

JOURNAL OF THE CITY COUNCIL OF PHILADELPHIA



Thursday, April 12, 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.

Reverend Peter Hwang, Bishop of First Korean Baptist Church of Philadelphia was introduced and offered an appropriate prayer.

COUNCILMEMBER GREENLEE MOVED TO APPROVE THE JOURNAL of the meeting of March 29, 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 Nos. 120007 and 120104, which were passed by Council on March 22, 2012, were signed by the Mayor on April 10, 2012. (File No. 120291)

THE COMMUNICATION WAS READ.

☐ Transmitting a message advising Council that Bill No. 120084, which was passed by Council on March 22, 2012, was signed by the Mayor on March 30, 2012. (File No. 120292)

THE COMMUNICATION WAS READ.

☐ Transmitting a message advising Council that Bill Nos. 120003, 120022, 120050, 120083, 120101, 120102, 120112, 120139, 120140, 120170 and 120172, which were passed by Council on March 29, 2012, were signed by the Mayor on April 10, 2012. (File No. 120293)

THE COMMUNICATION WAS READ.

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- ☐ Transmitting a bill 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, accompanied by an explanatory letter from the Executive Director of the Philadelphia Redevelopment Authority. (File No. 120294)

THE COMMUNICATION WAS READ.

- ☐ Transmitting a bill authorizing the striking from City Plan No. 42-S and abandonment of a right of way reserved for drainage purposes, water main purposes, and public utility purposes which extends from the southerly terminus of Galloway Street, south of Packer Avenue, southwardly to Pattison Avenue, under certain terms and conditions, accompanied by an explanatory letter from the Streets Commissioner. (File No. 120295)

THE COMMUNICATION WAS READ.

- ☐ Transmitting a bill amending Chapters 19-2600, 19-1500, and 19-2800 of The Philadelphia Code, entitled, respectively, "Business Privilege Taxes," "Wage and Net Profits Tax," and "Pennsylvania Intergovernmental Cooperation Authority Tax on Wages and Net Profits." by providing certain exclusions and revising certain definitions, all under certain terms and conditions. (File No. 120296)

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 Councilmember Kenney:

- ☐ **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.

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

- ☐ **Bill No. 120274:** An Ordinance Naming the playground currently designated as the "Cobbs Creek Playground," located at 63rd and Catharine Streets, and

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bounded by 63rd and Christian Streets as the “Rufus O. Williams Memorial Playground.”

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

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

- 📄 **Bill No. 120275:** An Ordinance To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Spring Garden Street, North 33rd Street, Hamilton Street, and North 34th Street from “R-5” Residential to “C-2” Commercial.

THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

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. 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.

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

- 📄 **Bill No. 120276:** An Ordinance Amending Title 13 of The Philadelphia Code, entitled “Water and Sewer,” by amending Section 13-201, which provides standards for the setting of sewer rates and charges, by further providing with respect to standards for the setting of stormwater rates and charges, all under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON FINANCE.

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

- 📄 **Bill No. 120277:** An Ordinance Authorizing the striking from City Plan No. 42-S and abandonment of a right-of-way reserved for drainage purposes, water main purposes, and public utility purposes which extends from the southerly terminus of Galloway Street, south of Packer Avenue, southwardly to Pattison Avenue, under certain terms and conditions.

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

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

- 📄 **Resolution No. 120281:** Resolution Declaring April to be Restorative Justice Month in the City of Philadelphia, and recognizing the Mural Arts Program for its leading role in furthering the use of restorative justice practices to transform individuals and communities.

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

- 📄 **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.

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

- 📄 **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

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Sepulveda and to take such action as may be necessary to effectuate the redevelopment contract and disposition supplement.

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

- ☐ **Resolution No. 120284:** Resolution Calling on the U.S. Congress and President Barack Obama to redirect military spending to fund education, public and private sector family-sustaining job creation, special protections for military sector workers, environmental and infrastructure restoration, care for veterans and their families, and the human services that our cities and states so desperately need.

Councilmember Jones Introduced and Referred the following Bill, Sponsored by Councilmembers Jones, Henon, Greenlee, Kenney, Johnson, Bass and Reynolds Brown:

- ☐ **Bill No. 120278:** 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 allowing smoke alarms in existing one- and two-family dwellings to be solely battery powered, all under certain terms and conditions.

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

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

- ☐ **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, 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.

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

- ☐ **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.

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DISCUSSION - RESOLUTION NO. 120286 - COUNCILMEMBER JONES AND COUNCIL PRESIDENT CLARKE - (SEE NOTES OF TESTIMONY).

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

- 📄 **Resolution No. 120287:** Resolution Honoring the Memory of Philadelphia Fire Lieutenant Robert P. Neary.

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

- 📄 **Resolution No. 120288:** Resolution Honoring the Memory of Philadelphia Firefighter Daniel J. Sweeney.

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

- 📄 **Resolution No. 120289:** Resolution Congratulating the Saints John Neumann Maria Goretti 2011-2012 Boys Basketball Team on winning the Philadelphia Catholic League Championship, District 12 Class AAA City Title, and the PIAA Class AAA State Championship.

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

- 📄 **Resolution No. 120290:** Resolution Recognizing April 30th as Vietnamese Heritage and Freedom Flag Day as a symbol of contributions of the Vietnamese-American community in the City of Philadelphia.

REPORTS FROM COMMITTEES

COMMITTEE ON RULES

- 📄 **Bill No. 120015, as amended:** 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, Master Street, Carlisle Street, and Thompson Street; and amending Section 14-305 of The Philadelphia Code, entitled "C-4' Commercial and 'C-5' Commercial District"; all under certain terms and conditions.

COUNCILMEMBER GREENLEE MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS


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TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 120015.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

COMMITTEE ON APPROPRIATIONS

 **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.


COUNCILMEMBER GOODE MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 120252.

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. 120015, as amended:** 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, Master Street, Carlisle Street, and Thompson Street; and amending Section 14-305 of The Philadelphia Code, entitled "'C-4' Commercial and 'C-5' Commercial District"; all under certain terms and conditions.

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

 **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 ORDERED PLACED ON NEXT WEEK'S SECOND READING CALENDAR.

PUBLIC COMMENT

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The following persons provided public comment on April 12, 2012:

Name and Comment Subject

- Brett Anderson (120254)
- Sueihn Lee (120254)
- Erica Moulinier (120254)
- Rachel Hosan (120254)
- Veronica Joyner (120254)
- Jiln Witherspoon (120254)
- Myettia Peck (120254)
- Shawayna Christian (120254)
- Greg Dooley (120254)
- Madelyn George (120254)
- Nakoa Shepperd (120254)
- Adam, Philly Restart (120254)
- Jay Barbieri (120254)
- Janell Anema (120254)
- Brian Jenkins (120254)
- Reggie Marrow (120254)
- Greg Volz (120263)
- Shawn Laney (120254)
- Daniel Colbert (120254)
- Jeremy Samsoe (120254)
- Monica Wildes (120242)
- Robert Taylor (120261)

See Notes of Testimony for full comment.

BILLS AND RESOLUTIONS ON FINAL PASSAGE

Councilmember Blackwell

moved to withdraw Resolution No. 120219.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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📄 **Resolution No. 120219:** Resolution Authorizing the Commissioner of Public Property to execute and deliver to the Redevelopment Authority of the City of Philadelphia, 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-second Ward of the City of Philadelphia, pursuant to Chapter 16-400 of The Philadelphia Code and authorizing the Redevelopment Authority of the City of Philadelphia 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 WITHDRAWN.

COUNCILMEMBER GREEN REQUESTED THAT HE BE EXCUSED AND WISHED TO BE RECORDED AS VOTED "AYE" ON ALL MOTIONS TO SUSPEND RULES, BILLS CALLED UP ON SECOND READING AND FINAL PASSAGE INCLUDING RESOLUTIONS.

📄 **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 READ.

COUNCILMEMBER GREENLEE MOVED TO AMEND BILL NO. 120150 (SEE FILE).

COUNCILMEMBER GREENLEE MOVED FOR THE ADOPTION OF THE AMENDMENT.

THE MOTION WAS DULY SECONDED AND AGREED TO.


THE AMENDMENT TO BILL NO. 120150 WAS ADOPTED.

📄 **Resolution No. 120150-A, as amended:** 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.


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THE RESOLUTION WAS AMENDED.


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

 **Resolution No. 120255:** 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 Sixth, Twenty-fourth, Forty-fourth and Fifty-first Wards of the City of Philadelphia, pursuant to Chapter 16-400 of The Philadelphia Code and authorizing the 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. 120256:** 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-first Ward of the City of Philadelphia, pursuant to Chapter 16-400 of The Philadelphia Code and authorizing the Philadelphia Redevelopment Authority of the City of Philadelphia 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. 120257:** 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 Fourteenth and Sixteenth 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. 120258:** 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 Nos. 249 and 250 (rev.) and also sometimes identified by house numbers and street addresses for Parcel No. 249 as 760 South

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Sixteenth street and for Parcel No. 250 (rev.) as 764 South Sixteenth 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.

THE RESOLUTION WAS ADOPTED.

☐ **Resolution No. 120259:** Resolution Authorizing City Council's Committee on Transportation and Public Utilities to hold hearings to examine the status of the Sunoco refinery in South Philadelphia.

THE RESOLUTION WAS ADOPTED.

☐ **Resolution No. 120261:** Resolution Calling for justice in the shooting death of Trayvon Martin and standing in solidarity and support of the family of Trayvon Martin.

THE RESOLUTION WAS READ.

DISCUSSION - COUNCILMEMBER BROWN - RESOLUTION NO. 120261 - (SEE NOTES OF TESTIMONY).

THE RESOLUTION WAS ADOPTED.

☐ **Resolution No. 120263:** Resolution Authorizing City Council's Committee on Public Safety to conduct hearings on how Youth Courts could reduce juvenile recidivism rates, violence in schools, bullying and in conclusion have an effect on the expenses of incarceration by engaging and empowering previously disconnected youth in a participatory and democratic system.

THE RESOLUTION WAS ADOPTED.

☐ **Bill No. 120169-A, as amended:** An Ordinance Authorizing transfers in appropriations for Fiscal Year 2012 from the General Fund, certain or all City offices, departments, boards and commissions and from the Grants Revenue Fund, the Director of Finance - Provision for Other Grants to the General Fund, certain or all City offices, departments, boards and commissions.

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

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- ☐ **Resolution No. 120281:** Resolution Declaring April to be Restorative Justice Month in the City of Philadelphia, and recognizing the Mural Arts Program for its leading role in furthering the use of restorative justice practices to transform individuals and communities.

THE RESOLUTION WAS ADOPTED.

- ☐ **Resolution No. 120284:** Resolution Calling on the U.S. Congress and President Barack Obama to redirect military spending to fund education, public and private sector family-sustaining job creation, special protections for military sector workers, environmental and infrastructure restoration, care for veterans and their families, and the human services that our cities and states so desperately need.

DISCUSSION - RESOLUTION NO. 120284 - COUNCILMEMBERS KENNEY, SANCHEZ, GREENLEE, - (SEE NOTES OF TESTIMONY). RESOLUTION NO. 120284 - COUNCILMEMBER SANCHEZ WILL HOLD FOR ONE WEEK.

- ☐ **Resolution No. 120287:** Resolution Honoring the Memory of Philadelphia Fire Lieutenant Robert P. Neary.

THE RESOLUTION WAS ADOPTED BY STANDING VOTE.

- ☐ **Resolution No. 120288:** Resolution Honoring the Memory of Philadelphia Firefighter Daniel J. Sweeney.

THE RESOLUTION WAS ADOPTED.

- ☐ **Resolution No. 120289:** Resolution Congratulating the Saints John Neumann Maria Goretti 2011-2012 Boys Basketball Team on winning the Philadelphia Catholic League Championship, District 12 Class AAA City Title, and the PIAA Class AAA State Championship.

THE RESOLUTION WAS ADOPTED.

- ☐ **Resolution No. 120290:** Resolution Recognizing April 30th as Vietnamese Heritage and Freedom Flag Day as a symbol of contributions of the Vietnamese-American community in the City of Philadelphia.

THE RESOLUTION WAS ADOPTED.

SPEECHES

COUNCILMEMBERS TASCO, KENNEY, SANCHEZ, JONES AND JOHNSON - (SEE NOTES OF TESTIMONY).

COUNCILMEMBER REYNOLDS BROWN MOVED TO ADJOURN

THE MOTION WAS DULY SECONDED AND AGREED TO.

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