

JOURNAL OF THE CITY COUNCIL OF PHILADELPHIA



Thursday, April 19, 2012

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 Shadeed Muhammad of United Muslim Masjid of Philadelphia was introduced and offered an appropriate prayer.

COUNCILMEMBER GREENLEE MOVED TO APPROVE THE JOURNAL of the meeting of April 12, 2012.

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. 120169-A, which was passed by Council on April 12, 2012, was signed by the Mayor on April 18, 2012. (File No. 120315)

THE COMMUNICATION WAS READ.

- ☐ Transmitting a bill approving a Substantial Amendment to the Year 37 Consolidated Plan (FY 2012) and application to the United States Department of Housing and Urban Development for approximately \$1,260,836 in Emergency Solutions Grant funding, all under certain terms and conditions, accompanied by an explanatory letter from the Director of Housing. (File No. 120316)

THE COMMUNICATION WAS READ.

- ☐ Transmitting a bill amending Chapter 19-2600 of The Philadelphia Code, entitled "Business Income and Receipts Taxes," by amending Section 19-2602 thereof, entitled 'Licenses,' to add a new subsection requiring licensees operating

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a business premises to cooperate in the reporting and investigation of violent crimes on or near the premises, under certain terms and conditions, accompanied by an explanatory letter from the Police Commissioner. (File No. 120317)

THE COMMUNICATION WAS READ.

- Transmitting a bill amending Section 2 of an Ordinance (Bill No. 080544) approved November 19, 2008, entitled “An Ordinance Authorizing the revision of lines and grades on a portion of City Plan No. 163 by relocating the southwesterly houseline and curbline of Ridge Avenue near Calumet Street; by relocating the northwesterly houseline and curbline of Calumet Street from Ridge Avenue to the Fairmount Park Line; by striking from the City Plan East River Road from Calumet Street northwestwardly to its terminus; and vacating the portions of said East River Road laying outside the lines of Fairmount Park; all under certain terms and conditions,” by extending the period for compliance with the terms and conditions stated therein, accompanied by an explanatory letter from the Streets Commissioner. (File No. 120318)

THE COMMUNICATION WAS READ.

- Transmitting a resolution approving the redevelopment contract and disposition supplement 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 2219 Frankford avenue; authorizing the Redevelopment Authority to execute the redevelopment contract with Anna Plitt and to take such action as may be necessary to effectuate the redevelopment contract and disposition supplement, accompanied by an explanatory letter from the Executive Director of the Redevelopment Authority. (File No. 120319)

THE COMMUNICATION WAS READ.

- Transmitting a resolution approving the redevelopment contract and disposition supplement of the Philadelphia Redevelopment Authority for the redevelopment and urban renewal of a portion of the South Central Urban Renewal Area, designated as Parcel No. 312 and also sometimes identified by house number and street address as 1122-1130 Hall street; authorizing the Philadelphia Redevelopment Authority to execute the redevelopment contract with Webster Investments LLC and to take such action as may be necessary to effectuate the redevelopment contract and disposition supplement, accompanied by an explanatory letter from the Executive Director of the Redevelopment Authority. (File No. 120320)

THE COMMUNICATION WAS READ.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

- ☐ **Resolution No. 120302:** Resolution Recognizing the contributions of Philadelphia's alternative and ethnic newspapers and the strong support given them under the banner of the Philadelphia Multi-Cultural Media Network and its new masthead, The Liberty City Press.

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

- ☐ **Resolution No. 120303:** Resolution Calling on community leaders to assist the Philadelphia Fire Department by speaking with their neighbors about the importance of having working smoke and carbon monoxide alarms, as well as assisting their communities to become informed about fire safety.

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

- ☐ **Resolution No. 120304:** Resolution Recognizing the week of April 22nd to April 28th as Jamaica Week in Philadelphia in honor of Jamaica's 50th Independence Anniversary.

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

- ☐ **Resolution No. 120305:** 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-fourth 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 improvement in accordance with the terms of Chapter 16-400 of The Philadelphia Code.

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

- ☐ **Resolution No. 120306:** Resolution Declaring June 2012 as Local Independent Media Month in Philadelphia and Recognizing the Americans for Democratic

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

- 📄 **Resolution No. 120307:** Resolution Honoring Joan M. Schlotterbeck upon her retirement and recognizing her years of service and dedication to the City of Philadelphia, especially her accomplishments as the Commissioner of the Department of Public Property.

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

- 📄 **Bill No. 120297:** An Ordinance Amending Title 4 of The Philadelphia Code, the Philadelphia Building Construction and Occupancy Code, to provide for the designation of certain properties as nuisance properties, the creation of a Problem Property Task Force to address such properties, and to further provide for penalties for, and remediation of, such nuisance properties, and for the eviction of tenants of such properties, all under certain terms and conditions.

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

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

- 📄 **Resolution No. 120308:** Resolution Authorizing City Council's Committee on Commerce and Economic Development to hold hearings to examine youth employment opportunities in Philadelphia.

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

- 📄 **Resolution No. 120309:** 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 Nineteenth 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 improvement in accordance with the terms of Chapter 16-400 of The Philadelphia Code.

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

- 📄 **Bill No. 120298:** An Ordinance Approving a Substantial Amendment to the Year 37 Consolidated Plan (FY 2012) and application to the United States Department of Housing and Urban Development for approximately \$1,260,836 in Emergency Solutions Grant funding, all under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON FINANCE.

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

- 📄 **Bill No. 120299:** An Ordinance Amending Section 2 of an Ordinance (Bill No. 080544) approved November 19, 2008, entitled “An Ordinance authorizing the revision of lines and grades on a portion of City Plan No. 163 by relocating the southwesterly houseline and curblineline of Ridge Avenue near Calumet Street; by relocating the northwesterly houseline and curblineline of Calumet Street from Ridge Avenue to the Fairmount Park Line; by striking from the City Plan East River Road from Calumet Street northwestwardly to its terminus; and vacating the portions of said East River Road laying outside the lines of Fairmount Park; all under certain terms and conditions,” by extending the period for compliance with the terms and conditions stated therein.

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

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

- 📄 **Resolution No. 120310:** Resolution Amending Resolution No. 120001, which provides Rules for the Government of the Council of the City of Philadelphia, by revising the definition of “privileged resolutions” to include resolutions authorizing one or more committees of Council to hold hearings, so that such resolutions will be considered on the day of introduction following public comment; by requiring the circulation of certain resolutions to members of Council prior to the Council session at which they are introduced; and by making other conforming amendments.

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

- 📄 **Bill No. 120300:** An Ordinance Amending Section 9-213 of The Philadelphia Code, entitled “Farmers' Markets,” by removing as a permissible location the

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sidewalk of the east side of South Broad Street between Porter and Ritner Streets and by adding the sidewalk of the east side of South Broad Street between Snyder and Jackson Streets as a permissible location, all under certain terms and conditions.

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

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

- 📄 **Resolution No. 120311:** Resolution Approving the redevelopment contract and disposition supplement 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 2219 Frankford avenue; authorizing the Redevelopment Authority to execute the redevelopment contract with Anna Plitt and to take such action as may be necessary to effectuate the redevelopment contract and disposition supplement.

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

- 📄 **Bill No. 120301:** An Ordinance Continuing the Mt. Airy Business Improvement District beyond its termination date, in an area that generally includes both sides of Germantown Avenue from 6300 to 7631 and certain blocks of streets that intersect that portion of Germantown Avenue and for which Mt. Airy Improvement District, Inc., a Pennsylvania nonprofit corporation, is the Neighborhood Improvement District Management Association for the District; approving a final plan and report 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 Mt. Airy Improvement District, Inc. relating to the District; and authorizing Mt. Airy Improvement District, Inc. to assess certain property owners within the District a special property assessment fee to be used in accordance with the approved final plan; all in accordance with the provisions of the Community and Economic Improvement Act, and under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

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

- 📄 **Resolution No. 120312:** Resolution Urging the Pennsylvania State Legislature to pass Senate Bill 236 which would amend Title 18 (Crimes and Offenses) of the

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Pennsylvania Consolidated Statutes, in assault, by adding Public Transportation Employees to the list of protected individuals.

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

- ☐ **Resolution No. 120313:** Resolution Initiating action to continue the Mt. Airy Business Improvement District beyond its termination date in an area that generally includes both sides of Germantown Avenue from 6300 to 7631 and certain blocks of streets that intersect that portion of Germantown Avenue, for which Mt. Airy Improvement District, Inc., a Pennsylvania nonprofit corporation, serves as the Neighborhood Improvement District Management Association; approving a preliminary plan for and report concerning the District; and authorizing and directing the Committee on Rules and the Clerk of Council to take all actions that are required by the Community and Economic Improvement Act prior to enactment of an ordinance that would formally continue the District.

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

- ☐ **Resolution No. 120314:** Resolution Declaring the historic *Gazela Primeiro* as the official Tall Ship of the City of Philadelphia.

REPORTS FROM COMMITTEES

COMMITTEE ON TRANSPORTATION AND PUBLIC UTILITIES

- ☐ **Bill No. 120251:** An Ordinance Authorizing the Procurement Commissioner on behalf of the City of Philadelphia, to enter into a concession agreement for the development, operation and maintenance of an airport advertising program at Philadelphia International Airport; all under certain terms and conditions.

COUNCILMEMBER JOHNSON MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 120251.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

CONSIDERATION OF THE CALENDAR

BILLS ON FIRST READING CALENDAR

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📄 **Bill No. 120251:** An Ordinance Authorizing the Procurement Commissioner on behalf of the City of Philadelphia, to enter into a concession agreement for the development, operation and maintenance of an airport advertising program at Philadelphia International Airport; all under certain terms and conditions.

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

PUBLIC COMMENT

The following persons provided public comment on April 19, 2012:

Name and Comment Subject

Robert Taylor (120286)

Doug Smith (120279)

DISCUSSION - COUNCILMEMBER KENNEY - RESOLUTION NO. 120279 - DOUG SMITH - VERIZON - (SEE NOTES OF TESTIMONY).

Niko Rayer (120254)

See Notes of Testimony for full comment.

BILLS AND RESOLUTIONS ON FINAL PASSAGE

📄 **Resolution No. 120150-A:** Resolution Approving the redevelopment contract and disposition supplement of the Philadelphia Redevelopment Authority for the redevelopment and urban renewal of a portion of the Center City Redevelopment Area, designated as Parcel No. 46 and also sometimes identified by house number and street address as 2017-2023 Chestnut street; authorizing the Redevelopment Authority to execute the redevelopment contract with Aquinas 2021 Chestnut Street, LP and to take such action as may be necessary to effectuate the redevelopment contract and disposition supplement.

THE RESOLUTION WAS ADOPTED.

📄 **Resolution No. 120279:** Resolution Authorizing the Committee on Public Property to hold public hearings to review the status of the City's franchise agreement with Verizon Pennsylvania, Inc., particularly on the company's progress in making cable television service available across the City.

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

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☐ **Resolution No. 120280:** Resolution Approving the redevelopment contract and disposition supplement of the Philadelphia Redevelopment Authority for the redevelopment and urban renewal of a portion of the Model Cities Urban Renewal Area, identified by house numbers and street addresses as 2212 North Eleventh street, 2247 North Twelfth street, 2226 North Camac street, 2242 North Camac street, 2250 North Camac street, 2317 North Camac street, 1200 West Dauphin street, 1215 West Dauphin street, 1220 West Dauphin street, 1227 West Dauphin street, 2336 North Fawn street, 1108 West Nevada street, 1213 West Susquehanna avenue, 1219 West Susquehanna avenue, 1221 West Susquehanna avenue and 1229 West Susquehanna avenue; authorizing the Redevelopment Authority to execute the redevelopment contract with Philadelphia Housing Authority and to take such action as may be necessary to effectuate the redevelopment contract and disposition supplement.

THE RESOLUTION WAS ADOPTED.

☐ **Resolution No. 120282:** 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 Eighteenth and Nineteenth 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 improvement in accordance with the terms of Chapter 16-400 of The Philadelphia Code.

THE RESOLUTION WAS ADOPTED.

☐ **Resolution No. 120283:** Resolution Approving the redevelopment contract and disposition supplement of the Philadelphia Redevelopment Authority for the redevelopment and urban renewal of a portion of the North Philadelphia Redevelopment Area, designated as Parcel No. 1 and also sometimes identified by house number and street address as 2652 North Orkney street; authorizing the Redevelopment Authority to execute the redevelopment contract with Katherine Sepulveda and to take such action as may be necessary to effectuate the redevelopment contract and disposition supplement.

THE RESOLUTION WAS ADOPTED.

☐ **Resolution No. 120285:** Resolution Authorizing the joint committees on Public Health and Human Services and Housing Neighborhood Development and the Homeless to examine the progress anti-poverty organizations and agencies such as the Mayor's Office of Community Services are making in the alleviation of poverty in the City of Philadelphia and, in furtherance of such investigation,

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authorizing the issuance of subpoenas to compel the attendance of witnesses and the production of documents to the full extent authorized under Section 2-401 of the Home Rule Charter.

THE RESOLUTION WAS ADOPTED & REFERRED TO THE COMMITTEE ON PUBLIC HEALTH AND HUMAN SERVICES.

☐ **Resolution No. 120286:** Resolution Urging the Pennsylvania General Assembly to repeal its expansion of the “Castle Doctrine” law, Pennsylvania's version of “Stand Your Ground” legislation, before someone in Pennsylvania experiences the loss and anguish of a preventable death.

DISCUSSION - COUNCILMEMBERS JONES AND O'NEILL - RESOLUTION NO. 120286 - (SEE NOTES OF TESTIMONY).

THE RESOLUTION WAS ADOPTED.

The Ayes and Nays were as follows:

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

Nays: 1 - Councilmember O'Neill

☐ **Resolution No. 120302:** Resolution Recognizing the contributions of Philadelphia's alternative and ethnic newspapers and the strong support given them under the banner of the Philadelphia Multi-Cultural Media Network and its new masthead, The Liberty City Press.

THE RESOLUTION WAS ADOPTED.

☐ **Resolution No. 120304:** Resolution Recognizing the week of April 22nd to April 28th as Jamaica Week in Philadelphia in honor of Jamaica's 50th Independence Anniversary.

THE RESOLUTION WAS ADOPTED.

☐ **Resolution No. 120306:** Resolution Declaring June 2012 as Local Independent Media Month in Philadelphia and Recognizing the Americans for Democratic Action (ADA) for their work in Promoting Economic and Social Justice.

THE RESOLUTION WAS ADOPTED.

☐ **Resolution No. 120307:** Resolution Honoring Joan M. Schlotterbeck upon her retirement and recognizing her years of service and dedication to the City of Philadelphia, especially her accomplishments as the Commissioner of the Department of Public Property.

THE RESOLUTION WAS ADOPTED.

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📄 **Resolution No. 120314:** Resolution Declaring the historic *Gazela Primeiro* as the official Tall Ship of the City of Philadelphia.

THE RESOLUTION WAS ADOPTED.

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

📄 **Bill No. 120004:** An Ordinance To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Torresdale Avenue, Megargee Street, Cottage Street, Placid Street, Frankford Avenue, and Tolbut 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. 120171:** An Ordinance Authorizing transfers in appropriations for Fiscal Year 2012 from the Grants Revenue Fund, the Director of Finance - Provision for Other Grants to the Hotel Room Rental Tax Fund, the Director of Commerce.

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. 120252:** An Ordinance Authorizing transfers in appropriations for Fiscal Year 2012 within the General Fund from the Office of Property Assessment to the Law Department.

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 SANCHEZ, HENON, BASS, GREEN, JOHNSON, TASCO, AND BROWN - (SEE NOTES OF TESTIMONY).

COUNCILMEMBER REYNOLDS BROWN MOVED TO ADJOURN

THE MOTION WAS DULY SECONDED AND AGREED TO.