

JOURNAL OF THE CITY COUNCIL OF PHILADELPHIA



**Thursday, September 19, 2013**

ABSENT: 1 - Councilmember Tasco

PRESENT: 16 - Councilmembers Council President Clarke, Squilla, Johnson, Blackwell, Jones, Henon, Quiñones Sánchez, Bass, O'Neill, Reynolds Brown, Greenlee, Goode, Oh, Kenney, Green and O'Brien

Council met, a quorum being present.

Pastor Keith McClain of Rhawnhurst Presbyterian Church was introduced and offered an appropriate prayer.

COUNCILMEMBER GREENLEE MOVED TO APPROVE THE JOURNAL

of the meeting of September 12, 2013.

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 No. 130485, which was passed by Council on September 12, 2013, was signed by the Mayor on September 16, 2013. (File No. 130653)

THE COMMUNICATION WAS READ.

- Transmitting a bill approving a Lease Agreement between Philadelphia Gas Works by Philadelphia Facilities Management Corporation, solely in its capacity as operator and manager of the City-owned Philadelphia Gas Works, and Elliott-Lewis Corporation for use of a certain 2.86 acre parcel located near Delaware Avenue and Tioga Street, Philadelphia, Pennsylvania. (File No. 130654)

THE COMMUNICATION WAS READ.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

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

- ☐ **Resolution No. 130637:** Resolution Recognizing the Tireless, Dedicated Efforts of The Workshop School and Celebrating its Official Opening as a Full Four-Year School District of Philadelphia Public High School.

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

- ☐ **Resolution No. 130638:** Resolution Calling on the Philadelphia City Council Committee on Education to Hold Hearings Concerning the Commonwealth of Pennsylvania's Approach to Education Funding.

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

- ☐ **Resolution No. 130639:** Resolution Also naming 20th Street from Berks Street to Montgomery Avenue as “Jackie Jones Way”.

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

- ☐ **Bill No. 130628:** An Ordinance Amending Chapter 10-1200 of The Philadelphia Code, entitled “Posting of Signs,” by revising enforcement and penalty provisions relating to posting and advertising upon signs on utility poles, street lights, and other structures and making technical changes, all under certain terms and conditions.

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

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

- ☐ **Bill No. 130629:** An Ordinance To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Aramingo Avenue, Wheatsheaf Lane, Belgrade Street and Butler Street.

THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

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

**Bill No. 130630:** An Ordinance Authorizing the Commissioner of Public Propetiy to lease to the Southeastern Pennsylvania Transportation Authority ("SEPTA") certain land and improvements known as City Owned Transit Properties, and further authorizing acceptance of title to certain real estate and improvements from SEPTA, all under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON PUBLIC PROPERTY AND PUBLIC WORKS.

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

**Resolution No. 130640:** Resolution Recognizing Saturday, September 28th 2013 as Philly Play! Day in the City of Philadelphia.

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

**Resolution No. 130641:** Resolution Recognizing National Manufacturing Day on Friday, October 4th, 2013.

Councilmember Quiñones Sánchez Introduced and Referred the following Bill for Councilmember Tasco, Sponsored by Councilmember Quiñones Sánchez:

**Bill No. 130631:** An Ordinance Approving a Lease Agreement between Philadelphia Gas Works by Philadelphia Facilities Management Corporation, solely in its capacity as operator and manager of the City-owned Philadelphia Gas Works, and Elliott-Lewis Corporation for use of a certain 2.86 acre parcel located near Delaware Avenue and Tioga Street, Philadelphia, Pennsylvania.

THE BILL WAS REFERRED TO THE COMMITTEE ON PUBLIC PROPERTY AND PUBLIC WORKS.

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

**Resolution No. 130642:** Resolution Recognizing and honoring the tremendous bravery, contributions, and sacrifices of The Puerto Rican 65th Infantry Regiment and calling on the United States Congress to award the Regiment the Congressional Gold Medal.

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

- 📄 **Resolution No. 130643:** 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, Eighteenth, Nineteenth, Thirty-seventh 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 terms of Chapter 16-400 of The Philadelphia Code.

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

- 📄 **Resolution No. 130644:** Resolution Authorizing the Council Committee on Public Health and Human Services to hold hearings regarding the “Healthy PA” plan to provide health insurance.

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

- 📄 **Resolution No. 130645:** Resolution Recognizing and Congratulating Joan Myers Brown and Laurie Olin for being awarded the 2012 National Medal of Arts and Humanities by President Barack H. Obama.

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

- 📄 **Resolution No. 130646:** Resolution Supporting Senate Bill 1080 which seeks to reduce plastic bags in the trash.

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

- 📄 **Bill No. 130632:** An Ordinance To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Hermitage Street, Henry Avenue, Dupont Street, Ridge Avenue, Monastery Avenue, Dexter Street, Lyceum Avenue, Manayunk Avenue,

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THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

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

- ☐ **Resolution No. 130647:** Resolution Supporting the National Minority Business Development Agency and recognizing September 30th through October 4th, 2013 as Philadelphia Minority Enterprise Development Week which provides critical information to foster the growth and competitiveness of the minority business community.

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

- ☐ **Resolution No. 130648:** 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 Fourth and Thirty-eighth 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 O'Neill Introduced and Referred the following Bill, Sponsored by Councilmember O'Neill:

- ☐ **Bill No. 130633:** An Ordinance To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded generally by Station Road, Edison Avenue, Trevoise Road, and Maple Avenue and including the south side of Maple Avenue.

THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.


Councilmember O'Neill Introduced and Referred the following Bill, Sponsored by Councilmember O'Neill:

- ☐ **Bill No. 130634:** An Ordinance Amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning," by revising use regulations, pertaining to vehicle and vehicular equipment sales and services in certain areas of the City, and making technical changes, all under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.


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Councilmember O'Neill Introduced and Referred the following Bill, Sponsored by Councilmembers O'Neill, Squilla and Tasco:

-  **Bill No. 130635:** An Ordinance Amending Chapter 10-700 of The Philadelphia Code, entitled "Refuse and Littering," by further providing with respect to the annual fee for neighborhood sanitation and cleaning services provided to owner-occupied duplexes; all under certain terms and conditions.


THE BILL WAS REFERRED TO THE COMMITTEE ON FINANCE.

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


-  **Bill No. 130636:** An Ordinance Amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning," by amending Section 14-503 to change the geographic boundaries of the North Delaware Avenue Neighborhood Commercial Area (NCA) Overlay District and by amending Section 14-802 to repeal the special parking controls for the Delaware River Waterfront, all under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

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

-  **Resolution No. 130649:** Resolution Designating the week of Monday, October 7 through Monday, October 14, 2013 as "Christopher Columbus/Italian American Heritage Week" in the City of Philadelphia. This is done in celebration of the festivities commemorating Columbus' historic voyage to the New World and honoring Bobby Rydell as Grand Marshall of the 2013 Philadelphia Columbus Day Parade.

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

-  **Resolution No. 130650:** 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 Twelfth 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.

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

- ☐ **Resolution No. 130651:** Resolution Also naming Emlen Street between W. Upsal Street and W. Johnson Street as “Rev. Dr. G. Daniel Jones Way”.

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

- ☐ **Resolution No. 130652:** Resolution Supporting the Philadelphia Chinatown Development Corporation and their planned development of the Eastern Tower Community Center.

**REPORTS FROM COMMITTEES**

**COMMITTEE ON LAW AND GOVERNMENT**

- ☐ **Bill No. 130532, as amended:** 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 confirming Council's power to enact provisions Council considers necessary or appropriate to accomplish the purposes of a Minimum Wage and Benefits Ordinance, including, but not limited to, provisions mandating that minimum wage and benefits requirements be passed along to subcontractors on City contracts and subrecipients of City financial assistance, with debarment as a potential penalty for violation of such provisions; and authorizing the appropriate officers to publish notice and to make arrangements for the special election.

COUNCILMEMBER GREENLEE MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 130532.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

- ☐ **Resolution No. 130544, as amended:** Resolution Proposing an amendment to The Philadelphia Home Rule Charter confirming Council's power to enact provisions Council considers necessary or appropriate to accomplish the purposes of a Minimum Wage and Benefits Ordinance, including, but not limited to, provisions mandating that minimum wage and benefits requirements be passed along to subcontractors on City contracts and subrecipients of City financial assistance, with debarment as a potential penalty for violation of such provisions; and providing for the submission of the amendment to the electors of

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

**CONSIDERATION OF THE CALENDAR**

**BILLS ON FIRST READING**

**Bill No. 130532, as amended:** 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 confirming Council's power to enact provisions Council considers necessary or appropriate to accomplish the purposes of a Minimum Wage and Benefits Ordinance, including, but not limited to, provisions mandating that minimum wage and benefits requirements be passed along to subcontractors on City contracts and subrecipients of City financial assistance, with debarment as a potential penalty for violation of such provisions; and authorizing the appropriate officers to publish notice and to make arrangements for the special election.

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

**PUBLIC COMMENT**

The following persons provided public comment on September 19, 2013:

**Name and Comment Subject**

James Jenkins (120651-A)

Clarc King (120118)

See Notes of Testimony for full comment.

**BILLS AND RESOLUTIONS ON FINAL PASSAGE**

**Resolution No. 130597:** 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 improvement thereon, situate in the Third 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. 130600:** Resolution Approving the redevelopment contract 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 2108-2144 Cecil B. Moore avenue, 2105-2147 Nicholas street and 1631-1637 North Twenty-second street; and authorizing the Redevelopment Authority to execute the redevelopment contract with MPower Development Corp. and to take such action as may be necessary to effectuate the redevelopment contract.

THE RESOLUTION WAS ADOPTED.

- ☐ **Resolution No. 130601:** 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 Sixteenth and Thirty-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. 130602:** 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. 130609:** 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-sixth and Forty-eighth 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

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THE RESOLUTION WAS ADOPTED.

☐ **Resolution No. 130615:** 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-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.

DISCUSSION: COUNCILMEMBER GOODE - BILL NO. 120651-A - (SEE NOTES OF TESTIMONY).

☐ **Bill No. 120651-A, as amended:** An Ordinance Amending Chapter 19-1300 of The Philadelphia Code, entitled "Real Estate Taxes," by reducing the amount of real estate taxes to be exempted for certain improvements to, or construction of, certain residential, commercial, industrial or other business properties; and by reducing the duration of such exemptions; all under certain terms and conditions.

Councilmember Goode

moved to withdraw Bill No. 120651-A.

THE MOTION WAS DULY SECONDED AND AGREED TO.

THE BILL WAS WITHDRAWN.

☐ **Resolution No. 130637:** Resolution Recognizing the Tireless, Dedicated Efforts of The Workshop School and Celebrating its Official Opening as a Full Four-Year School District of Philadelphia Public High School.

THE RESOLUTION WAS ADOPTED.

☐ **Resolution No. 130638:** Resolution Calling on the Philadelphia City Council Committee on Education to Hold Hearings Concerning the Commonwealth of Pennsylvania's Approach to Education Funding.

THE RESOLUTION WAS ADOPTED.

☐ **Resolution No. 130640:** Resolution Recognizing Saturday, September 28th 2013 as Philly Play! Day in the City of Philadelphia.

THE RESOLUTION WAS ADOPTED.

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**Resolution No. 130641:** Resolution Recognizing National Manufacturing Day on Friday, October 4th, 2013.

THE RESOLUTION WAS ADOPTED.

**Resolution No. 130644:** Resolution Authorizing the Council Committee on Public Health and Human Services to hold hearings regarding the “Healthy PA” plan to provide health insurance.

THE RESOLUTION WAS ADOPTED.

**Resolution No. 130645:** Resolution Recognizing and Congratulating Joan Myers Brown and Laurie Olin for being awarded the 2012 National Medal of Arts and Humanities by President Barack H. Obama.

THE RESOLUTION WAS ADOPTED.

**Resolution No. 130647:** Resolution Supporting the National Minority Business Development Agency and recognizing September 30th through October 4th, 2013 as Philadelphia Minority Enterprise Development Week which provides critical information to foster the growth and competitiveness of the minority business community.

THE RESOLUTION WAS ADOPTED.

**Resolution No. 130649:** Resolution Designating the week of Monday, October 7 through Monday, October 14, 2013 as “Christopher Columbus/Italian American Heritage Week” in the City of Philadelphia. This is done in celebration of the festivities commemorating Columbus' historic voyage to the New World and honoring Bobby Rydell as Grand Marshall of the 2013 Philadelphia Columbus Day Parade.

THE RESOLUTION WAS ADOPTED.

**SPEECHES**

COUNCILMEMBERS JONES, BLACKWELL, SANCHEZ, AND COUNCIL PRESIDENT CLARKE - (SEE NOTES OF TESTIMONY).

COUNCILMEMBER REYNOLDS BROWN MOVED TO ADJOURN

THE MOTION WAS DULY SECONDED AND AGREED TO.