

JOURNAL OF THE CITY COUNCIL OF PHILADELPHIA



Thursday, October 2, 2014

EXCUSED: 2 - Councilmembers Johnson and Tasco

PRESENT: 15 - Councilmembers Council President Clarke, Squilla, Blackwell, Jones, Henon, Quiñones Sánchez, Bass, O'Neill, Reynolds Brown, Greenlee, Goode, Oh, Kenney, Neilson and O'Brien

Council met, a quorum being present.

Reverend Dr. LaVerne Adams of Cathedral of Praise Community Church was introduced and offered an appropriate prayer.

COUNCILMEMBER GREENLEE MOVED TO APPROVE THE JOURNAL

of the meeting of September 25, 2014.

THE MOTION WAS DULY SECONDED AND AGREED TO.

Councilmember Jones requested leave of absence for

Councilmembers Tasco and Johnson.

THE REQUEST WAS GRANTED.

COMMUNICATIONS

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

☐ Transmitting a message advising Council that Bill Nos. 130950-A and 140377-A, which were passed by Council on September 18, 2014, were signed by the Mayor on October 1, 2014. (File No. 140776)

THE COMMUNICATION WAS READ.

☐ October 1, 2014

TO THE PRESIDENT AND MEMBERS OF THE
COUNCIL OF THE CITY OF PHILADELPHIA:

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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 on the following bill:

Bill No. 140519 Recommended further discussion.

Respectfully,
Michael A. Nutter
Mayor (File No. 140777)

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 employees represented by AFSCME, District Council 33, and certain employees not covered by a collective bargaining agreement, to change contribution rates, and to make technical amendments, all under certain terms and conditions. (File No. 140779)

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 Councilmembers Kenney and Squilla:

- Resolution No. 140753:** Resolution Authorizing City Council's Committee on Transportation and Public Utilities to hold hearings to examine proposals presently in the state legislature that seek to regulate Transportation Network Companies (TNC) in the Commonwealth and the potential need for such services in cities of the first class.

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

- Resolution No. 140754:** Resolution Recognizing and honoring Pasquale “Pat” T. Deon, SEPTA Board Chairman, for his years of service to the authority and after he was chosen to receive the 2014 Outstanding Public Transportation Board Member Award by the American Public Transportation Association (APTA).

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

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📄 the *Neshaminy High School Playwickian* Editorial Board and their student advisor Tara Huber for taking a stand against racism and bigotry by refusing to continue to publish the traditional nickname for the Neshaminy High School athletic teams, a derogatory term for Native Americans.

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

📄 **Bill No. 140740:** An Ordinance Amending Chapter 9-200 of The Philadelphia Code, entitled “Commercial Activities on Streets,” by adding a new section, permitting and regulating Pop-up Shops within designated areas, under certain terms and conditions.

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

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

📄 **Bill No. 140741:** 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 employees represented by AFSCME, District Council 33, and certain employees not covered by a collective bargaining agreement, 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 Blackwell Introduced and Referred the following Bill, Sponsored by Councilmember Blackwell:

📄 **Bill No. 140742:** An Ordinance Authorizing Old Nelson PA Four, LLC, dba Old Nelson Food Company to construct, own and maintain an open-air sidewalk café at 3020 Market Street, Philadelphia, PA, under certain terms and conditions.

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

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

📄 **Resolution No. 140756:** 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 building and improvements thereon, situate in the Sixth, Twenty-fourth, Forty-sixth and Fifty-first 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

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properties for rehabilitation and/or improvements in accordance with the terms of Chapter 16-400 of The Philadelphia Code.

Councilmember Blackwell Introduced and Moved to Be Placed on This Week's Final Passage Calendar - Rules Suspended the following Resolution, Sponsored by Councilmember Blackwell:

Resolution No. 140757: Resolution Requesting the Mayor to return to Council Bill No. 140514, entitled “An Ordinance Providing for the submission to the qualified electors of the City of Philadelphia of an amendment to Article VIII, Chapter 5 of The Philadelphia Home Rule Charter, entitled 'Referenda Approved by the Voters', by adding a new section providing that the citizens of Philadelphia call upon the Pennsylvania General Assembly and the Governor to abolish the School Reform Commission and return local control of Philadelphia's schools, as proposed by a petition presented to the Council and approved for submission to the electors by Resolution; 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,” for the purpose of reconsideration by the Council of the vote by which said bill passed Council.

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

Bill No. 140744: An Ordinance To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by 18th Street, Diamond Street, 24th Street, Norris Street, 25th Street, Ridge Avenue, Glenwood Avenue, Diamond Street, 25th Street, Sedgley Avenue, Dauphin Street, and Glenwood Avenue.

THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

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

Bill No. 140745: An Ordinance To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Broad Street, Diamond Street, 18th Street, Glenwood Avenue and Lehigh Avenue.

THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

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

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entitled “Zoning and Planning,” by creating a new Mayfair/NCA Overlay district, the requirements of which shall apply to all commercially zoned properties in the area bounded by Frankford Avenue (both sides), Meridian Street, Rowland Avenue, Rhawn Street, Lexington Avenue, Solly Avenue, Revere Street, Holme Avenue, Roosevelt Boulevard, Bustleton Avenue, Lardner Street, Leonard Street, Lardner Street, Revere Street, and Benner Street.

THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

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

Resolution No. 140758: Resolution Honoring The Homeowners Association of Philadelphia on the occasion of their 60th Anniversary.

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

Resolution No. 140759: Resolution Authorizing Council's Committee on Rules to hold public hearings to investigate the preservation and development of industrial land in the City of Philadelphia.

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

Bill No. 140747: 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 provide for the preparation of language access plans by all City agencies; and authorizing the appropriate officers to publish notice and to make arrangements for the special election; all under certain terms and conditions.

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

Councilmember Quiñones Sánchez Introduced and Ordered Placed on This Week's Final Passage Calendar the following Resolution for Councilmember Tasco, Sponsored by Councilmembers Kenney, Greenlee, Goode, O'Brien, Oh, Bass, Jones, Neilson, Council President Clarke, Reynolds Brown, Blackwell and Henon:

Resolution No. 140760: Resolution Congratulating Kevin Vaughan on his retirement from the City of Philadelphia.

Councilmember Quiñones Sánchez Introduced and Ordered Placed on This Week's Final Passage Calendar the following Resolution for Councilmember Tasco, Sponsored by

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Councilmembers Kenney, Greenlee, Goode, O'Brien, Oh, Bass, Jones, Neilson, Council President Clarke, Reynolds Brown, Blackwell and Henon:

- ☐ **Resolution No. 140761:** Resolution Honoring The Moorish Science Temple of America on its 100th Anniversary.

Councilmember Quiñones Sánchez Introduced and Ordered Placed on This Week's Final Passage Calendar the following Resolution for Councilmember Tasco, Sponsored by Councilmembers Quiñones Sánchez, Kenney, Greenlee, Goode, O'Brien, Oh, Bass, Jones, Neilson, Council President Clarke, Reynolds Brown, Blackwell and Henon:

- ☐ **Resolution No. 140762:** Resolution Honoring Dr. Donald Schwarz for his service as Deputy Mayor for Health and Opportunity and Health Commissioner.

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

- ☐ **Resolution No. 140763:** 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 Seventh, Sixteenth, Nineteenth and Forty-third 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.

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

- ☐ **Resolution No. 140764:** Resolution Proposing an amendment to The Philadelphia Home Rule Charter to provide for the adoption of language access plans by all City agencies; 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 Neilson Introduced and Ordered Placed on This Week's Final Passage Calendar the following Resolution, Sponsored by Councilmember Neilson:

- ☐ **Resolution No. 140765:** Resolution Joining the nation in recognizing October 2014 as National Breast Cancer Awareness Month and commending the PA Breast Cancer Coalition for its efforts to find a cure for breast cancer.

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

- ☐ **Bill No. 140748:** An Ordinance Amending Bill No. 140145-A (approved June 19, 2014), entitled “An Ordinance to adopt a Fiscal 2015 Capital Budget,” by adding and revising certain projects, amounts and sources, under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON APPROPRIATIONS.

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

- ☐ **Bill No. 140749:** An Ordinance Amending Bill No. 140144-A (approved June 19, 2014), entitled “An Ordinance to adopt a Capital Program for the six Fiscal Years 2015-2020 inclusive,” by adding and revising certain projects, amounts and sources, under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON APPROPRIATIONS.

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

- ☐ **Resolution No. 140766:** Resolution Recognizing October 1st as Little Brothers - Friends of the Elderly Day in Philadelphia.

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

- ☐ **Resolution No. 140767:** Resolution Recognizing October as Parent and Family Appreciation Month

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

- ☐ **Resolution No. 140768:** 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-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 improvements in accordance with the terms of Chapter 16-400 of The

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

- ☐ **Resolution No. 140769:** Resolution Honoring and congratulating John McNesby on the occasion of his retirement from the Philadelphia Police Department.

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

- ☐ **Bill No. 140750:** An Ordinance Amending Section 9-613 of The Philadelphia Code, entitled "Junk Dealers," to establish additional requirements in connection with engaging in the business of a junk dealer, all under certain terms and conditions.

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

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

- ☐ **Bill No. 140751:** An Ordinance Amending Section 9-204 of The Philadelphia Code, entitled "Sidewalk Vendors in Center City," by reducing the number of vendor locations permitted on the east side of 5th Street, from Arch Street to Market Street; all 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 Councilmembers Squilla and Kenney:

- ☐ **Resolution No. 140770:** Resolution Honoring and recognizing Team Philadelphia on their participation and dominance in the Federation of Gay Games 9 which took place in Cleveland/Akron, Ohio August 9, 2014 through August 16, 2014.

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

- ☐ **Resolution No. 140771:** Resolution Acknowledging the work of Gear Up in increasing the number of students prepared to enter and succeed in higher education.

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

- ☐ **Resolution No. 140772:** Resolution Congratulating and honoring Hill Freedman

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World Academy Middle School and Norwood-Fontbonne Academy for winning the National Blue Ribbon School Award.

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

- 📄 **Resolution No. 140773:** Resolution Recognizing and honoring Art-Reach for the ACCESS Admission initiative which connects underserved populations with Philadelphia's arts and cultural institutions.

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

- 📄 **Bill No. 140752:** 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 of The Philadelphia Home Rule Charter relating to establishing and defining a new method and qualifications for appointing and electing the members of the Board of Education along with new standards and policies to ensure efficient management and educational excellence; 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 Oh Introduced and Ordered Placed on This Week's Final Passage Calendar the following Resolution, Sponsored by Councilmember Oh:

- 📄 **Resolution No. 140774:** Resolution Declaring October 24, 2014, to be Acupuncture And Oriental Medicine Day in Philadelphia to increase public awareness of the Progress, Promise, and benefits of Acupuncture and Oriental Medicine.


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

- 📄 **Resolution No. 140775:** Resolution Proposing an amendment to The Philadelphia Home Rule Charter in preparation for a return to local Philadelphia control of the Philadelphia School District by providing for a new method and qualifications for appointing and electing the members of the Board of Education of the School District of Philadelphia and establishing new standards and policies to ensure academic excellence, financial responsibility, and efficient, economical, and effective operation and management of the School District of Philadelphia.

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

REPORTS FROM COMMITTEES

COMMITTEE ON FINANCE

-  **Bill No. 140715:** An Ordinance Authorizing and approving the modification of a Service Agreement between the City of Philadelphia and the Philadelphia Authority for Industrial Development relating to the refinancing of certain bonds, approving the issuance by the Philadelphia Authority for Industrial Development of bonds, notes or other evidences of indebtedness in one or more series, or in a combined series with certain other authorized indebtedness, to refinance certain bonds; and authorizing and approving the obligation of the City of Philadelphia to pay in full when due the Service Fee and other amounts payable under the Service Agreement, as modified; authorizing certain City officers to take certain actions required to issue bonds, notes or other evidences of indebtedness; covenanting that the City of Philadelphia will make necessary appropriations in each of the City's fiscal years to provide for the Service Fee and other amounts due under the Service Agreement, as modified; covenanting that the City of Philadelphia will make timely payments of the Service Fee and other amounts due under the Service Agreement, as modified; and authorizing City officials to take necessary or appropriate actions, all under certain terms and conditions.

COUNCILMEMBER BLACKWELL MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 140715.


REPORT WAS READ (SEE NOTES OF TESTIMONY).

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

-  **Bill No. 140715:** An Ordinance Authorizing and approving the modification of a Service Agreement between the City of Philadelphia and the Philadelphia Authority for Industrial Development relating to the refinancing of certain bonds, approving the issuance by the Philadelphia Authority for Industrial Development of bonds, notes or other evidences of indebtedness in one or more series, or in a combined series with certain other authorized indebtedness, to refinance certain bonds; and authorizing and approving the obligation of the City of Philadelphia to pay in full when due the Service Fee and other amounts payable under the

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Service Agreement, as modified; authorizing certain City officers to take certain actions required to issue bonds, notes or other evidences of indebtedness; covenanting that the City of Philadelphia will make necessary appropriations in each of the City's fiscal years to provide for the Service Fee and other amounts due under the Service Agreement, as modified; covenanting that the City of Philadelphia will make timely payments of the Service Fee and other amounts due under the Service Agreement, as modified; and authorizing City officials to take necessary or appropriate actions, all under certain terms and conditions.

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

PUBLIC COMMENT


The following persons provided public comment on October 2, 2014:

Name and Comment Subject

- Carol Piazza (140609)
- Ronald Blount (140734)
- David R. Alperstein (140734)
- Clarc King (140609)
- Theresa Yates (140734)
- Clinton Cri Hendon (140734)
- Eric Harper (140734)
- Shawn Tucker (140734)
- Herman Parodi (140734)

See Notes of Testimony for full comment.

BILLS AND RESOLUTIONS ON FINAL PASSAGE

-  **Resolution No. 140726:** 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 Forty-seventh 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

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THE RESOLUTION WAS ADOPTED.

☐ **Resolution No. 140727:** 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 and Forty-seventh 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. 140734:** Resolution Respectfully requesting that the Pennsylvania Legislature authorize an additional 300 taxi medallions to provide modern, green, wheelchair accessible taxi cabs with bike racks to meet the existing needs of Philadelphia's underserved ridership and using the proceeds to reduce the wage tax.

THE RESOLUTION WAS ADOPTED.

☐ **Resolution No. 140753:** Resolution Authorizing City Council's Committee on Transportation and Public Utilities to hold hearings to examine proposals presently in the state legislature that seek to regulate Transportation Network Companies (TNC) in the Commonwealth and the potential need for such services in cities of the first class.

THE RESOLUTION WAS ADOPTED & REFERRED TO THE COMMITTEE ON TRANSPORTATION AND PUBLIC UTILITIES.

☐ **Resolution No. 140754:** Resolution Recognizing and honoring Pasquale "Pat" T. Deon, SEPTA Board Chairman, for his years of service to the authority and after he was chosen to receive the 2014 Outstanding Public Transportation Board Member Award by the American Public Transportation Association (APTA).

THE RESOLUTION WAS ADOPTED.

☐ **Resolution No. 140755:** Resolution Recognizing and honoring the members of the *Neshaminy High School Playwickian* Editorial Board and their student advisor Tara Huber for taking a stand against racism and bigotry by refusing to continue to publish the traditional nickname for the Neshaminy High School athletic teams, a derogatory term for Native Americans.

THE RESOLUTION WAS ADOPTED.

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☐ **Resolution No. 140757:** Resolution Requesting the Mayor to return to Council Bill No. 140514, entitled “An Ordinance Providing for the submission to the qualified electors of the City of Philadelphia of an amendment to Article VIII, Chapter 5 of The Philadelphia Home Rule Charter, entitled 'Referenda Approved by the Voters', by adding a new section providing that the citizens of Philadelphia call upon the Pennsylvania General Assembly and the Governor to abolish the School Reform Commission and return local control of Philadelphia's schools, as proposed by a petition presented to the Council and approved for submission to the electors by Resolution; 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,” for the purpose of reconsideration by the Council of the vote by which said bill passed Council.

THE RESOLUTION WAS ADOPTED.

☐ **Resolution No. 140758:** Resolution Honoring The Homeowners Association of Philadelphia on the occasion of their 60th Anniversary.

THE RESOLUTION WAS ADOPTED.

☐ **Resolution No. 140759:** Resolution Authorizing Council's Committee on Rules to hold public hearings to investigate the preservation and development of industrial land in the City of Philadelphia.

THE RESOLUTION WAS ADOPTED.

☐ **Resolution No. 140760:** Resolution Congratulating Kevin Vaughan on his retirement from the City of Philadelphia.

THE RESOLUTION WAS ADOPTED.

☐ **Resolution No. 140761:** Resolution Honoring The Moorish Science Temple of America on its 100th Anniversary.

THE RESOLUTION WAS ADOPTED.

☐ **Resolution No. 140762:** Resolution Honoring Dr. Donald Schwarz for his service as Deputy Mayor for Health and Opportunity and Health Commissioner.

THE RESOLUTION WAS ADOPTED.

☐ **Resolution No. 140765:** Resolution Joining the nation in recognizing October 2014 as National Breast Cancer Awareness Month and commending the PA Breast Cancer Coalition for its efforts to find a cure for breast cancer.

THE RESOLUTION WAS ADOPTED.

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Resolution No. 140766: Resolution Recognizing October 1st as Little Brothers - Friends of the Elderly Day in Philadelphia.

THE RESOLUTION WAS ADOPTED.

Resolution No. 140767: Resolution Recognizing October as Parent and Family Appreciation Month

THE RESOLUTION WAS ADOPTED.

Resolution No. 140769: Resolution Honoring and congratulating John McNesby on the occasion of his retirement from the Philadelphia Police Department.

THE RESOLUTION WAS ADOPTED.

Resolution No. 140770: Resolution Honoring and recognizing Team Philadelphia on their participation and dominance in the Federation of Gay Games 9 which took place in Cleveland/Akron, Ohio August 9, 2014 through August 16, 2014.

THE RESOLUTION WAS ADOPTED.

Resolution No. 140771: Resolution Acknowledging the work of Gear Up in increasing the number of students prepared to enter and succeed in higher education.

THE RESOLUTION WAS ADOPTED.

Resolution No. 140772: Resolution Congratulating and honoring Hill Freedman World Academy Middle School and Norwood-Fontbonne Academy for winning the National Blue Ribbon School Award.

THE RESOLUTION WAS ADOPTED.

Resolution No. 140773: Resolution Recognizing and honoring Art-Reach for the ACCESS Admission initiative which connects underserved populations with Philadelphia's arts and cultural institutions.

THE RESOLUTION WAS ADOPTED.

Resolution No. 140774: Resolution Declaring October 24, 2014, to be Acupuncture And Oriental Medicine Day in Philadelphia to increase public awareness of the Progress, Promise, and benefits of Acupuncture and Oriental Medicine.

THE RESOLUTION WAS ADOPTED.

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

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Bill No. 130693-A: An Ordinance Amending Title 9 of The Philadelphia Code, entitled “Regulation of Businesses, Trades and Professions,” by prohibiting the use of automated purchasing machines for the purchase of personal property; providing for the seizure and forfeiture of the machines used in violation; establishing certain exceptions; and imposing fines and penalties; all under certain terms and conditions.

THE BILL WAS READ.

COUNCILMEMBER BROWN MOVED TO AMEND BILL NO. 130693 (SEE FILE).

COUNCILMEMBER BROWN MOVED FOR THE ADOPTION OF THE AMENDMENT.

THE MOTION WAS DULY SECONDED AND AGREED TO.

THE AMENDMENT TO BILL NO. 130693 WAS ADOPTED.

Bill No. 130693-A, as amended: An Ordinance Amending Title 9 of The Philadelphia Code, entitled “Regulation of Businesses, Trades and Professions,” by prohibiting the use of automated purchasing machines for the purchase of personal property; providing for the seizure and forfeiture of the machines used in violation; establishing certain exceptions; and imposing fines and penalties; all under certain terms and conditions.

THE BILL WAS AMENDED.

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

Bill No. 140609, as amended: An Ordinance Authorizing and approving the execution and delivery of a Service Agreement between the City of Philadelphia and the Philadelphia Authority for Industrial Development relating to the financing of additional operating funds for the School District of Philadelphia for Fiscal Year 2015 only, approving the issuance by the Philadelphia Authority for Industrial Development of bonds, notes or other evidences of indebtedness in one or more series, to finance such additional operating funds; and authorizing and approving the obligation of the City of Philadelphia to pay in full when due the Service Fee and other amounts payable under the Service Agreement; authorizing certain City officers to take certain actions required to issue bonds, notes or other evidences of indebtedness; covenanting that the City of Philadelphia will make necessary appropriations in each of the City's fiscal years to provide for the Service Fee and other amounts due under the Service Agreement; covenanting that the City of Philadelphia will make timely payments of the Service Fee and other amounts due under the Service Agreement; and authorizing City officials to take necessary or appropriate actions, all under certain terms and conditions.

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THE BILL WAS READ AND PASSED.

The Ayes and Nays were as follows:

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

Nays: 0

SPECIAL BUSINESS

Councilmember Blackwell

moved that the rules of
Council be suspended to permit consideration at this time of Special Business related to the re-call of Bill No. 140514.


THE MOTION WAS DULY SECONDED AND AGREED TO.

The Ayes and Nays were as follows:

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

Nays: 0

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

 October 2, 2014

TO THE PRESIDENT AND THE MEMBERS OF THE
COUNCIL OF THE CITY OF PHILADELPHIA:

I am returning herewith, as requested by your Resolution adopted October 2, 2014, Bill No. 140514, entitled “An Ordinance Providing for the submission to the qualified electors of the City of Philadelphia of an amendment to Article VIII, Chapter 5 of The Philadelphia Home Rule Charter, entitled “Referenda Approved by the Voters,” by adding a new section providing that the citizens of Philadelphia call upon the Pennsylvania General Assembly and the Governor to abolish the School Reform Commission and return local control of Philadelphia's schools, as proposed by a petition presented to the Council and approved for submission to the electors by Resolution; 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,” for the purpose of reconsideration by the Council of the vote by which said bill passed Council.

Respectfully,
Michael A. Nutter (File No. 140778)

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THE COMMUNICATION WAS READ.

Councilmember Blackwell

moved that the vote by which Bill No. 140514 passed Council be reconsidered.

THE MOTION WAS DULY SECONDED AND AGREED TO.

Bill No. 140514-A, as amended: An Ordinance Providing for the submission to the qualified electors of the City of Philadelphia of an amendment to Article VIII, Chapter 5 of The Philadelphia Home Rule Charter, entitled “Referenda Approved by the Voters,” by adding a new section providing that the citizens of Philadelphia call upon the Pennsylvania General Assembly and the Governor to abolish the School Reform Commission and return local control of Philadelphia's schools, as proposed by a petition presented to the Council and approved for submission to the electors by Resolution; 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 RECONSIDERED.

The Ayes and Nays were as follows:

Nays: 0

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

THE BILL WAS READ.

THE BILL AGAIN, BEING BEFORE THE COUNCIL, COUNCILMEMBER BLACKWELL MOVED TO AMEND BILL NO. 140514 (SEE FILE).

COUNCILMEMBER BLACKWELL MOVED FOR THE ADOPTION OF THE AMENDMENT.

THE MOTION WAS DULY SECONDED AND AGREED TO.

THE AMENDMENT TO BILL NO. 140514 WAS ADOPTED.

Bill No. 140514-A, as amended: An Ordinance Providing for the submission to the qualified electors of the City of Philadelphia of an amendment to Article VIII, Chapter 5 of The Philadelphia Home Rule Charter, entitled “Referenda Approved by the Voters,” by adding a new section providing that the citizens of Philadelphia call upon the Pennsylvania General Assembly and the Governor to abolish the School Reform Commission and return local control of Philadelphia's

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schools, as proposed by a petition presented to the Council and approved for submission to the electors by Resolution; 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 AMENDED.


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

INTRODUCTION OF BILLS AND RESOLUTIONS

Councilmember Blackwell

moved to suspend the rules to allow the introduction of another bill at this time.

THE MOTION WAS DULY SECONDED AND AGREED TO.

 **Bill No. 140743:** 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 elected officials, 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.

SPEECHES

COUNCILMEMBERS OH, BROWN, JONES, HENON, BLACKWELL, BASS AND COUNCIL PRESIDENT CLARKE - (SEE NOTES OF TESTIMONY).

COUNCILMEMBER REYNOLDS BROWN MOVED TO ADJOURN

THE MOTION WAS DULY SECONDED AND AGREED TO.