

JOURNAL OF THE CITY COUNCIL OF PHILADELPHIA



**Thursday, March 14, 2013**

PRESENT: 17 - Councilmembers Council President Clarke, Squilla, Johnson, Blackwell, Jones, Henon, Quiñones Sánchez, Bass, Tasco, O'Neill, Reynolds Brown, Greenlee, Goode, Oh, Kenney, Green and O'Brien

Council met, a quorum being present.

Reverend Dr. Alyn E. Waller of Enon Tabernacle Baptist Church was introduced and offered an appropriate prayer.

COUNCILMEMBER GREENLEE MOVED TO APPROVE THE JOURNAL of the meeting of February 7, 2013.

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. 120109, 120110, 121040, 130007 and 130012, which were passed by Council on February 28, 2013, were signed by the Mayor on March 12, 2013. (File No. 130200)

THE COMMUNICATION WAS READ.

- Transmitting a resolution appointing Jafar Maleki to the Board of Directors for the Old City Special Services District. (File No. 130201)

THE COMMUNICATION WAS READ.

- Transmitting a resolution appointing Reginald Cummings to the Board of Directors for the Old City Special Services District. (File No. 130202)

THE COMMUNICATION WAS READ.

- Transmitting a resolution appointing Robert Dingman to the Board of Directors for the Old City Special Services District. (File No. 130203)

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THE COMMUNICATION WAS READ.

- 📄 Transmitting a resolution appointing Nick Gregory to the Board of Directors for the Old City Special Services District. (File No. 130204)

THE COMMUNICATION WAS READ.

- 📄 Transmitting a resolution appointing Avram Hornik to the Board of Directors for the Old City Special Services District. (File No. 130205)

THE COMMUNICATION WAS READ.

- 📄 Transmitting a resolution appointing Joseph F. Ritchie to the Board of Directors for the Old City Special Services District. (File No. 130206)

THE COMMUNICATION WAS READ.

- 📄 Transmitting a resolution appointing Luca Sena to the Board of Directors for the Old City Special Services District. (File No. 130207)

THE COMMUNICATION WAS READ.

- 📄 Transmitting a resolution appointing Sonia Silverstein to the Board of Directors for the Old City Special Services District. (File No. 130208)

THE COMMUNICATION WAS READ.

- 📄 Transmitting a resolution approving the redevelopment contract of the Philadelphia Redevelopment Authority for the redevelopment and urban renewal of a portion of the West Oak Lane Redevelopment Area, identified by house number and street address as 6556 North Woodstock street; authorizing the Redevelopment Authority to execute the redevelopment contract with Mt. Airy U.S.A. and to take such action as may be necessary to effectuate the redevelopment contract. (File No. 130209)

THE COMMUNICATION WAS READ.

- 📄 Transmitting a bill providing for the approval by the Council of the City of Philadelphia of a Revised Five Year Financial Plan for the City of Philadelphia covering Fiscal Years 2014 through 2018, and incorporating proposed changes with respect to Fiscal Year 2013, which is to be submitted by the Mayor to the Pennsylvania Intergovernmental Cooperation Authority (the "Authority") pursuant to the Intergovernmental Cooperation Agreement, authorized by an ordinance of this Council approved by the Mayor on January 3, 1992 (Bill No. 1563-A), by and between the City and the Authority. (File No. 130210)

THE COMMUNICATION WAS READ.

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- ☐ Authorizing the Fire Department, on behalf of the City of Philadelphia (“City”), as the Sponsoring Agency of Pennsylvania Task Force One, of the National Urban Search and Rescue Response System, to enter into multi-year agreements with Participating Agencies for the purposes of developing resources for emergency preparedness, and for the maintenance and readiness of the National Urban Search and Rescue Response System, under certain terms and conditions. (File No. 130211)

THE COMMUNICATION WAS READ.

- ☐ Authorizing the Office of the City Treasurer, on behalf of the City, to enter into an agreement with Wells Fargo Bank, N.A. for provision of payroll banking services to the City, under certain terms and conditions. (File No. 130212)

THE COMMUNICATION WAS READ.

- ☐ Transmitting a bill authorizing the Commissioner of Public Property of the City of Philadelphia, on behalf of the City of Philadelphia and in cooperation with the Philadelphia Municipal Authority, to undertake a Project to promote the health, safety and welfare of the residents of the City of Philadelphia; authorizing and approving (i) the Project, (ii) the entering into, execution and delivery of an amendment to an existing Lease between the City of Philadelphia and the Philadelphia Municipal Authority, (iii) the issuance by the Philadelphia Municipal Authority of bonds in one or more series to pay the costs of the Project, (iv) the assignment of the amendment to such Lease to a trustee, and (v) the obligation of the City of Philadelphia to pay rent under the Lease, as amended, when due; authorizing the Commissioner of Public Property, on behalf of the City of Philadelphia, to enter into the amendment to such Lease with the Philadelphia Municipal Authority; authorizing the Director of Finance and other officers of the City of Philadelphia to take such other actions as may be necessary or appropriate to accomplish the intent and purpose of this Ordinance; agreeing to be bound by each and every provision, covenant and agreement set forth in the Lease, as amended; covenanting that the City of Philadelphia will make necessary appropriations in each of the City's fiscal years to provide for rental payments due under the Lease, as amended; covenanting that the City of Philadelphia will make rental payments due under the Lease, as amended; and authorizing and approving a New Lease between the City of Philadelphia and the Philadelphia Municipal Authority under certain circumstances; all under certain terms and conditions, accompanied by an explanatory letter from the City Treasurer. (File No. 130213)

THE COMMUNICATION WAS READ.

- ☐ Transmitting a bill amending Chapter 19-200 of The Philadelphia Code, entitled “City Funds - Deposits, Investment, Disbursements,” by amending Section 19-201, entitled “City Depositories,” by authorizing the City Treasurer to deposit funds in Bank of New York Mellon, under certain terms and conditions, accompanied by an explanatory letter from the City Treasurer. (File No. 130214)

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THE COMMUNICATION WAS READ.

- ☐ Transmitting a bill constituting the Sixteenth Supplemental Ordinance to the Restated General Water and Wastewater Revenue Bond Ordinance of 1989, as supplemented; authorizing the Bond Committee to issue and sell either at public or private sale Water and Wastewater Revenue Bonds; providing that such Bonds shall bear interest at prescribed fixed or variable rates; authorizing agreements to provide credit enhancement or payment or liquidity sources (or any combination of the foregoing) for such Bonds; authorizing the Director of Finance to take certain actions with regard to the sale of such Bonds, the investment of proceeds thereof and the City's continuing disclosure obligations with respect to such Bonds; setting forth the use of proceeds of such Bonds; covenanting the payment of interest and principal and supplementing the Restated General Water and Wastewater Revenue Bond Ordinance of 1989, accompanied by an explanatory letter from the City Treasurer. (File No. 130215)

THE COMMUNICATION WAS READ.

- ☐ Transmitting a bill amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning," by amending Section 14-405, entitled "SP-ENT, Entertainment (Special Purpose) District," by revising certain provisions relating to setback, parking requirements, parking lots, and off-street loading, all under certain terms and conditions. (File No. 130216)

THE COMMUNICATION WAS READ.

- ☐ Transmitting a bill amending Chapter 19-1500 of The Philadelphia Code, entitled "Wage and Net Profits Tax," by revising certain tax rates, under certain terms and conditions. (File No. 130217)

THE COMMUNICATION WAS READ.

- ☐ Transmitting a bill amending Chapters 19-1300 and 19-1800 of The Philadelphia Code, entitled, respectively, "Real Estate Taxes" and "School Tax Authorization," by establishing a tax rate for City real estate tax and authorizing and establishing a tax rate for School District real estate tax; and by revising the homestead exclusion; all under certain terms and conditions. (File No. 130218)

THE COMMUNICATION WAS READ.

- ☐ Transmitting a bill adopting the Operating Budget for Fiscal Year 2014. (File No. 130219)

THE COMMUNICATION WAS READ.

- ☐ Transmitting a bill to adopt a Capital Program for the six Fiscal Years 2014-2019 inclusive. (File No. 130220)

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THE COMMUNICATION WAS READ.

📄 Transmitting a bill to adopt a Fiscal 2014 Capital Budget. (File No. 130221)

THE COMMUNICATION WAS READ.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

Councilmember Henon Introduced and Ordered Placed on This Week's Final Passage Calendar the following Resolution for Councilmember Council President Clarke, Sponsored by Councilmember Henon:

📄 **Resolution No. 130186:** Resolution Calling for the City Council Committee on Public Property to hold hearings exploring the economic benefits of the City selling or more fully capitalizing certain municipal assets including selling surplus property and aggressively capitalizing revenue-generating facilities.

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

📄 **Bill No. 130177:** An Ordinance Amending Chapter 17-500 of The Philadelphia Code, entitled "Goals For The Participation Of Minority, Female And Disabled Owned Businesses In City Contracts," by requiring contractors seeking to do business with the City to disclose the number of women serving in executive positions and serving on their executive and full boards; all under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON COMMERCE & ECONOMIC DEVELOPMENT.

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

📄 **Resolution No. 130187:** Resolution Recognizing and Congratulating the 2013 Next Generation of Leaders: Rising Stars.

Councilmember Jones Introduced (By Request) and Referred the following Bill for Councilmember Council President Clarke, Sponsored by Councilmember Jones:

📄 **Bill No. 130178:** An Ordinance To adopt a Capital Program for the six Fiscal Years 2014-2019 inclusive.

THE BILL WAS REFERRED TO THE COMMITTEE OF THE WHOLE.

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Councilmember Jones Introduced (By Request) and Referred the following Bill for Councilmember Council President Clarke, Sponsored by Councilmember Jones:

📄 **Bill No. 130179:** An Ordinance To adopt a Fiscal 2014 Capital Budget.

THE BILL WAS REFERRED TO THE COMMITTEE OF THE WHOLE.

Councilmember Jones Introduced (By Request) and Referred the following Bill for Councilmember Council President Clarke, Sponsored by Councilmember Jones:

📄 **Bill No. 130180:** An Ordinance Adopting the Operating Budget for Fiscal Year 2014.

THE BILL WAS REFERRED TO THE COMMITTEE OF THE WHOLE.

Councilmember Jones Introduced (By Request) and Referred the following Bill for Councilmember Council President Clarke, Sponsored by Councilmember Jones:

📄 **Bill No. 130181:** An Ordinance Amending Chapters 19-1300 and 19-1800 of The Philadelphia Code, entitled, respectively, “Real Estate Taxes” and “School Tax Authorization,” by establishing a tax rate for City real estate tax and authorizing and establishing a tax rate for School District real estate tax; and by revising the homestead exclusion; all under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE OF THE WHOLE.

Councilmember Jones Introduced (By Request) and Referred the following Bill for Councilmember Council President Clarke, Sponsored by Councilmember Jones:

📄 **Bill No. 130182:** An Ordinance Amending Chapter 19-1800 of The Philadelphia Code, entitled “School Tax Authorization,” by amending Section 19-1806, entitled “Authorization of Realty Use and Occupancy Tax,” to further authorize the tax and to set the rate for such tax, all under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE OF THE WHOLE.

Councilmember Jones Introduced (By Request) and Referred the following Bill for Councilmember Council President Clarke, Sponsored by Councilmember Jones:

📄 **Bill No. 130183:** An Ordinance Amending Chapter 19-1500 of The Philadelphia Code, entitled “Wage and Net Profits Tax,” by revising certain tax rates, under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE OF THE WHOLE.

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Councilmember Jones Introduced and Referred the following Bill, Sponsored by Councilmember Jones:

- Bill No. 130184:** An Ordinance Authorizing the Fire Department, on behalf of the City of Philadelphia (“City”), as the Sponsoring Agency of Pennsylvania Task Force One, of the National Urban Search and Rescue Response System, to enter into multi-year agreements with Participating Agencies for the purposes of developing resources for emergency preparedness, and for the maintenance and readiness of the National Urban Search and Rescue Response System, under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON PUBLIC SAFETY.

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

- Resolution No. 130188:** Resolution Honoring and recognizing Philadelphia's self-made Light Heavyweight Boxing Champion, Bernard Hopkins aka "The Executioner," for establishing a new world record by winning the International Boxing Federation Light Heavyweight Championship title and for being an exemplary role model by overcoming numerous barriers to achieve success and for demonstrating to all Philadelphians the remarkable benefits of physical fitness and a healthy lifestyle.

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

- Resolution No. 130189:** Resolution Honoring and celebrating Malik Bishop, Faith Fenton, Aderinsola Solebo, Maisie Brolly, Jenna Cox, and Stephanie Pleasant of Greenwoods Charter School for winning Honorable Mention in the Toshiba/NSTA ExploraVision Contest for their entries entitled “Injection of Carbon Nanotubes to Heal Bone Fractures” and “The Peechy Toothbrush”.

Councilmember Jones Introduced (By Request) and Referred the following Resolution for Councilmember Council President Clarke, Sponsored by Councilmember Jones:

- Resolution No. 130190:** Resolution Providing for the approval by the Council of the City of Philadelphia of a Revised Five Year Financial Plan for the City of Philadelphia covering Fiscal Years 2014 through 2018, and incorporating proposed changes with respect to Fiscal Year 2013, which is to be submitted by the Mayor to the Pennsylvania Intergovernmental Cooperation Authority (the "Authority") pursuant to the Intergovernmental Cooperation Agreement, authorized by an ordinance of this Council approved by the Mayor on January 3, 1992 (Bill No. 1563-A), by and between the City and the Authority.

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THE RESOLUTION WAS REFERRED TO THE COMMITTEE OF THE WHOLE.

Councilmember Squilla Introduced and Referred the following Resolution, Sponsored by Councilmember Squilla:

**Resolution No. 130191:** Resolution Appointing Reginald Cummings to the Board of Directors for the Old City Special Services District.

THE RESOLUTION WAS REFERRED TO THE COMMITTEE OF THE WHOLE.

Councilmember Squilla Introduced and Referred the following Resolution, Sponsored by Councilmember Squilla:

**Resolution No. 130192:** Resolution Appointing Jafar Maleki to the Board of Directors for the Old City Special Services District.

THE RESOLUTION WAS REFERRED TO THE COMMITTEE OF THE WHOLE.

Councilmember Squilla Introduced and Referred the following Resolution, Sponsored by Councilmember Squilla:

**Resolution No. 130193:** Resolution Appointing Robert Dingman to the Board of Directors for the Old City Special Services District.

THE RESOLUTION WAS REFERRED TO THE COMMITTEE OF THE WHOLE.

Councilmember Squilla Introduced and Referred the following Resolution, Sponsored by Councilmember Squilla:

**Resolution No. 130194:** Resolution Appointing Nick Gregory to the Board of Directors for the Old City Special Services District.

THE RESOLUTION WAS REFERRED TO THE COMMITTEE OF THE WHOLE.

Councilmember Squilla Introduced and Referred the following Resolution, Sponsored by Councilmember Squilla:

**Resolution No. 130195:** Resolution Appointing Avram Hornik to the Board of Directors for the Old City Special Services District.

THE RESOLUTION WAS REFERRED TO THE COMMITTEE OF THE WHOLE.

Councilmember Squilla Introduced and Referred the following Resolution, Sponsored by Councilmember Squilla:

**Resolution No. 130196:** Resolution Appointing Sonia Silverstein to the Board of Directors for the Old City Special Services District.



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THE RESOLUTION WAS REFERRED TO THE COMMITTEE OF THE WHOLE.

Councilmember Squilla Introduced and Referred the following Resolution, Sponsored by Councilmember Squilla:

- ☐ **Resolution No. 130197:** Resolution Appointing Joseph F. Ritchie to the Board of Directors for the Old City Special Services District.

THE RESOLUTION WAS REFERRED TO THE COMMITTEE OF THE WHOLE.

Councilmember Squilla Introduced (By Request) and Referred the following Resolution, Sponsored by Councilmember Squilla:

- ☐ **Resolution No. 130198:** Resolution Appointing Luca Sena to the Board of Directors for the Old City Special Services District.

THE RESOLUTION WAS REFERRED TO THE COMMITTEE OF THE WHOLE.

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

- ☐ **Resolution No. 130199:** Resolution Approving the redevelopment contract of the Philadelphia Redevelopment Authority for the redevelopment and urban renewal of a portion of the West Oak Lane Redevelopment Area, identified by house number and street address as 6556 North Woodstock street; authorizing the Redevelopment Authority to execute the redevelopment contract with Mt. Airy U.S.A. and to take such action as may be necessary to effectuate the redevelopment contract.

Councilmember Oh Introduced and Referred the following Bill, Sponsored by Councilmember Oh:

- ☐ **Bill No. 130185:** An Ordinance Authorizing and directing the use of the Fiscal Year 2013 General Fund positive fund balance to increase an appropriation for the Fire Department for the undisputed \$66,000,000 of the Fire Fighters' Contract.

THE BILL WAS REFERRED TO THE COMMITTEE ON APPROPRIATIONS.

**REPORTS FROM COMMITTEES**

**COMMITTEE ON RULES**

- ☐ **Bill No. 120821, as amended:** An Ordinance Continuing the Roxborough District (“District”), a neighborhood improvement district, beyond its


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termination date in an area that generally includes both sides of Ridge Avenue from Main Street to 7220 Ridge Avenue and certain blocks of streets that intersect that portion of Ridge Avenue; continuing the designation of the Roxborough Development Corporation, a Pennsylvania nonprofit corporation, as the Neighborhood Improvement District Management Association for the District; approving a plan for the District, including a list of proposed improvements and their estimated cost, and providing for assessment fees to be levied on property owners within the District; authorizing the Director of Commerce, on behalf of the City, to execute an agreement with the Roxborough Development Corporation relating to the District; and authorizing the Roxborough Development Corporation to assess property owners within the District a special property assessment fee to be used in accordance with the approved plan; all in accordance with the provisions of the Community and Economic Improvement Act, and under certain terms and conditions.

COUNCILMEMBER GREENLEE MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 120821.

THE MOTION WAS DULY SECONDED AND AGREED TO.


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

 **Bill No. 130060, as amended:** An Ordinance To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Belmont Avenue, Monument Avenue, Ford Road, and Edgley Avenue (extended) and by amending §14-404 of the Zoning Code entitled SP-INS, Institutional (Special Purpose) District, by amending §14-404(3) regarding Area Regulations, exclusively with regard to the area bounded by Belmont Avenue, Monument Avenue, Ford Road and Edgley Avenue (extended), all under certain terms and conditions.

COUNCILMEMBER GREENLEE MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 130060.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

 **Bill No. 130080:** An Ordinance To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Mifflin Street, Broad Street, Mckean Street and 15th Street.

COUNCILMEMBER GREENLEE MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 130080.

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THE MOTION WAS DULY SECONDED AND AGREED TO.

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

**COMMITTEE ON PARKS, RECREATION AND CULTURAL AFFAIRS**

**Bill No. 120827, as amended:** An Ordinance Amending Chapter 15-600 of The Philadelphia Code, entitled "Parks and Playgrounds," by providing for an annual report containing details of any and all reported violations of Title 18 of the Pennsylvania Consolidated Statutes and violations of Title 35 of the Pennsylvania Unconsolidated Statutes, Section 780-113, which take place on the grounds of any Park or Playground, located in Philadelphia County.

COUNCILMEMBER BASS MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 120827.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

**Bill No. 120828:** An Ordinance Amending Chapter 15-700 of The Philadelphia Code, entitled "Recreation Centers," by providing for an annual report containing details of any and all reported violations of Title 18 of the Pennsylvania Consolidated Statutes and violations of Title 35 of the Pennsylvania Unconsolidated Statutes, Section 780-113, which take place on the grounds of any Recreation Center, located in Philadelphia County.

COUNCILMEMBER BASS MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 120828.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

**Bill No. 130065:** An Ordinance Amending Title 16 of The Philadelphia Code, entitled "Public Property," by providing for a prohibition on firearms and deadly weapons in or around City-owned or City-occupied facilities, under certain terms and conditions.

COUNCILMEMBER BASS MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 130065.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

**CONSIDERATION OF THE CALENDAR**

**BILLS ON FIRST READING**

**Bill No. 120821, as amended:** An Ordinance Continuing the Roxborough District (“District”), a neighborhood improvement district, beyond its termination date in an area that generally includes both sides of Ridge Avenue from Main Street to 7220 Ridge Avenue and certain blocks of streets that intersect that portion of Ridge Avenue; continuing the designation of the Roxborough Development Corporation, a Pennsylvania nonprofit corporation, as the Neighborhood Improvement District Management Association for the District; approving a plan for the District, including a list of proposed improvements and their estimated cost, and providing for assessment fees to be levied on property owners within the District; authorizing the Director of Commerce, on behalf of the City, to execute an agreement with the Roxborough Development Corporation relating to the District; and authorizing the Roxborough Development Corporation to assess property owners within the District a special property assessment fee to be used in accordance with the approved plan; all in accordance with the provisions of the Community and Economic Improvement Act, and under certain terms and conditions.

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

**Bill No. 130060, as amended:** An Ordinance To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Belmont Avenue, Monument Avenue, Ford Road, and Edgley Avenue (extended) and by amending §14-404 of the Zoning Code entitled SP-INS, Institutional (Special Purpose) District, by amending §14-404(3) regarding Area Regulations, exclusively with regard to the area bounded by Belmont Avenue, Monument Avenue, Ford Road and Edgley Avenue (extended), all under certain terms and conditions.

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

**Bill No. 130080:** An Ordinance To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Mifflin Street, Broad Street, Mckean Street and 15th Street.

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

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**Bill No. 120827, as amended:** An Ordinance Amending Chapter 15-600 of The Philadelphia Code, entitled “Parks and Playgrounds,” by providing for an annual report containing details of any and all reported violations of Title 18 of the Pennsylvania Consolidated Statutes and violations of Title 35 of the Pennsylvania Unconsolidated Statutes, Section 780-113, which take place on the grounds of any Park or Playground, located in Philadelphia County.

THE BILL WAS ORDERED PLACED ON NEXT WEEK’S SECOND READING CALENDAR.

**Bill No. 120828, as amended:** An Ordinance Amending Chapter 15-700 of The Philadelphia Code, entitled “Recreation Centers,” by providing for an annual report containing details of any and all reported violations of Title 18 of the Pennsylvania Consolidated Statutes and violations of Title 35 of the Pennsylvania Unconsolidated Statutes, Section 780-113, which take place on the grounds of any Recreation Center, located in Philadelphia County.

THE BILL WAS ORDERED PLACED ON NEXT WEEK’S SECOND READING CALENDAR.

**Bill No. 130065:** An Ordinance Amending Title 16 of The Philadelphia Code, entitled “Public Property,” by providing for a prohibition on firearms and deadly weapons in or around City-owned or City-occupied facilities, under certain terms and conditions.

THE BILL WAS ORDERED PLACED ON NEXT WEEK’S SECOND READING CALENDAR.

**PUBLIC COMMENT**

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The following persons provided public comment on March 14, 2013:

**Name and Comment Subject**

- Rob Wonderling (130004)
- Vincent Fragle (130004)
- Brother Tracy Gibson (130004)
- Marvin Robinson (130004)
- Tyrone Ferguson (130004)
- Chloe Bruten (130004)
- Darren McKoy (130004)
- Michael Cockrell (130004)
- Garth Weldon (130004)
- Allie Cicoski (130004)


(See Notes of Testimony for full comment.)

**BILLS AND RESOLUTIONS ON FINAL PASSAGE**


-  **Resolution No. 120187, as amended:** Resolution Authorizing Council's Committee on Commerce and Economic Development to hold hearings examining the level of female participation on executive boards in companies that do business in the City of Philadelphia.

DISCUSSION - COUNCILMEMBER BROWN - RESOLUTION NO. 120187 - (SEE NOTES OF TESTINMONY).

THE RESOLUTION WAS ADOPTED.

-  **Resolution No. 130168:** Resolution Amending Resolution No. 120001, as amended, which provides Rules for the Government of the Council of the City of Philadelphia, by providing for the period between the time that Councilmanic district boundaries are redrawn and the time that Councilmembers elected to represent the revised districts first take office.

THE RESOLUTION WAS ADOPTED.

-  **Resolution No. 130169:** 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 Thirty-first Ward of the City of Philadelphia, pursuant to

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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 terms of Chapter 16-400 of The Philadelphia Code.

THE RESOLUTION WAS ADOPTED.

**Resolution No. 130170:** 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 Thirty-first 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 terms of Chapter 16-400 of The Philadelphia Code.

THE RESOLUTION WAS ADOPTED.

**Resolution No. 130172:** Resolution Calling on Mayor Michael Nutter and his administration to pay the non-disputed amount of the Philadelphia Fire Fighters' contract immediately and set aside fifty percent (50%) of the disputed amount within a specific designated category of the General Fund portion of the Annual Budget equally prorated over four years beginning in FY 2014 so that the funds are available for payment in the case that an agreement is reached between the City and IAFF Local 22.

DISCUSSION - COUNCILMEMBER OH - RESOLUTION NO. 130172 - (SEE NOTES OF TESTIMONY).

THE RESOLUTION WAS ADOPTED.

**Bill No. 120917-AA, as amended:** An Ordinance Amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning," by revising certain provisions relating to allowed uses and dimensional standards in commercial districts, and making technical changes, all under certain terms and conditions.

THE BILL WAS READ AND PASSED.

*The Ayes and Nays were as follows:*

*Ayes: 17 - Councilmembers Council President Clarke, Squilla, Johnson, Blackwell, Jones, Henon, Quiñones Sánchez, Bass, Tasco, O'Neill, Reynolds Brown, Greenlee, Goode, Oh, Kenney, Green and O'Brien*

*Nays: 0*

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- ☐ **Resolution No. 130186:** Resolution Calling for the City Council Committee on Public Property to hold hearings exploring the economic benefits of the City selling or more fully capitalizing certain municipal assets including selling surplus property and aggressively capitalizing revenue-generating facilities.

THE RESOLUTION WAS ADOPTED & REFERRED TO THE COMMITTEE ON PUBLIC PROPERTY AND PUBLIC WORKS.

- ☐ **Resolution No. 130187:** Resolution Recognizing and Congratulating the 2013 Next Generation of Leaders: Rising Stars.

THE RESOLUTION WAS ADOPTED.

- ☐ **Resolution No. 130188:** Resolution Honoring and recognizing Philadelphia's self-made Light Heavyweight Boxing Champion, Bernard Hopkins aka "The Executioner," for establishing a new world record by winning the International Boxing Federation Light Heavyweight Championship title and for being an exemplary role model by overcoming numerous barriers to achieve success and for demonstrating to all Philadelphians the remarkable benefits of physical fitness and a healthy lifestyle.

THE RESOLUTION WAS ADOPTED.

- ☐ **Resolution No. 130189:** Resolution Honoring and celebrating Malik Bishop, Faith Fenton, Aderinsola Solebo, Maisie Brolly, Jenna Cox, and Stephanie Pleasant of Greenwoods Charter School for winning Honorable Mention in the Toshiba/NSTA ExploraVision Contest for their entries entitled "Injection of Carbon Nanotubes to Heal Bone Fractures" and "The Peechy Toothbrush".

THE RESOLUTION WAS ADOPTED.

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

- ☐ **Bill No. 130011:** An Ordinance Amending Chapter 19-200 of The Philadelphia Code, entitled "City Funds - Deposits, Investments, Disbursements," by requiring that contracts with proposed recipients of City Payroll Deposits, as well as any renewals of such contracts, include an annual statement of community reinvestment goals in addition to existing requirements; and by requiring that the recipients of such deposits provide quarterly updates on their fair lending plans and annual statements of community reinvestment goals; all under certain terms and conditions.

THE BILL WAS READ AND PASSED.

*The Ayes and Nays were as follows:*



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*Ayes: 17 - Councilmembers Council President Clarke, Squilla, Johnson, Blackwell, Jones, Henon, Quiñones Sánchez, Bass, Tasco, O'Neill, Reynolds Brown, Greenlee, Goode, Oh, Kenney, Green and O'Brien*

*Nays: 0*

**Bill No. 120961:** An Ordinance Authorizing the revision of lines and grades on a portion of City Plan No. 195 by striking from the City Plan Webb Street from Albert Street to Huntingdon Street, under certain terms and conditions.

THE BILL WAS READ AND PASSED.

*The Ayes and Nays were as follows:*

*Ayes: 17 - Councilmembers Council President Clarke, Squilla, Johnson, Blackwell, Jones, Henon, Quiñones Sánchez, Bass, Tasco, O'Neill, Reynolds Brown, Greenlee, Goode, Oh, Kenney, Green and O'Brien*

*Nays: 0*

**Bill No. 130003:** An Ordinance Authorizing Ruby D, LLC dba Lemon Hill Food and Drink to construct, own and maintain an open-air sidewalk café at 747 North 25th Street, Philadelphia, PA, under certain terms and conditions.

THE BILL WAS READ AND PASSED.

*The Ayes and Nays were as follows:*

*Ayes: 17 - Councilmembers Council President Clarke, Squilla, Johnson, Blackwell, Jones, Henon, Quiñones Sánchez, Bass, Tasco, O'Neill, Reynolds Brown, Greenlee, Goode, Oh, Kenney, Green and O'Brien*

*Nays: 0*

**Bill No. 130017:** An Ordinance Establishing a parking regulation on Sartain street, east side, Shunk street to Porter street.

THE BILL WAS READ AND PASSED.

*The Ayes and Nays were as follows:*

*Ayes: 17 - Councilmembers Council President Clarke, Squilla, Johnson, Blackwell, Jones, Henon, Quiñones Sánchez, Bass, Tasco, O'Neill, Reynolds Brown, Greenlee, Goode, Oh, Kenney, Green and O'Brien*

*Nays: 0*

**Bill No. 130018:** An Ordinance Establishing a parking regulation on Fitzwater street, south side, Juniper street to Broad street.

THE BILL WAS READ AND PASSED.

*The Ayes and Nays were as follows:*

**JOURNAL OF THE CITY COUNCIL OF PHILADELPHIA**

*Ayes: 17 - Councilmembers Council President Clarke, Squilla, Johnson, Blackwell, Jones, Henon, Quiñones Sánchez, Bass, Tasco, O'Neill, Reynolds Brown, Greenlee, Goode, Oh, Kenney, Green and O'Brien*

*Nays: 0*

**Bill No. 130019:** An Ordinance Establishing a parking regulation on 13th street, both sides, Bainbridge street to South street.

THE BILL WAS READ AND PASSED.

*The Ayes and Nays were as follows:*

*Ayes: 17 - Councilmembers Council President Clarke, Squilla, Johnson, Blackwell, Jones, Henon, Quiñones Sánchez, Bass, Tasco, O'Neill, Reynolds Brown, Greenlee, Goode, Oh, Kenney, Green and O'Brien*

*Nays: 0*

**Bill No. 130020:** An Ordinance Establishing a parking regulation on Moore street, north side, 11th street to 12th street.

THE BILL WAS READ AND PASSED.

*The Ayes and Nays were as follows:*

*Nays: 0*

*Ayes: 17 - Councilmembers Council President Clarke, Squilla, Johnson, Blackwell, Jones, Henon, Quiñones Sánchez, Bass, Tasco, O'Neill, Reynolds Brown, Greenlee, Goode, Oh, Kenney, Green and O'Brien*

**Bill No. 130021:** An Ordinance Establishing a parking regulation on 12th street, both sides, McKean street to Snyder avenue.

THE BILL WAS READ AND PASSED.

*The Ayes and Nays were as follows:*

*Ayes: 17 - Councilmembers Council President Clarke, Squilla, Johnson, Blackwell, Jones, Henon, Quiñones Sánchez, Bass, Tasco, O'Neill, Reynolds Brown, Greenlee, Goode, Oh, Kenney, Green and O'Brien*

*Nays: 0*

**Bill No. 130022:** An Ordinance Authorizing Farmtable LLC to construct, own and maintain an open-air sidewalk café at 824 S. 8th Street, Philadelphia, PA, under certain terms and conditions.

THE BILL WAS READ AND PASSED.

*The Ayes and Nays were as follows:*

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*Ayes: 17 - Councilmembers Council President Clarke, Squilla, Johnson, Blackwell, Jones, Henon, Quiñones Sánchez, Bass, Tasco, O'Neill, Reynolds Brown, Greenlee, Goode, Oh, Kenney, Green and O'Brien*

*Nays: 0*

DISCUSSION - BILL NO. 130004 - COUNCILMEMBERS GREENLEE, GOODE, GREEN, BASS, SANCHEZ, JONES, TASCO, OH AND GREEN - (SEE NOTES OF TESTIMONY).

**Bill No. 130004:** An Ordinance Enacting a new Chapter 9-3300, entitled “Promoting Healthy Families and Workplaces,” to provide that certain employees are entitled to paid leave, all under certain terms and conditions.

THE BILL WAS READ AND PASSED.

*The Ayes and Nays were as follows:*

*Ayes: 11 - Councilmembers Council President Clarke, Johnson, Blackwell, Jones, Henon, Quiñones Sánchez, Bass, Tasco, Reynolds Brown, Greenlee and Goode*

*Nays: 6 - Councilmembers Squilla, O'Neill, Oh, Kenney, Green and O'Brien*

Councilmember Oh

moved that this session of Council stand in recess until the call of the Chair.

THE MOTION WAS DULY SECONDED AND AGREED TO.

Council President Clarke - The time has come to consider the Mayor's presentation of his annual budget message.

Council President Clarke appointed the following Councilmembers: Councilmembers Jones, Brown, Greenlee, O'Neill and Oh to escort Mayor Michael A. Nutter to the Council Chamber to deliver his message.

The Honorable Michael A. Nutter of the City of Philadelphia, appeared before the Council and presented his message concerning the proposed Operating Budget for Fiscal Year 2014.



Good morning Council President Darrell Clarke, Council leadership, members of the City Council and my fellow Philadelphians.

In the last five years, together, we have weathered crises, managed through hard times and set a foundation for a stronger, more diverse and prosperous City. And a growing Philadelphia, 9,000 new citizens, according to the latest Census Bureau report.

Today, I want to talk about our future, not our past.

But through it all, we have depended on the resilience of our great citizens and on the dedication and hard-work of our public employees: like John Elfrey, Deputy Managing Director for the Office of Transportation and Public Utilities.

John Elfrey is the 2013 recipient of the Richardson Dilworth Award for Distinguished Public Service. A true professional, John has spent almost three decades serving the City of Philadelphia. Please recognize John, who represents the many City employees committed to good government and excellent service.

Before I go any further, I know many of you here today are City employees with serious concerns. I have nothing but the deepest respect for the thousands of public employees who work on behalf of 1.5 million Philadelphians.

You want a fair contract and so do I. But a fair contract must balance the interests of both hard working taxpayers and dedicated City employees.

Investing in public employees requires reasonable pay increases and health care benefits, but we must also have work rule changes including overtime reform and the authority to better manage our workforce with an alternative to just layoffs - not working for one day and coming back is better than not working at all.

We must also address the budget reality of a City Pension Fund that is only half funded and is taking more and more public resources that could be spent on citizen services or tax relief.

The pension changes we have proposed in contract negotiations

will help preserve the health of the fund for the sake of current and future employees upon their retirement. Let me note here that we will soon announce a broker who will guide us through the process of the potential PGW sales and be paid only if a sale is completed. If that happens, the money we receive will largely go to shore up our employees' pension fund.

Today, I can tell you that even though we still have serious challenges, the City's fiscal health is improving. We are projecting roughly a 3-percent increase in overall tax receipts.

The proposed FY14 General Fund budget has \$99 million in added expenditures, the overwhelming majority of which goes toward employee costs, including \$69 million in new spending related to employee pensions and salary increases for Police officers.

Separately and unrelated to these new expenditures, I am planning to set aside \$26 million of fund balance in the FY14 budget for future labor obligations to District Councils 33 and 47, Local 22 of the Firefighters Union and Deputy Sheriffs. Over the Five Year Plan, this set aside is an \$84 million commitment.

I respect the collective bargaining process, and my goal is to have multi-year contracts with all of you, including pay raises and needed reforms that respect your work and that the taxpayers can afford.

This morning, my proposed FY14 budget makes smart investments in services to our citizens, provides support for city employees and improves our vital infrastructure. This budget is a turning point to a brighter future for Philadelphia.

At the heart of this budget is a reform that Philadelphia property owners have been denied for decades. This City has operated under a broken property assessment system that no one could understand and, for too long, it has hurt countless taxpayers.

But together, we fixed that.

Philadelphia now has the property tax system we deserve - a system that is fair, accurate, transparent, understandable and equitable. The Actual Value Initiative, AVI, brings assessment credibility to a growing City.

The City's new Office of Property Assessment has completed a comprehensive reassessment of all real property in Philadelphia. During this process, OPA determined the market value for all taxable properties in the City, using the best practices of the assessment industry.

The result is that the total taxable property in Philadelphia has increased in value from \$36 billion to more than \$98 billion.

As I've said many times before, I am proposing to collect no more current property tax revenue next year than the city has budgeted for this year - in total we'll collect almost \$1.2 billion, with 54 percent going to the Philadelphia School District and the rest to the City.

To do that, we must dramatically reduce the property tax rate from the current 9.771 percent to a level that will bring in about \$1.2 billion in revenue.

And so today, I am recommending to City Council a tax rate of

1.3204 percent.

As Philadelphians apply this proposed tax rate to their new assessment notices, some will see their taxes decrease, some will see them increase modestly and others may see substantial increases.

To moderate the impact, therefore, I am calling for a series of relief measures targeted at both homeowners and those facing potentially significant increases.

Specifically, I believe we need a Homestead Exemption that benefits all homeowners AND we are proposing up to \$30 million in relief funds aimed at severely impacted property owners. This relief funding is in addition to other City and State relief programs already available to low-income and older Philadelphians. In our proposed budget, we have called for a Homestead Exemption set at \$15,000.

My goal is to maintain the lowest possible tax rate for every Philadelphian while still making provisions for targeted relief to those who will need it, such as long-term, low-income homeowners living in gentrifying neighborhoods and small business property owners in our neighborhoods.

Setting a low tax rate for all and designing relief measures for the most in need is a delicate balancing act. I look forward to working with City Council in the budget process to find that right balance.

And I fully realize that during the course of the budget process many ideas and proposed rates will be discussed and that the rate proposed today may change, but we have to start somewhere.

I also want you to know that I am not satisfied at all with our current efforts to collect taxes and fees owed to the City. It's not fair to taxpayers who pay and pay while others don't or won't.

Last month, we launched a new, multi-faceted Delinquent Tax Collection Strategy.

Technology upgrades will help the Revenue Department to target tax delinquents based on a variety of factors and to determine what methods are most effective to get payment. We will also need support in City Council and the Pennsylvania General Assembly as we pursue new legal authority to collect what is owed and deter future non-payment.

To significantly increase revenue collection, we are establishing a Chief Revenue Collections Officer who will oversee all City collection efforts and craft more efficient methods for collecting revenue. This recommendation came from the FTI Consulting report released last month.

Obviously, when we do a better job collecting taxes, the Philadelphia School District, which is squarely confronting massive fiscal challenges, will have more resources to educate our children.

Last week, Superintendent Hite and the School Reform Commission made the hard decision to close 23 schools. After a substantial budget shortfall in 2012, the District is taking vital steps toward financial stability with school closures and other cuts.

But the District alone can't solve this problem. As you all know our Administration and City Council have increased funding for schools



two years in a row. Now, we need additional support from the State.

I will be lobbying in Harrisburg for critical education reforms - an increase in the basic education subsidy, a funding stream similar to the charter reimbursement and the adoption of a weighted student funding formula. We are not asking for any special treatment from the state. We are asking that Pennsylvania live up to its Constitutional responsibility to provide our children with “a thorough and efficient education.”

Let me return to the school closures issues: it was the tough but proper decision. Now, District students and their parents need our help through the transition process. We need to ensure that young people have safe routes to and from their schools.

And I assure you that City government will work with the School District to expand Safe Corridors. At the receiving schools, the City and School District will coordinate efforts to create a positive, blended culture to build a safe, welcoming environment in every school for every student. Students and teachers must be safe in their schools.

As you know, a vibrant City demands a range of investments in our neighborhoods. Our proposed budget does just that.

- Over the next two years, we will invest \$5 million to modernize our Free Library branches. We expect to be able to match this investment with support from philanthropic partners.

- We will invest an additional \$1 million to expand branch library hours to benefit young people, job seekers and seniors. This would include fully funding the LEAP after-school program.
  
- We are also investing \$624,000 in our KeySPOT public computer centers to continue offering internet access and education classes and computer tutorials to Philadelphians.
  
- And to ensure that the Community College of Philadelphia is a viable higher education option for our young people, adult learners and returning students alike, we will invest an additional \$1 million in CCP in the coming year to help off-set rising tuition costs.

We are also improving the way we maintain and renovate City buildings.

We will hire a total of 30 new employees to the Department of Public Property over this year and next to revitalize police and fire stations and other City building maintenance.

And with a full year of funding, we will deploy 40 employees to the Department of Parks and Recreation facility maintenance team to maintain pools, parks, playgrounds and recreational buildings and to undertake small capital projects.

A more efficient and less costly government must invest in new technology and systems to develop 21st century best practices.

The Department of Revenue, for example, uses 20 year-old computer and software systems, placing revenue collection efforts at a clear disadvantage. We will modernize our systems as we go after tax deadbeats.

I will be looking more closely at implementing many of the common sense, cost-saving recommendations from the FTI report. We hope to capture more than \$63 million in savings and increased collections during the Five Year Plan.

In addition to the AVI reform, we are calling for more tax reduction in the next fiscal year in support of job and business growth. Beginning July 1st, we will restart the Wage Tax reductions that had to be suspended during the recession. I am sending legislation to City Council that will set annual Wage Tax reductions through Fiscal Year 18.

Paired with the business tax reforms passed by City Council, including abolishing fees for the commercial activity license starting this July, it's clear that we are encouraging businesses to make the smart choice, to start here, stay here and grow here.

To be a great city we must be an increasingly safe city, and we will be making investments in public safety to advance this critical goal.

We will spend \$2.1 million in FY14 to make improvements to fire houses across the City. And we're allocating \$4.7 million for new self-contained breathing apparatus, air bottles and 35 new Jaws of Life.

In January, the Philadelphia Fire Academy graduated a class of

148 Fire Cadets and 21 Fire Service Paramedics. In June, 160 cadets in two more classes will start their training and finish in November.

Finally, violent crime has declined during the first half of the current fiscal year, showing that our community policing model and increased police presence in high crime areas is working. But clearly, we have much more to do.

During FY14, the Philadelphia Police Department will hire more police officers to maintain a sworn strength of 6,525. With these new boots on the ground and under the impressive leadership of Commissioner Charles Ramsey, we will make Philadelphia a safer city, working in partnership with neighborhood community groups and using our stronger safety surveillance system.

And, as I announced last year, we will continue our plans for the renovation of 4601 Market Street into a state-of-the-art police headquarters. Co-located at the new Police Headquarters will be the City Morgue and the offices of the Health Center at 500 S. Broad.

Co-location will enable us to sell three valuable properties while strengthening the neighborhood of West Philly and creating new jobs.

My vision for Philadelphia has remained the same: we need to reduce poverty and crime; we need more middle class jobs and better educated workers to fill them; we need to invest in people and our neighborhoods; we need to be innovative. We must do these things to secure our future.

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Today, we are spending tax dollars on the health and wellness of our citizens, on libraries and recreation centers, on playgrounds and parks, on public safety, on creating an environment that fosters economic development instead of stifling it. We are moving forward, working in partnership.

This progress has been slow and occasionally painful but today with this budget, I believe we have turned the page on the last few years. We will continue to make progress on our goals for today and the future.

Thank You. (File No. 130222)

Councilmember Council President Clarke

moved to reconvene recessed stated meeting of March 14, 2013. You may recall that had we not recessed, we would have continued the session with speeches on the part of the minority or majority after the Mayor's Address. Unless I hear otherwise, I will assume that any such speeches will be offered at our regularly scheduled session later today. Accordingly, the Chair now recognizes Councilwoman Reynolds Brown for a motion to adjourn.

THE MOTION WAS DULY SECONDED AND AGREED TO.

COUNCILMEMBER REYNOLDS BROWN MOVED TO ADJOURN

THE MOTION WAS DULY SECONDED AND AGREED TO.