

JOURNAL OF THE CITY COUNCIL OF PHILADELPHIA



**Thursday, May 22, 2014**

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

Council met, a quorum being present.

Pstor Charles Jones of New Umbria Baptist Church was introduced and offered an appropriate prayer.

COUNCILMEMBER GREENLEE MOVED TO APPROVE THE JOURNAL of the meeting of May 15, 2014.

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. 130878, 130948, 140014, 140015, 140131, 140236, 140237, 140276, 140280, 140281, 140282 and 140312, which were passed by Council on May 8, 2014, were signed by the Mayor on May 19, 2014. (File No. 140503)

THE COMMUNICATION WAS READ.

☐ Transmitting a message advising Council that Bill No. 140224, which was passed by Council on May 14, 2014, was signed by the Mayor on May 19, 2014. (File No. 140504)

THE COMMUNICATION WAS READ.

☐ May 22, 2014

**TO THE PRESIDENT AND MEMBERS OF THE**

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**COUNCIL OF THE CITY OF PHILADELPHIA:**

For the reasons set forth below, I hereby return unsigned to your Honorable Body Bill No. 140093, which passed Council on May 8, 2014.


This Bill would amend the Fire Code to declare that Fire Service Paramedics must be considered firemen for the purposes of the Act of June 28, 1935, referred to as the Enforcement Officer Disability Benefits Law, or the Heart and Lung Act.

As my Administration has testified, and as the Law Department has advised, the question of whether Fire Service Paramedics are firemen for purposes of the Heart and Lung Act is a question of state law that must be decided by the courts or the General Assembly.

I honor the important and heroic work of Fire Service Paramedics. However, it is simply not possible to change state law through City legislation in this way. Accordingly, I am constrained to return this Bill without my signature.

Respectfully,  
MICHAEL A. NUTTER (File No. 140505)

THE COMMUNICATION WAS READ.

 May 22, 2014

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

For the reasons set forth below, I hereby return unsigned to your Honorable Body Bill No. 140093, which passed Council on May 8, 2014.

This Bill would amend the Fire Code to declare that Fire Service Paramedics must be considered firemen for the purposes of the Act of June 28, 1935, referred to as the Enforcement Officer Disability Benefits Law, or the Heart and Lung Act.


As my Administration has testified, and as the Law Department has advised, the question of whether Fire Service Paramedics are firemen for purposes of the Heart and Lung Act is a question of state law that must be decided by the courts or the General Assembly.

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I honor the important and heroic work of Fire Service Paramedics. However, it is simply not possible to change state law through City legislation in this way. Accordingly, I am constrained to return this Bill without my signature.

Respectfully,  
MICHAEL A. NUTTER  
(File No. 140506)

THE COMMUNICATION WAS READ.

 May 21, 2014

The Honorable Michael A. Nutter  
Mayor, City of Philadelphia  
City Hall, Room 215  
Philadelphia, PA 19107

**RE: Bill No. 140340: "An Ordinance authorizing the Commissioner of Public Property, to: A) acquire by lease or by deed land in the area bounded by the Delaware River, the former Frankford Creek, Bridge Street, Tacony Street and Darkrun Lane (extended to the Delaware River); B) convey by lease or by deed land in the area bounded by the Delaware River, the former Frankford Creek, Bridge Street, Tacony Street and Darkrun Lane (extended to the Delaware River) to the Philadelphia Authority for Industrial Development for further conveyance; C) acquire by deed land located at 3101 East Orthodox Street; and D) acquire by lease or by deed land in the area bounded by the Delaware River, Disston Street (extended to the Delaware River), Milnor Street and Princeton Avenue ( extended to the Delaware River), all for nominal consideration and all under certain terms and conditions."**

Dear Mayor Nutter:

Pursuant to Section 4-604 of the Philadelphia Home Rule Charter, the City Planning Commission has reviewed Bill No. 140340 introduced by Councilmember Henon on April 24, 2014.

Bill No. 140340 will allow the City of Philadelphia to acquire two different properties located on the Delaware Riverfront from the Pennsylvania Fish and Boat Commission and one property from PAID that is currently part of the Frankford Arsenal complex. The City will then subdivide one of the Fish and Boat Commission properties and transfer a portion of that subdivided site comprising approximately 9.5 acres to PAID for industrial reuse. In exchange, the City will receive land owned by PAID located on the Delaware River waterfront at 3101 East Orthodox Street.

This will generate approximately 55 acres of high quality industrial land with frontage on Tacony Street available for industrial reuse. This is consistent with the recommendations of both the Manufacturing Task Force and the Industrial Land Use Study prepared by


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PIDC in 2010.

At its meeting of May 20, 2014, the City Planning Commission recommended that Bill No.140340 be approved.

Sincerely,  
Gary J. Jastrzab  
Executive Director (File No. 140507)

THE COMMUNICATION WAS READ.

 May 21, 2014

The Honorable Michael A. Nutter  
Mayor, City of Philadelphia  
City Hall, Room 215  
Philadelphia, PA 19107

**RE: Zoning Bill No. 140341: "An Ordinance to amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Tacony Street, Comly Street extended, the Delaware River, Frankford Creek and Bridge Street under certain Terms and conditions."**

Dear Mayor Nutter:


Pursuant to Section 4-604 of the Philadelphia Home Rule Charter, the City Planning Commission has reviewed Bill No. 140341 introduced by Councilmember Henon on April 24, 2014.

Bill No. 140341 will amend the Philadelphia Zoning map by amending the zoning classifications of certain parcels of land within an area bounded by Tacony Street, Comly Street, the Delaware River, and Bridge Street. It will rezone land from partial "CMX-3" Commercial Mixed Use and partly "SP-POA" Special Purpose - Parks and Open Space - Active use to a zoning designation of "I-2" Medium Industrial. The purpose of the change is to facilitate the expansion of industrial land available for development and to reconfigure waterfront open space.

At its meeting of May 20, 2014, the City Planning Commission recommended that Bill No.140341 be approved.

Sincerely,  
Gary J. Jastrzab  
Executive Director (File No. 140508)

THE COMMUNICATION WAS READ.

 May 21, 2014

The Honorable Michael A. Nutter  
Mayor, City of Philadelphia  
City Hall, Room 215

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Philadelphia, PA 19107

**RE: Bill No. 140344:** “An Ordinance authorizing the Commissioner of Parks and Recreation and the Commissioner of Public Property on behalf of the City of Philadelphia, to execute a deed to the Philadelphia Authority for Industrial Development (“PAID”) and to accept a deed from PAID, and to execute all other necessary documents, for the purpose of exchanging and approximately One and one-tenths (1.1) acre parcel of City owned land ( the “K&T Parcel”) that is part of a larger parcel commonly called the Kensington and Tacony Trail ( the “K&T Trail”) running between Tacony Street and the Frankford Creek, for an approximately one and one-tenths (1.1) acre parcel of land of equal or greater value owned by PAID (the “PAID Parcel”) located at 3101 East Orthodox Street and , upon completion of PAID’s acquisition of the K&T parcel, removing the K&T Parcel from the K&T Trail and from the jurisdiction of the Department of Parks and Recreation subject to certain provisions.”

Dear Mayor Nutter:

Pursuant to Section 4-604 of the Philadelphia Home Rule Charter, the City Planning Commission has reviewed Bill No. 140344 introduced by Councilmember Henon on April 24, 2014.

Bill No. 140344 will allow the City of Philadelphia to transfer its interest in approximately 1.1 acres of land known as the former Kensington and Tacony Rail right-of-way to the Philadelphia Authority for Industrial Development for industrial reuse in exchange for land owned by PAID located along the Delaware River waterfront at 3101 East Orthodox Street.

This will expand the amount of City owned parkland with frontage along the Delaware River and will facilitate the development of the North Delaware Riverfront Greenway.

At its meeting of May 20, 2014, the City Planning Commission recommended that Bill No.140344 be approved.

Sincerely,  
Gary J. Jastrzab  
Executive Director (File No. 140509)

THE COMMUNICATION WAS READ.

## INTRODUCTION OF BILLS AND RESOLUTIONS


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

**Resolution No. 140493:** Resolution Daring Jon Stewart, host of “The Daily Show”, to come to Philadelphia and film a week of shows to prove how wrong


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he was in his May 20th tirade against Philadelphia, our people, our prized Philadelphia Phillies manager Ryne Sandberg, our affinity for running up museum stairs and calling it exercise and our world class cuisine; his multiple rants against our City have finally gone too far.

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


 **Resolution No. 140494:** 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 Sixth, 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 properties for rehabilitation and/or improvements in accordance with the terms of Chapter 16-400 of The Philadelphia Code.

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

 **Bill No. 140481:** An Ordinance Authorizing the Commissioner of Public Property to convey, to the Philadelphia Authority for Industrial Development, a parcel of land generally situate at 669 Hutchinson Street, for further conveyance, under certain terms and conditions.

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

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

 **Bill No. 140482:** An Ordinance Authorizing the striking from City Plan No. 63 of a certain right-of-way reserved for drainage purposes, water main purposes, and gas main purposes, over former Hamilton Street, between Eighteenth Street and Nineteenth Street, and creating a right-of-way solely for gas main purposes on a portion of former Hamilton Street, between Eighteenth Street and Nineteenth Street, subject to conditions precedent, 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:



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portion of City Plan No. 307 by striking from the City Plan and vacating a variable width portion of the southerly footway area of Vine Street from Seventeenth Street to a point approximately three-hundred four feet eastwardly therefrom, 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. 140484:** An Ordinance Authorizing the Commissioner of Public Property to acquire all or part of a parcel of land from the Philadelphia Redevelopment Authority, with any improvements thereon, located at 2100-06 Cecil B. Moore Avenue, under certain terms and conditions.

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

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

**Resolution No. 140495:** Resolution Declaring June 2014 as “AIDS Education Month in Philadelphia”.

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. 140496:** 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 1312 North Sixteenth street and 1314 North Sixteenth street; and authorizing the Redevelopment Authority to execute the redevelopment contract with the City of Philadelphia and to take such action as may be necessary to effectuate the redevelopment contract.

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. 140497:** 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

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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 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. 140498:** Resolution Approving the conveyance of a certain property from the Philadelphia Redevelopment Authority to the City of Philadelphia, which are located in the Model Cities Urban Renewal Area and identified by house number and street address as 2800-2850 West Dauphin street; and authorizing the Redevelopment Authority to prepare and execute all documents and instruments necessary to effectuate this conveyance.

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

**Bill No. 140485:** An Ordinance Authorizing the Commissioner of Public Property, on behalf of the City of Philadelphia, to accept title to certain real property owned by the School District of Philadelphia and to convey the same to the Philadelphia Authority for Industrial Development, for further conveyance, under certain terms and conditions.

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

Councilmember Johnson Introduced and Referred the following Bill, Sponsored by Councilmembers Johnson and Council President Clarke:

**Bill No. 140486:** An Ordinance Amending Section 9-204 of The Philadelphia Code, entitled "Sidewalk Vendors in Center City," by eliminating previously designated vendor locations in Center City; and by revising and adding to the list of locations that shall not be designated for vending; all under certain terms and conditions.

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

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

**Bill No. 140487:** An Ordinance Amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning," by changing the street frontage requirements for lots with multi-street frontage in certain residential zoning districts, all under



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THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

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

- 📄 **Bill No. 140488:** An Ordinance Amending Chapter 17-1300 of The Philadelphia Code, entitled “Philadelphia 21st Century Minimum Wage and Benefits Standard,” by further providing with respect to the application of the minimum wage and benefits standard to contractors, subcontractors, recipients of financial assistance, and subrecipients of financial assistance; and by revising the required Minimum Wage Standard; all under certain terms and conditions.

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

Councilmember Jones Introduced and Referred the following Bill for Councilmembers Council President Clarke, Squilla, Blackwell, Tasco, Bass, Kenney, Reynolds Brown, Quiñones Sánchez, Johnson and O'Brien, Sponsored by Councilmember Jones:

- 📄 **Bill No. 140489:** An Ordinance Amending Chapter 19-2700 of The Philadelphia Code, entitled “Sales and Use Tax and Hotel Occupancy Tax,” by providing for additional sales and use tax and for the manner in which the tax revenues shall be used, all under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE OF THE WHOLE.

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

- 📄 **Bill No. 140490:** An Ordinance Authorizing Café Italiano Inc. (“Owner”) to construct, own and maintain an open air sidewalk café at 1871 Cottman Avenue, Philadelphia, PA 19111 (“Property”), under certain terms and conditions.

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

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

- 📄 **Bill No. 140491:** An Ordinance Authorizing the Director of Commerce and the Commissioner of Public Property to lease to the Philadelphia Redevelopment Authority, for sublease to the Delaware River Waterfront Corporation, for further sublease, property along the Delaware River including Piers 27 North through 35 North and certain adjacent property to the south; and to lease associated riverbed

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rights from the Commonwealth of Pennsylvania and sublease those rights to the Philadelphia Redevelopment Authority for sublease to the Delaware River Waterfront Corporation for further sublease; and to make certain corrective and technical amendments, and other amendments to existing agreements, leases and subleases; and authorizing the Philadelphia Redevelopment Authority to make corresponding agreements and amendments; all on certain terms and conditions.

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

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

- ☐ **Bill No. 140492:** An Ordinance Amending Chapter 12-2700 of The Philadelphia Code, entitled “Permit Parking Districts,” to revise the definition of “vehicle” to include motor-driven cycles, to specify the manner in which the number of vehicles in a household is to be calculated, and to further provide with respect to the fee for the issuance of residential parking permits to motorcycles and motor-driven cycles; 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 Council President Clarke:

- ☐ **Resolution No. 140499:** Resolution Congratulating the Little Flower Catholic High School for Girls Swim Team on winning the District 12 Championship and the Catholic League Title.

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

- ☐ **Resolution No. 140500:** Resolution Authorizing the Committee on Finance to conduct hearings concerning the collection of delinquent taxes owed to the City of Philadelphia and the use of third-party collection agencies.

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

- ☐ **Resolution No. 140501:** Resolution Also naming Vollmer Street between 4th and 5th Streets as “Don Ly Way”.

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

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O'Brien:

- 📄 **Resolution No. 140502:** Resolution Honoring Stephen J. Harmelin, Esquire as the inaugural recipient of the Green Tree School & Services Lasting Legacy Award.

**REPORTS FROM COMMITTEES**

**COMMITTEE OF THE WHOLE**

- 📄 **Bill No. 140140:** An Ordinance Amending Chapter 19-1500 of The Philadelphia Code, entitled “Wage and Net Profits Tax,” by decreasing the rate or rates of the tax imposed upon certain low income persons, providing for refunds of excess taxes paid, directing the Revenue Department to develop procedures and forms whereby eligible taxpayers can obtain such refunds, and requiring employers to provide refund forms to employees; all under certain terms and conditions.

COUNCILMEMBER JONES MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 140140.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

- 📄 **Bill No. 140144:** An Ordinance To adopt a Capital Program for the six Fiscal Years 2015-2020 inclusive.

COUNCILMEMBER JONES MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 140144.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

- 📄 **Bill No. 140145:** An Ordinance To adopt a Fiscal 2015 Capital Budget.

COUNCILMEMBER JONES MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 140145.

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. 140383:** An Ordinance Authorizing transfers in appropriations for Fiscal Year 2014 from the Grants Revenue Fund, the Director of Finance - Provision

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for Other Grants to the General Fund, the Mayor - Office of Housing and Community Development, the Department of Streets, the Department of Public Property and the Law Department.

COUNCILMEMBER GOODE MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 140383.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

**SPECIAL BUSINESS**


 **Bill No. 140094:** 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 delineating the process to be utilized by the Philadelphia Fire Department in its consideration of temporary or permanent reductions or eliminations of fire companies that provide life safety and property protection from the hazards of fire, explosion or dangerous conditions in new and existing buildings, structures and premises, and by requiring input by fire fighters and emergency responders in that process; all under certain terms and conditions.

THE BILL WAS READ.

Councilmember Kenney

moved that the Council reconsider Bill No. 140094 which was approved by City Council on May 8, 2014.

THE MOTION WAS DULY SECONDED AND AGREED TO.

 **Bill No. 140094:** 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 delineating the process to be utilized by the Philadelphia Fire Department in its consideration of temporary or permanent reductions or eliminations of fire companies that provide life safety and property protection from the hazards of fire, explosion or dangerous conditions in new and existing buildings, structures and premises, and by requiring input by fire fighters and emergency responders in that process; all under certain terms and conditions.

THE BILL WAS ORDERED PLACE AT THE END OF TODAY'S CALENDAR.

**CONSIDERATION OF THE CALENDAR**

## BILLS ON FIRST READING

☐ **Bill No. 140140:** An Ordinance Amending Chapter 19-1500 of The Philadelphia Code, entitled “Wage and Net Profits Tax,” by decreasing the rate or rates of the tax imposed upon certain low income persons, providing for refunds of excess taxes paid, directing the Revenue Department to develop procedures and forms whereby eligible taxpayers can obtain such refunds, and requiring employers to provide refund forms to employees; all under certain terms and conditions.

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

☐ **Bill No. 140144:** An Ordinance To adopt a Capital Program for the six Fiscal Years 2015-2020 inclusive.

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

☐ **Bill No. 140145:** An Ordinance To adopt a Fiscal 2015 Capital Budget.

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

☐ **Bill No. 140383:** An Ordinance Authorizing transfers in appropriations for Fiscal Year 2014 from the Grants Revenue Fund, the Director of Finance - Provision for Other Grants to the General Fund, the Mayor - Office of Housing and Community Development, the Department of Streets, the Department of Public Property and the Law Department.

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

## PUBLIC COMMENT

The following persons provided public comment on May 22, 2014:

### **Name and Comment Subject**

There were no Comments offered on May 22, 2014

See Notes of Testimony for full comment.


## BILLS AND RESOLUTIONS ON FINAL PASSAGE

☐ **Resolution No. 140456:** 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


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City-owned lots or pieces of ground with the building and improvements thereon, situate in the Sixth 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. 140457:** 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, Nineteenth, Thirty-first and Thirty-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.


THE RESOLUTION WAS ADOPTED.

-  **Resolution No. 140458:** Resolution Approving the redevelopment contract of the Philadelphia Redevelopment Authority for the redevelopment and urban renewal of a portion of the West Fairhill/East Tioga/Hunting Park Urban Renewal Area, identified by house number and street address as 4052 North Sixth street; and authorizing the Redevelopment Authority to execute the redevelopment contract with Gilberto Rodriguez and to take such action as may be necessary to effectuate the redevelopment contract.

THE RESOLUTION WAS ADOPTED.

-  **Resolution No. 140460:** 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 lot or piece of ground with the building and improvements thereon, situate in the Thirty-eighth 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. 140461:** Resolution Approving the redevelopment contract of the Philadelphia Redevelopment Authority for the redevelopment and urban renewal of a portion of the New Kensington-Fishtown Urban Renewal Area, identified by

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house number and street address as 2208 Trenton avenue; and authorizing the Redevelopment Authority to execute the redevelopment contract with N.E. Reinvestment Group, LLC and to take such action as may be necessary to effectuate the redevelopment contract.

THE RESOLUTION WAS ADOPTED.

**Resolution No. 140462:** Resolution Approving the redevelopment contract of the Philadelphia Redevelopment Authority for the redevelopment and urban renewal of a portion of the New Kensington-Fishtown Urban Renewal Area, identified by house numbers and street addresses as 2103 East Cumberland street, 2107 East Cumberland street and 2501 Amber street; and authorizing the Redevelopment Authority to execute the redevelopment contract with New Kensington Community Development Corporation and to take such action as may be necessary to effectuate the redevelopment contract.

THE RESOLUTION WAS ADOPTED.

**Resolution No. 140463:** Resolution Approving the redevelopment contract of the Philadelphia Redevelopment Authority for the redevelopment and urban renewal of a portion of the New Kensington-Fishtown Urban Renewal Area, identified by house numbers and street addresses as 2423 East Dauphin street and 2425-2427 East Dauphin street; and authorizing the Redevelopment Authority to execute the redevelopment contract with MK Properties, LLC and to take such action as may be necessary to effectuate the redevelopment contract.

THE RESOLUTION WAS ADOPTED.

**Resolution No. 140464:** Resolution Approving the redevelopment contract of the Philadelphia Redevelopment Authority for the redevelopment and urban renewal of a portion of the New Kensington-Fishtown Urban Renewal Area, identified by house number and street address as 2235 Coral street; and authorizing the Redevelopment Authority to execute the redevelopment contract with Luval Inc. and to take such action as may be necessary to effectuate the redevelopment contract.

THE RESOLUTION WAS ADOPTED.

**Resolution No. 140493:** Resolution Daring Jon Stewart, host of “The Daily Show”, to come to Philadelphia and film a week of shows to prove how wrong he was in his May 20th tirade against Philadelphia, our people, our prized Philadelphia Phillies manager Ryne Sandberg, our affinity for running up museum stairs and calling it exercise and our world class cuisine; his multiple rants against our City have finally gone too far.

THE RESOLUTION WAS ADOPTED.

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☐ **Resolution No. 140495:** Resolution Declaring June 2014 as “AIDS Education Month in Philadelphia”.

THE RESOLUTION WAS ADOPTED.

☐ **Resolution No. 140499:** Resolution Congratulating the Little Flower Catholic High School for Girls Swim Team on winning the District 12 Championship and the Catholic League Title.

THE RESOLUTION WAS ADOPTED.

☐ **Resolution No. 140500:** Resolution Authorizing the Committee on Finance to conduct hearings concerning the collection of delinquent taxes owed to the City of Philadelphia and the use of third-party collection agencies.

THE RESOLUTION WAS ADOPTED.

☐ **Resolution No. 140502:** Resolution Honoring Stephen J. Harmelin, Esquire as the inaugural recipient of the Green Tree School & Services Lasting Legacy Award.

THE RESOLUTION WAS ADOPTED.

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

Councilmember Jones

moved that the rules of Council be suspended to permit the use of a Consent Agenda to consider the following bills on Second Reading and Final Passage: Nos. 140076, 140340, 140344, 140350, 130849, 140347, 140349, 140351, 140353, 140052 and 140223.

THE MOTION WAS DULY SECONDED AND AGREED TO.

☐ **Bill No. 140076:** An Ordinance To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Parkside Avenue, Girard Avenue, and Belmont Avenue.

THE BILL WAS READ AND PASSED.

*The Ayes and Nays were as follows:*

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

*Nays: 0*

☐ **Bill No. 140340:** An Ordinance Authorizing the Commissioner of Public Property to: A) acquire by lease or by deed land in the area bounded by the Delaware River, the former Frankford Creek, Bridge Street, Tacony Street and



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Darkrun Lane (extended to the Delaware River); B) convey by lease or by deed land in the area bounded by the Delaware River, the former Frankford Creek, Bridge Street, Tacony Street and Darkrun Lane (extended to the Delaware River) to the Philadelphia Authority for Industrial Development for further conveyance; C) acquire by deed land located at 3101 East Orthodox Street; and D) acquire by lease or by deed land in the area bounded by the Delaware River, Disston Street (extended to the Delaware River), Milnor Street and Princeton Avenue (extended to the Delaware River), all for nominal consideration and all under certain terms and conditions.

THE BILL WAS READ AND PASSED.

*The Ayes and Nays were as follows:*

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

*Nays: 0*

**Bill No. 140344:** An Ordinance Authorizing the Commissioner of Parks and Recreation and the Commissioner of Public Property, on behalf of the City of Philadelphia, to execute a deed to the Philadelphia Authority for Industrial Development (“PAID”) and to accept a deed from PAID, and to execute all other necessary documents, for the purpose of exchanging an approximately One and one-tenths (1.1) acre parcel of City-owned land (the “K&T Parcel”) that is part of a larger parcel commonly called the Kensington & Tacony Trail (the “K&T Trail”) running between Tacony Street and the Frankford Creek, for an approximately One and one-tenths (1.1) acre parcel of land of equal or greater value owned by PAID (the “PAID Parcel”) located at 3101 East Orthodox Street and, upon completion of PAID's acquisition of the K&T Parcel, removing the K&T Parcel from the K&T Trail and from the jurisdiction of the Department of Parks and Recreation, subject to certain provisions.

THE BILL WAS READ AND PASSED.

*The Ayes and Nays were as follows:*

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

*Nays: 0*

**Bill No. 140350:** An Ordinance Approving a Lease Amendment 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 Girard Square A NY LP for certain premises located at 1137

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THE BILL WAS READ AND PASSED.

*The Ayes and Nays were as follows:*

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

*Nays: 0*

**Bill No. 130849:** An Ordinance Repealing an Ordinance (Bill No. 130449) entitled “An Ordinance authorizing Atul Amin, owner and operator of the newsstand located on the southeast corner of 17th and JFK Blvd, to construct, use and maintain conduits in, under and across the southeast corner of 17th and JFK Blvd for the purpose of supplying electrical service and telephone service to the newsstand, under certain terms and conditions,” and authorizing Atul Amin, owner and operator of the newsstand located on the northwest corner of 17th and JFK Blvd, to construct, use and maintain conduits in, under and across the northwest corner of 17th and JFK Blvd for the purpose of supplying electrical service and telephone service to the newsstand, under certain terms and conditions.

THE BILL WAS READ AND PASSED.

*The Ayes and Nays were as follows:*

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

*Nays: 0*

**Bill No. 140347:** An Ordinance Legalizing an existing architectural planter encroaching on the public right-of-way at 1700 South Broad Street, Philadelphia, PA, under certain terms and conditions.

THE BILL WAS READ AND PASSED.

*The Ayes and Nays were as follows:*

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

*Nays: 0*

**Bill No. 140349:** An Ordinance Amending Section 9-213 of The Philadelphia Code, entitled “Farmers' Markets,” by adding West Allegheny Avenue between Bambrey and 26th Streets as a permissible location, all under certain terms and conditions.

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THE BILL WAS READ AND PASSED.

*The Ayes and Nays were as follows:*

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

*Nays: 0*

**Bill No. 140351:** An Ordinance Authorizing Sanjay Patel, owner and operator of the newsstand located on the southeast corner of 13th and Filbert Streets, to construct, use and maintain conduits in, under and across the southeast corner of 13th and Filbert Streets for the purpose of supplying electrical service and telephone service to the newsstand, under certain terms and conditions.

THE BILL WAS READ AND PASSED.

*The Ayes and Nays were as follows:*

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

*Nays: 0*

**Bill No. 140353:** An Ordinance Authorizing Narottam M. Parmar, owner and operator of the newsstand located on the north side of Washington Avenue from 821 Washington Avenue to 801 Washington Avenue, to construct, use and maintain conduits in, under and across the north side of Washington Avenue from 821 Washington Avenue to 801 Washington Avenue for the purpose of supplying electrical service and telephone service to the newsstand, under certain terms and conditions.

THE BILL WAS READ AND PASSED.

*The Ayes and Nays were as follows:*

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

*Nays: 0*

**Bill No. 140052:** An Ordinance Amending Title 10 of The Philadelphia Code, entitled "Regulation of Individual Conduct and Activity," by allowing the granting of permanent licenses for guide dogs for the blind, handicapped persons, or government-owned dogs used for law enforcement; all under certain terms and conditions.

THE BILL WAS READ AND PASSED.

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*The Ayes and Nays were as follows:*

*Nays: 0*

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

**Bill No. 140080:** An Ordinance Amending Title 10 of The Philadelphia Code, entitled “Regulation of Individual Conduct and Activity,” by amending Chapter 10-100, entitled “Animals,” by providing further for the proper care and treatment of certain animals and making technical changes, all under certain terms and conditions.

THE BILL WAS READ AND PASSED.

*The Ayes and Nays were as follows:*

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

*Nays: 0*

**Bill No. 140223:** An Ordinance Amending Title 9 of The Philadelphia Code, entitled “Regulation of Businesses, Trades and Professions,” to modify an exception to the Expeditors license requirements, all under certain terms and conditions.

THE BILL WAS READ AND PASSED.

*The Ayes and Nays were as follows:*

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

*Nays: 0*

**SPECIAL BUSINESS (CONTINUED)**

Councilmember Kenney

moved that the vote by which Bill No. 140094 passed Council be reconsidered.

THE MOTION WAS DULY SECONDED AND AGREED TO.

**Bill No. 140094:** 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 delineating the process to be utilized by the Philadelphia Fire Department in its consideration of temporary or permanent reductions or eliminations of fire companies that provide life safety

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and property protection from the hazards of fire, explosion or dangerous conditions in new and existing buildings, structures and premises, and by requiring input by fire fighters and emergency responders in that process; all under certain terms and conditions.

THE BILL WAS READ.

THE BILL WAS RECONSIDERED.

THE BILL, AGAIN BEING BEFORE THE COUNCIL, THE QUESTION BEING: SHALL THE BILL NO. 140094 PASS NOTWITHSTANDING THE DISAPPROVAL OF THE MAYOR?

ON THE RECONSIDERATION OF THE VOTE BY WHICH BILL NO. 140094 PASSED COUNCIL, THE CLERK WILL CALL THE ROLL.

**Bill No. 140094:** 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 delineating the process to be utilized by the Philadelphia Fire Department in its consideration of temporary or permanent reductions or eliminations of fire companies that provide life safety and property protection from the hazards of fire, explosion or dangerous conditions in new and existing buildings, structures and premises, and by requiring input by fire fighters and emergency responders in that process; all under certain terms and conditions.

THE BILL WAS VETO OVERRIDDEN.

*The Ayes and Nays were as follows:*

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

*Nays: 0*

**SPEECHES**

COUNCILMEMBERS O'BRIEN, HENON, OH, TASCO, GREENLEE AND SANCHEZ - (SEE NOTES OF TESTIMONHY).

COUNCILMEMBER REYNOLDS BROWN MOVED TO ADJOURN

THE MOTION WAS DULY SECONDED AND AGREED TO.