

JOURNAL OF THE CITY COUNCIL OF PHILADELPHIA



Thursday, February 18, 2016

PRESENT: 17 - Councilmembers Council President Clarke, Squilla, Johnson, Blackwell, Jones, Henon, Quiñones Sánchez, Bass, Parker, O'Neill, Domb, Green, Greenlee, Gym, Oh, Reynolds Brown and Taubenberger

Council met, a quorum being present.

Reverend David Pearson of North American Mission Board was introduced and offered an appropriate prayer.

COUNCILMEMBER GREENLEE MOVED TO APPROVE THE JOURNAL
of the meeting of February 11, 2016.

THE MOTION WAS DULY SECONDED AND AGREED TO.

COMMUNICATIONS

The Sergeant-at-Arms presented messages from the Mayor as follows:

- Transmitting a bill amending Bill No. 150162 (approved June 18, 2015), entitled “An Ordinance to adopt a Capital Program for the six Fiscal Years 2016-2021 inclusive,” as amended by Bill No. 150611 (approved October 20, 2015), as amended by Bill No. 150790 (approved December 1, 2015), by adding and revising certain projects, amounts and sources, under certain terms and conditions. (File No. 160142)

THE COMMUNICATION WAS READ.

- Transmitting a bill amending Bill No. 150163 (approved June 18, 2015), entitled “To adopt a Fiscal 2016 Capital Budget,” by adding and revising certain projects, amounts and sources, under certain terms and conditions. (File No. 160143)

THE COMMUNICATION WAS READ.

- Transmitting a bill authorizing transfers in appropriations for Fiscal Year 2016 from the General Fund, the Department of Revenue, the Board of Trustees of the

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Free Library of Philadelphia, the Commission on Human Relations, the Auditing Department and the Grants Revenue Fund, the Director of Finance - Provision for Other Grants to the General Fund, the Mayor - Office of Community Empowerment and Opportunity, the Managing Director, the Managing Director - Legal Services, the Department of Streets, the Fire Department, the Department of Public Health, the Department of Public Property, the Department of Human Services - Office of Supportive Housing, the Director of Finance, the Department of Revenue, the City Representative, the Director of Commerce, the Law Department, the Board of Trustees of the Free Library of Philadelphia, the Commission on Human Relations, the Auditing Department, the Register of Wills and the City Commissioners. (File No. 160144)

THE COMMUNICATION WAS READ.

INTRODUCTION OF BILLS AND RESOLUTIONS

Councilmember Blackwell Introduced and Ordered Placed on This Week's Final Passage Calendar the following Resolution, Sponsored by Councilmembers Blackwell, Taubenberger, Oh, Green, Bass, Domb, Gym and Reynolds Brown:

- ☐ **Resolution No. 160139:** Resolution Calling for the City Council Committee on Public Health and Human Services to hold hearings on the social services issues affecting the African and Caribbean Communities in our City as well as other minority communities from Latino and Asian countries.

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. 160140:** 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 Henon Introduced and Referred the following Bill for Councilmember Council President Clarke, Sponsored by Councilmember Henon:


- ☐ **Bill No. 160129:** An Ordinance Amending Chapter 17-1600 of The Philadelphia Code, entitled "Economic Opportunity Plans," by amending certain definitions;

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and amending Chapter 17-2000 of The Philadelphia Code, entitled “First Source Jobs Policy,” by designating the Economic Opportunity Review Committee to oversee implementation and enforcement of the City's First Source Jobs Policy; requiring a report of executed First Source Jobs Agreements; modifying certain definitions; providing penalties; and providing for certain technical changes, all under certain terms and conditions.


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

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

 **Bill No. 160130:** An Ordinance Amending Title 4 of The Philadelphia Code, entitled “The Philadelphia Building Construction and Occupancy Code,” by amending Subcode “B” (The Philadelphia Building Code), and thus amending the PA Uniform Construction Code for Philadelphia, to add sections requiring contractors, design professionals and developers to add additional fire-resistant material to structures containing truss construction and other light frame construction, under certain terms and conditions.


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

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

 **Bill No. 160131:** An Ordinance Authorizing the installation of all-way stop signs at the intersection of 22nd Street and Porter Street.

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

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

 **Bill No. 160132:** An Ordinance Amending Title 19 of The Philadelphia Code, entitled "Finance, Taxes and Collections," by adding a new Chapter 19-4100, entitled “New Sustainable Businesses,” to reduce the tax burden on new sustainable businesses; all under certain terms and conditions.

DISCUSSION - COUNCILMEMBER SANCHEZ - BILL NOS. 160132 TO 160137 - (SEE NOTES OF TESTIMONY).

THE BILL WAS REFERRED TO THE COMMITTEE ON THE ENVIRONMENT.

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

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- Code, entitled “Business Income and Receipts Taxes,” to revise the Sustainable Business Tax Credit by changing the criteria for eligibility, by increasing the number of eligible businesses, by increasing the total tax credit amount, and by expanding the credit so that it applies against Sustainable Businesses' total business income and receipts tax liability; all under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON THE ENVIRONMENT.

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

- Bill No. 160134:** An Ordinance Authorizing transfers in appropriations for Fiscal Year 2016 from the General Fund, the Department of Revenue, the Board of Trustees of the Free Library of Philadelphia, the Commission on Human Relations, the Auditing Department and the Grants Revenue Fund, the Director of Finance - Provision for Other Grants to the General Fund, the Mayor - Office of Community Empowerment and Opportunity, the Managing Director, the Managing Director - Legal Services, the Department of Streets, the Fire Department, the Department of Public Health, the Department of Public Property, the Department of Human Services - Office of Supportive Housing, the Director of Finance, the Department of Revenue, the City Representative, the Director of Commerce, the Law Department, the Board of Trustees of the Free Library of Philadelphia, the Commission on Human Relations, the Auditing Department, the Register of Wills and the City Commissioners.

THE BILL WAS REFERRED TO THE COMMITTEE ON APPROPRIATIONS.

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

- Bill No. 160135:** An Ordinance To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Westmoreland Street, Front Street, Hope Street, and Allegheny Avenue.

THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

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

- Bill No. 160138:** An Ordinance Amending various provisions of The Philadelphia Code, including in Title 4 (“The Philadelphia Building Construction and Occupancy Code”), Title 9 (“Regulation of Businesses, Trades and Professions”) and Title 14 (“Zoning and Planning”), to preclude issuance of certain licenses and permits to any applicant who is delinquent in payments owed

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THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

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

- 📄 **Resolution No. 160141:** Resolution Recognizing and honoring Mia DeJesus for her courageous anti-bullying message and commitment to help other young victims of bullying.

REPORTS FROM COMMITTEES

COMMITTEE ON STREETS AND SERVICES

- 📄 **Bill No. 160007:** An Ordinance Repealing an Ordinance (Bill No. 150894) entitled “An Ordinance authorizing the striking from City Plan No. 119 and abandoning of a certain pedestrian walkway reserved within the bed of former Thompson Street, from Watts Street to Thirteenth Street, and the modifying of a certain right-of-way for drainage purposes, water main purposes, gas main purposes, and public utility purposes, also reserved within the bed of said former Thompson Street, by abandoning the right-of-way as to water main purposes, gas main purposes, and public utility purposes, but retaining the said right-of-way on the City Plan as a right-of-way for drainage purposes only, under certain terms and conditions.

THE BILL WAS ORDERED PRINTED AND PLACED ON NEXT FIRST READING CALENDAR.

- 📄 **Bill No. 160008, as amended:** An Ordinance Amending Title 12 of The Philadelphia Code, entitled “Traffic Code,” to provide requirements regarding the safe operation of self-propelled mobility devices and to provide for enforcement and penalties, all under certain terms and conditions.

COUNCILMEMBER SQUILLA MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 160008.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

- 📄 **Bill No. 160011:** An Ordinance Establishing a no truck parking regulation on both sides of Torresdale Avenue, from Linden Avenue to Ashburner Street and both sides of Megargee Street, from Torresdale Avenue to Frankford Avenue.

COUNCILMEMBER SQUILLA MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 160011.

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. 160014: An Ordinance Authorizing the striking from City Plan No. 42-S and abandonment of a right-of-way reserved for drainage purposes, water main purposes, and public utility purposes which extends from the southerly terminus of Galloway Street, south of Packer Avenue, southwardly to Pattison Avenue, under certain terms and conditions.

COUNCILMEMBER SQUILLA MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 160014.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

Bill No. 160017: An Ordinance Authorizing the striking from City Plan No. 27-S and abandonment of a right-of-way reserved for drainage purposes within the lines of former Jackson Street, from Swanson Street to Vandalia Street, under certain terms and conditions.

COUNCILMEMBER SQUILLA MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 160017.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

Bill No. 160071: An Ordinance Authorizing Roland Kasis, ("Owner") to install, own and maintain an open-air sidewalk café at 1204 Frankford Avenue, Philadelphia, PA 19125 ("Property"), under certain terms and conditions.

COUNCILMEMBER SQUILLA MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 160071.

THE MOTION WAS DULY SECONDED AND AGREED TO.

COUNCILMEMBER SQUILLA MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 160071.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

Bill No. 160092: An Ordinance Establishing a no truck parking regulation on both sides of Torresdale Avenue, from Ashburner Street to the Pennypack Creek.

COUNCILMEMBER SQUILLA MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 160092.

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. 160093: An Ordinance Establishing a no tractor trailer parking regulation on both sides of Torresdale Avenue, from Rhawn Street to the Pennypack Creek.

COUNCILMEMBER SQUILLA MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 160093.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

COMMITTEE ON CHILDREN AND YOUTH

Bill No. 160009: An Ordinance Authorizing the Managing Director to contract with the Support Center for Child Advocates for the provision of professional services to the City for representing children in certain legal matters, under certain terms and conditions.

COUNCILMEMBER GYM MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 160009.

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. 160008, as amended: An Ordinance Amending Title 12 of The Philadelphia Code, entitled "Traffic Code," to provide requirements regarding the safe operation of self-propelled mobility devices and to provide for enforcement and penalties, all under certain terms and conditions.

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

Bill No. 160011: An Ordinance Establishing a no truck parking regulation on both sides of Torresdale Avenue, from Linden Avenue to Ashburner Street and both sides of Megargee Street, from Torresdale Avenue to Frankford Avenue.

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

Bill No. 160014: An Ordinance Authorizing the striking from City Plan No. 42-S and abandonment of a right-of-way reserved for drainage purposes, water main purposes, and public utility purposes which extends from the southerly terminus

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of Galloway Street, south of Packer Avenue, southwardly to Pattison Avenue, under certain terms and conditions.

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

Bill No. 160017: An Ordinance Authorizing the striking from City Plan No. 27-S and abandonment of a right-of-way reserved for drainage purposes within the lines of former Jackson Street, from Swanson Street to Vandalia Street, under certain terms and conditions.

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

Bill No. 160071: An Ordinance Authorizing Roland Kasis, ("Owner") to install, own and maintain an open-air sidewalk café at 1204 Frankford Avenue, Philadelphia, PA 19125 ("Property"), under certain terms and conditions.

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

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Bill No. 160093: An Ordinance Establishing a no tractor trailer parking regulation on both sides of Torresdale Avenue, from Rhawn Street to the Pennypack Creek.

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

Bill No. 160009: An Ordinance Authorizing the Managing Director to contract with the Support Center for Child Advocates for the provision of professional services to the City for representing children in certain legal matters, 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 February 18, 2016:

Name and Comment Subject

Joe Danihel (160116)

See Notes of Testimony for full comment.

BILLS AND RESOLUTIONS ON FINAL PASSAGE

☐ **Resolution No. 160116:** 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 building and improvements thereon, situate in the Third and 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 the terms of Chapter 16-400 of The Philadelphia Code.

THE RESOLUTION WAS ADOPTED.

☐ **Resolution No. 160121:** Resolution Urging Congress to pass the Healthy Maternity and Obstetric Medicine Act, otherwise known as the Healthy MOM Act.

THE RESOLUTION WAS ADOPTED.

☐ **Resolution No. 160123:** 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, Nineteenth and Thirty-seventh Wards of the City of Philadelphia, pursuant to Chapter 16-400 of The Philadelphia Code and authorizing the Philadelphia Redevelopment Authority to dispose of such properties for rehabilitation and/or improvements in accordance with the terms of Chapter 16-400 of The Philadelphia Code.

THE RESOLUTION WAS ADOPTED.

☐ **Resolution No. 160124:** 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-first 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.

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📄 **Resolution No. 160035:** Resolution Approving the reappointment of Beverly Coleman to the Board of the Southeastern Pennsylvania Transportation Authority.

THE RESOLUTION WAS ADOPTED.

📄 **Resolution No. 160036:** Resolution Approving the appointment of Clarena Tolson to the Board of the Southeastern Pennsylvania Transportation Authority.

THE RESOLUTION WAS ADOPTED.

📄 **Resolution No. 160037:** Resolution Confirming the appointment of Sozi Pedro Tulante, Esq., as the City Solicitor.

THE RESOLUTION WAS ADOPTED.

📄 **Resolution No. 160038:** Resolution Approving the appointment of Folasade Olanipekun-Lewis to the Philadelphia Water, Sewer and Storm Water Rate Board.

THE RESOLUTION WAS ADOPTED.

📄 **Resolution No. 160139:** Resolution Calling for the City Council Committee on Public Health and Human Services to hold hearings on the social services issues affecting the African and Caribbean Communities in our City as well as other minority communities from Latino and Asian countries.

THE RESOLUTION WAS ADOPTED & REFERRED TO THE COMMITTEE ON PUBLIC HEALTH AND HUMAN SERVICES.

📄 **Resolution No. 160141:** Resolution Recognizing and honoring Mia DeJesus for her courageous anti-bullying message and commitment to help other young victims of bullying.

THE RESOLUTION WAS ADOPTED.

SPEECHES

COUNCILMEMBERS BROWN, JOHNSON,, GYM AND GREEN - (SEE NOTES OF TESTIMONY).

RECESS

COUNCIL RECONVENE

Councilmember Quiñones Sánchez

moved that the rules of Council be uspended to permit the introduction of bills at this time.

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THE MOTION WAS DULY SECONDED AND AGREED TO.

📄 **Bill No. 160136:** An Ordinance Amending Bill No. 150163 (approved June 18, 2015), entitled “An Ordinance to adopt a Fiscal 2016 Capital Budget,” by adding and revising certain projects, amounts and sources, under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON APPROPRIATIONS.

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

📄 **Bill No. 160137:** An Ordinance Amending Bill No. 150162 (approved June 18, 2015), entitled “An Ordinance to adopt a Capital Program for the six Fiscal Years 2016-2021 inclusive,” as amended by Bill No. 150611 (approved October 20, 2015), as amended by Bill No. 150790 (approved December 1, 2015), by adding and revising certain projects, amounts and sources, under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON APPROPRIATIONS.

COUNCILMEMBER REYNOLDS BROWN MOVED TO ADJOURN

THE MOTION WAS DULY SECONDED AND AGREED TO.