIONER TOLSON: Yes.

1 10/13/09 - STREETS - BILL 090469, etc.
2 COUNCILMAN DiCICCO: Behind
3 where I live in that courtyard, there are
4 two triplexes. All the trash goes out.
5 So the owner of that building, who is
6 charging anywhere from \$900 a month per
7 unit and up, isn't paying, and I thought
8 the unfairness about what the proposal on
9 the \$500 annual was -- I use John the
10 barber -- Johnny the barber in South
11 Philadelphia who lives above his barber
12 shop, has a two-chair barber shop, lives
13 above the store, not married, no kids, by
14 himself, he produces maybe one bag of
15 trash a week. Adding \$500 to the cost of
16 him doing business in the City of
17 Philadelphia and multiplying that by 15,
18 20 thousand people, I don't think that's
19 fair, and I think that's why we're here
20 today. And I know my colleagues have
21 some questions also, but I really would
22 like to explore that other option of all
23 the apartment buildings, multi-family
24 apartment buildings, whether or not they
25 have a retail component or not. I think

1 10/13/09 - STREETS - BILL 090469, etc.

2 we might be able to get to the number you
3 need to plug up your budget hole that you
4 have and be as painless as possible by
5 doing it, because the volume of people
6 contributing would be much greater than
7 the 15,000 with the small businesses.

8 And one other thought. And I
9 don't expect you to have an answer today.
10 I know in Manhattan, there are no
11 dumpsters in Manhattan. My son lives in
12 a condominium in Manhattan, and next door
13 to where he lives is a small seven-story
14 office building with a little retail
15 component. The trash gets put out every
16 single night, and I think they're
17 required, if I'm not mistaken, to have a
18 commercial pickup.

19 So we need to continue to talk.
20 It's unfortunate for whatever reason you
21 and I were not having this conversation
22 from the middle of the summer until last
23 week. That's an unfortunate thing,
24 because I think a lot of this stuff may
25 have been resolved by today. If not last

1 10/13/09 - STREETS - BILL 090469, etc.
2 week, at least by today.

3 COMMISSIONER TOLSON: Well, we
4 certainly look forward to working with
5 you from here out to resolve this.

6 COUNCILMAN DiCICCO: I know
7 that. We've always worked well together,
8 but unfortunately, we were not having
9 that conversation for the last couple of
10 months.

11 Councilwoman Sanchez.

12 COUNCILWOMAN SANCHEZ: Thank
13 you, Commissioner. Based on how the
14 proposal was initially brought out to
15 today, I just wanted for the record to
16 kind of clarify a few issues to make sure
17 that we're both on the same page.

18 Has in fact the fee -- are
19 folks allowed to make payment
20 arrangements on the fee?

21 COMMISSIONER TOLSON: We have
22 not as yet promulgated the regulations.
23 We had a hearing at the end of August.
24 So final regulations are not in place,
25 which would either set the fee amount or

1 10/13/09 - STREETS - BILL 090469, etc.
2 to provide payment plans or otherwise.

3 COUNCILWOMAN SANCHEZ: What is
4 going to be your recommendation?

5 COMMISSIONER TOLSON: I think
6 that we're examining the option of
7 payment plans, because we did hear from
8 some businesses that thought that that
9 was an option that they thought was
10 important to them.

11 COUNCILWOMAN SANCHEZ: Where
12 are we on the situation where folks have
13 dual storefronts that may be in separate
14 deeds? That was an issue that was raised
15 and we had shared.

16 COMMISSIONER TOLSON: Dual
17 storefronts with separate deeds?

18 COUNCILWOMAN SANCHEZ: Yeah.
19 One of the issues was that every property
20 was going to be charged, and in some
21 commercial corridors you may have a
22 business where the property is listed
23 under two addresses, but it's one
24 business.

25 COMMISSIONER TOLSON: I think

1 10/13/09 - STREETS - BILL 090469, etc.
2 that we'd have to examine on a
3 case-by-case basis to determine whether
4 or not it's one business or multiple
5 businesses that are adjacent to each
6 other, maybe with the same owner.

7 COUNCILWOMAN SANCHEZ: Right.

8 COMMISSIONER TOLSON: But
9 multiple businesses.

10 COUNCILWOMAN SANCHEZ: So that
11 still has not been spelled out in the
12 regulations?

13 COMMISSIONER TOLSON: That has
14 not been finalized.

15 COUNCILWOMAN SANCHEZ: As it
16 relates to businesses that are closed,
17 there will be a waiver offered for folks?

18 COMMISSIONER TOLSON: Yes. If
19 there's no business in operation, they'd
20 be able to request a waiver.

21 COUNCILWOMAN SANCHEZ: For how
22 long are those waivers?

23 COMMISSIONER TOLSON: The fee
24 will be an annual fee, so if the business
25 is closed for a year, then they would not

1 10/13/09 - STREETS - BILL 090469, etc.
2 pay.

3 COUNCILWOMAN SANCHEZ: And --

4 COUNCILMAN DiCICCO: Point of
5 information, if I may.

6 So we don't even know if the
7 15,000 businesses that we're talking
8 about is a real number, because there may
9 be people who have a business privilege
10 license but it's not in operation.

11 COMMISSIONER TOLSON: We've
12 actually gone out and done some audits.
13 The data that we have comes from another
14 City agency, and we did some field audits
15 to kind of check the data for accuracy,
16 and we were fairly confident in what we
17 received, that it's pretty good.

18 COUNCILMAN GREEN: Point of
19 information.

20 COUNCILMAN DiCICCO: Councilman
21 Green.

22 COUNCILMAN GREEN: What other
23 agency did the gathering of the
24 information?

25 COMMISSIONER TOLSON: BRT has

1 10/13/09 - STREETS - BILL 090469, etc.

2 the record for the property owners.

3 COUNCILMAN DiCICCO: Oh.

4 COUNCILMAN GREEN: Thank you.

5 I'm sure they're accurate.

6 COUNCILMAN DiCICCO: It's

7 accurate. Okay.

8 COMMISSIONER TOLSON: Well, we

9 did a --

10 COUNCILMAN DiCICCO: No

11 disrespect to you two folks.

12 COMMISSIONER TOLSON: We did do

13 a field test to examine the data.

14 COUNCILMAN DiCICCO: Not with

15 the BRT folks, right?

16 COMMISSIONER TOLSON: No; we

17 did it with our own staff. To audit the

18 data to ensure that we were relatively

19 close in terms of the numbers of

20 businesses and types of businesses. We

21 do that -- we thought that was important

22 to do before going through this process.

23 COUNCILMAN GREEN: I thought

24 there might be a reason you didn't

25 mention the agency.

1 10/13/09 - STREETS - BILL 090469, etc.

2 COUNCILMAN DiCICCO: Thank you.

3 COUNCILWOMAN SANCHEZ: I guess
4 my other question would be, if we have
5 what some are considering like low, I
6 guess, barber example, is there any
7 consideration given for those low trash
8 kind of establishments, whether it's a
9 realtor or someone else?

10 COMMISSIONER TOLSON: I think
11 that as we try to, for lack of a better
12 word, I'll say negotiate, try to
13 negotiate and navigate where we're going
14 to go with this fee structure, that's
15 something that we have to consider.
16 There are certainly challenges that we
17 have to recognize with regard to making a
18 fee -- setting a fee structure based upon
19 the quantity of materials that are set
20 out. We do not have a pay-as-you-go
21 system or per-bag system. It's very
22 difficult for us to understand how much
23 trash people would set out. It is
24 certainly very easy to modify what you
25 may set out on your trash day and any

1 10/13/09 - STREETS - BILL 090469, etc.
2 given time, because people can carry
3 their bags someplace else or claim it to
4 be somebody else's bag.

5 So we're very concerned about
6 having an infrastructure to support a
7 system of knowing how much people are
8 putting out and then charging a fee based
9 upon that. But we are certainly mindful
10 of that as an issue to be considered.

11 COUNCILWOMAN SANCHEZ: No other
12 questions at this time.

13 COUNCILMAN DiCICCO: Councilman
14 Jones and then Councilman Green.

15 COUNCILMAN JONES: Thank you,
16 Mr. Chairman.

17 Good afternoon, Commissioner
18 Tolson and Deputy Commissioner Williams.
19 How are you?

20 COMMISSIONER TOLSON: Good
21 afternoon.

22 DEPUTY COMMISSIONER TOLSON:
23 Good afternoon.

24 COUNCILMAN JONES: For the
25 record, you guys didn't come up with this

1 10/13/09 - STREETS - BILL 090469, etc.
2 great idea for the trash fee. This was a
3 result of a crisis that we were having
4 budgetarily fiscally and you were asked
5 to seek out ways to create new revenues.
6 Is that -- you don't have to confirm nor
7 deny. We'll just assume the first thing
8 that came to your mind when you woke up
9 that morning was not a new fee on small
10 business. Let's assume that.

11 Since that time, we've gotten
12 our one percent increase in sales tax,
13 which puts us in a little better fiscal
14 condition, and we've gotten the new
15 dumpster bill passed, which would some
16 day alleviate some of the revenue need.
17 Does that in some way, between the two of
18 those things, offset some of the need for
19 this \$500 commercial pick-up fee?

20 COMMISSIONER TOLSON: I think
21 that we have to remember that the one
22 percent tax that we're looking forward to
23 was already considered and included in
24 our budgets. So that does not take away
25 the need for us to have the revenues that

1 10/13/09 - STREETS - BILL 090469, etc.

2 we've also projected for this fee. It's
3 not impacted by that.

4 Relative to any fees that might
5 come from the dumpster legislation, we
6 certainly have to be mindful of the costs
7 that will be associated with it. There's
8 certainly some level of cost that will be
9 in the Department of Licenses and
10 Inspections. I don't know the amount of
11 that or the value of that, and we have to
12 more closely look at those numbers. I
13 think part of our process and our
14 navigation of this fee structure, all
15 those things should be considered.

16 COUNCILMAN JONES: Well, also
17 in conjunction with the Chairman's idea
18 about rental fees, particularly
19 surrounding college communities, every
20 year we have this big push when they move
21 in and when they move out, which I
22 believe increases your pick-up tonnage in
23 those areas. It seems to me that that
24 would be a more fair and equitable way to
25 distribute the true cost of collections

1 10/13/09 - STREETS - BILL 090469, etc.
2 in town, and that particularly around
3 those times of years is really evident
4 that your folks picking up trash are put
5 in an onerous -- and I know you know
6 this, Carlton.

7 Is there a better way to
8 distribute some of the need for the
9 revenue throughout maybe even adjusting
10 that rental fee to include those density
11 issues around college campuses?

12 COMMISSIONER TOLSON: Around
13 some of our colleges we have a
14 collection, as you mentioned --
15 collections, as you mentioned, for move
16 in and move outs, and specifically we do
17 that because of the amount of debris that
18 is left as a result of those two
19 processes. I can say, though, I don't
20 know the exact tonnage off the top of my
21 head. There's a few hundred tons that
22 come as a result of that process and they
23 are usually only operations that last for
24 a few days on either end. So the cost to
25 that is not significant relative to the

1 10/13/09 - STREETS - BILL 090469, etc.
2 entire scheme of things.

3 COUNCILMAN JONES: So there's
4 been a study done, I would assume, that
5 when we look at -- there's some
6 communities in my district that have
7 reached the tipping point of close to --
8 and we took a tour of one of them in
9 Manayunk, that the tipping point where 85
10 percent of the residents are renters and
11 are of a college kind of in-and-out ilk,
12 and you've kind of did a study to look at
13 whether or not that was an increase in
14 tonnage or decrease in tonnage based on
15 that? And if so, I'd love to see that.

16 COMMISSIONER TOLSON: I thought
17 you were specifically talking about the
18 move in/move out process where we had the
19 extra collection days for colleges.

20 COUNCILMAN JONES: No, and I
21 will let this go, but -- right. These
22 are revenue-producing, multi-unit
23 properties. But also one of the other
24 problems, which is not germane to you but
25 more to L&I, is that when they have a

1 10/13/09 - STREETS - BILL 090469, etc.
2 license for six, they cram in ten, and so
3 the amount of actual residents in those
4 things are harder to predict anyway, and
5 it would be good to take a look at over
6 time, over a couple periods of time what
7 the impact on your services are.

8 COMMISSIONER TOLSON: We can do
9 that, yes.

10 COUNCILMAN JONES: And in so
11 doing, make it fair to take a look at
12 what rental properties in a community,
13 particularly when it gets beyond the 50
14 percent mark, what it really means to
15 your collection process. And I think we
16 could probably juxtapose the renters'
17 licenses with the pick-ups and, in those
18 communities, know exactly where we're
19 talking about.

20 COMMISSIONER TOLSON: We can
21 examine that. Thank you.

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

24 COUNCILMAN DiCICCO: Councilman
25 Green.

1 10/13/09 - STREETS - BILL 090469, etc.

2 COUNCILMAN GREEN: Thank you,
3 Mr. Chairman.

4 Good afternoon --

5 COMMISSIONER TOLSON: Good
6 afternoon.

7 COUNCILMAN GREEN: --
8 Commissioner, Deputy Commissioner.

9 I'm curious about your
10 statement that the loss of revenue would
11 affect your department. Does this bill
12 in any way change the appropriation to
13 the Streets Department?

14 COMMISSIONER TOLSON: Included
15 in our budget is the assumption of this
16 \$7 million --

17 COUNCILMAN GREEN: Well, that's
18 included in the entire City budget,
19 though. It's not an assumption. In
20 other words, your allocation from the
21 General Fund, your appropriation from the
22 General Fund, without further action by
23 Council, will not change your budget; is
24 that correct?

25 COMMISSIONER TOLSON: It does

1 10/13/09 - STREETS - BILL 090469, etc.

2 not change the amount that we get.

3 However, the amount of revenues that we
4 list in our budget are impacted.

5 COUNCILMAN GREEN: Well, that
6 revenue goes into the General Fund, not
7 into the Streets Department.

8 COMMISSIONER TOLSON: It's our
9 contribution to the General Fund, so we
10 must list that and that is included as --
11 understood as being part of our budget,
12 as we call it. Maybe it's not what we
13 receive as an appropriation --

14 COUNCILMAN GREEN: If we find
15 another 7 million bucks, green dollars
16 are fungible, aren't they?

17 COMMISSIONER TOLSON:
18 Generally, yes.

19 COUNCILMAN GREEN: I just
20 wanted to establish the fact that it's
21 not actually going to change the Streets
22 Department's appropriation without that
23 going through the Appropriation Committee
24 of Council and us passing an
25 appropriation measure.

1 10/13/09 - STREETS - BILL 090469, etc.

2 So how much would we save if we
3 eliminated commercial pickup and do what
4 other cities do and require businesses
5 to, if they have trash, require them to
6 have their own private refuse collection?

7 COMMISSIONER TOLSON: We can
8 give you that number. It's a little less
9 than 3 million.

10 COUNCILMAN GREEN: We'd save
11 less than 3 million?

12 COMMISSIONER TOLSON: Yes.

13 COUNCILMAN GREEN: And we're
14 charging 7 million?

15 COMMISSIONER TOLSON: Yes.

16 COUNCILMAN GREEN: So this
17 really was not a cost recovery item, but
18 a revenue item.

19 COMMISSIONER TOLSON: No,
20 that's not quite true. The cost of -- if
21 we were to exclude them does not mean
22 that we don't have to have other
23 services. However, by including them,
24 our incremental costs are different.

25 COUNCILMAN GREEN: I don't

1 10/13/09 - STREETS - BILL 090469, etc.
2 follow that. Could you put that in
3 numeric terms for me.

4 COMMISSIONER TOLSON: Sure. If
5 we were to -- because we are collecting
6 the commercial properties while we're
7 collecting the residential properties
8 along the way.

9 COUNCILMAN GREEN: So you're
10 passing them anyway.

11 COMMISSIONER TOLSON: That's
12 correct.

13 COUNCILMAN GREEN: So it's
14 really not \$3 million in extra costs.

15 COMMISSIONER TOLSON: No. It
16 is.

17 COUNCILMAN GREEN: It is? And
18 that's because of tonnage? Because the
19 trucks and employees are passing them
20 anyway.

21 COMMISSIONER TOLSON: Yes,
22 there's tonnage and there's also the time
23 that goes along with it.

24 COUNCILMAN GREEN: They're
25 going by them anyway.

1 10/13/09 - STREETS - BILL 090469, etc.

2 COMMISSIONER TOLSON: Yes, but
3 still making the stop, so it's time and
4 tonnage.

5 COUNCILMAN GREEN: Okay. So
6 how much tonnage is produced by these
7 15,000 properties?

8 COMMISSIONER TOLSON: I don't
9 have that number with me, but I will
10 gladly provide it to you shortly after
11 our hearing.

12 COUNCILMAN GREEN: Okay. Do
13 you have any study of how many of the
14 15,000 actually put out trash?

15 COMMISSIONER TOLSON: These
16 15,000 are the ones that put out trash.
17 There are some --

18 COUNCILMAN GREEN: Well, you're
19 requiring people to pay whether or not
20 they put out trash; isn't that correct?

21 COMMISSIONER TOLSON: No. No.
22 This fee is for those that receive City
23 service. So let's say if you are an auto
24 mechanic, a garage that does not receive
25 City service, you would not pay this fee.

1 10/13/09 - STREETS - BILL 090469, etc.

2 COUNCILMAN DiCICCO: That do
3 not have commercial pickup.

4 COMMISSIONER TOLSON: So if you
5 have commercial collection --

6 COUNCILMAN GREEN: It's for
7 those that do not have commercial pickup.
8 But it still assumes that they're putting
9 out trash even if they're not.

10 COMMISSIONER TOLSON: It
11 assumes that you are receiving City
12 services for collection.

13 COUNCILMAN GREEN: Right. I
14 mean, we don't know that they're actually
15 putting trash out. We just know that
16 they have no commercial pickup.

17 COMMISSIONER TOLSON: I think
18 if someone could tell us that their
19 business is closed, which would not
20 produce trash, that would be one thing,
21 which we mentioned earlier. But these
22 15,000 are businesses that are receiving
23 City services, receiving City trash
24 collection, trash and recycling.

25 COUNCILMAN GREEN: There was an

1 10/13/09 - STREETS - BILL 090469, etc.
2 idea raised during the budget cycle -- I
3 believe it came from Deputy Mayor Rina
4 Cutler -- that people -- and this was
5 going to apply to the whole city, that
6 basically people have to buy trash bags
7 with some kind of printing on them that
8 makes it clear that they're City-owned
9 trash bags. Was that considered for
10 these 15,000 customers of the City to
11 actually have them only pay for the -- if
12 you truly want to have them pay for the
13 service they're using, basically sell the
14 trash bags for \$3 or even \$10 or
15 something like that that sort of includes
16 the actual time and tonnage issue within
17 the price of the bags rather than a
18 straight \$500 fee, so people are actually
19 paying based on the amount of refuse that
20 they're creating for us and it has a
21 correlation to the services we provide?

22 COMMISSIONER TOLSON: Well, let
23 me just clarify one point. The concept
24 around a pay-as-you-throw or per-bag fee
25 or per-household or unit fee was not

1 10/13/09 - STREETS - BILL 090469, etc.
2 finalized.

3 COUNCILMAN GREEN: No. I
4 understand that.

5 COMMISSIONER TOLSON: So we
6 hadn't got to the point to tell me
7 whether or not it was going to be a
8 per-bag fee. That even had not been
9 concluded.

10 COUNCILMAN GREEN: Could you by
11 regulation without this ordinance require
12 these 15,000 customers of the City to
13 have a bag fee?

14 COMMISSIONER TOLSON: Per-bag
15 fee?

16 COUNCILMAN GREEN: Per-bag fee.

17 COMMISSIONER TOLSON: I am not
18 sure. I would like to talk with the Law
19 Department to see if we can do that by
20 regulation versus having an ordinance to
21 set that up.

22 COUNCILMAN GREEN: It's my
23 recollection that the answer was yes at
24 my budget time, but if you could get back
25 to the Committee, I would appreciate it,

1 10/13/09 - STREETS - BILL 090469, etc.
2 that you could by regulation require
3 that.

4 COMMISSIONER TOLSON: Yes. We
5 will check.

6 COUNCILMAN GREEN: And,
7 finally, how much revenue will the
8 General Fund receive as a result of the
9 new licenses and permitting that will be
10 required of public right-of-way and
11 private dumpsters based on the
12 legislation just passed by City Council?

13 COMMISSIONER TOLSON: That is
14 one thing that I think that we'd like to
15 continue to work with Councilman DiCicco
16 and I think he was also working with your
17 office to identify -- impacted by that it
18 is not just the Streets Department, but
19 also L&I. So I think that we wanted to
20 get clarification, and we can work with
21 both your offices to determine what that
22 really means. I cannot give you an
23 answer right now, but I think we need to
24 understand a little bit more.

25 COUNCILMAN GREEN: Okay. We

1 10/13/09 - STREETS - BILL 090469, etc.
2 conservatively, very conservatively,
3 assuming that we actually know how many
4 dumpsters are out there, because private
5 licenses haven't been required, records
6 are old, so we've gotten a bunch of
7 varying numbers from L&I and Streets on
8 how many private dumpsters there are. We
9 think it's wildly underestimated,
10 probably on the order of 10,000 or
11 15,000. But just taking current numbers
12 that we got from Streets and L&I and
13 taking the fees and the ability to
14 actually collect the fines -- right now
15 we only collect 24 percent of them -- we
16 estimate conservatively, very
17 conservatively, that it's two and a half
18 million dollars, and we fully expect that
19 it's going to be closer to \$4 or \$5
20 million. And, frankly, I think that's
21 very conservative, but that's as far as
22 my staff will let me go on the issue. So
23 with that extra revenue that wasn't in
24 the budget, you still say you object to
25 the repeal of this?

1 10/13/09 - STREETS - BILL 090469, etc.

2 COMMISSIONER TOLSON: What I
3 said is that I think that I would like to
4 continue to work with your office and
5 Councilman DiCicco to understand the
6 implications, because I don't understand
7 them right now, but I would like to
8 understand them a little bit better. We
9 can get clarification with Licenses and
10 Inspections and also with the Budget
11 Office to confirm the value -- I'll just
12 use the word "value" or the incremental
13 revenues that will be expected from it so
14 that we can understand how to apply that.

15 COUNCILMAN GREEN: Because
16 essentially what we've now got as a
17 result of the dumpster legislation is a
18 windfall of at least two and a half
19 million dollars, and I think 5, and I
20 think maybe we ought to sort of replace
21 one of these with the other.

22 COMMISSIONER TOLSON: I
23 understand the concept. I just don't
24 know the dollar that goes with it. So I
25 think that we just need to talk a little

1 10/13/09 - STREETS - BILL 090469, etc.
2 bit more to work together and resolve it.

3 COUNCILMAN GREEN: And I wasn't
4 sure I understood Councilman DiCicco's
5 questioning. Did he say that you guys
6 had worked together over the summer or
7 you weren't able to get together?

8 COMMISSIONER TOLSON: We did
9 not work together over the summer.

10 COUNCILMAN GREEN: Were you
11 instructed not to work with Councilman
12 DiCicco?

13 COMMISSIONER TOLSON: I think
14 that we were working together as a team
15 and we certainly are -- for the entire
16 summer I could say that I was completely
17 tied up with all measures that set
18 budgets on them, and I apologized to the
19 Councilman for not working with his good
20 office to advance this, but I certainly
21 am ready to work with him now and eager
22 to do so.

23 COUNCILMAN GREEN: I understand
24 that, but I think it's important for us
25 to know whether or not you were

1 10/13/09 - STREETS - BILL 090469, etc.
2 instructed not to work with Councilman
3 DiCicco's office.

4 COMMISSIONER TOLSON: I think
5 that you're asking for an answer that I
6 don't have to give.

7 COUNCILMAN GREEN: Well, it's a
8 yes/no question.

9 COMMISSIONER TOLSON: Well, I
10 gave my answer. There was no yes/no.
11 Maybe I'm longwinded.

12 COUNCILMAN GREEN: I don't want
13 to require you to answer a question,
14 Commissioner. I mean, we don't want that
15 kind of relationship, but I think we need
16 to understand what's been happening and
17 why we haven't made progress, and I think
18 it's a very fair question.

19 COMMISSIONER TOLSON: I do too,
20 but I'm trying to share with you the
21 environment that we were working in.
22 Through the entire summer we were quite
23 caught up with all the issues around the
24 budget. With this maybe we didn't do as
25 good a job as we needed to do to secure

1 10/13/09 - STREETS - BILL 090469, etc.

2 the understanding to work around it,

3 but --

4 COUNCILMAN GREEN: I appreciate
5 that and I appreciate the position you're
6 in, and I'm sorry to put you on the spot
7 like that. I'm not going to press it
8 further, but if that -- and this is not a
9 reflection on you. If that continues to
10 happen, we'll start requiring answers to
11 those questions, or I will.

12 Thank you.

13 COUNCILMAN DiCICCO: Councilman
14 Jones.

15 COUNCILMAN JONES: Thank you,
16 Mr. Chairman.

17 For hypothetical purposes, if
18 people started to appeal for one reason
19 or another, "it wasn't me that put that
20 trash out, I didn't pay, I don't have to
21 pay, I'm closed," whatever those appeal
22 processes are, describe for me how that
23 would work.

24 COMMISSIONER TOLSON: We have a
25 number of officers that will be working

1 10/13/09 - STREETS - BILL 090469, etc.
2 with the program who will be able to
3 examine and work with citizens and
4 property owners with regard to individual
5 circumstances, because believe me, there
6 is lots of variations to this challenge
7 that we haven't even anticipated. So
8 we'll be able to visit properties, offer
9 guidance on how to best approach whatever
10 system that we will ultimately have, and
11 that guidance will happen as a result of
12 direct field investigation, maybe
13 recommendations about how to best process
14 materials. For some people, maybe it's
15 better that they have private collection.
16 Maybe the type of quantity they need to
17 set out are not appropriate for City
18 collection. It may not be safe for a
19 community. You may have a doctor's
20 office that's putting out a significant
21 amount of bloody materials, and we may
22 have to have discussion about not having
23 City collection at all and doing
24 something else with their materials,
25 having a HAZMAT collection or a medical

1 10/13/09 - STREETS - BILL 090469, etc.
2 waste collection. But all that will come
3 as a result of doing one-on-one's, and
4 it's hard to give kind of a gross answer
5 other than to say that on a case-by-case
6 basis, those exceptions have to be
7 examined.

8 COUNCILMAN JONES: So two
9 things. One, we don't know the
10 enforcement of this could -- the meter
11 could start running on this relatively
12 quickly if people start to appeal it or
13 we get into hazardous waste issues or
14 those kinds of things start mounting up.
15 We have to gear up personnel to go out
16 and solve that. We don't know where the
17 bar will ultimately set on those kinds of
18 enforcement issues or appeals issues.

19 COMMISSIONER TOLSON: We don't
20 know how it's going to be resolved and
21 we'll have to refocus personnel to
22 address any issues or concerns that may
23 come up with that.

24 COUNCILMAN JONES: Second issue
25 is, so if the individual business appeals

1 10/13/09 - STREETS - BILL 090469, etc.

2 it, they appeal it to whom? To you?

3 COMMISSIONER TOLSON: Back to
4 the Streets Department, correct, and
5 then --

6 COUNCILMAN JONES: So you're
7 the judge and the jury of their appeal?

8 COMMISSIONER TOLSON: Well, I
9 think that we send out -- what we
10 anticipate, that we'll have mass letters
11 that will speak on a gross level about
12 conditions that we're expecting.
13 However, as citizens bring to us
14 individual and unique circumstances, then
15 on an individual case-by-case basis we'll
16 be able to examine them, working within
17 the framework of exceptions and rules and
18 protocols, but on a case-by-case basis
19 going out to examine the conditions that
20 people are working in.

21 COUNCILMAN JONES: So a person
22 that goes through appeal, they go to you
23 and an internal matter you decide.
24 There's no independent kind of assessment
25 of this at all?

1 10/13/09 - STREETS - BILL 090469, etc.

2 COMMISSIONER TOLSON: No, there
3 would not be an independent panel.

4 COUNCILMAN JONES: All right.

5 COUNCILMAN DiCICCO: Councilman
6 Green.

7 COUNCILMAN GREEN: Thank you,
8 Mr. Chairman.

9 Just for the record, I want to
10 say I enjoy my working relationship with
11 you and the Deputy Commissioner and our
12 department, and I look forward to
13 continuing working with you guys.

14 COMMISSIONER TOLSON: Thank
15 you.

16 COUNCILMAN DiCICCO: Any other
17 questions?

18 Councilman Kenney.

19 COUNCILMAN KENNEY: No. I'm
20 not on this Committee permanently.

21 COUNCILMAN DiCICCO: It's a
22 very exciting committee.

23 Just for the record, you report
24 to Deputy Mayor -- is that her title --
25 Rina Cutler?

1 10/13/09 - STREETS - BILL 090469, etc.

2 COMMISSIONER TOLSON: Yes,
3 Deputy Mayor Rina Cutler, who heads
4 Transportation and Utilities.

5 COUNCILMAN DiCICCO: Has she
6 weighed in on any of these conversations
7 with you about any of this? She
8 obviously knew what we were planning on
9 doing based on my testimony back in the
10 summer.

11 COMMISSIONER TOLSON: Correct.
12 Yes. Yes.

13 COUNCILMAN DiCICCO: Any
14 comments from her, any recommendations?

15 COMMISSIONER TOLSON: I think
16 that I'm speaking on behalf of the
17 Administration, certainly my management
18 team, yes, and presenting what we think
19 is thoughtful commentary, as well as our
20 strong desire to work this out.

21 COUNCILMAN DiCICCO: And if we
22 were to hold this bill as you're
23 suggesting, what guarantees do we have
24 that we will not or the Administration
25 will not order you to begin implementing

1 10/13/09 - STREETS - BILL 090469, etc.

2 the fees?

3 COMMISSIONER TOLSON: Well,

4 Councilman, I think that --

5 COUNCILMAN DiCICCO: Notice I

6 said the Administration.

7 COMMISSIONER TOLSON: -- City

8 Council has made it clear what you can

9 also do. So that doesn't work for us, to

10 be in the midst of anything that causes

11 confusion. I mean, our citizens need us

12 to lead, provide leadership, and it's our

13 desire to move on this as quickly as

14 possible, but certainly not move on it

15 unilaterally. That's why we're here and

16 that's why we're willing to talk. We

17 need this to work out so that we can

18 start to provide services that we need

19 and maintain the services that we need to

20 maintain for the citizens.

21 COUNCILMAN DiCICCO: For me,

22 though, I would not -- normally I'd say

23 let's take a parallel track, keep looking

24 at this and what the numbers are and how

25 much money we get from the dumpster fees,

1 10/13/09 - STREETS - BILL 090469, etc.
2 but I'd like to look for alternatives.
3 Personally I'd like to look for other
4 alternatives, maybe with the residential
5 apartment buildings and places like that
6 that would minimize the cost. It might
7 even be a wash. Maybe you get your 7
8 million that way. I don't know what
9 those numbers are. And in the absence of
10 all that information, we got a lot of
11 work to do, and it's unfortunate we
12 didn't have an opportunity to work on all
13 those details a lot sooner.
14 Councilman Kenney.
15 COUNCILMAN KENNEY:
16 Mr. Chairman, thank you and thanks as a
17 temporary member of the Committee, but it
18 does apply to other areas of interaction
19 between our witnesses and the panels,
20 that the request for delay I think
21 sometimes slows down the process as
22 opposed to keeping it on track. I mean,
23 sometimes the delay gets lost in other
24 things. If you know something is coming,
25 you're going to work on getting your best

1 10/13/09 - STREETS - BILL 090469, etc.
2 part of it that you can craft done. I
3 mean, Councilman DiCicco's reputation,
4 once he gives his word, he keeps it. So
5 if this bill got out of Committee and he
6 held it until he was and the Committee
7 was happy with the outcome of the
8 negotiations or discussions, I think that
9 would be appropriate. I think sometimes
10 the bill gets lost in delay land, and
11 that sometimes is the end of it, and then
12 because if there's not a lot of
13 communication and something gets done and
14 we wind up getting angrier than we should
15 be because it got done, while things are
16 moving down the track together, at some
17 point in time maybe we can hook up both
18 the trains.

19 But I would argue, as a member
20 who has to vote on it in the future at
21 some point, that the delay is -- I don't
22 know whether it's in the best interest of
23 coming to a conclusion.

24 COMMISSIONER TOLSON: Can I
25 just add, though, from our perspective?

1 10/13/09 - STREETS - BILL 090469, etc.

2 Delay does not work for us either. So it
3 is in our interest to move as quickly as
4 possible.

5 COUNCILMAN KENNEY: So if while
6 these discussions took place and the bill
7 sat on the Calendar, would you trust
8 Councilman DiCicco -- I would -- to hold
9 the bill until the appropriate time? I
10 think having to go back and do another
11 hearing, schedule the hearing, get the
12 quorum, go through the hearing again I
13 think doesn't make a lot of sense when we
14 can amend something on the floor or in
15 Committee at another time. It's just my
16 observation as a temporary member here
17 today. I just think that things will get
18 done if there's a pending piece of
19 legislation as opposed to not. That's
20 just my opinion.

21 COMMISSIONER TOLSON: To answer
22 your question, I have always known
23 Councilman DiCicco to be an honorable
24 man.

25 COUNCILMAN DiCICCO: Thank you.

1 10/13/09 - STREETS - BILL 090469, etc.

2 Thank you.

3 Any other questions for these
4 witnesses from the Committee?

5 (No response.)

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

9 (No response.)

10 COUNCILMAN DiCICCO: Seeing
11 none, this concludes the public hearing
12 on the Committee of Streets and Services.
13 We will now go into the public meeting.

14 We are now in the public
15 meeting. As I said earlier, Bill Nos.
16 090469, 090665 and 090669 are being held.

17 I will ask Councilman Green to
18 start reading off the bills for votes.

19 COUNCILMAN GREEN: I move the
20 amendment that's already been circulated
21 to Bill 090569.

22 (Duly seconded.)

23 COUNCILMAN DiCICCO: It has
24 been properly moved and seconded that the
25 amendment to Bill No. 090569 be approved.

1 10/13/09 - STREETS - BILL 090469, etc.

2 All in favor signify by saying

3 aye.

4 (Aye.)

5 COUNCILMAN DiCICCO: Those

6 opposed?

7 (No response.)

8 COUNCILMAN DiCICCO: The

9 amendment is approved.

10 Councilman Green.

11 COUNCILMAN GREEN: I move that

12 Bill No. 090569 be approved by this

13 committee, as amended, with a favorable

14 recommendation and a suspension of the

15 rules.

16 (Duly seconded.)

17 COUNCILMAN DiCICCO: It has

18 been properly moved and seconded that

19 Bill No. 090569, as amended, be reported

20 out of this committee with a favorable

21 recommendation and that the rules of

22 Council be suspended.

23 All those in favor signify by

24 saying aye.

25 (Aye.)

1 10/13/09 - STREETS - BILL 090469, etc.

2 COUNCILMAN DiCICCO: Those

3 opposed?

4 (No response.)

5 COUNCILMAN DiCICCO: The bill

6 is approved.

7 COUNCILMAN GREEN: I move that

8 090518 be approved by this committee with

9 a favorable recommendation and with a

10 suspension of the rules to permit first

11 reading at our next session of Council.

12 (Duly seconded.)

13 COUNCILMAN DiCICCO: It has

14 been properly moved and seconded that

15 Bill No. 090518 be approved with a

16 suspension of rules.

17 All those in favor signify by

18 saying aye.

19 (Aye.)

20 COUNCILMAN DiCICCO: Those

21 opposed?

22 (No response.)

23 COUNCILMAN DiCICCO: The bill

24 is approved.

25 Councilman Green.

1 10/13/09 - STREETS - BILL 090469, etc.

2 COUNCILMAN GREEN: I move that
3 Bill 090572 be approved by this committee
4 with a favorable recommendation and with
5 a suspension of the rules to permit first
6 reading at our next session of Council.

7 (Duly seconded.)

8 COUNCILMAN DiCICCO: It has
9 been properly moved and seconded that
10 Bill No. 090572 be reported out of this
11 committee with a favorable recommendation
12 and that the rules of Council be
13 suspended.

14 All those in favor signify by
15 saying aye.

16 (Aye.)

17 COUNCILMAN DiCICCO: Those
18 opposed?

19 (No response.)

20 COUNCILMAN DiCICCO: The bill
21 is approved.

22 Councilman Green.

23 COUNCILMAN GREEN: I move that
24 Bill No. 090576 be approved by this
25 committee with a favorable recommendation

1 10/13/09 - STREETS - BILL 090469, etc.
2 and that the rules of Council be
3 suspended to permit first reading at the
4 next session of Council.

5 (Duly seconded.)

6 COUNCILMAN DiCICCO: It has
7 been properly moved and seconded that
8 Bill No. 090576 be reported out of this
9 committee with a favorable recommendation
10 and that the rules of Council be
11 suspended.

12 All those in favor signify by
13 saying aye.

14 (Aye.)

15 COUNCILMAN DiCICCO: Those
16 opposed?

17 (No response.)

18 COUNCILMAN DiCICCO: The bill
19 is approved.

20 Councilman Green.

21 COUNCILMAN GREEN: I move that
22 the following bills be approved by this
23 committee with a favorable recommendation
24 and that all bills be approved with a
25 suspension of the rules to permit first

1 10/13/09 - STREETS - BILL 090469, etc.

2 reading at the next session of Council.

3 The following bills are: 090586, 090662,

4 090664, 090666 and 090670.

5 (Duly seconded.)

6 COUNCILMAN DiCICCO: It has

7 been properly moved and seconded that the

8 bills that have just been read into the

9 record be approved and that a suspension

10 of rules apply to all of those bills.

11 Everyone in favor signify by

12 saying aye.

13 (Aye.)

14 COUNCILMAN DiCICCO: Those

15 opposed?

16 (No response.)

17 COUNCILMAN DiCICCO: All those

18 bills have been approved.

19 Thank you. This concludes the

20 public meeting on the Committee of

21 Streets and Services. Thank you.

22 (Committee on Streets and

23 Services concluded at 3:05 p.m.)

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CERTIFICATE

I HEREBY CERTIFY that the
proceedings, evidence and objections are
contained fully and accurately in the
stenographic notes taken by me upon the
foregoing matter on October 13, 2009, and that
this is a true and correct transcript of same.

MICHELE L. MURPHY
RPR-Notary Public

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