

JOURNAL OF THE CITY COUNCIL OF PHILADELPHIA



Thursday, February 25, 2016

PRESENT: 17 - Councilmembers Council President Clarke, Squilla, Johnson, Blackwell, Jones, Henon, Quiñones Sánchez, Bass, Parker, O'Neill, Domb, Green, Greenlee, Gym, Oh, Reynolds Brown and Taubenberger

Council met, a quorum being present.

Reverend Dr. Leslie D. Callahan of St Paul's Baptist Church was introduced and offered an appropriate prayer.

COUNCILMEMBER GREENLEE MOVED TO APPROVE THE JOURNAL of the meeting of February 18, 2016.

THE MOTION WAS DULY SECONDED AND AGREED TO.

COMMUNICATIONS

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

📅 February 23, 2016

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

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 bills:

- Bill No. 160006 45-day extension
- Bill No. 160014
- Bill No. 160017
- Bill No. 160071
- Bill No. 160073

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Respectfully submitted,
James F. Kenney
Mayor (File No. 160166)

THE COMMUNICATION WAS READ.

- ☐ Transmitting a bill authorizing the paving of Thirty-Seventh Street from Market Street to Filbert Street and from Filbert Street to Warren Street, Cuthbert Street from Thirty-Seventh Street to Thirty-Eighth Street, and Warren Street from Thirty-Seventh Street to Thirty-Eighth Street, under certain terms and conditions, accompanied by an explanatory letter from the Streets Commissioner. (File No. 160167)

THE COMMUNICATION WAS READ.

- ☐ Transmitting a bill authorizing the revision of lines and grades on a portion of City Plan No. 44 by placing on the City Plan Thirty-Seventh Street from Market Street to Filbert Street and from Filbert Street to Warren Street, Cuthbert Street from Thirty-Seventh Street to Thirty-Eighth Street, north of Filbert Street, and Warren Street from Thirty-Seventh Street to Thirty-Eighth Street, all under certain terms and conditions, including the dedication to the City of the said beds of Thirty-Seventh Street, Cuthbert Street, and Warren Street, accompanied by an explanatory letter from the Streets Commissioner. (File No. 160168)

THE COMMUNICATION WAS READ.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

- ☐ **Resolution No. 160153:** Resolution Authorizing the Committee on Licenses and Inspections to conduct public hearings to investigate the sale of liquor in corner stores throughout Philadelphia.

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

- ☐ **Bill No. 160145:** An Ordinance Authorizing the revision of lines and grades on a portion of City Plan No. 44 by placing on the City Plan Thirty-Seventh Street from Market Street to Filbert Street and from Filbert Street to Warren Street, Cuthbert Street from Thirty-Seventh Street to Thirty-Eighth Street, north of Filbert Street, and Warren Street from Thirty-Seventh Street to Thirty-Eighth Street, all under certain terms and conditions, including the dedication to the City

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

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

- ☐ **Bill No. 160146:** An Ordinance Authorizing the paving of Thirty-Seventh Street from Market Street to Filbert Street and from Filbert Street to Warren Street, Cuthbert Street from Thirty-Seventh Street to Thirty-Eighth Street, and Warren Street from Thirty-Seventh Street to Thirty-Eighth Street, under certain terms and conditions.

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

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

- ☐ **Bill No. 160147:** An Ordinance Establishing parking regulations in the vicinity of: Pine street and 45th street; Melville street and Locust street.

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

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

- ☐ **Bill No. 160148:** An Ordinance Authorizing Rachel Miller of Best Partners LP, (“Owner”) to install, own and maintain an open-air sidewalk café at 4301 Baltimore Avenue, Philadelphia, PA 19104 (“Property”), under certain terms and conditions.

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

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

- ☐ **Bill No. 160149:** An Ordinance To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Buttonwood Street, Broad Street, Callowhill Street, and 15th Street.

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. 160154:** Resolution Authorizing the Commissioner of Public Property to execute and deliver to the Philadelphia Redevelopment Authority,

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

- ☐ **Resolution No. 160155:** Resolution Honoring Paul Doris as Grand Marshal of the 246th Annual Saint Patrick's Day Parade.

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

- ☐ **Resolution No. 160156:** Resolution Authorizing the Joint Committee on Public Property and Public Works and Technology and Information Services to hold public hearings to review the status of the City of Philadelphia's franchise agreement with Verizon Pennsylvania, Inc., particularly on Verizon's progress in making cable television service available across the City.

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

- ☐ **Resolution No. 160157:** Resolution Expressing Council's support for an amendment to the Pennsylvania Constitution that would authorize different real estate tax rates in Cities and School Districts of the First Class for residential property, commercial property, and such other classes of property that the City may establish; and conveying Council's opposition to a provision that would mandate a reduction in other business or wage taxes as a condition of implementing different real estate tax rates for different classes of property.

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

- ☐ **Resolution No. 160158:** Resolution Honoring and recognizing Wayne Jacobs, Scott P. Charles and Dr. Robert Timothy Bryan for their role as co-founders of "Fighting Chance", the extraordinary new community trauma treatment training program at Temple University Hospital.

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

- 📄 **Bill No. 160150:** An Ordinance Authorizing transfers in appropriations for Fiscal Year 2016 within the General Fund relating to the Council.

THE BILL WAS REFERRED TO THE COMMITTEE ON APPROPRIATIONS.

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

- 📄 **Bill No. 160151:** An Ordinance Amending The Philadelphia Code by adding a new provision authorizing the City of Philadelphia to issue municipal identification cards to City residents, establishing standards, confidentiality provisions, and other related items regarding the cards; all under certain terms and conditions.

DISCUSSION - COUNCILMEMBER SANCHEDZ - BILL NO. 160151 - (SEE NOTES OF TESTIMONY).

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

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

- 📄 **Resolution No. 160159:** Resolution Recognizing and honoring the outstanding contributions and achievements of Julian Abele, an accomplished architect and Philadelphia resident.

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

- 📄 **Resolution No. 160160:** Resolution In recognition of National Developmental Disability Awareness Month, honoring the Philadelphia Intellectual disABILITY Services on the occasion of the 24th Annual My City, My Place Brighter Futures Awards.

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

- 📄 **Resolution No. 160161:** Resolution Recognizing and acknowledging Jason Pinardo and his company Primary Pictures, LLC for the creation of #PopUpPhilly, a pop-up restaurant, organized for the purpose of providing

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approximately 200 members of Philadelphia's homeless community with a fine dining experience, a selection of donated goods and clothing and access to representatives from a variety of local shelters and organizations, to help them take the first steps towards getting back on their feet.

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

- ☐ **Resolution No. 160162:** Resolution Recognizing and acknowledging the #Philly1st Campaign, the Advocacy Institute and Real Talk Tobacco's youth-led media campaign, for their efforts and initiative which calls for the whole of Philadelphia to work towards becoming the first City with a zero percent youth smoking rate.

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

- ☐ **Resolution No. 160163:** Resolution Authorizing Council's Committee on Parks, Recreation, and Cultural Affairs to investigate and hold hearings on the preservation and expansion of the City's public art, including its voluminous collection of outdoor murals, mosaics, and sculptures.

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

- ☐ **Resolution No. 160164:** 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 Eleventh 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 Referred the following Bill, Sponsored by Councilmember Oh:

- ☐ **Bill No. 160152:** An Ordinance Amending Title 17 of The Philadelphia Code, entitled "Contracts and Procurement," by adding a new category of Disadvantaged Business Enterprises and of City contracts entitled "Lesbian, Gay, Bisexual, and Transgender Persons," that must be considered separately by the Finance Director in conducting the Annual Disparity Study and devising the

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Annual Participation Goals as required by Section 6-109 of The Philadelphia Home Rule Charter; and also adding a rebuttable presumption that Lesbian, Gay, Bisexual, and Transgender Persons are Socially and Economically Disadvantaged Individuals; and further adding a definition of “Lesbian, Gay, Bisexual, and Transgender Persons;” and finally recognizing religious prejudice as a form of prejudice because of identity as a member of a group whose ability to compete in the free enterprise system has been impaired due to diminished capital and credit opportunities as compared to others in the same business who have not been subject to such prejudice or differential treatment; all under certain terms and conditions.

DISCUSSION - COUNCILMEMBER OH - BILL NO. 160152 - (SEE NOTES OF TESTIMONY).

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

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

- ☐ **Resolution No. 160165:** Resolution Authorizing Council's Committee on Commerce & Economic Development to hold public hearings to determine whether the City of Philadelphia should provide its own certification process for Minority, Women, or Disabled Owned Enterprises

CONSIDERATION OF THE CALENDAR

PUBLIC COMMENT

The following persons provided public comment on February 25, 2016:

Name and Comment Subject

Joe Danihel (160140)

Jason Pinardo (160161)

Warda Abdeiaz (160162)

Hanin Muslafa (160162)

See Notes of Testimony for full comment.

BILLS ON FIRST READING

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Bill No. 160007: An Ordinance Repealing an Ordinance (Bill No. 150894) entitled “An Ordinance authorizing the striking from City Plan No. 119 and abandoning of a certain pedestrian walkway reserved within the bed of former Thompson Street, from Watts Street to Thirteenth Street, and the modifying of a certain right-of-way for drainage purposes, water main purposes, gas main purposes, and public utility purposes, also reserved within the bed of said former Thompson Street, by abandoning the right-of-way as to water main purposes, gas main purposes, and public utility purposes, but retaining the said right-of-way on the City Plan as a right-of-way for drainage purposes only, under certain terms and conditions.

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

BILLS AND RESOLUTIONS ON FINAL PASSAGE

Resolution No. 160140: 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. 160153: Resolution Authorizing the Committee on Licenses and Inspections to conduct public hearings to investigate the sale of liquor in corner stores throughout Philadelphia.

THE RESOLUTION WAS ADOPTED & REFERRED TO THE COMMITTEE ON LICENSES AND INSPECTIONS.

Resolution No. 160155: Resolution Honoring Paul Doris as Grand Marshal of the 246th Annual Saint Patrick's Day Parade.

THE RESOLUTION WAS ADOPTED.

Resolution No. 160156: Resolution Authorizing the Joint Committee on Public Property and Public Works and Technology and Information Services to hold public hearings to review the status of the City of Philadelphia's franchise agreement with Verizon Pennsylvania, Inc., particularly on Verizon's progress in making cable television service available across the City.

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THE RESOLUTION WAS ADOPTED & REFERRED TO THE JOINT COMMITTEES ON PUBLIC PROPERTY AND PUBLIC WORKS AND TECHNOLOGY AND INFORMATION SERVICES.

- ☐ **Resolution No. 160158:** Resolution Honoring and recognizing Wayne Jacobs, Scott P. Charles and Dr. Robert Timothy Bryan for their role as co-founders of "Fighting Chance", the extraordinary new community trauma treatment training program at Temple University Hospital.

THE RESOLUTION WAS ADOPTED.

- ☐ **Resolution No. 160159:** Resolution Recognizing and honoring the outstanding contributions and achievements of Julian Abele, an accomplished architect and Philadelphia resident.

THE RESOLUTION WAS ADOPTED.

- ☐ **Resolution No. 160160:** Resolution In recognition of National Developmental Disability Awareness Month, honoring the Philadelphia Intellectual disABILITY Services on the occasion of the 24th Annual My City, My Place Brighter Futures Awards.

THE RESOLUTION WAS ADOPTED.

- ☐ **Resolution No. 160161:** Resolution Recognizing and acknowledging Jason Pinardo and his company Primary Pictures, LLC for the creation of #PopUpPhilly, a pop-up restaurant, organized for the purpose of providing approximately 200 members of Philadelphia's homeless community with a fine dining experience, a selection of donated goods and clothing and access to representatives from a variety of local shelters and organizations, to help them take the first steps towards getting back on their feet.

THE RESOLUTION WAS ADOPTED.

- ☐ **Resolution No. 160162:** Resolution Recognizing and acknowledging the #Philly1st Campaign, the Advocacy Institute and Real Talk Tobacco's youth-led media campaign, for their efforts and initiative which calls for the whole of Philadelphia to work towards becoming the first City with a zero percent youth smoking rate.

THE RESOLUTION WAS ADOPTED.

- ☐ **Resolution No. 160163:** Resolution Authorizing Council's Committee on Parks, Recreation, and Cultural Affairs to investigate and hold hearings on the preservation and expansion of the City's public art, including its voluminous collection of outdoor murals, mosaics, and sculptures.

THE RESOLUTION WAS ADOPTED & REFERRED TO THE COMMITTEE ON PARKS, RECREATION AND CULTURAL AFFAIRS.

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Resolution No. 160165: Resolution Authorizing Council's Committee on Commerce & Economic Development to hold public hearings to determine whether the City of Philadelphia should provide its own certification process for Minority, Women, or Disabled Owned Enterprises

THE RESOLUTION WAS ADOPTED & REFERRED TO THE COMMITTEE ON COMMERCE & ECONOMIC DEVELOPMENT.

BILLS AND RESOLUTIONS ON SECOND READING AND FINAL PASSAGE

Bill No. 160008, as amended: An Ordinance Amending Title 12 of The Philadelphia Code, entitled "Traffic Code," to provide requirements regarding the safe operation of self-propelled mobility devices and to provide for enforcement and penalties, all under certain terms and conditions.

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, Parker, O'Neill, Domb, Green, Greenlee, Gym, Oh, Reynolds Brown and Taubenberger

Bill No. 160011: An Ordinance Establishing a no truck parking regulation on both sides of Torresdale Avenue, from Linden Avenue to Ashburner Street and both sides of Megargee Street, from Torresdale Avenue to Frankford Avenue.

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, Parker, O'Neill, Domb, Green, Greenlee, Gym, Oh, Reynolds Brown and Taubenberger

Bill No. 160014: 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 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, Parker, O'Neill, Domb, Green, Greenlee, Gym, Oh, Reynolds Brown and Taubenberger

Nays: 0

Bill No. 160017: An Ordinance Authorizing the striking from City Plan No. 27-S and abandonment of a right-of-way reserved for drainage purposes within the lines of former Jackson Street, from Swanson Street to Vandalia Street, under certain terms and conditions.

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, Parker, O'Neill, Domb, Green, Greenlee, Gym, Oh, Reynolds Brown and Taubenberger

Nays: 0

Bill No. 160071: An Ordinance Authorizing Roland Kasis, (“Owner”) to install, own and maintain an open-air sidewalk café at 1204 Frankford Avenue, Philadelphia, PA 19125 (“Property”), under certain terms and conditions.

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, Parker, O'Neill, Domb, Green, Greenlee, Gym, Oh, Reynolds Brown and Taubenberger

Bill No. 160092: An Ordinance Establishing a no truck parking regulation on both sides of Torresdale Avenue, from Ashburner Street to the Pennypack Creek.

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, Parker, O'Neill, Domb, Green, Greenlee, Gym, Oh, Reynolds Brown and Taubenberger

Nays: 0

Bill No. 160093: An Ordinance Establishing a no tractor trailer parking regulation on both sides of Torresdale Avenue, from Rhawn Street to the Pennypack Creek.

THE BILL WAS READ AND PASSED.

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The Ayes and Nays were as follows:

Ayes: 17 - Councilmembers Council President Clarke, Squilla, Johnson, Blackwell, Jones, Henon, Quiñones Sánchez, Bass, Parker, O'Neill, Domb, Green, Greenlee, Gym, Oh, Reynolds Brown and Taubenberger

Nays: 0

Bill No. 160009: An Ordinance Authorizing the Managing Director to contract with the Support Center for Child Advocates for the provision of professional services to the City for representing children in certain legal matters, under certain terms and conditions.

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, Parker, O'Neill, Domb, Green, Greenlee, Gym, Oh, Reynolds Brown and Taubenberger

Nays: 0

SPEECHES

COUNCILMEMBERS OH, BROWN, GREENLEE, GYM, JOHNSON, GREEN AND BLACKWELL - (SEE NOTES OF TESTIMONY).

COUNCILMEMBER REYNOLDS BROWN MOVED TO ADJOURN

THE MOTION WAS DULY SECONDED AND AGREED TO.