

JOURNAL OF THE CITY COUNCIL OF PHILADELPHIA



Thursday, March 12, 2015

COUNCIL SESSION INFORMATION IN PROGRESS

PRESENT: 16 - Councilmembers Council President Clarke, Squilla, Johnson, Blackwell, Jones, Henon, Quiñones Sánchez, Bass, Tasco, O'Neill, Reynolds Brown, Greenlee, Goode, Oh, Neilson and O'Brien

Council met, a quorum being present.

Father Robert Lucas of St. Cecilia's Catholic Church was introduced and offered an appropriate prayer.

COUNCILMEMBER GREENLEE MOVED TO APPROVE THE JOURNAL of the meeting of March 5, 2015.

THE MOTION WAS DULY SECONDED AND AGREED TO.

COMMUNICATIONS

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

- Transmitting a message advising Council that Bill Nos. 140230, 140747, 140944, 150005 and 150008, which were passed by Council on February 26, 2015, was signed by the Mayor on March 10, 2015. (File No. 150212)

THE COMMUNICATION WAS READ.

INTRODUCTION OF BILLS AND RESOLUTIONS

Councilmember Greenlee Introduced and Ordered Placed On Next Week's Final Passage Calendar the following Resolution for Councilmember Council President Clarke, Sponsored by Councilmember Greenlee:

- Resolution No. 150200:** Resolution Authorizing the Commissioner of Public Property to execute and deliver to the Philadelphia Redevelopment Authority,

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without consideration, deeds conveying conditional fee simple title to certain City-owned lot or pieces of ground with the building and improvements thereon, situate in the Thirty-seventh Ward of the City of Philadelphia, pursuant to Chapter 16-400 of The Philadelphia Code and authorizing the Philadelphia Redevelopment Authority to dispose of such properties for rehabilitation and/or improvements in accordance with the terms of Chapter 16-400 of The Philadelphia Code.

Councilmember Greenlee Introduced and Ordered Placed On Next Week's Final Passage Calendar the following Resolution for Councilmember Council President Clarke, Sponsored by Councilmembers Greenlee, Quiñones Sánchez, Goode, O'Brien, Bass, Jones, Henon, Neilson, Squilla, Blackwell and Johnson:

Resolution No. 150201: Resolution Calling for the Acting Insurance Commissioner of Pennsylvania to find as a matter of fact and law that every Pennsylvania motorist who has health insurance has met the legal requirement of having included in his or her auto coverage a medical benefit of \$5,000 and should not be forced to pay for the same coverage a second time.

Councilmember Henon Introduced and Referred the following Bill, Sponsored by Councilmembers Henon and Squilla:

Bill No. 150197: An Ordinance Amending Sections 19-1303 of The Philadelphia Code, entitled "Discounts and Additions to Tax," and 19-1806, entitled "Authorization of Realty Use and Occupancy Tax," by further tolling additions, interest and penalties when the assessed value of property is under appeal and further limiting tax payments due based on certain assessments under appeal; all under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON FINANCE.

Councilmember Tasco Introduced and Ordered Placed On Next Week's Final Passage Calendar the following Resolution, Sponsored by Councilmember Tasco:

Resolution No. 150202: Resolution Authorizing the Commissioner of Public Property to execute and deliver to the Philadelphia Redevelopment Authority, without consideration, deeds conveying conditional fee simple title to certain City-owned lots or pieces of ground with the buildings and improvements thereon, situate in the Forty-ninth Ward of the City of Philadelphia, pursuant to Chapter 16-400 of The Philadelphia Code and authorizing the Philadelphia Redevelopment Authority to dispose of such properties for rehabilitation and/or improvements in accordance with the terms of Chapter 16-400 of The

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Councilmember Johnson Introduced and Ordered Placed on This Week's Final Passage Calendar the following Resolution, Sponsored by Councilmember Johnson:

- 📄 **Resolution No. 150203:** Resolution Authorizing the Philadelphia City Council Committee on Education to hold hearings regarding expanding the number of high-quality afterschool offerings in the City of Philadelphia.

Councilmember Quiñones Sánchez Introduced and Ordered Placed On Next Week's Final Passage Calendar the following Resolution, Sponsored by Councilmember Quiñones Sánchez:

- 📄 **Resolution No. 150204:** Resolution Calling upon the international community to conduct an independent investigation into the disappearance, and alleged killing, of forty-three students in Iguala, Guerrero, Mexico and to use such an investigation to hold those responsible, in accordance with international standards of justice, for their crimes.

Councilmember Neilson Introduced and Ordered Placed on This Week's Final Passage Calendar the following Resolution, Sponsored by Councilmembers Neilson and Blackwell:

- 📄 **Resolution No. 150205:** Resolution Recognizing and Congratulating Drexel University Senior Christopher Gray for serving as an exemplary role model of entrepreneurship, and on the business success of his software application *Scholly*, designed to improve access to scholarship support for aspiring college students in Philadelphia and beyond.

Councilmember O'Brien Introduced and Ordered Placed on This Week's Final Passage Calendar the following Resolution, Sponsored by Councilmember O'Brien:

- 📄 **Resolution No. 150206:** Resolution Recognizing April 2015 as Autism Awareness Month in honor of individuals living with Autism, their families and those working to improve the quality of life for the entire Autism community.

Councilmember Reynolds Brown Introduced and Referred the following Bill, Sponsored by Councilmembers Reynolds Brown, Squilla and Bass:

- 📄 **Bill No. 150198:** An Ordinance Amending Chapter 10-700 of The Philadelphia Code, entitled "Refuse and Littering," to clarify the obligations of certain places of business that sell food to provide waste and recycling bins for use by their patrons, under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON THE ENVIRONMENT.

Councilmember Reynolds Brown Introduced and Referred the following Bill, Sponsored by

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Councilmembers Reynolds Brown, Squilla and Bass:

- 📄 **Bill No. 150199:** An Ordinance Amending Subcode PM of Title 4 of The Philadelphia Code, entitled “The Philadelphia Property Maintenance Code,” by amending Section PM-308, entitled “Rubbish and Garbage,” to add requirements for provision of separate containers for recycling materials, under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON THE ENVIRONMENT.

Councilmember Reynolds Brown Introduced and Ordered Placed on This Week's Final Passage Calendar the following Resolution, Sponsored by Councilmember Reynolds Brown:

- 📄 **Resolution No. 150207:** Resolution Honoring and Celebrating the Academy of Vocal Arts on the occasion of its 80th Anniversary.

Councilmember Reynolds Brown Introduced and Ordered Placed on This Week's Final Passage Calendar the following Resolution, Sponsored by Councilmember Reynolds Brown:

- 📄 **Resolution No. 150208:** Resolution Honoring and celebrating Philadelphia's Women of Moxie: Mo'ne Davis, Tina Sloan Green, Patricia Giorgio-Fox, Clarena Tolson, Katherine Gajewski, Judith Von Seldeneck, Irene Hannan, Judge Renee Cardwell Hughes, Nora Lichtash, Vanessa Fields, Kathy Black, Evelyn Marcha-Hidalgo, Cynthia Figueroa, Dorothy Sumners Rush, and Sophie Bryan for their gumption, leadership, and excellence in the areas of athletics, government, business, nonprofits, and education in observance of Women's History Month.

Councilmember Jones Introduced and Ordered Placed on This Week's Final Passage Calendar the following Resolution, Sponsored by Councilmembers Jones, Blackwell, Bass, Tasco, Reynolds Brown and Quiñones Sánchez:

- 📄 **Resolution No. 150209:** Resolution Honoring and recognizing Donna Allie, president and founder of Team Clean, Inc., Philadelphia's largest minority and women-owned janitorial business, for her entrepreneurial skills, integrity and compassion for providing employment opportunities to underserved populations as we further recognize March as Women's History Month.

Councilmember Jones Introduced and Ordered Placed on This Week's Final Passage Calendar the following Resolution, Sponsored by Councilmember Jones:

- 📄 **Resolution No. 150210:** Resolution Honoring and commemorating the 75th Anniversary of the Philadelphia Branch of Alcoholics Anonymous for their

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commitment to recovery and ineffable service to the community by aiding in the recovery of thousands of Philadelphians since the inception of the branch in 1940.

Councilmember Oh Introduced and Ordered Placed on This Week's Final Passage Calendar the following Resolution, Sponsored by Councilmember Oh:

- Resolution No. 150211:** Resolution Recognizing and Honoring Mason Wartman, owner of Rosa's Fresh Pizza, for his entrepreneurship and generosity to Philadelphia's homeless population.

REPORTS FROM COMMITTEES

COMMITTEE ON APPROPRIATIONS

- Bill No. 150122:** An Ordinance Authorizing transfers in appropriations for Fiscal Year 2015 from the General Fund, certain or all City offices, departments, boards and commissions, the Grants Revenue Fund, the Director of Finance - Provision for Other Grants to the General Fund, certain or all City offices, departments, boards and commissions.

COUNCILMEMBER GOODE MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 150122.

THE MOTION WAS DULY SECONDED AND AGREED TO.

THE BILL WAS ORDERED PLACED ON THIS DAY'S FIRST READING CALENDAR.

COMMITTEE ON LICENSES AND INSPECTIONS

- Bill No. 150079, as amended:** An Ordinance Amending Title 9 of The Philadelphia Code, entitled "Regulation Of Businesses, Trades And Professions," by adding a new Chapter providing for the licensing and regulation of donation bins, establishing penalties, and making conforming amendments and technical changes, all under certain terms and conditions.

COUNCILMEMBER QUIÑONES SÁNCHEZ MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 150079.

THE MOTION WAS DULY SECONDED AND AGREED TO.

THE BILL WAS ORDERED PLACED ON THIS DAY'S FIRST READING CALENDAR.

CONSIDERATION OF THE CALENDAR

BILLS ON FIRST READING

- ☐ **Bill No. 150122:** An Ordinance Authorizing transfers in appropriations for Fiscal Year 2015 from the General Fund, certain or all City offices, departments, boards and commissions, the Grants Revenue Fund, the Director of Finance - Provision for Other Grants to the General Fund, certain or all City offices, departments, boards and commissions.

THE BILL WAS READ AND ORDERED PLACED ON NEXT WEEK'S SECOND READING CALENDAR.

- ☐ **Bill No. 150079, as amended:** An Ordinance Amending Title 9 of The Philadelphia Code, entitled "Regulation Of Businesses, Trades And Professions," by adding a new Chapter providing for the licensing and regulation of donation bins, establishing penalties, and making conforming amendments and technical changes, all under certain terms and conditions.

THE BILL WAS READ AND ORDERED PLACED ON NEXT WEEK'S SECOND READING CALENDAR.

PUBLIC COMMENT

The following persons provided public comment on March 12, 2015:

Name and Comment Subject

Tracey Carluccio (150129A)
Tamara Clements (150129A)
Ann Dixon (150129A)
Lynne Iser (150129A)
Michael Roles (150129A)
Carol Ward (150129A)
Charles Goodwin (140906)
Janet Post (150129A)
Rodney Platt (150129A)
Peter Winslow (150129A)

See Notes of Testimony for full comment.

BILLS AND RESOLUTIONS ON FINAL PASSAGE

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- ☐ **Resolution No. 150129-A, as amended:** Resolution Urging Congress and the United States Department of Transportation to release specifications for tank car design and for Philadelphia rail companies to rapidly upgrade and replace crude oil tank cars.

THE RESOLUTION WAS ADOPTED.

- ☐ **Resolution No. 150173:** Resolution Authorizing the Commissioner of Public Property to execute and deliver to the Philadelphia Redevelopment Authority, without consideration, deeds conveying conditional fee simple title to certain City-owned lots or pieces of ground with the buildings and improvements thereon, situate in the Sixteenth Ward of the City of Philadelphia, pursuant to Chapter 16-400 of The Philadelphia Code and authorizing the Philadelphia Redevelopment Authority to dispose of such properties for rehabilitation and/or improvements in accordance with the terms of Chapter 16-400 of The Philadelphia Code.

THE RESOLUTION WAS ADOPTED.

- ☐ **Resolution No. 150176:** Resolution Approving the redevelopment contract of the Philadelphia Redevelopment Authority for the redevelopment and urban renewal of a portion of the New Kensington-Fishtown Urban Renewal Area, identified by house number and street address as 2218-2220R Emerald street; and authorizing the Redevelopment Authority to execute the redevelopment contract with Chris Sheffield and to take such action as may be necessary to effectuate the redevelopment contract.

THE RESOLUTION WAS ADOPTED.

- ☐ **Resolution No. 150203:** Resolution Authorizing the Philadelphia City Council Committee on Education to hold hearings regarding expanding the number of high-quality afterschool offerings in the City of Philadelphia.

THE RESOLUTION WAS ADOPTED.

- ☐ **Resolution No. 150205:** Resolution Recognizing and Congratulating Drexel University Senior Christopher Gray for serving as an exemplary role model of entrepreneurship, and on the business success of his software application *Scholly*, designed to improve access to scholarship support for aspiring college students in Philadelphia and beyond.

THE RESOLUTION WAS ADOPTED.

- ☐ **Resolution No. 150206:** Resolution Recognizing April 2015 as Autism Awareness Month in honor of individuals living with Autism, their families and those working to improve the quality of life for the entire Autism community.

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THE RESOLUTION WAS ADOPTED.

- ☐ **Resolution No. 150207:** Resolution Honoring and Celebrating the Academy of Vocal Arts on the occasion of its 80th Anniversary.

THE RESOLUTION WAS ADOPTED.

- ☐ **Resolution No. 150208:** Resolution Honoring and celebrating Philadelphia's Women of Moxie: Mo'ne Davis, Tina Sloan Green, Patricia Giorgio-Fox, Clarena Tolson, Katherine Gajewski, Judith Von Seldeneck, Irene Hannan, Judge Renee Cardwell Hughes, Nora Lichtash, Vanessa Fields, Kathy Black, Evelyn Marcha-Hidalgo, Cynthia Figueroa, Dorothy Sumners Rush, and Sophie Bryan for their gumption, leadership, and excellence in the areas of athletics, government, business, nonprofits, and education in observance of Women's History Month.

THE RESOLUTION WAS ADOPTED.

- ☐ **Resolution No. 150209:** Resolution Honoring and recognizing Donna Allie, president and founder of Team Clean, Inc., Philadelphia's largest minority and women-owned janitorial business, for her entrepreneurial skills, integrity and compassion for providing employment opportunities to underserved populations as we further recognize March as Women's History Month.

THE RESOLUTION WAS ADOPTED.

- ☐ **Resolution No. 150210:** Resolution Honoring and commemorating the 75th Anniversary of the Philadelphia Branch of Alcoholics Anonymous for their commitment to recovery and ineffable service to the community by aiding in the recovery of thousands of Philadelphians since the inception of the branch in 1940.

THE RESOLUTION WAS ADOPTED.

- ☐ **Resolution No. 150211:** Resolution Recognizing and Honoring Mason Wartman, owner of Rosa's Fresh Pizza, for his entrepreneurship and generosity to Philadelphia's homeless population.

THE RESOLUTION WAS ADOPTED.

**BILLS AND RESOLUTIONS ON SECOND READING AND FINAL
PASSAGE**

- ☐ **Bill No. 140895:** An Ordinance To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Tacony Street, Bridge Street, Frankford Creek, Delaware River, and Walbach Street.

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THE MOTION WAS DULY SECONDED AND AGREED TO.

Bill No. 150006: An Ordinance Establishing parking regulations in the vicinity of: Fairmount avenue and 18th street; Melon street and 15th street; 4th street and Thompson street.

THE BILL WAS READ AND PASSED.

The Ayes and Nays were as follows:

Ayes: 16 - Councilmembers Council President Clarke, Squilla, Johnson, Blackwell, Jones, Henon, Quiñones Sánchez, Bass, Tasco, O'Neill, Reynolds Brown, Greenlee, Goode, Oh, Neilson and O'Brien

Nays: 0

Bill No. 150055: An Ordinance Establishing parking regulations in the vicinity of: Christian street and 11th street; Cross street and 10th street; Queen street and Front street; Moore street and 12th street; Water street and Washington avenue; Fitzgerald street and 11th street; Clarion street and Porter street.

THE BILL WAS READ AND PASSED.

The Ayes and Nays were as follows:

Ayes: 16 - Councilmembers Council President Clarke, Squilla, Johnson, Blackwell, Jones, Henon, Quiñones Sánchez, Bass, Tasco, O'Neill, Reynolds Brown, Greenlee, Goode, Oh, Neilson and O'Brien

Nays: 0

Bill No. 150074: An Ordinance Amending Section 9-205 of The Philadelphia Code, entitled "Sidewalk Sales," to further regulate sidewalk sales and related conduct in the Sixth Councilmanic District, under certain terms and conditions.

THE BILL WAS READ AND PASSED.

The Ayes and Nays were as follows:

Nays: 0

Ayes: 16 - Councilmembers Council President Clarke, Squilla, Johnson, Blackwell, Jones, Henon, Quiñones Sánchez, Bass, Tasco, O'Neill, Reynolds Brown, Greenlee, Goode, Oh, Neilson and O'Brien

Bill No. 150089: An Ordinance Authorizing Guy Gindhart for 1700 Chestnut Street LLC, to construct, own, and maintain an exterior stairs at 1700-14 Chestnut Street, Philadelphia, PA 19102, all under certain terms and conditions.

THE BILL WAS READ AND PASSED.

The Ayes and Nays were as follows:

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Ayes: 16 - Councilmembers Council President Clarke, Squilla, Johnson, Blackwell, Jones, Henon, Quiñones Sánchez, Bass, Tasco, O'Neill, Reynolds Brown, Greenlee, Goode, Oh, Neilson and O'Brien

Nays: 0

Bill No. 150121: An Ordinance Legalizing an existing masonry and concrete patio encroaching on the public right-of-way at 214 W. Sergeant Street, Philadelphia, PA, under certain terms and conditions.

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

Bill No. 150123: An Ordinance Amending Section 9-213 of The Philadelphia Code, entitled "Farmers' Markets," by adding Greener Pastures LLC, located at 1290 Southampton Road, as a permissible location, all under certain terms and conditions.

THE BILL WAS READ AND PASSED.

The Ayes and Nays were as follows:

Ayes: 16 - Councilmembers Council President Clarke, Squilla, Johnson, Blackwell, Jones, Henon, Quiñones Sánchez, Bass, Tasco, O'Neill, Reynolds Brown, Greenlee, Goode, Oh, Neilson and O'Brien

Nays: 0

SPEECHES

COUNCILMEMBERS JONES, BROWN, JOHNSON, SANCHEZ, BLACKWELL AND TASCO - (SEE NOTES OF TESTIMONY).

COUNCILMEMBER REYNOLDS BROWN MOVED TO ADJOURN

THE MOTION WAS DULY SECONDED AND AGREED TO.