

JOURNAL OF THE CITY COUNCIL OF PHILADELPHIA



Thursday, January 31, 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.

Reverend Robert H. Paul of Piney Grove Baptist Church was introduced and offered an appropriate prayer.

COUNCILMEMBER GREENLEE MOVED TO APPROVE THE JOURNAL of the meeting of January 24, 2013.

THE MOTION WAS DULY SECONDED AND AGREED TO.

INTRODUCTION OF BILLS AND RESOLUTIONS

COUNCILMEMBER GREEN REQUESTED THAT HE BE EXCUSED AND WISHED TO BE RECORDED AS VOTED "AYE" ON ALL BILLS CALLED UP ON SECOND READING AND FINAL PASSAGE, INCLUDING RESOLUTIONS.

THE REQUEST WAS GRANTED.

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

- ☐ **Resolution No. 130067:** Resolution Authorizing the Committee of the Whole to hold public hearings to examine the current state of gun violence in the City of Philadelphia, and review how effectively the City spends its resources combating the issue.

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

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- 📄 Forty-Year Anniversary for continuing its unique commitment to excellence in education and cultivating lifelong learners with pride in their city and country.

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

- 📄 **Resolution No. 130069:** Resolution Honoring and recognizing Kemel W. Dawkins, Sr. for his extraordinary service and dedication to the development of the minority business community in Philadelphia.

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

- 📄 **Bill No. 130057:** An Ordinance Amending Title 6 of The Philadelphia Code, entitled "Health Code," by adding a new Chapter providing for the regulation of tanning facilities; amending Section 6-102, by adding definitions; and making technical changes, all under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON PUBLIC HEALTH AND HUMAN SERVICES.

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

- 📄 **Resolution No. 130070:** 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-eighth, Twenty-ninth and Thirty-second 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 Henon Introduced and Referred the following Bill, Sponsored by Councilmembers Henon, Kenney and Reynolds Brown:

- 📄 **Bill No. 130058:** An Ordinance Amending Chapter 10-700 of The Philadelphia Code, entitled "Refuse and Littering," by requiring the recycling of construction and demolition debris, providing for enforcement and penalties, and making technical changes, all under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON THE ENVIRONMENT.

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

- 📄 **Resolution No. 130071:** Resolution Authorizing the City Council's Committee on Labor and Civil Service to hold hearings on the actions of the Civil Service Commission as it pertains to terms imposed on AFSCME Local 2186, District Council 47.

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

- 📄 **Resolution No. 130072:** Resolution Honoring, recognizing and commending 100 Black Men of America, Inc. - Philadelphia Chapter for its extraordinary service focused on mentoring, education, health and wellness, and economic development.

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

- 📄 **Bill No. 130059:** An Ordinance Providing for the submission to the qualified electors of the City of Philadelphia of an amendment to Article VIII, Chapter 5 of The Philadelphia Home Rule Charter, entitled “Referenda Approved by the Voters,” by adding a new section providing that the citizens of Philadelphia urge the United States Congress to propose, and the Pennsylvania General Assembly to ratify, an amendment to the United States Constitution that would defend democracy from the corrupting effects of undue corporate power by overturning the decision of the United States Supreme Court in *Citizens United v. Federal Election Commission*; fixing the date of a special election for such purpose; prescribing the form of ballot questions to be voted on; and authorizing the appropriate officers to publish notice and to make arrangements for the special election.

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

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

- 📄 **Resolution No. 130073:** Resolution Proposing an amendment to Article VIII, Chapter 5 of The Philadelphia Home Rule Charter, entitled “Referenda Approved by the Voters,” by adding a new section providing that the citizens of Philadelphia urge the United States Congress to propose, and the Pennsylvania General Assembly to ratify, an amendment to the United States Constitution that would defend democracy from the corrupting effects of undue corporate power

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by overturning the decision of the United States Supreme Court in *Citizens United v. Federal Election Commission*.

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

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

- ☐ **Resolution No. 130074:** 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 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 Reynolds Brown Introduced and Ordered Placed on This Week's Final Passage Calendar the following Resolution, Sponsored by Councilmember Reynolds Brown:

- ☐ **Resolution No. 130075:** Resolution Honoring the African American Children's Book Project on the occasion of the 21st Annual African American Children's Book Fair.

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

- ☐ **Bill No. 130060:** An Ordinance To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Belmont Avenue, Monument Avenue, Ford Road, and Edgley Avenue (extended) and by amending §14-404 of the Zoning Code entitled SP-INS, Institutional (Special Purpose) District, by amending §14-404(3) regarding Area Regulations, exclusively with regard to the area bounded by Belmont Avenue, Monument Avenue, Ford Road and Edgley Avenue (extended), all under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

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

- ☐ **Bill No. 130061:** An Ordinance To amend the Philadelphia Zoning Maps by

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changing the zoning designations of certain areas of land located within an area bounded by Overbrook Avenue, 54th Street, Woodbine Avenue, Wynnefield Avenue, and 56th Street.

THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

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

Bill No. 130062: An Ordinance To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by City Avenue, Cardinal Avenue, Overbrook Avenue, and 59th Street.

THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

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

Bill No. 130063: An Ordinance To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by City Avenue, 52nd Street, Overbrook Avenue, and 54th Street.

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. 130076: Resolution Honoring and celebrating Philadelphia's Living Legends, Henry Nicholas, Nellie Reynolds, Madeline Dunn, John F. White, Jr., the Rev. Albert F. Campbell, Acel Moore, Audrey Johnson-Thornton, Will Daniels, Dr. Bernard E. Anderson and Emma Chappell in the areas of government, business, labor, journalism, religion, academia, athletics, and activism, as part of the commemoration of Black History Month.

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

Bill No. 130064: An Ordinance Amending Section 6 of an Ordinance (Bill No. 120396) approved September 13, 2012, entitled "An Ordinance authorizing Northern Liberties Auction, Inc. ("Owner") to construct, use and maintain various encroachments within the right-of-way on the north sidewalk of Spring Garden Street between N. Third Street and Bodine Street ("Property"), under certain terms and conditions," by extending the period for compliance therewith.

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

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

- 📄 **Bill No. 130065:** An Ordinance Amending Title 16 of The Philadelphia Code, entitled “Public Property,” by providing for a prohibition on firearms and deadly weapons in or around City-owned or City-occupied facilities, under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON PUBLIC SAFETY.

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

- 📄 **Bill No. 130066:** An Ordinance Amending Title 17 of The Philadelphia Code, entitled “Contracts and Procurement,” by providing for an online publication of concession agreements and related information, and by requiring the preparation and distribution of certain reports concerning concessions; all under certain terms and conditions.

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

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

- 📄 **Resolution No. 130077:** Resolution Honoring, recognizing and commending Philadelphia Police Officer Kimberly Lyons, Officer Antonio Soto, Officer Gregory Giacomelli, Officer Michael McCormick, Officer Jerome Joseph, and Officer Evelyn Reyes for their extraordinary acts of bravery and courage resulting in all being named 39th Police District Officers of the Month for December 2012.

REPORTS FROM COMMITTEES

COMMITTEE ON RULES

- 📄 **Bill No. 120958:** An Ordinance To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Allegheny Avenue, American Street, Lippincott Street, 2nd Street, a railroad right-of-way and 5th Street.

COUNCILMEMBER GREENLEE MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 120958.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

Bill No. 121033: An Ordinance To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Grant Avenue, Lavender Street, Primrose Road, Holyoke Road, and Academy Road.

COUNCILMEMBER GREENLEE MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 121033.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

WITHDRAWN

Bill No. 121034: An Ordinance To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Miller Street, Madison Street, Belgrade Street and Allegheny Avenue.

THE MOTION WAS DULY SECONDED AND AGREED TO.

CONSIDERATION OF THE CALENDAR

BILLS ON FIRST READING

Bill No. 120958: An Ordinance To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Allegheny Avenue, American Street, Lippincott Street, 2nd Street, a railroad right-of-way and 5th Street.

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

Bill No. 121033: An Ordinance To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Grant Avenue, Lavender Street, Primrose Road, Holyoke Road, and Academy Road.

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

PUBLIC COMMENT

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The following persons provided public comment on January 31, 2013:

Name and Comment Subject

Ed O'Donnell (120232)

Robert Taylor (120340-AAA)

(See Notes of Testimony for full comment.)

BILLS AND RESOLUTIONS ON FINAL PASSAGE

- Resolution No. 121013:** 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 1415 North Fourth street and 1419 North Fourth street; authorizing the Redevelopment Authority to execute the redevelopment contract with BMK Properties LLC and to take such action as may be necessary to effectuate the redevelopment contract.

THE RESOLUTION WAS ADOPTED.

- Resolution No. 130067:** Resolution Authorizing the Committee of the Whole to hold public hearings to examine the current state of gun violence in the City of Philadelphia, and review how effectively the City spends its resources combating the issue.

THE RESOLUTION WAS ADOPTED.

- Resolution No. 130068:** Resolution Honoring the Philadelphia School on its Forty-Year Anniversary for continuing its unique commitment to excellence in education and cultivating lifelong learners with pride in their city and country.

THE RESOLUTION WAS ADOPTED.

- Resolution No. 130069:** Resolution Honoring and recognizing Kemel W. Dawkins, Sr. for his extraordinary service and dedication to the development of the minority business community in Philadelphia.

THE RESOLUTION WAS ADOPTED.

- Resolution No. 130071:** Resolution Authorizing the City Council's Committee on Labor and Civil Service to hold hearings on the actions of the Civil Service Commission as it pertains to terms imposed on AFSCME Local 2186, District Council 47.

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THE RESOLUTION WAS ADOPTED.

- ☐ **Resolution No. 130072:** Resolution Honoring, recognizing and commending 100 Black Men of America, Inc. - Philadelphia Chapter for its extraordinary service focused on mentoring, education, health and wellness, and economic development.

THE RESOLUTION WAS ADOPTED.

- ☐ **Resolution No. 130075:** Resolution Honoring the African American Children's Book Project on the occasion of the 21st Annual African American Children's Book Fair.

THE RESOLUTION WAS ADOPTED.

- ☐ **Resolution No. 130076:** Resolution Honoring and celebrating Philadelphia's Living Legends, Henry Nicholas, Nellie Reynolds, Madeline Dunn, John F. White, Jr., the Rev. Albert F. Campbell, Acel Moore, Audrey Johnson-Thornton, Will Daniels, Dr. Bernard E. Anderson and Emma Chappell in the areas of government, business, labor, journalism, religion, academia, athletics, and activism, as part of the commemoration of Black History Month.

THE RESOLUTION WAS ADOPTED.

- ☐ **Resolution No. 130077:** Resolution Honoring, recognizing and commending Philadelphia Police Officer Kimberly Lyons, Officer Antonio Soto, Officer Gregory Giacomelli, Officer Michael McCormick, Officer Jerome Joseph, and Officer Evelyn Reyes for their extraordinary acts of bravery and courage resulting in all being named 39th Police District Officers of the Month for December 2012.

THE RESOLUTION WAS ADOPTED.

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

- ☐ **Bill No. 121039:** An Ordinance Amending Chapter 19-2600 of The Philadelphia Code, entitled "Business Income and Receipts Taxes," by further revising the "Special Tax Credit Opportunity for Job Creation," 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

COUNCILMEMBERS JONES, JOHNSON, KENNEY AND COUNCIL PRESIDENT CLARK
- (SEE NOTEST OF TESTIMONY).

COUNCILMEMBER REYNOLDS BROWN MOVED TO ADJOURN

THE MOTION WAS DULY SECONDED AND AGREED TO.