



Thursday, February 23, 2017

COUNCIL SESSION INFORMATION IN PROGRESS

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.

Losang Samten, Spiritual Director of Tibetan Buddhist Center of Philadelphia was introduced and offered an appropriate prayer.

COUNCILMEMBER GREENLEE MOVED TO APPROVE THE JOURNAL

THE MOTION WAS DULY SECONDED AND AGREED TO.

COMMUNICATIONS

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

INTRODUCTION OF BILLS AND RESOLUTIONS

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

Bill No. 170162: An Ordinance Amending Section 14-513 of The Philadelphia Code, entitled “/TOD, Transit-Oriented Development Overlay District,” and Section 14-702, entitled “Floor Area and Height Bonuses,” all to revise requirements relating to the Transit-Oriented Development Overlay District, and making related changes, all under certain terms and conditions.

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:

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Bill No. 170163: An Ordinance Authorizing Jeffery Tubbs to construct, own, and maintain an “urban topiary” at 1225-33 N 3rd Street, Philadelphia, PA 19122, all under certain terms and conditions.

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

Councilmember Greenlee Introduced and Ordered Placed on This Week's Final Passage Calendar the following Resolution for Councilmember Henon, Sponsored by Councilmembers Greenlee, Taubenberger, Parker, Gym, Domb, Green and O'Neill:

Resolution No. 170169: Resolution Honoring Barney Boyce as Grand Marshal of the 247th Annual Saint Patrick's Day Parade.

Councilmember Greenlee Introduced and Ordered Placed on This Week's Final Passage Calendar the following Resolution for Councilmember Henon, Sponsored by Councilmembers Greenlee, Taubenberger, Domb, Gym, Parker and Green:

Resolution No. 170170: Resolution Honoring the Saint Hubert High School Cheerleading Team on Winning the National High School Cheerleading Championship.

Councilmember Greenlee Introduced and Ordered Placed on This Week's Final Passage Calendar the following Resolution for Councilmember Henon, Sponsored by Councilmembers Greenlee, Taubenberger, Domb, Green, Gym and Parker:

Resolution No. 170171: Resolution Honoring Father Judge High School Students Jack Flynn and Dylan Feby For Their Heroic Actions on February 7, 2017.

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. 170172: Resolution Authorizing the Philadelphia Land Bank to dispose of certain properties located in the Fifth Councilmanic District in accordance with the terms of Chapter 16-700 of The Philadelphia Code.

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

Resolution No. 170173: Resolution Recognizing and honoring one of Philadelphia's most prominent African-American doctors, Dr. Beverly G. Coleman, Director of Fetal Imaging at Children's Hospital of Philadelphia, in further commemoration of Black History Month.

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

- ☐ **Resolution No. 170174:** Resolution Authorizing the Committee on Transportation and Public Utilities to hold public hearings examining SEPTA transit system safety, including the particular issues of rail car defects and train derailment, as well as available measures to reduce safety risks to SEPTA riders and employees.

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

- ☐ **Resolution No. 170175:** Resolution Honoring, recognizing, and congratulating the African American Museum in Philadelphia, in celebration of the Museum's 40th Anniversary.

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

- ☐ **Bill No. 170164:** An Ordinance Amending Chapter 9-200 of The Philadelphia Code (entitled "Commercial Activities on Streets"), by revising certain provisions relating to licenses and fees; all under certain terms and conditions.

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

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

- ☐ **Bill No. 170165:** An Ordinance Amending various provisions of The Philadelphia Code, including Chapter 6-300 (entitled "Food"), Title 9 (entitled "Regulation of Businesses, Trades and Professions"), Chapter 10-700 (entitled "Refuse and Littering"), Chapter 11-500 (entitled "Paving"), and Chapter 19-600 (entitled "Amusement Tax"), to revise various provisions relating to fees; including for licenses and permits for food establishments, newspaper boxes, public parking lots, conducting amusements, handbill distribution and sidewalk paving; and to authorize revisions of various fees by regulation; all under certain terms and conditions.

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

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

Bill No. 170166: An Ordinance Amending Chapter 9-500 of The Philadelphia Code (entitled “Boilers, Fuel, Heat and Refrigeration”) to revise certain provisions relating to licenses and fees and delete provisions relating to warm air heating apparatus; all under certain terms and conditions.

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

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

Bill No. 170167: An Ordinance Amending Subcode “A” (The Philadelphia Administrative Code) of Title 4 of The Philadelphia Code (The Building, Construction and Occupancy Code), by adding and revising various provisions related to fees for permits, licenses, certificates, appeals and services; and making technical changes; all under certain terms and conditions.

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

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

Resolution No. 170176: 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 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 the terms of Chapter 16-400 of The Philadelphia Code.

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

Resolution No. 170177: 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 Nineteenth 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 Green Introduced and Ordered Placed On Next Week's Final Passage Calendar the following Resolution, Sponsored by Councilmembers Parker, Green, Blackwell, Jones and Gym:

- ☐ **Resolution No. 170178:** Resolution Urging Congress to vote in favor of H.R. 922, the *Rehabilitation of Historic Schools Act of 2017*, which amends the Internal Revenue Code of 1986 to allow rehabilitation expenditures for public school buildings to qualify for rehabilitation credit, which would help the School District of Philadelphia with addressing its nearly 12,000 outstanding repairs that total almost \$5 billion.

Councilmember Green Introduced and Ordered Placed On Next Week's Final Passage Calendar the following Resolution for Councilmember Council President Clarke, Sponsored by Councilmembers Green, Parker, Taubenberger, Domb, Reynolds Brown, Henon, Bass, Blackwell, Greenlee, Gym, Jones, Johnson and Quiñones Sánchez:

- ☐ **Resolution No. 170179:** Resolution Authorizing the creation of a “Special Committee on Regulatory Review and Reform,” to identify archaic, superfluous, and confusing provisions in The Philadelphia Code and in departmental regulations; and to recommend revisions that streamline, clarify and enhance the City's regulatory environment, for the purpose of accelerating the growth of well-paying jobs in Philadelphia while ensuring the safety and well-being of its residents.

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

- ☐ **Resolution No. 170180:** Resolution Congratulating and Honoring Philadelphian Lt. Gen. Herbert Raymond "H. R." McMaster on his recent appointment as National Security Advisor to the President.

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

- ☐ **Bill No. 170168:** An Ordinance Authorizing the Commissioner of Public Property, on behalf of the City of Philadelphia, to enter into a sublease agreement with the Philadelphia Authority for Industrial Development for the use by the City of the premises located at 1101 Market Street, Philadelphia, PA, under

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

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

- 📄 **Resolution No. 170181:** Resolution Honoring and recognizing Philadelphia Flyers Forward, Wayne Simmonds on being named the Most Valuable Player in the National Hockey League All-Star Game and the second African-American in NHL history and first for the Philadelphia Flyers.

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

- 📄 **Resolution No. 170182:** Resolution Recognizing Kalef Jones for being selected as a 2017 Corpsman of the Year for his outstanding public service and dedication to the beautification and improvement of the environment.

REPORTS FROM COMMITTEES

COMMITTEE ON RULES

- 📄 **Bill No. 170017, as amended:** An Ordinance Amending Section 14-507 of The Philadelphia Code, entitled “/CDO Central Delaware Riverfront Overlay District,” by amending provisions under certain terms and conditions.

COUNCILMEMBER GREENLEE MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 170017.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

CONSIDERATION OF THE CALENDAR

PUBLIC COMMENT

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The following persons provided public comment on February 23, 2017:

Name and Comment Subject

Diop Olugbala (161114, 160007)

See Notes of Testimony for full comment.

BILLS ON FIRST READING

- ☐ **Bill No. 170106:** An Ordinance Authorizing the Commissioner of Public Property and the Director of Commerce, on behalf of the City, to acquire an approximately 136 acre property known as the Airport Business Center located in Tincicum Township, Delaware County, together with all improvements thereon, all under certain terms and conditions.

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

BILLS AND RESOLUTIONS ON FINAL PASSAGE

- ☐ **Resolution No. 170146:** 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 pieces of ground with the buildings and improvement thereon, situate in the Twenty-fourth 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. 170147:** 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 1415 Orange street; and authorizing the Redevelopment Authority to execute the redevelopment contract with V & B Properties LLC and to take such action as may be necessary to effectuate the redevelopment contract.

THE RESOLUTION WAS ADOPTED.

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☐ **Resolution No. 170148:** 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 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. 170151:** Resolution Authorizing the Philadelphia Land Bank to dispose of certain properties located in the Second Councilmanic District in accordance with the terms of Chapter 16-700 of The Philadelphia Code.

THE RESOLUTION WAS ADOPTED.

☐ **Resolution No. 170152:** Resolution Urging the U.S. Senate to vote no on the resolutions of disapproval that will block U.S. Department of Labor rules governing automatic-enrollment, payroll-deduction programs for states and cities, thus preventing these entities from helping millions of people save for retirement.

THE RESOLUTION WAS ADOPTED.

The Ayes and Nays were as follows:

Nays: 1 - Councilmember Oh

Ayes: 16 - Councilmembers Council President Clarke, Squilla, Johnson, Blackwell, Jones, Henon, Quiñones Sánchez, Bass, Parker, O'Neill, Domb, Green, Greenlee, Gym, Reynolds Brown and Taubenberger

☐ **Resolution No. 170154:** Resolution Authorizing the Philadelphia Land Bank to dispose of certain properties located in the First Councilmanic District in accordance with the terms of Chapter 16-700 of The Philadelphia Code.

THE RESOLUTION WAS ADOPTED.

☐ **Resolution No. 160902:** Resolution Proposing an amendment to The Philadelphia Home Rule Charter to provide for the creation, appointment, powers and duties of a Philadelphia Community Reinvestment Commission; and providing for the submission of the amendment to the electors of Philadelphia.

THE RESOLUTION WAS READ AND PASSED.

The Ayes and Nays were as follows:

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Ayes: 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

Nays: 0

Bill No. 160687-AAA: An Ordinance Amending Title 6 of The Philadelphia Code, entitled “Health,” to require disclosure of lead hazards, including lead service lines, and making technical changes, 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, Parker, O'Neill, Domb, Green, Greenlee, Gym, Oh, Reynolds Brown and Taubenberger

Nays: 0

Resolution No. 170169: Resolution Honoring Barney Boyce as Grand Marshal of the 247th Annual Saint Patrick's Day Parade.

THE RESOLUTION WAS ADOPTED.

Resolution No. 170170: Resolution Honoring the Saint Hubert High School Cheerleading Team on Winning the National High School Cheerleading Championship.

THE RESOLUTION WAS ADOPTED.

Resolution No. 170171: Resolution Honoring Father Judge High School Students Jack Flynn and Dylan Feby For Their Heroic Actions on February 7, 2017.

THE RESOLUTION WAS ADOPTED.

Resolution No. 170172: Resolution Authorizing the Philadelphia Land Bank to dispose of certain properties located in the Fifth Councilmanic District in accordance with the terms of Chapter 16-700 of The Philadelphia Code.

THE RESOLUTION WAS ADOPTED.

Resolution No. 170173: Resolution Recognizing and honoring one of Philadelphia's most prominent African-American doctors, Dr. Beverly G. Coleman, Director of Fetal Imaging at Children's Hospital of Philadelphia, in further commemoration of Black History Month.

THE RESOLUTION WAS ADOPTED.

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Resolution No. 170174: Resolution Authorizing the Committee on Transportation and Public Utilities to hold public hearings examining SEPTA transit system safety, including the particular issues of rail car defects and train derailment, as well as available measures to reduce safety risks to SEPTA riders and employees.

THE RESOLUTION WAS ADOPTED & REFERRED TO THE COMMITTEE ON TRANSPORTATION AND PUBLIC UTILITIES.

Resolution No. 170175: Resolution Honoring, recognizing, and congratulating the African American Museum in Philadelphia, in celebration of the Museum's 40th Anniversary.

THE RESOLUTION WAS ADOPTED.

Resolution No. 170180: Resolution Congratulating and Honoring Philadelphian Lt. Gen. Herbert Raymond "H. R." McMaster on his recent appointment as National Security Advisor to the President.

THE RESOLUTION WAS ADOPTED.

The Ayes and Nays were as follows:

Nays: 1 - Councilmember Gym

Ayes: 16 - Councilmembers Council President Clarke, Squilla, Johnson, Blackwell, Jones, Henon, Quiñones Sánchez, Bass, Parker, O'Neill, Domb, Green, Greenlee, Oh, Reynolds Brown and Taubenberger

Resolution No. 170181: Resolution Honoring and recognizing Philadelphia Flyers Forward, Wayne Simmonds on being named the Most Valuable Player in the National Hockey League All-Star Game and the second African-American in NHL history and first for the Philadelphia Flyers.

THE RESOLUTION WAS ADOPTED.

Resolution No. 170182: Resolution Recognizing Kalef Jones for being selected as a 2017 Corpsman of the Year for his outstanding public service and dedication to the beautification and improvement of the environment.

THE RESOLUTION WAS ADOPTED.

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

Bill No. 160895: An Ordinance Providing for the submission to the qualified electors of the City of Philadelphia of the proposal set forth in a Resolution approved by Council proposing an amendment to The Philadelphia Home Rule Charter to provide for the creation, appointment, powers and duties of a

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Philadelphia Community Reinvestment Commission; and authorizing the appropriate officers to publish notice and to make arrangements for the special election.

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, Parker, O'Neill, Domb, Green, Greenlee, Gym, Oh, Reynolds Brown and Taubenberger

Nays: 0

Councilmember Squilla

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.

THE MOTION WAS DULY SECONDED AND AGREED TO.

SPEECHES

COUNCILMEMBERS OH, HENON, JONES, GREEN, GYM, BASS AND DOMB - (SEE NOTES OF TESTIMONY).

COUNCILMEMBER REYNOLDS BROWN MOVED TO ADJOURN

THE MOTION WAS DULY SECONDED AND AGREED TO.