

JOURNAL OF THE CITY COUNCIL OF PHILADELPHIA



Friday, February 12, 2010

Council met, a quorum being present.

Reverend Maurice Choizi President of Haitian Clergy was introduced and offered an appropriate prayer.

EXCUSED: 2 - Councilmembers DiCicco and Rizzo

PRESENT: 15 - Councilmembers Blackwell, Clarke, Council President Verna, Goode, Green, Greenlee, Jones, Kelly, Kenney, Krajewski, Miller, O'Neill, Reynolds Brown, Sanchez and Tasco

COUNCILMEMBER TASCO MOVED TO APPROVE THE JOURNAL

THE MOTION WAS DULY SECONDED AND AGREED TO.

Councilmember Clarke requested leave of absence for

Councilmember DiCicco

THE REQUEST WAS GRANTED.

Councilmember O'Neill requested leave of absence for

Councilmember Rizzo

THE REQUEST WAS GRANTED.

INTRODUCTION OF BILLS AND RESOLUTIONS

Councilmember Kenney Introduced the following Resolution, Sponsored by Councilmembers Kenney, DiCicco and Council President Verna:

- ☐ **Resolution No. 100082:** Resolution Recognizing and honoring the life of Representative John Patrick Murtha who was the first Vietnam combat veteran to serve in Congress and Pennsylvania's longest-serving House member.

JOURNAL OF THE CITY COUNCIL OF PHILADELPHIA

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED BY STANDING VOTE.

The Ayes and Nays were as follows:

Ayes: 15 - Councilmembers Blackwell, Clarke, Council President Verna, Goode, Green, Greenlee, Jones, Kelly, Kenney, Krajewski, Miller, O'Neill, Reynolds Brown, Sanchez and Tasco

Nays: 0

Councilmember Kenney Introduced the following Resolution, Sponsored by Councilmember Kenney:

Resolution No. 100083: Resolution Congratulating the New Orleans Saints on winning the 2010 Super Bowl.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

Councilmember Blackwell Introduced the following Resolution, Sponsored by Councilmember Blackwell:

Resolution No. 100084: Resolution Approving the University of Pennsylvania's Proposed Revision to its Institutional Development District Master Plan Pursuant to Chapter 14-1107(c) of The Philadelphia Code Relating to, "Zoning and Planning."

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

Councilmember Blackwell Introduced the following Resolution, Sponsored by Councilmembers Blackwell, Jones, Sanchez and Kenney:

Resolution No. 100085: Resolution Calling on the Nations of Africa to Provide Free Public Education Free Daily Feeding Programs Immunization and Health Facilities in all Public Schools.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

Councilmember Blackwell Introduced the following Resolution, Sponsored by Councilmembers Blackwell, Jones, Sanchez and Kenney:

Resolution No. 100086: Resolution Calling on President Barack Obama to Extend for Eighteen Months Beyond March 31, 2010 the Deferred Enforced

JOURNAL OF THE CITY COUNCIL OF PHILADELPHIA

DISCUSSION - COUNCILMEMBER BLACKWELL, RESOLUTION NO. 100086 - (SEE NOTES OF TESTIMONY).

- ☐ **Resolution No. 100086:** Resolution Calling on President Barack Obama to Extend for Eighteen Months Beyond March 31, 2010 the Deferred Enforced Departure Status of Liberian Immigrants Currently Residing in the United States.

THE RESOLUTION WAS ADOPTED.

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

- ☐ **Bill No. 100078:** An Ordinance To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by 59th Street, Lancaster Avenue, 52nd Street, Woodbine Avenue, and Upland Way.

THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

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

- ☐ **Bill No. 100079:** An Ordinance Amending Title 14 of The Philadelphia Code, entitled “Zoning and Planning,” by adding a new Section 14-1640, entitled “Ridge Avenue Special District Controls,” under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

Councilmember Jones Introduced the following Bill, Sponsored by Councilmembers Jones, Green, Clarke, Krajewski, Greenlee and Reynolds Brown:

- ☐ **Bill No. 100080:** An Ordinance Providing for the submission to the qualified electors of the City of Philadelphia of a proposed amendment of The Philadelphia Home Rule Charter, set forth in a Resolution approved by Council, to authorize Council to provide that fines imposed for violation of any ordinance prohibiting witness and victim intimidation must be paid into a special fund to be used only for assistance to victims and witnesses, and to make arrangements for the special election.

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

Councilmember Jones Introduced the following Bill, Sponsored by Councilmembers Jones, Green, Krajewski, Greenlee, Reynolds Brown and Clarke:

- ☐ **Bill No. 100081:** An Ordinance Amending Title 10 of The Philadelphia Code, entitled “Regulation of Individual Conduct and Activity,” by adding provisions prohibiting the intimidation of witnesses and victims of crimes, providing fines for violations, and requiring that all such fines be paid into a special fund to be

JOURNAL OF THE CITY COUNCIL OF PHILADELPHIA

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

Councilmember Jones Introduced the following Resolution, Sponsored by Councilmember Jones:

- ☐ **Resolution No. 100087:** Resolution Urging the Pennsylvania General Assembly to restore the cuts to witness relocation programs and the State-Local Firearms Task Force and to adequately fund these vital programs which assure the safety of all residents of the Commonwealth and preserve the rule of justice in our criminal courts.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

Councilmember Jones Introduced the following Resolution, Sponsored by Councilmembers Jones, Green, Greenlee, Krajewski, Reynolds Brown and Clarke:

- ☐ **Resolution No. 100088:** Resolution Proposing an amendment to the Philadelphia Home Rule Charter to authorize Council to provide that fines imposed for violation of any ordinance prohibiting witness and victim intimidation must be paid into a special fund to be used only for assistance to victims and witnesses, 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 Jones Introduced the following Resolution for Councilmembers Reynolds Brown and Tasco, Sponsored by Councilmembers Jones, Green, Sanchez, Greenlee, Blackwell, Goode, Council President Verna, Miller, Kenney, O'Neill, Krajewski, Kelly and Clarke:

- ☐ **Resolution No. 100089:** Resolution Authorizing the Committee on Public Health and Human Services to hold hearings to investigate the emergence of national and local adult and childhood obesity as an epidemic, the causes of obesity; the racial and ethnic disparities in the prevalence of obesity and obesity-related illnesses; and how the ready availability of unhealthy foods and beverages contributes to the obesity of many in Philadelphia and to evaluate obesity prevention and reduction initiatives in order to reduce the rates of childhood obesity.

THE RESOLUTION WAS READ.

Councilmember Reynolds Brown

moved that the rules of Council be suspended as Resolution No. 100089 was not circulated in the last 24 hours.

JOURNAL OF THE CITY COUNCIL OF PHILADELPHIA

THE MOTION WAS DULY SECONDED AND AGREED TO.

- ☐ **Resolution No. 100089:** Resolution Authorizing the Committee on Public Health and Human Services to hold hearings to investigate the emergence of national and local adult and childhood obesity as an epidemic, the causes of obesity; the racial and ethnic disparities in the prevalence of obesity and obesity-related illnesses; and how the ready availability of unhealthy foods and beverages contributes to the obesity of many in Philadelphia and to evaluate obesity prevention and reduction initiatives in order to reduce the rates of childhood obesity.

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

Councilmember Clarke Introduced the following Resolution, Sponsored by Councilmember Clarke:

- ☐ **Resolution No. 100090:** 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 Twenty-ninth, Forty-third, Forty-seventh Wards 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 READ.

THE RESOLUTION WAS ADOPTED.

Councilmember Clarke Introduced the following Resolution, Sponsored by Councilmember Clarke:

- ☐ **Resolution No. 100091:** Resolution Calling for the Planning Commission to investigate and determine means by which the City of Philadelphia can affect the placement of Satellite Dishes and Cable antenna on building facades.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

REPORTS FROM COMMITTEES

COMMITTEE ON RULES

JOURNAL OF THE CITY COUNCIL OF PHILADELPHIA

📄 **Bill No. 090704, as amended:** An Ordinance Establishing a neighborhood improvement district in an area that generally includes Cheltenham Avenue with boundaries of Wadsworth Avenue on the west and Broad Street on the east, Ogontz Avenue with boundaries of Cheltenham Avenue on the north and 67th Avenue on the south and Wadsworth Avenue with boundaries of Cheltenham Avenue on the northeast and Michener Avenue on the southwest; to be known as The Greater Cheltenham Avenue Business Improvement District; designating Greater Cheltenham Avenue Business Improvement District Inc., a Pennsylvania nonprofit corporation, as the Neighborhood Improvement District Management Association for the District; approving a plan 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 Greater Cheltenham Avenue Business Improvement District Inc. relating to the District; and authorizing Greater Cheltenham Avenue Business Improvement District Inc., to assess property owners within the District a special property assessment fee to be used in accordance with the approved plan, all in accordance with the provisions of the Community and Economic Improvement Act and under certain terms and conditions.

COUNCILMEMBER KENNEY MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 090704.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

📄 **Bill No. 090927, as amended:** An Ordinance To amend the Institutional Development District Master Plan of the Fox Chase Cancer Center, located at 333 Cottman Avenue, by allowing for the construction of a new building to be used as a comparative medical research facility.

COUNCILMEMBER KENNEY MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 090927.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

📄 **Bill No. 090852, as amended:** An Ordinance Amending Chapter 14-1800 of The Philadelphia Code, entitled "Zoning Board of Adjustment," to provide that the Zoning Board of Adjustment shall require any person seeking a variance from the terms of Title 14 to be current in payments of all taxes imposed under Title 19, under certain terms and conditions.

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

JOURNAL OF THE CITY COUNCIL OF PHILADELPHIA

PERMIT CONSIDERATION THIS DAY OF BILL NO. 090852.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

DISCUSSION - COUNCILMEMBER TASCO REQUEST A LEAVE OF ABSENCE FOR COUNCILMEMBER SANCHEZ, BUT WITHDRAWS. COUNCILMEMBER SANCHEZ APPEARS IN COUNCIL - (SEE NOTES OF TESTIMONY).

**CONSIDERATION OF THE CALENDAR
CONSIDERATION OF THE CALENDAR**

BILLS ON FIRST READING

Bill No. 090704, as amended: An Ordinance Establishing a neighborhood improvement district in an area that generally includes Cheltenham Avenue with boundaries of Wadsworth Avenue on the west and Broad Street on the east, Ogontz Avenue with boundaries of Cheltenham Avenue on the north and 67th Avenue on the south and Wadsworth Avenue with boundaries of Cheltenham Avenue on the northeast and Michener Avenue on the southwest; to be known as The Greater Cheltenham Avenue Business Improvement District; designating Greater Cheltenham Avenue Business Improvement District Inc., a Pennsylvania nonprofit corporation, as the Neighborhood Improvement District Management Association for the District; approving a plan 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 Greater Cheltenham Avenue Business Improvement District Inc. relating to the District; and authorizing Greater Cheltenham Avenue Business Improvement District Inc., to assess property owners within the District a special property assessment fee to be used in accordance with the approved plan, all in accordance with the provisions of the Community and Economic Improvement Act and under certain terms and conditions.

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

Bill No. 090927, as amended: An Ordinance To amend the Institutional Development District Master Plan of the Fox Chase Cancer Center, located at 333 Cottman Avenue, by allowing for the construction of a new building to be used as a comparative medical research facility.

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

JOURNAL OF THE CITY COUNCIL OF PHILADELPHIA

📄 **Bill No. 090852, as amended:** An Ordinance Amending Chapter 14-1800 of The Philadelphia Code, entitled “Zoning Board of Adjustment,” to provide that the Zoning Board of Adjustment shall require any person seeking a variance from the terms of Title 14 to be current in payments of all taxes imposed under Title 19, under certain terms and conditions.

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

SPEECHES

COUNCILMEMBERS BALCKWELL, JONES, GREEN AND KENNEY - (SEE NOTES OF TESTIMONY).

COUNCILMEMBER CLARKE MOVED TO ADJOURN

THE MOTION WAS DULY SECONDED AND AGREED TO.