

JOURNAL OF THE CITY COUNCIL OF PHILADELPHIA



**Thursday, January 24, 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.

Imam Yusef of Masjid Taaha was introduced and offered an appropriate prayer.

COUNCILMEMBER GREENLEE MOVED TO APPROVE THE JOURNAL

of the meeting of December 13, 2012.

THE MOTION WAS DULY SECONDED AND AGREED TO.

COUNCILMEMBER O'BRIEN REQUESTED THAT HE BE EXCUSED AND WISHED TO BE RECORDED AS VOTED "AYE" ON ALL BILLS CALLED UP ON SECOND READING AND FINAL PASSAGE, INCLUDING RESOLUTIONS.

THE REQUEST WAS GRANTED.

**COMMUNICATIONS**

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

- Transmitting a message advising Council that Bill Nos. 120617 and 120618-A, which were passed by Council on December 6, 2012, were signed by the Mayor on December 18, 2012. (File No. 130043)

THE COMMUNICATION WAS READ.

- Transmitting a message advising Council that Bill Nos. 120397, 120800, 120878, 120904, 120905, 120906, 120907, 120908, 120909, 120910, 120911, 120912 and 120913, which were passed by Council on December 12, 2012, were signed by Council on December 21, 2012. (File No. 130044)

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THE COMMUNICATION WAS READ.

☐ Transmitting a message advising Council that Bill Nos. 120532, 120777, 120778, 120817, 120856, 120870, 120871, 120872, 120873, 120874, 120876 and 120877, which were passed by Council on December 6, 2012, were signed by the Mayor on January 8, 2013. (File No. 130045)

THE COMMUNICATION WAS READ.

☐ Transmitting a message advising Council that Bill No. 120879, which was passed by Council on December 13, 2012, was signed by the Mayor on January 8, 2013. (File No. 130046)

THE COMMUNICATION WAS READ.

☐ Transmitting a message advising Council that Bill Nos. 120345, 120430-A, 120719, 120774-A, 120779, 120780, 120782, 120798, 120799, 120826, 120875, 120890, 120891, 120892, 120893, 120894, 120895, 120896, 120897, 120898, 120899, 120900, 120902, 120903, 120915, 120919, 120921, 120953, 120954 and 120955, which were passed by Council on December 13, 2012, were signed by the Mayor on January 14, 2013. (File No. 130047)

THE COMMUNICATION WAS READ.

☐ Transmitting a message advising Council that Bill Nos. 120534-A and 120754, which were passed by Council on December 13, 2012, were signed by the Mayor on January 23, 2013. (File No. 130048)

THE COMMUNICATION WAS READ.

☐ January 23, 2012

To The President and Members of  
The Council of the City of Philadelphia:

Pursuant to Sections 4-604 and 2-307 of the Home Rule Charter, I am today transmitting to the Council the recommendation of the City Planning Commission regarding the following bills:

Bill No. 121033

Bill No. 121035

Bill No. 121041

Respectfully,  
Michael A. Nutter  
Mayor (File No. 130049)

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THE COMMUNICATION WAS READ.

- ☐ Transmitting a resolution proposing an amendment to the Philadelphia Home Rule Charter to provide for the creation of an Office of Inspector General, to provide for the powers and duties of, and annual appropriations to, such Office, to establish requirements for City officials and employees in connection with the work of the Inspector General, and to otherwise provide for incorporation of the Inspector General into the City government, all under certain terms and conditions; and providing for the submission of the amendment to the electors of Philadelphia. (File No. 130050)

THE COMMUNICATION WAS READ.

- ☐ Transmitting a bill providing for the submission to the qualified electors of the City of Philadelphia of an amendment to The Philadelphia Home Rule Charter to provide for the creation of an Office of Inspector General, to provide for the powers and duties of such Office, to establish requirements for certain City officials and employees in connection with the work of the Inspector General, and to otherwise provide for incorporation of the Inspector General into the City government; fixing the date of a special election for such purpose; prescribing the form of ballot question to be voted on; and authorizing the appropriate officers to publish notice and to make arrangements for the special election. (File No. 130051)

THE COMMUNICATION WAS READ.

- ☐ Transmitting a bill to amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by the Philadelphia County Border, the Delaware Expressway, 86th Street, Bartram Avenue, 84th Street, Mario Lanza Boulevard, Island Avenue, Penrose Avenue, Delaware Expressway, the Schuylkill River and the Delaware River, accompanied by an explanatory letter from the Deputy Mayor for Transportation and Utilities. (File No. 130052)

THE COMMUNICATION WAS READ.

- ☐ Transmitting a bill 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, accompanied by an explanatory letter from the Streets Commissioner. (File No. 130053)

THE COMMUNICATION WAS READ.

- ☐ Transmitting a bill 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, accompanied by an explanatory letter from the Streets

THE COMMUNICATION WAS READ.

📄 January 23, 2013

**To The President and Members of  
The Council of the City of Philadelphia:**

For the following reasons, I am returning to your Honorable Body as disapproved Bill No. 120889, which was passed by Council at its session on December 13, 2012.

Bill No. 120889 amends the system of notice to registered community organizations (“RCOs”) established by the new Zoning Code, which became effective August 22, 2012. The new Zoning Code formally codified the existing practice of public sign notice for zoning variances and special exceptions. It also added rules for how RCOs could register with the City Planning Commission, and added a new requirement for the zoning applicant to notify, and conduct a single meeting with, the registered RCOs whose boundaries include the development property. The new Code further added a similar RCO notice and meeting requirement for major development projects that would be subject to a newly-created Civic Design Review process.

Bill No. 120889 would require the RCOs themselves in the area of a project, in addition to the zoning applicants, to provide individual, written notice to each near neighbor of the project (on various block faces in the vicinity of the project). The bill would also allow for the possibility of mandatory multiple meetings with RCOs that have overlapping geographic boundaries; would repeal the authorization for the City Planning Commission to establish minimum RCO qualifications, beyond the limited information expressly authorized in the Zoning Code; and would expand the composition of the Civic Design Review Committee to include a seat for a designee of the local district councilmember and a second local RCO seat.

Community involvement in development matters was the single issue, of all the issues that received attention in the five-year Zoning Code process, that received the most debate and attention. The registered community organization system put forth by the new Zoning Code represents a carefully crafted and delicate balance between streamlining development and providing meaningful community input. Bill No. 120889 threatens to disrupt this balance by creating significant ambiguities and legal issues, opening the door to litigation challenging the validity of various zoning approvals.

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The City Solicitor has provided a letter dated December 21, 2012 (a copy of which is attached), detailing the legal issues with each of the aforementioned elements of Bill No. 120889. Of most concern are the notice requirements to near neighbors and the potential for multiple meetings with RCOs that have overlapping geographic boundaries.

With respect to notice to near neighbors, the bill would require certain zoning applicants, as well as the relevant RCOs themselves, to notify each property owner and occupant on various block faces in the vicinity of the development property. These extensive and detailed notice requirements inevitably will lead to litigation regarding non-compliance, as even good faith compliance will prove difficult for many applicants and RCOs. For example, the bill is unclear as to whom applicants and RCOs must provide notice in the case of multi-occupant buildings (e.g. offices, condominiums, apartment buildings). Such ambiguity places significant burden on applicants and RCOs to identify each occupant, makes zoning approvals ripe for litigation on the basis of incomplete notice, and consequently, sends a negative message to the development community.

With respect to meetings with overlapping RCOs, the bill would require a zoning applicant to meet with each RCO separately, upon the request of any single RCO and subsequent joint determination by the district councilmember, the City Planning Commission, and the Zoning Board of Adjustment. Currently, the Code requires the RCOs to coordinate a single meeting. The point of the single meeting requirement was intended to streamline the development process. I am concerned that the possibility of multiple meetings with community groups will frustrate the purpose of the RCO meeting requirement - to establish a predictable and circumscribed mechanism for gathering community input into the zoning process. I also note that the City Solicitor has determined that Council does not have the authority to delegate to district councilmembers the administrative power to make determinations with respect to the process for handling individual zoning cases.

Beyond these specific issues, I am deeply concerned about significant changes to the new Zoning Code mere months after it has gone into effect. The registered community organization system in the new Code provides more legally required opportunity for community involvement in the development process than ever before, and it is impossible to evaluate the merits of this new system after only four months of operation. Bill No. 120889 addresses problems that may be perceived, but we do not yet know exist.

As requested by Council, my Administration will submit to Council a report setting forth its analysis of the City's experience with the Code, as well as its

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recommendations to further improve the Code, one year after the new Code became effective. I respectfully urge Council to withhold any further changes to the new Zoning Code until the one-year analysis is complete.

I appreciate the sensitivity of the topic of community involvement in the development process and respect the attention Councilwoman Blackwell has paid to this important issue. I also appreciate her willingness to work with PCPC and my staff on this bill. In my view, however, this bill creates numerous substantial problems. Moreover, I believe the new Zoning Code should be permitted to operate for one year before significantly amending it. I am therefore returning Bill No. 120889 to you as disapproved.

Respectfully,  
Michael A. Nutter,  
Mayor (File No. 130055)

THE COMMUNICATION WAS READ.

📅 January 23, 2013

**To The President and Members of  
The Council of the City of Philadelphia:**

For the following reasons - largely the same reasons that I returned disapproved the nearly identical Bill No. 110563 - I am returning herewith to your Honorable Body as disapproved Bill No. 120920, which was passed by Council at its session on December 13, 2011.

As explained in letters from the Federal Highway Administration, PennDOT and the City Solicitor attached hereto, adoption of this bill would put the City in violation of an agreement with PennDOT to exercise specific controls over outdoor advertising in the vicinity of a federal highway, and subject the City to a significant reduction in funding for City street and highway funding.

The bill would allow a very large outdoor advertising sign, up to ten thousand square feet in size, to be hung on any building in the area bounded by 6th, Spring Garden, 7th and Willow Streets. The bill specifically authorizes the sign to be "digital," meaning able to transmit an electronic picture like a television screen. The bill also establishes rules regarding where the sign can be placed. As a practical matter, the bill would be used to hang a sign on a building that houses the Electric Factory music venue and that is commonly known as the Electric Factory building, facing the Vine Street Expressway.

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Attached to the bill is a document entitled "Community Benefits Agreement," which purports to provide as a gift to several public school home and school associations and one CDC a portion of the profits made on the advertising from the sign. The City is not a party to this agreement, its enforceability has not been made a condition of the authorization in the ordinance and I am advised by the City Solicitor that it is not enforceable by the City. The Solicitor has not determined whether the commitment is enforceable by the community groups.

I have disapproved this bill for several reasons. First, expressions of public sentiment have overwhelmingly been opposed to the bill. Representatives of numerous civic organizations from neighborhoods within a few miles of the sign testified at Council and have written letters opposing this bill. They did so generally on grounds, with which I am in agreement, that the impairment to the skyline and intrusion into the view from people's homes of a large, illuminated sign that will have a changing picture, and which will be visible from miles away, is simply not worth whatever benefit may be provided to the home and school associations. Many also objected to how such a sign, in a prominent highway location and so close to the City's main historic and tourist area, affects the City's image. The only public support in favor of this bill has come from those who stand to benefit monetarily from the sign. While I am obviously sensitive to the needs of our public schools, in my view financial contributions to a select few, based on an impact that will affect many, should not control this policy-making decision and does not justify permission for the placement of a giant digital sign at this location.

Moreover, in my view, permission for large-scale signs should not be granted on a one-off basis, but should be considered on a City-wide basis, as part of a larger planning process, with broader development goals in mind. Council is still considering the recommendations of the Philadelphia City Planning Commission with respect to changes to the non-accessory (advertising) signs portion of the Zoning Code. Just this past December, proposed new non-accessory sign regulations were removed from Bill 120430-A, which dealt with broad changes to sign regulation in the Code, in order to allow more extensive discussion of how to regulate outdoor advertising in the City. The issue of extraordinarily large advertising signs, and potential conditions on the development and use of the associated properties as part of the authorization of such signs, should be taken up, as a City-wide matter, within the context of that process.

Lastly, because this sign would place the City in violation of the state and federal government's delegation of authority to the City to regulate billboards in the near vicinity of federal highways, this bill would jeopardize federal highway funding

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that the City receives through PennDOT.

The building at issue is within 660 feet of the Vine Street Expressway, which is part of the interstate highway system, thereby subjecting it to federal and state regulatory controls. By agreement with the Federal Highway Administration, PennDOT regulates advertising in areas adjacent to federal highways. In turn, pursuant to an agreement with PennDOT, the City was certified by PennDOT in 1974 as exercising “effective control” of advertising signs on commercially and industrially zoned properties. The City maintains such control, as required by federal law, only to the extent the rules establish a “customary use” and that any particular new rules are not designed merely to authorize outdoor advertising. If the City provides this authorization, it would allow a sign well in excess of the normal controls for advertising signs set forth in the Code and would specifically allow one particular outdoor advertising sign within 660 feet of the Expressway.

Federal, state and local officials have all explained, in writing, that since the sign does not conform with the City's customary regulation of signs at the time of the 1974 agreement, the sign will put the City in violation of the PennDOT agreement and the FHWA's delegation of authority to PennDOT. Attached is a January 22, 2013 letter from the FHWA, explaining that Pennsylvania, and ultimately the City, would be subject to a loss of federal streets and highway funding because of the bill. Also attached is a January 23, 2013 letter from Penn DOT's District Executive opposing the bill for these same reasons (as well as his December 1, 2011, letter sent in connection with Bill 110563). The City Solicitor has also provided a letter (copying a detailed letter regarding the earlier bill) explaining why the City likely would be determined not to be exhibiting “effective control” as required under the City's certification and federal law. I note that a letter provided by a lawyer representing one of the Council President and parties that stands to benefit financially from this authorization, which claims the bill does not violate federal law, simply ignores these issues.

If the federal government were to reduce highway funding to PennDOT as a result of this bill (up to 10 percent of all such funding could be withheld), PennDOT would surely allocate all of that loss to Philadelphia projects. The Federal Highway Administration currently funds a variety of City projects including paving of City Streets, intersection upgrades, traffic signal improvements, reconstruction of City owned bridges and many other projects. Between Fiscal Year 2013 and Fiscal Year 2016 upwards of \$100 million are planned for city projects. A significant reduction in these projects would far outweigh any potential (and perhaps unrealizable) benefits to local home and school associations associated with this proposal.



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Because I do not believe allowance of this sign itself is good public policy, because of my concerns about how the regulation of large-scale outdoor advertising should be handled generally, and in particular because of the serious risk to federal highway funding this bill would create, I am returning to you disapproved Bill No. 120920.

Respectfully,  
Michael A. Nutter,  
Mayor (File No. 130056)

THE COMMUNICATION WAS READ.


**INTRODUCTION OF BILLS AND RESOLUTIONS**

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

 **Bill No. 130001:** An Ordinance Providing for the submission to the qualified electors of the City of Philadelphia of an amendment to The Philadelphia Home Rule Charter to provide for the creation of an Office of Inspector General, to provide for the powers and duties of such Office, to establish requirements for certain City officials and employees in connection with the work of the Inspector General, and to otherwise provide for incorporation of the Inspector General into the City government; fixing the date of a special election for such purpose; prescribing the form of ballot question to be voted on; and authorizing the appropriate officers to publish notice and to make arrangements for the special election.

THE BILL WAS REFERRED TO THE COMMITTEE ON LAW AND GOVERNMENT.

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

 **Bill No. 130002:** An Ordinance Providing for the submission to the qualified electors of the City of Philadelphia of the proposal set forth in a Resolution approved by Council proposing an amendment to The Philadelphia Home Rule Charter to require that term renewals and extensions of City contracts that result in the contract term exceeding one year shall require Council approval; and authorizing the appropriate officers to publish notice and to make arrangements for the special election.

THE BILL WAS REFERRED TO THE COMMITTEE ON LAW AND GOVERNMENT.

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

**Resolution No. 130023:** Resolution Proposing an amendment to The Philadelphia Home Rule Charter to require that term renewals and extensions of City contracts that result in the contract term exceeding one year shall require Council approval, all under certain terms and conditions; and providing for the submission of the amendment to the electors of Philadelphia.

THE RESOLUTION WAS REFERRED TO THE COMMITTEE ON LAW AND GOVERNMENT.

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

**Resolution No. 130024:** Resolution Proposing an amendment to The Philadelphia Home Rule Charter to provide for the creation of an Office of Inspector General, to provide for the powers and duties of, and annual appropriations to, such Office, to establish requirements for City officials and employees in connection with the work of the Inspector General, and to otherwise provide for incorporation of the Inspector General into the City government, all under certain terms and conditions; and providing for the submission of the amendment to the electors of Philadelphia.

THE RESOLUTION WAS REFERRED TO THE COMMITTEE ON LAW AND GOVERNMENT.

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

**Resolution No. 130025:** Resolution Authorizing the Committee on Rules to hold public hearings to examine the City's intent to contract with Corizon Health, Inc. to provide healthcare services to inmates in the Philadelphia Prison System.

COUNCILMEMBER KENNEY MOVED RULES SUPENSION ON RESOLUTION NO. 130025 FOR CONSIDERATION AT THE END OF TODAY'S CALENDAR.

THE MOTION WAS DULY SECONDED.

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

**Resolution No. 130026:** Resolution Calling on the City Council of Philadelphia Committee on Education and all of City Council to recognize and support President

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Barack Obama's Plan, *Now is the Time*, which aims to ensure the safety of our children and our communities by reducing gun violence.

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

**Resolution No. 130027:** Resolution Calling on the City Council of Philadelphia to support, advocate, and recommend a Moratorium (Suspension of Action) for the School District of Philadelphia's Facilities Master Plan recommendations concerning grade changes, school closures, program co-locations, and program mergers/relocations.

Councilmember Greenlee Introduced and Referred the following Bill for Councilmember Council President Clarke, Sponsored by Councilmember Greenlee:

**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 REFERRED TO THE COMMITTEE ON STREETS AND SERVICES.

Councilmember Greenlee Introduced and Referred the following Bill, Sponsored by Councilmembers Greenlee, Quiñones Sánchez, Council President Clarke, Goode, Bass, Jones, Tasco and Johnson:

**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 REFERRED TO THE COMMITTEE ON PUBLIC HEALTH AND HUMAN SERVICES.

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

**Bill No. 130005:** An Ordinance Establishing a parking regulation on Montrose street, north side, 23rd street to 22nd street.

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

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

**Bill No. 130006:** An Ordinance Establishing a parking regulation on Christian street, both sides, 18th street to 19th street.

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

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

**Bill No. 130007:** An Ordinance To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by the Philadelphia County Border, the Delaware Expressway, 86th Street, Bartram Avenue, 84th Street, Mario Lanza Boulevard, Island Avenue, Penrose Avenue, Delaware Expressway, the Schuylkill River and the Delaware River.

THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

Councilmember Quiñones Sánchez Introduced and Referred the following Bill, Sponsored by Councilmember Quiñones Sánchez:

**Bill No. 130008:** An Ordinance Naming and designating the Department of Parks and Recreation owned playground on the 2300 block of N. 5th Street as the “Rainbow De Colores Playground.”

THE BILL WAS REFERRED TO THE COMMITTEE ON PARKS, RECREATION AND CULTURAL AFFAIRS.

Councilmember Green Introduced and Referred the following Bill, Sponsored by Councilmembers Green, Quiñones Sánchez and Reynolds Brown:

**Bill No. 130009:** An Ordinance Amending Chapter 19-2600 of The Philadelphia Code, entitled “Business Income and Receipts Tax,” as it relates to nonprofit activity, under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON FINANCE.

Councilmember Green Introduced and Referred the following Bill, Sponsored by Councilmembers Green, Tasco, Reynolds Brown, Oh, Quiñones Sánchez, Goode, Greenlee, Johnson, Bass, Henon, O'Neill, O'Brien, Blackwell and Squilla:

**Bill No. 130010:** An Ordinance Amending Title 17 of The Philadelphia Code, entitled “Contracts and Procurement,” by amending Section 17-109, entitled “Local Bidding Preferences,” to expand the criteria for obtaining certification as a “Local Business Entity” for purposes of competitive bidding on City contracts, under certain terms and conditions.

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

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

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**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 REFERRED TO THE COMMITTEE ON FINANCE.

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

**Bill No. 130012:** An Ordinance Amending Chapter 19-2600 of The Philadelphia Code, entitled "Business Income and Receipts Taxes," by revising the number of businesses that may obtain a credit against business income and receipts taxes upon contributing to certain community development corporations or nonprofit intermediaries engaged in neighborhood economic development activities within the City of Philadelphia; 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 Councilmembers Reynolds Brown, Jones, Tasco, Blackwell, Quiñones Sánchez and Bass:

**Resolution No. 130028:** Resolution Recognizing January as "National Human Trafficking Awareness Month" in Philadelphia.

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

**Resolution No. 130029:** Resolution Authorizing Council's Committee on Rules to hold hearings on the issue of charitable exemptions from property taxes, and use of land subject to such charitable exemptions for commercial purposes.

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

**Bill No. 130013:** An Ordinance Amending Chapter 22-1000 of The Philadelphia Code concerning investments in the Philadelphia Retirement System to prohibit investments in companies that manufacture or distribute firearms or ammunition,

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THE BILL WAS REFERRED TO THE COMMITTEE ON LABOR AND CIVIL SERVICE.

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

- 📄 **Bill No. 130014:** An Ordinance Amending Title 4 of The Philadelphia Code, entitled “The Philadelphia Building Construction and Occupancy Code,” by amending Subcode “F” (“The Philadelphia Fire Code”), by modifying a subsection providing for the types of premises identification required on new and existing buildings, under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON LICENSES AND INSPECTIONS.

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

- 📄 **Bill No. 130015:** An Ordinance Renaming and designating Conshohocken Windemere Park, located at 3910 Conshohocken Avenue, as Woodside Park.

THE BILL WAS REFERRED TO THE COMMITTEE ON PARKS, RECREATION AND CULTURAL AFFAIRS.

Councilmember Jones Introduced and Ordered Placed on This Week's Final Passage Calendar the following Resolution, Sponsored by Councilmembers Council President Clarke, Jones, Greenlee and Bass:

- 📄 **Resolution No. 130030:** Resolution Calling for the Philadelphia City Council Committee on Public Safety to hold hearings on the status of the City's surveillance camera program.

Councilmember Jones Introduced and Referred the following Resolution for Councilmember Council President Clarke, Sponsored by Councilmembers Jones and Oh:

- 📄 **Resolution No. 130031:** Resolution Approving the appointment of Fredi Eckhardt to the Veterans' Advisory Commission.

THE RESOLUTION WAS REFERRED TO THE COMMITTEE OF THE WHOLE.

Councilmember Jones Introduced and Referred the following Resolution for Councilmember Council President Clarke, Sponsored by Councilmembers Jones and Oh:

- 📄 **Resolution No. 130032:** Resolution Approving the appointment of George Ginder to the Veterans' Advisory Commission.

THE RESOLUTION WAS REFERRED TO THE COMMITTEE OF THE WHOLE.

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Councilmember Jones Introduced and Referred the following Resolution for Councilmember Council President Clarke, Sponsored by Councilmembers Jones and Oh:

**Resolution No. 130033:** Resolution Approving the appointment of Tony Jenkins to the Veterans' Advisory Commission.

THE RESOLUTION WAS REFERRED TO THE COMMITTEE OF THE WHOLE.

Councilmember Jones Introduced and Referred the following Resolution for Councilmember Council President Clarke, Sponsored by Councilmembers Jones and Oh:

**Resolution No. 130034:** Resolution Approving the appointment of Joseph Melendez to the Veterans' Advisory Commission.

THE RESOLUTION WAS REFERRED TO THE COMMITTEE OF THE WHOLE.

Councilmember Jones Introduced and Referred the following Resolution for Councilmember Council President Clarke, Sponsored by Councilmembers Jones, Blackwell and Oh:

**Resolution No. 130035:** Resolution Approving the appointment of R. Edward Speller to the Veterans' Advisory Commission.

THE RESOLUTION WAS REFERRED TO THE COMMITTEE OF THE WHOLE.

Councilmember Jones Introduced and Referred the following Resolution for Councilmember Council President Clarke, Sponsored by Councilmembers Jones and Oh:

**Resolution No. 130036:** Resolution Approving the appointment of Delano Stones to the Veterans' Advisory Commission.

THE RESOLUTION WAS REFERRED TO THE COMMITTEE OF THE WHOLE.

Councilmember Jones Introduced and Referred the following Resolution for Councilmember Council President Clarke, Sponsored by Councilmembers Jones and Oh:

**Resolution No. 130037:** Resolution Approving the appointment of Ernest Landers to the Veterans' Advisory Commission.

THE RESOLUTION WAS REFERRED TO THE COMMITTEE OF THE WHOLE.

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

**Resolution No. 130038:** Resolution Recognizing and honoring the 2012 Fox Rok Ravens for winning The American Youth Football National Division I Cadet Championship.

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

- 📄 **Bill No. 130016:** An Ordinance Amending Section 10-722 of The Philadelphia Code, entitled “Use of Dumpsters,” by revising certain requirements for dumpsters and making technical changes, all under certain terms and conditions.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

- ☐ **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 REFERRED TO THE COMMITTEE ON STREETS AND SERVICES.

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

- ☐ **Resolution No. 130039:** Resolution Authorizing the Committee on Streets and Services to hold hearings to examine the current specifications for street lighting products and the Streets Department's adherence to the current specifications.

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

- ☐ **Resolution No. 130040:** Resolution Declaring and recognizing February 2013 as "Teen Dating Violence Awareness Month."

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

- ☐ **Resolution No. 130041:** Resolution Recognizing and honoring Rock Ministries on their Tenth Anniversary of providing a unique combination of sports and faith based programs for at-risk youth in Philadelphia.


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

- ☐ **Resolution No. 130042:** Resolution Recognizing and honoring the Special Forces Association for its outstanding work and advocacy on behalf of the U.S. Army Special Forces community and for providing a network of brotherhood for those soldiers who served our nation in the U.S. Army Special Forces.

**REPORTS FROM COMMITTEES**

**COMMITTEE ON COMMERCE & ECONOMIC DEVELOPMENT**

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 **Bill No. 121039:** An Ordinance Amending Chapter 19-2600 of The Philadelphia Code, entitled “Business Income and Receipts Taxes,” by further revising the “Special Tax Credit Opportunity for Job Creation,” under certain terms and conditions.

COUNCILMEMBER GOODE MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 121039.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

**SPECIAL BUSINESS**

Councilmember Blackwell


moved that the vote by which Bill No. 120889 passed Council be reconsidered.

THE MOTION WAS DULY SECONDED AND AGREED TO.

*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, Kenney and O'Brien*

*Nays: 1 - Councilmember Green*


 **Bill No. 120889:** An Ordinance Amending Title 14 of The Philadelphia Code, entitled “Zoning and Planning,” by defining Registered Community Organizations, the requirements for their establishment, and the parameters and expectations of notification, in addition to changing the composition of the Civic Design Review Committee; all under certain terms and conditions.

THE BILL WAS RECONSIDERED.

ORDERED PLACED ON DAYS END OF CALENDAR.

**CONSIDERATION OF THE CALENDAR**

**BILLS ON FIRST READING**

 **Bill No. 121039:** An Ordinance Amending Chapter 19-2600 of The Philadelphia Code, entitled “Business Income and Receipts Taxes,” by further revising the “Special Tax Credit Opportunity for Job Creation,” under certain terms and conditions.

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

**PUBLIC COMMENT**

The following persons provided public comment on January 24, 2013:

**Name and Comment Subject**

Anne Gemmell (130027)

Hanif Palmer (130027)

Che Saitta (130027)

Gwen Snyder (130027)


Robin Rouse (130027)

Dawn Hawkins (130027)


Marsha Moore (130027)

(See Notes of Testimony for full comment.)


**BILLS AND RESOLUTIONS ON FINAL PASSAGE**

-  **Resolution No. 121044:** 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-second 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. 120970:** Resolution Approving the appointment of Lynette Brown-Sow as a member of the Board of Commissioners of the Philadelphia Housing Authority.

THE RESOLUTION WAS ADOPTED.

-  **Resolution No. 120971:** Resolution Approving the appointment of Bonnie Camarda as a member of the Board of Commissioners of the Philadelphia Housing Authority.

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THE RESOLUTION WAS ADOPTED.

☐ **Resolution No. 120972:** Resolution Approving the appointment of Joan Markman, Esq. as a member of the Board of Commissioners of the Philadelphia Housing Authority.

THE RESOLUTION WAS ADOPTED.

☐ **Resolution No. 120973:** Resolution Approving the appointment of Kenneth A. Murphy, Esq. as a member of the Board of Commissioners of the Philadelphia Housing Authority.

THE RESOLUTION WAS ADOPTED.

☐ **Resolution No. 120974:** Resolution Approving the appointment of Leslie Callahan as a member of the Board of Commissioners of the Philadelphia Housing Authority.

THE RESOLUTION WAS ADOPTED.

☐ **Resolution No. 120975:** Resolution Approving the appointment of Shellie Jackson as a member of the Board of Commissioners of the Philadelphia Housing Authority.

THE RESOLUTION WAS ADOPTED.

☐ **Resolution No. 120976:** Resolution Approving the appointment of Nelson Diaz, Esq. as a member of the Board of Commissioners of the Philadelphia Housing Authority.

THE RESOLUTION WAS ADOPTED.

☐ **Resolution No. 120977:** Resolution Approving the appointment of Vernell Tate as a member of the Board of Commissioners of the Philadelphia Housing Authority.

THE RESOLUTION WAS ADOPTED.

☐ **Resolution No. 120978:** Resolution Approving the appointment of Herbert Wetzal as a member of the Board of Commissioners of the Philadelphia Housing Authority.

THE RESOLUTION WAS ADOPTED.

☐ **Bill No. 120656-AA, as amended:** An Ordinance Amending Title 14 of The Philadelphia Code, entitled “Zoning and Planning,” by revising lot area and parking requirements in certain districts, and making technical changes, all under certain terms and conditions.

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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*

**Resolution No. 130025:** Resolution Authorizing the Committee on Rules to hold public hearings to examine the City's intent to contract with Corizon Health, Inc. to provide healthcare services to inmates in the Philadelphia Prison System.

DISCUSSION - RESOLUTION NO. 130025 - COUNCILMEMBERS SANCHEZ, JONES, GOODE, BLACKWELL, BASS, GREEN, TASCO, BROWN - (SEE NOTES OF TESTIMONY).

THE RESOLUTION WAS ADOPTED & REFERRED TO THE COMMITTEE ON RULES.

*The Ayes and Nays were as follows:*

*Nays: 2 - Councilmembers Quiñones Sánchez and Green*

*Ayes: 15 - Councilmembers Council President Clarke, Squilla, Johnson, Blackwell, Jones, Henon, Bass, Tasco, O'Neill, Reynolds Brown, Greenlee, Goode, Oh, Kenney and O'Brien*

**Resolution No. 130026:** Resolution Calling on the City Council of Philadelphia Committee on Education and all of City Council to recognize and support President Barack Obama's Plan, *Now is the Time*, which aims to ensure the safety of our children and our communities by reducing gun violence.

THE RESOLUTION WAS ADOPTED.

DISCUSSION - RESOLUTION NO. 130027 - (SEE NOTES OF TESTIMONY).

**Resolution No. 130027:** Resolution Calling on the City Council of Philadelphia to support, advocate, and recommend a Moratorium (Suspension of Action) for the School District of Philadelphia's Facilities Master Plan recommendations concerning grade changes, school closures, program co-locations, and program mergers/relocations.

THE RESOLUTION WAS ADOPTED.

*The Ayes and Nays were as follows:*

*Absent: 1 - Councilmember Kenney*

*Ayes: 14 - Councilmembers Council President Clarke, Squilla, Johnson, Blackwell, Jones, Henon, Bass, Tasco, O'Neill, Reynolds Brown, Greenlee, Goode, Oh and O'Brien*

*Nays: 2 - Councilmembers Quiñones Sánchez and Green*

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**Resolution No. 130028:** Resolution Recognizing January as “National Human Trafficking Awareness Month” in Philadelphia.

THE RESOLUTION WAS ADOPTED.

**Resolution No. 130029:** Resolution Authorizing Council's Committee on Rules to hold hearings on the issue of charitable exemptions from property taxes, and use of land subject to such charitable exemptions for commercial purposes.

THE RESOLUTION WAS ADOPTED & REFERRED TO THE COMMITTEE ON RULES.

**Resolution No. 130030:** Resolution Calling for the Philadelphia City Council Committee on Public Safety to hold hearings on the status of the City's surveillance camera program.

THE RESOLUTION WAS ADOPTED & REFERRED TO THE COMMITTEE ON PUBLIC SAFETY.

**Resolution No. 130038:** Resolution Recognizing and honoring the 2012 Fox Rok Ravens for winning The American Youth Football National Division I Cadet Championship.

THE RESOLUTION WAS ADOPTED.

**Resolution No. 130039:** Resolution Authorizing the Committee on Streets and Services to hold hearings to examine the current specifications for street lighting products and the Streets Department's adherence to the current specifications.

THE RESOLUTION WAS ADOPTED & REFERRED TO THE COMMITTEE ON STREETS AND SERVICES.

**Resolution No. 130040:** Resolution Declaring and recognizing February 2013 as “Teen Dating Violence Awareness Month.”

THE RESOLUTION WAS ADOPTED.

**Resolution No. 130041:** Resolution Recognizing and honoring Rock Ministries on their Tenth Anniversary of providing a unique combination of sports and faith based programs for at-risk youth in Philadelphia.

THE RESOLUTION WAS ADOPTED.

**Resolution No. 130042:** Resolution Recognizing and honoring the Special Forces Association for its outstanding work and advocacy on behalf of the U.S. Army Special Forces community and for providing a network of brotherhood for those soldiers who served our nation in the U.S. Army Special Forces.

THE RESOLUTION WAS ADOPTED.

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

**Bill No. 120918:** An Ordinance Amending Chapter 11-300 of The Philadelphia Code, entitled “Board of Surveyors,” by adding a new section to revise and codify the notice requirements for public hearings held by the Board of Surveyors on changes in the City Plan, under certain terms and conditions.

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. 120917-A, 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.

COUNCILMEMBER O'NEILL MOVED TO AMEND BILL NO. 120917 (SEE FILE).

COUNCILMEMBER O'NEILL MOVED FOR THE ADOPTION OF THE AMENDMENT.

THE MOTION WAS DULY SECONDED AND AGREED TO.

THE AMENDMENT TO BILL NO. 120917 WAS ADOPTED.

**Bill No. 120917-A, as amended:** An Ordinance \par Amending Title 14 of The Philadelphia Code, entitled \93Zoning and Planning,\94 by revising certain provisions relating to allowed uses and dimensional standards in commercial districts, and making technical changes, all under certain terms and conditions.  
\par  
\par

THE BILL WAS AMENDED.

THE BILL WAS ORDERED PLACED ON FINAL PASSAGE CALENDAR FOR NEXT MEETING..

**Bill No. 120889, as amended:** An Ordinance Amending Title 14 of The Philadelphia Code, entitled “Zoning and Planning,” by defining Registered Community Organizations, the requirements for their establishment, and the parameters and expectations of notification, in addition to changing the

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composition of the Civic Design Review Committee; all under certain terms and conditions.

THE BILL WAS READ.

THE BILL AGAIN BEING BEFORE THE COUNCIL, THE QUESTION BEING: SHALL THE BILL NO. 120889 PASS NOTWITHSTANDING THE DISAPPROVAL OF THE MAYOR?

ON THE RECONSIDERATION OF THE VOTE BY WHICH BILL NO. 120889 PASSED COUNCIL, THE CLERK WILL CALL THE ROLL.

DISCUSSION - BILL NO. 120889 - COUNCILMEMBERS GREEN, BLACKWELL, GREENLEE - (SEE NOTES OF TESTIMONY).

**Bill No. 120889, as amended:** An Ordinance Amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning," by defining Registered Community Organizations, the requirements for their establishment, and the parameters and expectations of notification, in addition to changing the composition of the Civic Design Review Committee; all under certain terms and conditions.

THE BILL WAS VETO OVERRIDDEN.

*The Ayes and Nays were as follows:*

*Ayes: 14 - Councilmembers Council President Clarke, Johnson, Blackwell, Jones, Henon, Bass, Tasco, O'Neill, Reynolds Brown, Greenlee, Goode, Oh, Kenney and O'Brien*

*Nays: 3 - Councilmembers Squilla, Quiñones Sánchez and Green*

**SPEECHES**

COUNCILMEMBERS GREEN AND BLACKWELL - (SEE NOTES OF TESTIMONY).

COUNCILMEMBER REYNOLDS BROWN MOVED TO ADJOURN

THE MOTION WAS DULY SECONDED AND AGREED TO.