

JOURNAL OF THE CITY COUNCIL OF PHILADELPHIA



**Thursday, March 20, 2014**

EXCUSED: 1 - Councilmember Quiñones Sánchez

PRESENT: 15 - Councilmembers Council President Clarke, Squilla, Johnson, Blackwell, Jones, Henon, Bass, Tasco, O'Neill, Reynolds Brown, Greenlee, Goode, Oh, Kenney and O'Brien

Council met, a quorum being present.

Reverend Dwayne Royster, Senior Pastor of Living Water United Church of Christ was introduced and offered an appropriate prayer.

COUNCILMEMBER GREENLEE MOVED TO APPROVE THE JOURNAL

of the meeting of March 13, 2014.

THE MOTION WAS DULY SECONDED AND AGREED TO.

Councilmember Jones requested leave of absence for

Councilmember Sanchez.

THE REQUEST WAS GRANTED.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

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

- 📄 **Resolution No. 140211:** Resolution Authorizing the Committee on Education to hold public hearings to examine the possibility of the Pennsylvania General Assembly authorizing the addition of slot machines and other gaming equipment at Philadelphia International Airport to enhance traveler experiences and provide an additional funding source for the School District of Philadelphia.

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

- ☐ **Resolution No. 140212:** Resolution Authorizing the Committee on Labor and Civil Service to hold hearings on the current discipline, grievance and arbitration policies and procedures of the Philadelphia Fire Department and determine any steps that Council need take to ensure that Fire Department personnel are protected and that matters are adjudicated properly in a fair and reasonable amount of time.

Councilmember Kenney Introduced and Ordered Placed on This Week's Final Passage Calendar the following Resolution, Sponsored by Councilmembers Kenney, Council President Clarke, Jones and Greenlee:

- ☐ **Resolution No. 140213:** Resolution Recognizing and honoring Sheinelle Jones of Fox29 News for her outstanding service, commitment, and contributions to the community during her time as a broadcast journalist 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. 140214:** 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.

Councilmember Reynolds Brown Introduced and Referred the following Bill for Councilmembers Council President Clarke and Jones, Sponsored by Councilmember Reynolds Brown:

- ☐ **Bill No. 140205:** An Ordinance Amending Title 22 of The Philadelphia Code, entitled "Public Employees Retirement Code," to expand the scope of "Plan '10" and "DC Plan" to cover additional employees, including employees represented by AFSCME, District Council 47 and certain employees not covered by a collective bargaining agreement, to change contribution rates, and to make technical amendments, all under certain terms and conditions.

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THE BILL WAS REFERRED TO THE COMMITTEE ON LABOR AND CIVIL SERVICE.

Councilmember Reynolds Brown Introduced and Referred the following Bill for Councilmembers Council President Clarke and Jones, Sponsored by Councilmember Reynolds Brown:

- 📄 **Bill No. 140206:** An Ordinance Amending Section 22-310 of The Philadelphia Code, entitled “Deferred Retirement Option Plan (DROP),” by revising and clarifying requirements relating to separation from employment, under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON LABOR AND CIVIL SERVICE.

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

- 📄 **Bill No. 140207:** An Ordinance Amending Title 12 of The Philadelphia Code, entitled “Traffic Code,” to revise the fee for the use of parking meters; all under certain terms and conditions.

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

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

- 📄 **Resolution No. 140215:** Resolution Authorizing the Committee on Education to hold hearings on STEM (Science, Technology, Engineering and Math) educational opportunities for young men and women in the City of Philadelphia and the efforts the City can undertake to increase the opportunities available.

Councilmember Reynolds Brown Introduced and Ordered Placed on This Week's Final Passage Calendar the following Resolution for Councilmember Jones, Sponsored by Councilmembers Reynolds Brown, Greenlee, Tasco, Kenney, Oh, O'Brien, Johnson, Blackwell, Goode and Bass:

- 📄 **Resolution No. 140216:** Resolution Commending and honoring SEPTA Police Officer Ronald P. Jones for his heroic acts of duty and bravery in the apprehension of a violent assailant threatening to shoot innocent passengers on the train at the Fairmount Station.

Councilmember Reynolds Brown Introduced and Ordered Placed on This Week's Final Passage Calendar the following Resolution for Councilmembers Quiñones Sánchez and Oh, Sponsored by Councilmember Jones:

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☞ April 12, 2014 as the Fourth Annual Philly Tech Week presented by AT&T, and honoring the broad and vibrant Philadelphia technology community.

Councilmember Reynolds Brown Introduced and Ordered Placed on This Week's Final Passage Calendar the following Resolution for Councilmember Jones, Sponsored by Councilmembers Reynolds Brown, Greenlee, Tasco, Kenney, Oh, O'Brien, Johnson, Blackwell, Goode and Bass:

☞ **Resolution No. 140218:** Resolution Commending and honoring Reverend Tameka Bates for her heroic acts of bravery and Good Samaritan efforts to prevent harm to a mother and child during a violent disruption on the SEPTA train incited by a man threatening to shoot passengers on the train at the Fairmount Station and attempting to kidnap the mother's baby.

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

☞ **Resolution No. 140219:** Resolution In recognition of Women's History Month, honoring the outstanding contributions of Ms. Audrey Johnson Thornton on behalf of the American Women's Heritage Society for her tireless efforts to restore the Historic Belmont Mansion and Underground Railroad Museum located in the Fourth Council District in Philadelphia and proclaiming the banquet facility as the Cornelia Wells Banquet Hall and Conference Center.

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

☞ **Bill No. 140208:** An Ordinance Legalizing an existing fence encroaching on the public right-of-way at 3301 Lester Road, Philadelphia, PA, under certain terms and conditions.

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

Councilmember Bass Introduced and Referred the following Bill, Sponsored by Councilmembers Bass, Blackwell, Henon and Tasco:

☞ **Bill No. 140209:** An Ordinance Amending Chapter 19-2600 of The Philadelphia Code, entitled "Business Income and Receipts Taxes," by providing for certain exclusions and deferrals relating to businesses distressed as a result of nearby public works projects, all under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON FINANCE.

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

- 📄 **Bill No. 140210:** An Ordinance Establishing a parking regulation on 16th street, east side, Olney avenue to Chew avenue.

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

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

- 📄 **Resolution No. 140220:** Resolution Authorizing City Council's committee on Global Opportunities and the Creative/Innovative Economy to hold public hearings on the state of the growing technology and innovation community in Philadelphia and the impact on the local economy.

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

- 📄 **Resolution No. 140221:** Resolution Authorizing Council's Committee on Global Opportunities and the Creative/Innovative Economy and Committee on Public Property and Public Works to hold joint hearings to investigate the feasibility of developing a diplomatic area in the City devoted to the promotion of foreign trade and investment.

**REPORTS FROM COMMITTEES**

**COMMITTEE ON PUBLIC HEALTH AND HUMAN SERVICES**

- 📄 **Bill No. 140095, as amended:** An Ordinance Amending Chapter 10-600 of The Philadelphia Code, entitled "Public Places-Prohibited Conduct," by adding a new Section to prohibit the use of Electronic Smoking Devices in public places and in the workplace, under certain terms and conditions.

COUNCILMEMBER TASCO MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 140095.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

- 📄 **Bill No. 140096:** An Ordinance Amending Chapter 9-600 of The Philadelphia Code, entitled "Service and Other Businesses," by clarifying penalties for violations of Section 9-622, entitled "Cigarettes and Tobacco Products," and by adding a new section to prohibit sales of electronic smoking devices and

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unapproved nicotine delivery products to minors, under certain terms and conditions.


COUNCILMEMBER TASCO MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 140096.

THE MOTION WAS DULY SECONDED AND AGREED TO.


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

**CONSIDERATION OF THE CALENDAR**

**BILLS ON FIRST READING**

 **Bill No. 140095, as amended:** An Ordinance Amending Chapter 10-600 of The Philadelphia Code, entitled "Public Places-Prohibited Conduct," by adding a new Section to prohibit the use of Electronic Smoking Devices in public places and in the workplace, under certain terms and conditions.

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

 **Bill No. 140096:** An Ordinance Amending Chapter 9-600 of The Philadelphia Code, entitled "Service and Other Businesses," by clarifying penalties for violations of Section 9-622, entitled "Cigarettes and Tobacco Products," and by adding a new section to prohibit sales of electronic smoking devices and unapproved nicotine delivery products to minors, under certain terms and conditions.

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

**PUBLIC COMMENT**

The following persons provided public comment on March 20, 2014:

**Name and Comment Subject**

Elowyn Corby (140118)

Brandon Evans (130908-A)

Matt Walker (140188)

Clarc King (140188)

See Notes of Testimony for full comment.

**BILLS AND RESOLUTIONS ON FINAL PASSAGE**

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☐ **Resolution No. 140183:** 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 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. 140187:** Resolution Approving the redevelopment contract of the Philadelphia Redevelopment Authority for the redevelopment and urban renewal of a portion of the Point Breeze Urban Renewal Area, identified by house number and street address as 1514 Ellsworth street; and authorizing the Redevelopment Authority to execute the redevelopment contract with Spartan Management Group, LLC and to take such action as may be necessary to effectuate the redevelopment contract.

THE RESOLUTION WAS ADOPTED.

☐ **Resolution No. 140188:** Resolution Supporting the future of Solar Energy in the City of Philadelphia.

THE RESOLUTION WAS ADOPTED.

☐ **Resolution No. 140189:** Resolution Supporting members of the Pennsylvania State Legislature's Women's Health Caucus and the Pennsylvania Agenda for Women's Health.

THE RESOLUTION WAS ADOPTED.

☐ **Resolution No. 140193:** 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 2012-2018 Frankford avenue; and authorizing the Redevelopment Authority to execute the redevelopment contract with Frankford Stacks, LP and to take such action as may be necessary to effectuate the redevelopment contract.

THE RESOLUTION WAS ADOPTED.

☐ **Resolution No. 140194:** 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 2455 Coral street; and authorizing the Redevelopment Authority to execute the redevelopment contract with Lynsey Graeff and to take such action as may be necessary to effectuate the redevelopment contract.

THE RESOLUTION WAS ADOPTED.

**Resolution No. 140195:** Resolution Also naming 3rd Street between Market Street and Girard Avenue to “N3RD Street”.

THE RESOLUTION WAS ADOPTED.

**Bill No. 130699-AA, as amended:** An Ordinance Amending Title 14 of The Philadelphia Code, entitled “Zoning and Planning,” by revising parking requirements for driveways located in residential front yards, all under certain terms and conditions.

THE BILL WAS READ.

COUNCILMEMBER O'NEILL MOVED T AMEND BILL NO. 130699-A (SEE FILE).

COUNCILMEMBER O'NEILL MOVED FOR THE ADOPTION OF THE AMENDMENT.

THE MOTION WAS DULY SECONDED AND AGREED TO.

THE AMENDMENT TO BILL NO. 130699-A WAS ADOPTED.

**Bill No. 130699-AA, as amended:** An Ordinance Amending Title 14 of The Philadelphia Code, entitled “Zoning and Planning,” by revising parking requirements for driveways located in residential front yards, all under certain terms and conditions.

THE BILL WAS AMENDED.

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

**Bill No. 140054-A, as amended:** An Ordinance Amending Title 20 of The Philadelphia Code, entitled "Officers and Employees," including Chapter 20-600 ("Standards of Conduct and Ethics"), by prohibiting certain gifts, adding and modifying certain definitions, establishing penalties and making technical amendments, all under certain terms and conditions.

THE BILL WAS READ AND PASSED.

*The Ayes and Nays were as follows:*

*Ayes: 15 - Councilmembers Council President Clarke, Squilla, Johnson, Blackwell, Jones, Henon, Bass, Tasco, O'Neill, Reynolds Brown, Greenlee, Goode, Oh, Kenney and O'Brien*

*Nays: 0*



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**Bill No. 130908-A, as amended:** An Ordinance To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Spruce Street, Juniper Street, Cypress Street, Watts Street, Pine Street and Broad Street, by amending Chapter 14-500 of the Zoning Code entitled “Overlay Zoning”, by amending Chapter 14-700 of the Zoning Code entitled “Development Standards”, and by amending Chapter 14-800 of the Zoning Code entitled “Parking and Loading”, under certain terms and conditions.

THE BILL WAS READ AND PASSED.

*The Ayes and Nays were as follows:*

*Ayes: 15 - Councilmembers Council President Clarke, Squilla, Johnson, Blackwell, Jones, Henon, Bass, Tasco, O'Neill, Reynolds Brown, Greenlee, Goode, Oh, Kenney and O'Brien*

*Nays: 0*

**Resolution No. 140211:** Resolution Authorizing the Committee on Education to hold public hearings to examine the possibility of the Pennsylvania General Assembly authorizing the addition of slot machines and other gaming equipment at Philadelphia International Airport to enhance traveler experiences and provide an additional funding source for the School District of Philadelphia.

THE RESOLUTION WAS ADOPTED & REFERRED TO THE COMMITTEE ON EDUCATION.

**Resolution No. 140212:** Resolution Authorizing the Committee on Labor and Civil Service to hold hearings on the current discipline, grievance and arbitration policies and procedures of the Philadelphia Fire Department and determine any steps that Council need take to ensure that Fire Department personnel are protected and that matters are adjudicated properly in a fair and reasonable amount of time.

THE RESOLUTION WAS ADOPTED & REFERRED TO THE COMMITTEE ON LABOR AND CIVIL SERVICE.

**Resolution No. 140213:** Resolution Recognizing and honoring Sheinelle Jones of Fox29 News for her outstanding service, commitment, and contributions to the community during her time as a broadcast journalist in Philadelphia.

THE RESOLUTION WAS ADOPTED.

**Resolution No. 140215:** Resolution Authorizing the Committee on Education to hold hearings on STEM (Science, Technology, Engineering and Math) educational opportunities for young men and women in the City of Philadelphia and the efforts the City can undertake to increase the opportunities available.

THE RESOLUTION WAS ADOPTED & REFERRED TO THE COMMITTEE ON EDUCATION.

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☐ **Resolution No. 140216:** Resolution Commending and honoring SEPTA Police Officer Ronald P. Jones for his heroic acts of duty and bravery in the apprehension of a violent assailant threatening to shoot innocent passengers on the train at the Fairmount Station.

THE RESOLUTION WAS ADOPTED.

☐ **Resolution No. 140217:** Resolution Proclaiming the week of April 4, 2014 to April 12, 2014 as the Fourth Annual Philly Tech Week presented by AT&T, and honoring the broad and vibrant Philadelphia technology community.

THE RESOLUTION WAS ADOPTED.

☐ **Resolution No. 140218:** Resolution Commending and honoring Reverend Tameka Bates for her heroic acts of bravery and Good Samaritan efforts to prevent harm to a mother and child during a violent disruption on the SEPTA train incited by a man threatening to shoot passengers on the train at the Fairmount Station and attempting to kidnap the mother's baby.

THE RESOLUTION WAS ADOPTED.

☐ **Resolution No. 140219:** Resolution In recognition of Women's History Month, honoring the outstanding contributions of Ms. Audrey Johnson Thornton on behalf of the American Women's Heritage Society for her tireless efforts to restore the Historic Belmont Mansion and Underground Railroad Museum located in the Fourth Council District in Philadelphia and proclaiming the banquet facility as the Cornelia Wells Banquet Hall and Conference Center.

THE RESOLUTION WAS ADOPTED.

☐ **Resolution No. 140220:** Resolution Authorizing City Council's committee on Global Opportunities and the Creative/Innovative Economy to hold public hearings on the state of the growing technology and innovation community in Philadelphia and the impact on the local economy.

THE RESOLUTION WAS ADOPTED & REFERRED TO THE COMMITTEE ON GLOBAL OPPORTUNITIES & CREATIVE/INNOVATIVE ECONOMY.

☐ **Resolution No. 140221:** Resolution Authorizing Council's Committee on Global Opportunities and the Creative/Innovative Economy and Committee on Public Property and Public Works to hold joint hearings to investigate the feasibility of developing a diplomatic area in the City devoted to the promotion of foreign trade and investment.

THE RESOLUTION WAS ADOPTED & REFERRED TO THE JOINT COMMITTEES ON GLOBAL OPPORTUNITIES & CREATIVE/INNOVATIVE ECONOMY AND PUBLIC PROPERTY & PUBLIC WORKS.

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

**Bill No. 140005, as amended:** An Ordinance To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by 18th Street, 19th Street, Arch Street and Cuthbert Street.

THE BILL WAS READ AND PASSED.

*The Ayes and Nays were as follows:*

*Ayes: 15 - Councilmembers Council President Clarke, Squilla, Johnson, Blackwell, Jones, Henon, Bass, Tasco, O'Neill, Reynolds Brown, Greenlee, Goode, Oh, Kenney and O'Brien*

*Nays: 0*

**Bill No. 140009:** An Ordinance To amend Section 14-701 of the Zoning Code, entitled "Dimensional Standards," and to amend Section 14-702(4) of the Zoning Code, entitled "Maximum Floor Area and Height Bonus Amounts," and to amend Section 14-806 of the Zoning Code, entitled "Off-Street Loading," and to amend Section 14-502 of the Zoning Code, entitled "CTR, Center City Overlay," under certain terms and conditions.

THE BILL WAS READ AND PASSED.

*The Ayes and Nays were as follows:*

*Nays: 0*

*Ayes: 15 - Councilmembers Council President Clarke, Squilla, Johnson, Blackwell, Jones, Henon, Bass, Tasco, O'Neill, Reynolds Brown, Greenlee, Goode, Oh, Kenney and O'Brien*

**Bill No. 140001-A, as amended:** An Ordinance Amending Chapter 10-800 of The Philadelphia Code, entitled "Safety," by providing for ending the existing procedure of mandatory custodial arrests for the crime of Marijuana possession, and by requiring the reporting of the number of arrests and related information with respect to those arrested for Marijuana possession; all under certain terms and conditions.

THE BILL WAS READ.

COUNCILMEMBER KENNEY MOVED TO AMEND BILL NO. 140001 (SEE FILE).

COUNCILMEMBER KENNEY MOVED FOR THE ADOPTION OF THE AMENDMENT.

THE MOTION WAS DULY SECONDED AND AGREED TO.

THE AMENDMENT TO BILL NO. 140001 WAS ADOPTED.

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📄 **Bill No. 140001-A, as amended:** An Ordinance Amending Chapter 10-800 of The Philadelphia Code, entitled "Safety," by providing for ending the existing procedure of mandatory custodial arrests for the crime of Marijuana possession, and by requiring the reporting of the number of arrests and related information with respect to those arrested for Marijuana possession; all under certain terms and conditions.

THE BILL WAS AMENDED.

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

**SPEECHES**

COUNCILMEMBER JONES, TASCO AND BASS (SEE NOTES OF TESTIMONY).

COUNCILMEMBER REYNOLDS BROWN MOVED TO ADJOURN

THE MOTION WAS DULY SECONDED AND AGREED TO.