

JOURNAL OF THE CITY COUNCIL OF PHILADELPHIA



Thursday, March 30, 2017

COUNCIL SESSION 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.

Pastor Myra Maxwell of Trinity United Methodist Church 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 Ordered Placed On Next Week's Final Passage Calendar the following Resolution, Sponsored by Councilmember Reynolds Brown:

☐ **Resolution No. 170312:** Resolution Urging the General Assembly of the Commonwealth of Pennsylvania to Enact Senate Bill 234 titled, "Property Assessed Clean Energy Program" (PACE).

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


☐ **Bill No. 170305:** An Ordinance Amending Chapter 9-200 of The Philadelphia Code (entitled "Commercial Activities on Streets") by amending Section 9-213,

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entitled “Farmers' Markets,” to revise certain provisions relating to the permissible location of the farmers' market on south 43rd street near Clarke Park; all under certain terms and conditions.


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

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


 **Bill No. 170306:** An Ordinance To reinstate Bill No. 140439 amending Section 14-502 of the Zoning Code, entitled “CTR, Center City Overlay” and Section 14-602 of the Zoning Code, entitled “Use Tables,” and to amend Section 14-803 “Motor Vehicle Parking Standards” under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

Councilmember Greenlee Introduced and Ordered Placed On Next Week's Final Passage Calendar the following Resolution, Sponsored by Councilmembers Council President Clarke and Greenlee:


 **Resolution No. 170313:** Resolution Also naming Swain Street from Taney Street to 26th Street as “Patty Ward Way”.

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


 **Bill No. 170307:** An Ordinance Prohibiting the parking of buses for the 7100 and 7200 blocks of Edmund Street between Cottman Avenue and Princeton Avenue.

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

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

 **Resolution No. 170314:** Resolution Honoring the 30th Annual All Star Labor Classic Basketball Tournament.

Councilmember Jones Introduced and Ordered Placed on This Week's Final Passage Calendar the following Resolution for Councilmember Johnson, Sponsored by Councilmembers Blackwell, Jones, Gym, Domb, Quiñones Sánchez and Green:

 **Resolution No. 170317:** Resolution Urging Congress to adopt S. 573, also known as the National Criminal Justice Commission Act, which proposes to establish a national commission for criminal justice reform.

Councilmember Johnson Introduced and Referred the following Bill, Sponsored by

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Councilmember Johnson:

- 📄 **Bill No. 170308:** An Ordinance Constituting the Sixteenth Supplemental Ordinance to the Amended and Restated General Airport Revenue Bond Ordinance, providing for certain amendments to the Amended and Restated General Airport Revenue Bond Ordinance under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON FINANCE.

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

- 📄 **Resolution No. 170316:** Resolution Welcoming the National Football League (NFL) Draft to the City of Philadelphia and commemorating the first ever NFL Draft, which took place in the City on February 8th, 1936.

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

- 📄 **Resolution No. 170317:** Resolution Urging Congress to adopt S. 573, also known as the National Criminal Justice Commission Act, which proposes to establish a national commission for criminal justice reform.

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

- 📄 **Resolution No. 170318:** Resolution Urging the Pennsylvania state legislature to reject H.B. 741, which seeks to reintroduce certain mandatory minimum sentences in the Commonwealth of Pennsylvania.

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

- 📄 **Resolution No. 170319:** Resolution Urging the Pennsylvania state legislature to reject S.B. 166 due to the bills' negative impact on the ability of public sector unions to effectively advocate on behalf of their membership.

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

- 📄 **Bill No. 170309:** An Ordinance Authorizing the Commissioner of Public Property, on behalf of the City of Philadelphia, to acquire fee simple title or a lesser real estate interest to all or a portion of a parcel of land located in the area bounded by East Bristol Street, O Street, Leiper Street and the Frankford Creek; all under certain terms and conditions.

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

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

- ☐ **Resolution No. 170320:** Resolution Approving the redevelopment contract of the Philadelphia Redevelopment Authority for the redevelopment and urban renewal of a portion of the American Street Industrial Corridor Urban Renewal Area, identified by house number and street address as 2501-2525 North American street; and authorizing the Redevelopment Authority to execute the redevelopment contract with 2501 American Real Estate LLC and to take such action as may be necessary to effectuate the redevelopment contract.

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

- ☐ **Resolution No. 170321:** Resolution Recognizing April 2017 as Autism Awareness Month in the City of Philadelphia, and honoring Eric D. Williams Sr., Founder of Project Elijah Empowering Autism.

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

- ☐ **Resolution No. 170322:** Resolution Proclaiming and designating the week of April 2-8 as “Philadelphia Crime Victims' Rights Week” to encourage citizens to assist crime victims and to increase community awareness and support for the organizations that help crime victims rebuild their lives.

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

- ☐ **Bill No. 170310:** An Ordinance To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Aramingo Avenue, Cambria Street, Frankford Avenue, the Railroad Right-of-Way, Kensington Avenue and Lehigh Avenue.

THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

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

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- ☐ Code, entitled “Construction, Encroachments And Projections Over, On And Under Streets,” by adding definitions for “Electric Vehicle” and “Electric Vehicle Charger” and authorizing a new category of encroachment for which building permits may be obtained entitled, “Electric Vehicle Chargers;” all under certain terms and conditions.

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

CONSIDERATION OF THE CALENDAR

PUBLIC COMMENT

The following persons provided public comment on March 30, 2017:

Name and Comment Subject

Debra Lutz (170093)
William Morlock (170093)
Deen Kogan (170093)
Rosanne Loesch (170093)
Mary Pisculli (170093)
Brian Egan (170093)
Jack Cassidy (170093)
Robert Curley (170093)
Meenal Raval (170093)
Joe Danihel (170273, 170270, 170271)

See Notes of Testimony for full comment.

BILLS AND RESOLUTIONS ON FINAL PASSAGE

- ☐ **Resolution No. 170294:** 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 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

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improvements in accordance with the terms of Chapter 16-400 of The Philadelphia Code.

THE RESOLUTION WAS ADOPTED.

Resolution No. 170296: Resolution Approving the redevelopment contract of the Philadelphia Redevelopment Authority for the redevelopment and urban renewal of a portion of the Kingsessing Urban Renewal Area, identified by house number and street address as 6024 Greenway avenue and 6026 Greenway avenue; and authorizing the Redevelopment Authority to execute the redevelopment contract with City Block Acquisition V, LLC and to take such action as may be necessary to effectuate the redevelopment contract.

THE RESOLUTION WAS ADOPTED.

Resolution No. 170297: 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 427-435 Master street and 1401-1425 North Fifth street and the lease agreement for 427-435 Master street; and authorizing the Redevelopment Authority to execute the redevelopment contract and lease agreement with 435 Master Street, L.P. and to take such action as may be necessary to effectuate the redevelopment contract.

THE RESOLUTION WAS ADOPTED.

Resolution No. 170314: Resolution Honoring the 30th Annual All Star Labor Classic Basketball Tournament.

THE RESOLUTION WAS ADOPTED.

Resolution No. 170315: Resolution Authorizing the Committee on Public Safety to conduct hearings concerning the feasibility and impact of the City replacing outdated payphone booths with new emergency service kiosks to immediately connect the public with first responders in the event of a public emergency.

THE RESOLUTION WAS ADOPTED & REFERRED TO THE COMMITTEE ON PUBLIC SAFETY.

Resolution No. 170316: Resolution Welcoming the National Football League (NFL) Draft to the City of Philadelphia and commemorating the first ever NFL Draft, which took place in the City on February 8th, 1936.

THE RESOLUTION WAS ADOPTED.

Resolution No. 170321: Resolution Recognizing April 2017 as Autism Awareness Month in the City of Philadelphia, and honoring Eric D. Williams Sr., Founder of Project Elijah Empowering Autism.

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THE RESOLUTION WAS ADOPTED.

📄 **Resolution No. 170322:** Resolution Proclaiming and designating the week of April 2-8 as “Philadelphia Crime Victims' Rights Week” to encourage citizens to assist crime victims and to increase community awareness and support for the organizations that help crime victims rebuild their lives.

THE RESOLUTION WAS ADOPTED.

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

📄 **Bill No. 161057:** An Ordinance Authorizing EB Realty Management to construct, own and maintain a building encroachment at 699 North Broad Street, Philadelphia, PA, 19123 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

📄 **Bill No. 170001:** An Ordinance Establishing parking regulations in the vicinity of: Farragut street and Locust street; Mt. Vernon street and 32nd street; Chancellor street and 51st street; 51st street and Hazel avenue; 36th street and Haverford avenue; Wyalusing avenue and 38th street; Sansom street and 42nd street.

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

📄 **Bill No. 170003:** An Ordinance Establishing parking regulations in the vicinity of: Baltimore avenue and 42nd street; Trinity street and 48th street; 46th street and Chester avenue; Powelton avenue and 41st street.

THE BILL WAS READ AND PASSED.

The Ayes and Nays were as follows:

Nays: 0

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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

Bill No. 170004: An Ordinance Authorizing the revision of lines and grades on a portion of City Plan No. 123 by striking from the City Plan Euclid Avenue from Fifteenth Street to Sixteenth Street, 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

Bill No. 170010: An Ordinance Establishing parking regulations in the vicinity of: Henry avenue to Ainslie street; 52nd street to Woodbine avenue; Midvale avenue to East Falls station; Midvale avenue to Stokley street.

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

Bill No. 170014: An Ordinance Amending Section 9-205 of The Philadelphia Code, entitled "Sidewalk Sales," by prohibiting vending on the east side of the 5800-6500 block of Castor Avenue between Oxford Avenue to Magee Avenue, 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

Bill No. 170018-A: An Ordinance Authorizing Adam S. Harbin to construct, own and maintain various planter box encroachments at 339 North Broad Street, Philadelphia, PA, 19107, under certain terms and conditions.

THE BILL WAS READ.

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📄 **Bill No. 170018-A, as amended:** An Ordinance Authorizing Adam S. Harbin to construct, own and maintain various planter box encroachments at 339 North Broad Street, Philadelphia, PA, 19107, under certain terms and conditions.

THE BILL WAS AMENDED.

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

📄 **Bill No. 170020:** An Ordinance Revising parking restrictions on Bethlehem Pike, east side, between Chestnut Hill Ave and Newton Street.

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

📄 **Bill No. 170092:** An Ordinance Authorizing Hy Goldberg, (“Owner”) to construct, own and maintain a bench encroachment at 701 Sansom Street, Philadelphia, PA 19106 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

📄 **Bill No. 170093-A:** An Ordinance Amending Section 12-1131 of The Philadelphia Code, entitled “Electric Vehicle Parking,” to impose a moratorium on new electric vehicle parking spaces, under certain terms and conditions.

THE BILL WAS READ.

📄 **Bill No. 170093-A, as amended:** An Ordinance Amending Section 12-1131 of The Philadelphia Code, entitled “Electric Vehicle Parking,” to impose a moratorium on new electric vehicle parking spaces, under certain terms and conditions.

THE BILL WAS AMENDED.

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

📄 **Bill No. 170111:** An Ordinance Authorizing acceptance of the dedication to the City of the bed of Westmoreland Street from a point approximately one-hundred

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ninety-seven feet west of Third Street to a point approximately sixty-six feet further westwardly therefrom and authorizing acceptance of the grant to the City of certain areas adjacent to the said Westmoreland Street as slope easements, 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


 **Bill No. 170112:** An Ordinance Amending Section 9-213 of The Philadelphia Code, entitled “Farmers' Markets,” by adding a permissible location, 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


 **Bill No. 170113:** An Ordinance Amending Section 9-204 of The Philadelphia Code, entitled “Sidewalk Vendors in Center City,” by eliminating previously designated vendor locations in Center City; 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

 **Bill No. 170202:** An Ordinance Removing the parking lane and prohibiting stopping on the south side of Lewis Street, between Delaware Avenue and Richmond Street.

THE BILL 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. 170091-A: An Ordinance Amending Title 4 of The Philadelphia Code, entitled “The Philadelphia Building Construction and Occupancy Code,” by amending Subcode “A” (“The Philadelphia Administrative Code”) and Subcode “B” (“The Philadelphia Building Code”) to add and revise certain provisions relating to the demolition of buildings and structures, all under certain terms and conditions.

THE BILL WAS READ.

Bill No. 170091-A, as amended: An Ordinance Amending Title 4 of The Philadelphia Code, entitled “The Philadelphia Building Construction and Occupancy Code,” by amending Subcode “A” (“The Philadelphia Administrative Code”) and Subcode “B” (“The Philadelphia Building Code”) to add and revise certain provisions relating to the demolition of buildings and structures, all under certain terms and conditions.

THE BILL WAS AMENDED.

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

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 READ AND PASSED.

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

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.

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THE BILL WAS READ AND PASSED.

The Ayes and Nays were as follows:

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

Nays: 1 - Councilmember Oh

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 READ AND PASSED.

The Ayes and Nays were as follows:

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

Nays: 1 - Councilmember Oh

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 READ AND PASSED.

The Ayes and Nays were as follows:

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

Nays: 1 - Councilmember Oh

SPEECHES

COUNCILMEMBER REYNOLDS BROWN MOVED TO ADJOURN

THE MOTION WAS DULY SECONDED AND AGREED TO.