

JOURNAL OF THE CITY COUNCIL OF PHILADELPHIA



Thursday, October 17, 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 John H. Roberts, Sr. of Garden of Prayer World Prayer Center was introduced and offered an appropriate prayer.

COUNCILMEMBER GREENLEE MOVED TO APPROVE THE JOURNAL

of the meeting of October 10, 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 No. 130594, which was passed by Council on October 10, 2013, was signed by the Mayor on October 16, 2012. (File No. 130757)

THE COMMUNICATION WAS READ.

- Transmitting a resolution confirming the re-appointment of Sanjuanita Gonzalez as a member of the Board of Ethics, to serve in the term ending November 16, 2018. (File No. 130758)

THE COMMUNICATION WAS READ.

- Transmitting a bill amending an ordinance approved June 25, 2013 (Bill No. 130180) adopting the Operating Budget for Fiscal Year 2014, by making certain additional appropriations needed to meet the unanticipated emergency created by the availability of a state grant to help with the fiscal crisis of the School District of Philadelphia, in accordance with Section 2-301(a) of The

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Philadelphia Home Rule Charter, all under certain terms and conditions. (File No. 130759)

THE COMMUNICATION WAS READ.

- Transmitting a bill amending Title 22 of The Philadelphia Code, entitled “Public Employees Retirement Code,” to expand the scope of “Plan '10” and “DC Plan” to cover additional employees, including correctional officers, to change contribution rates, and to make technical amendments, all under certain terms and conditions. (File No. 130760)

THE COMMUNICATION WAS READ.

- Transmitting a bill authorizing, generally, the continued issuance and sale by the City of Philadelphia of Gas Works Revenue Notes of the City, prescribing the forms of notes and providing for their execution and payment, pledging certain revenues of the Gas Works as security, adopting a rate covenant and directing the imposition and collection of rates and charges sufficient to comply therewith, prescribing the conditions precedent to the issuance of specific series of notes, including a resolution passed by the Bond Committee providing for establishment of credit support for notes, providing for designation of a fiscal agent and sinking fund depository, providing for establishment of a sinking fund and its management, providing remedies upon default, and providing for amendments and modifications. (File No. 130761)

THE COMMUNICATION WAS READ.

- Transmitting a bill constituting the Twelfth Supplemental Ordinance to the General Gas Works Revenue Bond Ordinance of 1998 (the “1998 General Ordinance”); authorizing the City of Philadelphia (the “City”) to sell, either at public or private sale, Gas Works Revenue Capital Project Commercial Paper Notes (1998 Ordinance) (the “Notes”) to pay the costs of certain capital projects and other Project Costs; authorizing the City to obtain credit enhancement and liquidity for the Notes; making certain determinations and covenants relating to Gas Works Revenues and the payment of interest and principal; and authorizing covenants and actions in order that the Notes will not be arbitrage bonds; all under certain terms and conditions. (File No. 130762)

THE COMMUNICATION WAS READ.

INTRODUCTION OF BILLS AND RESOLUTIONS

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



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District to make Howard Zinn's best-selling book "A People's History of the United States" a required part of the high school U.S. history curriculum as Philadelphia City Council recognizes the need to expose students to a more accurate, complex, and engaging understanding of United States history than is typically found in traditional textbooks that often ignore the influence that people of color, women, and the working-class had in shaping our nation's history.

Councilmember Blackwell Introduced and Ordered Placed On Next Week's Final Passage Calendar the following Resolution, Sponsored by Councilmembers Blackwell, O'Brien, Bass and Reynolds Brown:

Resolution No. 130747: Resolution Calling on the School District of Philadelphia to restore School Nurses to each and every school in the District.

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

Resolution No. 130748: 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 Twenty-ninth Ward of the City of Philadelphia, pursuant to Chapter 16-400 of The Philadelphia Code and authorizing the Philadelphia Redevelopment Authority to dispose of such properties for rehabilitation and/or improvements in accordance with the terms of Chapter 16-400 of The Philadelphia Code.

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

Bill No. 130743: An Ordinance Amending Title 22 of The Philadelphia Code, entitled "Public Employees Retirement Code," to expand the scope of "Plan '10" and "DC Plan" to cover additional employees, including correctional officers, to change contribution rates, and to make technical amendments, all under certain terms and conditions.

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

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

Resolution No. 130749: Resolution Proclaiming that the City of Philadelphia recognizes the benefits of a diet high in fruits and vegetables, and urges residents to participate in "Meatless Mondays" to improve their health and decrease their

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

Bill No. 130744: An Ordinance Amending Chapter 17-1300 of The Philadelphia Code, entitled “Philadelphia 21st Century Minimum Wage and Benefits Standard,” by further providing with respect to the granting and revocation of waivers of the requirements of the Chapter; all under certain terms and conditions.

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

Councilmember Goode Introduced and Referred the following Bill for Councilmembers Council President Clarke, Blackwell, Reynolds Brown and Jones, Sponsored by Councilmember Goode:

Bill No. 130745: An Ordinance Amending an Ordinance approved June 25, 2013 (Bill No. 130180) adopting the Operating Budget for Fiscal Year 2014, by making certain additional appropriations needed to meet the unanticipated emergency created by the availability of a state grant to help with the fiscal crisis of the School District of Philadelphia, in accordance with Section 2-301(a) of The Philadelphia Home Rule Charter, all under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON APPROPRIATIONS.

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

Resolution No. 130750: Resolution Honoring the Shepard Recreation Center Basketball League for its successful season and prevailing victories in all three team age groups in the 2013 Philadelphia Department of Parks and Recreation District Basketball competition.

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

Resolution No. 130751: Resolution Reappointing Michael Woodward to the Board of Directors of the City Avenue Special Services District of Philadelphia and Lower Merion.

THE RESOLUTION WAS REFERRED TO THE COMMITTEE OF THE WHOLE.

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

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- ☐ **Resolution No. 130752:** Resolution Reappointing Gary Brandeis to the Board of Directors of the City Avenue Special Services District of Philadelphia and Lower Merion.

THE RESOLUTION WAS REFERRED TO THE COMMITTEE OF THE WHOLE.

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

- ☐ **Resolution No. 130753:** Resolution Recognizing and honoring Brother Michael J. McGinniss on the occasion of his retirement from La Salle University.

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

- ☐ **Resolution No. 130754:** 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 Fifty-ninth Ward of the City of Philadelphia, pursuant to Chapter 16-400 of The Philadelphia Code and authorizing the Philadelphia Redevelopment Authority to dispose of such properties for rehabilitation and/or improvements in accordance with the terms of Chapter 16-400 of The Philadelphia Code.

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

- ☐ **Resolution No. 130756:** Resolution Authorizing Council's Committee on Education and the Committee on Global Opportunities and the Creative/Innovative Economy to investigate and develop a pilot Vocational Education and Training (VET) program and to recommend a legislative framework to implement a City-wide program.

CONSIDERATION OF THE CALENDAR

PUBLIC COMMENT

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The following persons provided public comment on October 17, 2013:

Name and Comment Subject

Jenny Drumgole (130635)

Clarc King (120118)

Marvin Robinson (120232)

See Notes of Testimony for full comment.

BILLS AND RESOLUTIONS ON FINAL PASSAGE

Resolution No. 130731: 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 improvement thereon, situate in the Sixth and Twenty-fourth Wards of the City of Philadelphia, pursuant to Chapter 16-400 of The Philadelphia Code and authorizing the Philadelphia Redevelopment Authority to dispose of such properties for rehabilitation and/or improvements in accordance with the terms of Chapter 16-400 of The Philadelphia Code.

THE RESOLUTION WAS ADOPTED.

Resolution No. 130732: 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 Twenty-ninth Ward of the City of Philadelphia, pursuant to Chapter 16-400 of The Philadelphia Code and authorizing the Philadelphia Redevelopment Authority to dispose of such properties for rehabilitation and/or improvements in accordance with the terms of Chapter 16-400 of The Philadelphia Code.

THE RESOLUTION WAS ADOPTED.

Resolution No. 130737: Resolution Approving the redevelopment contract of the Philadelphia Redevelopment Authority for the redevelopment and urban renewal of a portion of the New Kensington-Fishtown Urban Renewal Area, identified by house number and street address as 2516 Gaul street; and authorizing the Redevelopment Authority to execute the redevelopment contract with BMK Properties, LLC and to take such action as may be necessary to effectuate the

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THE RESOLUTION WAS ADOPTED.

- ☐ **Resolution No. 130749:** Resolution Proclaiming that the City of Philadelphia recognizes the benefits of a diet high in fruits and vegetables, and urges residents to participate in “Meatless Mondays” to improve their health and decrease their carbon footprint.

THE RESOLUTION WAS ADOPTED.

- ☐ **Resolution No. 130750:** Resolution Honoring the Shepard Recreation Center Basketball League for its successful season and prevailing victories in all three team age groups in the 2013 Philadelphia Department of Parks and Recreation District Basketball competition.

THE RESOLUTION WAS ADOPTED.

- ☐ **Resolution No. 130753:** Resolution Recognizing and honoring Brother Michael J. McGinniss on the occasion of his retirement from La Salle University.

THE RESOLUTION WAS ADOPTED.

- ☐ **Resolution No. 130755:** Resolution Recognizing the week of October 20, 2013 through October 26, 2013 as AT&T 9-1-1 for Kids Education Week presented by U.S. Best Repairs.

THE RESOLUTION WAS ADOPTED.

- ☐ **Resolution No. 130756:** Resolution Authorizing Council's Committee on Education and the Committee on Global Opportunities and the Creative/Innovative Economy to investigate and develop a pilot Vocational Education and Training (VET) program and to recommend a legislative framework to implement a City-wide program.

THE RESOLUTION WAS ADOPTED.

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

- ☐ **Bill No. 130531-A, as amended:** An Ordinance Amending Chapter 19-1300 of The Philadelphia Code, entitled “Real Estate Taxes,” by authorizing the assignment or transfer to third-parties, real estate tax claims either absolutely or as collateral security, for an amount to be determined by the Department, all under certain terms and conditions.

THE BILL WAS READ.

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COUNCILMEMBER GREEN MOVED TO AMEND BILL NO. 130531 (SEE FILE).

COUNCILMEMBER GREEN MOVED FOR THE ADOPTION OF OF THE AMENDMENT.

THE MOTION WAS DULY SECONDED AND AGREED TO.

THE AMENDMENT TO BILL NO. 130531 WAS ADOPTED.

Bill No. 130531-A, as amended: An Ordinance Amending Chapter 19-1300 of The Philadelphia Code, entitled “Real Estate Taxes,” by authorizing the assignment or transfer to third-parties, real estate tax claims either absolutely or as collateral security, for an amount to be determined by the Department, all under certain terms and conditions.

THE BILL WAS AMENDED.

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

Bill No. 130583: An Ordinance Amending Bill No. 130325, entitled “An Ordinance approving the Fiscal Year 2014 Capital Budget providing for expenditures for the capital purposes of the Philadelphia Gas Works (including the supplying of funds in connection therewith) subject to certain constraints and conditions, and acknowledging receipt of the Forecast of Capital Budgets for Fiscal Years 2015 through 2019,” by approving a Revised Capital Budget for Fiscal Year 2014.

THE BILL WAS READ AND PASSED.

The Ayes and Nays were as follows:

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

Nays: 0

Abstain: 1 - Councilmember Green

Bill No. 130591: An Ordinance Amending Section 19-1303 of The Philadelphia Code, entitled “Discounts and Additions to Tax,” by tolling additions, interest and penalties when the assessed value of property is under appeal; limiting what the Department can bill for tax years under appeal; and requiring for the tax year under appeal payment of an amount at least equal to the prior year's tax; 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. 130592: An Ordinance Amending Section 19-1806 of The Philadelphia Code, entitled "Authorization of Realty Use and Occupancy Tax," by tolling interest, penalties and costs when the assessed value of taxable property is under appeal; limiting what the Department can bill for tax years under appeal; and requiring for the tax year under appeal payment of an amount at least equal to the prior year's tax; all under certain terms and conditions.

THE BILL WAS READ AND PASSED.

The Ayes and Nays were as follows:

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

Nays: 1 - Councilmember Goode

Bill No. 130635-A, as amended: An Ordinance Amending Chapter 10-700 of The Philadelphia Code, entitled "Refuse and Littering," by further providing with respect to the annual fee for neighborhood sanitation and cleaning services provided to owner-occupied duplexes; all under certain terms and conditions.

THE BILL WAS READ.

COUNCILMEMBER O'NEILL MOVED TO AMEND BILL NO. 130635 (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. 130635 WAS ADOPTED.

Bill No. 130635-A, as amended: An Ordinance Amending Chapter 10-700 of The Philadelphia Code, entitled "Refuse and Littering," by further providing with respect to the annual fee for neighborhood sanitation and cleaning services provided to owner-occupied duplexes; all under certain terms and conditions.

THE BILL WAS AMENDED.

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

Bill No. 130577: An Ordinance Authorizing transfers in appropriations for Fiscal Year 2014 from the Grants Revenue Fund, the Director of Finance - Provision for Other Grants to the General Fund.

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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

SPEECHES

COUNCILMEMBERS OH, JONES, BLACKWELL, GOODE, GREEN AND JOHNSON,

COUNCILMEMBER REYNOLDS BROWN MOVED TO ADJOURN

THE MOTION WAS DULY SECONDED AND AGREED TO.