



City of Philadelphia

City Council
Chief Clerk's Office
402 City Hall
Philadelphia, PA 19107

RESOLUTION NO. 230311

Introduced April 20, 2023

**Councilmember Jones
for
Council President Clarke**

RESOLUTION

Authorizing and ratifying Council President Clarke's participation, on behalf of and as representative of City Council, in all proceedings relating to the decision of the Zoning Board of Adjustment with respect to 1600 East Berks Street.

WHEREAS, Pursuant to Resolution No. 200064, Council President Darrell L. Clarke filed an appeal, on behalf of and as representative of City Council, of a decision of L&I to the Zoning Board of Adjustment with respect to 1600 East Berks Street; and

WHEREAS, The Council President thereafter intervened, on behalf of and as representative of City Council, in an appeal of the Zoning Board's decision, docketed in the Court of Common Pleas of Philadelphia County at June Term, 2022, No. 01186; and

WHEREAS, The Council President, on behalf of and as representative of City Council, thereafter filed an appeal to Commonwealth Court of the decision of the Court of Common Pleas; and

WHEREAS, The owner of the property at 1600 East Berks Street has filed an Application to Quash said appeal, contending that the Council President did not have sufficiently specific authorization from Council to file such appeal; and

WHEREAS, The Council had intended by Resolution No. 200064 to authorize the Council President to participate in all proceedings relating to the decision of the Zoning Board with respect to 1600 East Berks Street, including but not limited to filing the appeal to Commonwealth Court on its behalf; and

WHEREAS, The Council wishes to reaffirm that prior authorization and, further, to ratify the Council President's authority to file the appeal on behalf of and as representative of the Council; now, therefore, be it

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RESOLUTION NO. 230311 continued

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That Council President Darrell L. Clarke had full authority to intervene in the appeal relating to 1600 East Berks Street, docketed in the Court of Common Pleas of Philadelphia County at June Term, 2022, No. 01186, and to file and prosecute an appeal from that decision, all on behalf of and as representative of this Council.

FURTHER RESOLVED, That this Council ratifies all steps taken to date by Council President Clarke on behalf of and as representative of Council with respect to said proceedings.

FURTHER RESOLVED, That this Council authorizes Council President Clarke to take all further steps on behalf of and as representative of Council with respect to such proceedings as Council President Clarke determines is appropriate for the successful prosecution of the appeal to Commonwealth Court, including, if necessary, any further appeals.