

JOURNAL OF THE CITY COUNCIL OF PHILADELPHIA



Thursday, February 28, 2013

PRESENT: 17 - Councilmembers Council President Clarke, Squilla, Johnson, Blackwell, Jones, Henon, Quiñones Sánchez, Bass, Tasco, O'Neill, Reynolds Brown, Greenlee, Goode, Oh, Kenney, Green and O'Brien

Council met, a quorum being present.

Bishop Ernest McNear of Trust Gospel Tabernacle Family Church was introduced and offered an appropriate prayer.

COUNCILMEMBER GREENLEE MOVED TO APPROVE THE JOURNAL
of the meeting of February 21, 2013.

THE MOTION WAS DULY SECONDED AND AGREED TO.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

Bill No. 130135: An Ordinance Amending Chapter 9-600 of The Philadelphia Code, entitled "Service and Other Businesses," by amending Section 9-605, entitled "Towing," to provide for certain exceptions to licensing requirements for towing companies located outside of the City; and by making further adjustments to the requirements for conducting the business of towing; all under certain terms and conditions.

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


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

Bill No. 130136: An Ordinance To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Spring Garden Street, 22nd Street, Pennsylvania Avenue, Hamilton Street, and 21st Street.

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THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

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

 **Bill No. 130137:** An Ordinance To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Thompson Street, 9th Street, Girard Avenue and Hutchinson Street and by amending Section 14-803 of the Zoning Code, entitled “Motor Vehicle Parking Standards,” and by amending Section 14-904, entitled “Signs,” exclusively with regard to the area bounded by Thompson Street, 9th Street, Girard Avenue and Hutchinson Street, all under certain terms and conditions.


THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

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


 **Bill No. 130138:** An Ordinance Authorizing the Holme Circle Civic Association to construct, own and maintain various right-of-way encroachments on the traffic median located on Holme Avenue where it intersects Welsh Road and Ashton Road in Philadelphia, PA, under certain terms and conditions.

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

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

 **Resolution No. 130144:** Resolution Honoring, recognizing and commending the Bicycle Coalition of Greater Philadelphia on its 40th Anniversary for its efforts to promote bicycling, transportation infrastructure, and healthy lifestyles.

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

 **Bill No. 130139:** An Ordinance Amending Chapter 19-1800 of The Philadelphia Code, entitled “School Tax Authorization,” to provide for the rate and computation of realty use and occupancy tax; and adding a new Chapter 19-3900 to The Philadelphia Code, entitled “Realty Use and Occupancy Tax,” to provide for a City realty use and occupancy tax; all under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE OF THE WHOLE.

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

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Brown:

- 📄 **Resolution No. 130145:** Resolution Celebrating 10 Years of United Way's Women's Initiative by recognizing Women Leaders in Philanthropy and Volunteerism.

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

- 📄 **Resolution No. 130146:** Resolution Urging the Senate State Government Committee, the Pennsylvania Senate and the Pennsylvania General Assembly to oppose and reject Senate Bill 538 (SB 538) which seeks to change the way Pennsylvania's electoral votes for President are distributed.

Councilmember Jones Introduced and Referred the following Bill, Sponsored by Councilmembers Jones, Bass, O'Brien, Tasco, Kenney, Goode, Greenlee, Johnson, Quiñones Sánchez and Henon:

- 📄 **Bill No. 130140:** An Ordinance Amending Title 21 of The Philadelphia Code, entitled "Miscellaneous," to increase appointments on the Mayor's Commission on Aging (MCOA).

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

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

- 📄 **Resolution No. 130147:** Resolution Honoring and Recognizing the Cecil B. Moore Philadelphia Freedom Fighters for their commitment to the Philadelphia civil rights movement and dedication to preserving the memory and legacy of one of Philadelphia's most notable civil rights activists, Cecil B. Moore.

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

- 📄 **Bill No. 130141:** An Ordinance Amending Chapter 19-2900 of The Philadelphia Code, entitled "Senior Citizen Special Tax Provisions," by providing for those circumstances where a participant in the tax freeze program authorized by that Chapter would owe less taxes as a result of a reduction in the tax rate or the assessed value of the taxpayer's property but for his or her prior enrollment in the program; all under certain terms and conditions.

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THE BILL WAS REFERRED TO THE COMMITTEE OF THE WHOLE.

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

- Bill No. 130142:** An Ordinance Phasing over a period of years the effects of the actual value initiative and authorizing real estate taxes for the City of Philadelphia and the School District of Philadelphia for Fiscal Year 2014 and thereafter by amending Chapter 19-1300 of The Philadelphia Code, entitled “Real Estate Taxes,”; providing for a tax and tax rate on real property; and by amending Chapter 19-1800 of The Philadelphia Code, entitled “School Tax Authorization,” to further authorize the Board of Education of the School District of Philadelphia to impose a tax on real estate within the City of Philadelphia, and providing for a tax rate; all under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE OF THE WHOLE.

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

- Bill No. 130143:** An Ordinance Continuing the Aramingo Avenue Shopping District, a neighborhood improvement district, and amending the District's boundaries in an area generally including the east and west sides of Aramingo Avenue from 2700 Aramingo Avenue to 3995 Aramingo Avenue and certain blocks of streets that intersect that portion of Aramingo Avenue and for which Impact Community Development Corporation, a Pennsylvania nonprofit corporation, is the Neighborhood Improvement District Management Association for the District; approving a final 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 Impact Community Development Corporation, relating to the District; and authorizing Impact Community Development Corporation 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 REFERRED TO THE COMMITTEE ON RULES.

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

- Resolution No. 130148:** Resolution Initiating action to continue the Aramingo Avenue Shopping District, a neighborhood improvement district, and to amend

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the boundaries of the District in an area generally including the east and west sides of Aramingo Avenue from 2700 Aramingo Avenue to 3995 Aramingo Avenue and certain blocks of streets that intersect that portion of Aramingo Avenue and for which Impact Community Development Corporation, a Pennsylvania nonprofit corporation, serves as the Neighborhood Improvement District Management Association; approving a preliminary plan for and report concerning the District; and authorizing and directing the Committee on Rules and the Clerk of Council to take all actions that are required by the Community and Economic Improvement Act prior to enactment of an ordinance that would formally continue the District.

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

- ☐ **Resolution No. 130149:** Resolution Urging the Securities and Exchange Commission to promulgate regulations regarding crowdfunded investment as mandated by the JOBS Act.

CONSIDERATION OF THE CALENDAR

PUBLIC COMMENT

The following persons provided public comment on February 28, 2013:

Name and Comment Subject

- Pastor Melanie PeBouse (121040)
- Tamir Elliot (121040)
- Cheryl Freedman (121040)
- Solomon Jones (120118)


See Notes of Testimony for full comment.

BILLS AND RESOLUTIONS ON FINAL PASSAGE


- ☐ **Resolution No. 130115:** Resolution Calling on members of the Pennsylvania General Assembly to pass legislation that allows for early voting in primary and general elections in the Commonwealth of Pennsylvania.

THE RESOLUTION WAS ADOPTED.


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 **Resolution No. 130127:** 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-second 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 terms of Chapter 16-400 of The Philadelphia Code.


THE RESOLUTION WAS ADOPTED.

 **Resolution No. 130129:** 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 Second and Thirty-sixth 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.


THE RESOLUTION WAS ADOPTED.

 **Resolution No. 130130:** Resolution Authorizing the Commissioner of Public Property to execute and deliver to the Philadelphia Redevelopment Authority, without consideration, deeds conveying conditional fee simple title to certain City-owned lots or pieces of ground with the buildings and improvements thereon, situate in the Eighteenth and Nineteenth 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 terms of Chapter 16-400 of The Philadelphia Code.

THE RESOLUTION WAS ADOPTED.

 **Resolution No. 130144:** Resolution Honoring, recognizing and commending the Bicycle Coalition of Greater Philadelphia on its 40th Anniversary for its efforts to promote bicycling, transportation infrastructure, and healthy lifestyles.

THE RESOLUTION WAS ADOPTED.

 **Resolution No. 130145:** Resolution Celebrating 10 Years of United Way's Women's Initiative by recognizing Women Leaders in Philanthropy and Volunteerism.

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THE RESOLUTION WAS ADOPTED.

Resolution No. 130147: Resolution Honoring and Recognizing the Cecil B. Moore Philadelphia Freedom Fighters for their commitment to the Philadelphia civil rights movement and dedication to preserving the memory and legacy of one of Philadelphia's most notable civil rights activists, Cecil B. Moore.

THE RESOLUTION WAS ADOPTED.

BILLS AND RESOLUTIONS ON SECOND READING AND FINAL PASSAGE

Bill No. 120109, as amended: An Ordinance Amending Title 21 of The Philadelphia Code, entitled "Miscellaneous," by requiring the Finance Director to provide to Council, by the time of the submission of the Mayor's proposed annual operating budget, program-based budgeting detail that identifies both the cost of performing specific functions funded by appropriations made by the City as well as the effectiveness of such functions, following procedures to be adopted by the Finance Director, all 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, Tasco, O'Neill, Reynolds Brown, Greenlee, Goode, Oh, Kenney, Green and O'Brien

Nays: 0

Bill No. 120110, as amended: An Ordinance Amending Title 21 of The Philadelphia Code, entitled "Miscellaneous," by requiring the Mayor to submit to Council, with the proposed annual capital budget and capital program, a cost-benefit analysis that includes the return on investment and payback time for each capital project funded through the capital program and certain other information, following procedures to be adopted by the Finance Director, 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, Tasco, O'Neill, Reynolds Brown, Greenlee, Goode, Oh, Kenney, Green and O'Brien

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Bill No. 130007: An Ordinance To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by the Philadelphia County Border, the Delaware Expressway, 86th Street, Bartram Avenue, 84th Street, Mario Lanza Boulevard, Island Avenue, Penrose Avenue, Delaware Expressway, the Schuylkill River and the Delaware River.

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, Tasco, O'Neill, Reynolds Brown, Greenlee, Goode, Oh, Kenney, Green and O'Brien

Nays: 0

Bill No. 121040: An Ordinance Amending Chapter 17-1300 of The Philadelphia Code, entitled “Philadelphia 21st Century Minimum Wage and Benefits Standard,” by revising the definition of the employers required to comply with the minimum compensation standards established by this Chapter, under certain terms and conditions.

DISCUSSION - COUNCILMEMBER GOODE AND OH - BILL N O. 121040 - (SEE NOTES OF TESTIMONY).

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, Tasco, O'Neill, Reynolds Brown, Greenlee, Goode, Oh, Kenney, Green and O'Brien

Nays: 0

Bill No. 130012: An Ordinance Amending Chapter 19-2600 of The Philadelphia Code, entitled “Business Income and Receipts Taxes,” by revising the number of businesses that may obtain a credit against business income and receipts taxes upon contributing to certain community development corporations or nonprofit intermediaries engaged in neighborhood economic development activities within the City of Philadelphia; all 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, Tasco, O'Neill, Reynolds Brown, Greenlee, Goode, Oh, Kenney, Green and O'Brien

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Nays: 0

SPEECHES

COUNCILMEMBER O'BRIEN, BLACKWELL, JOHNSON, SQUILLA, JONES, TASCO,
AND COUNCIL PRESIDENT CLARKE - (SEE NOTES OF TESTIMONY).

COUNCILMEMBER REYNOLDS BROWN MOVED TO ADJOURN

THE MOTION WAS DULY SECONDED AND AGREED TO.