

JOURNAL OF THE CITY COUNCIL OF PHILADELPHIA



**Thursday, November 5, 2009**

EXCUSED: 1 - Councilmember Greenlee

PRESENT: 16 - Councilmembers Blackwell, Clarke, Council President Verna, DiCicco, Goode, Green, Jones, Kelly, Kenney, Krajewski, Miller, O'Neill, Reynolds Brown, Rizzo, Sanchez and Tasco

Council met, a quorum being present.

Reverend Augustus C. Puleo of Our Lady of Mount Carmel was introduced and offered an appropriate prayer.

COUNCILMEMBER TASCO MOVED TO APPROVE THE JOURNAL

of the meeting of October 29, 2009

THE MOTION WAS DULY SECONDED AND AGREED TO.

Councilmember Tasco requested leave of absence for

Councilmember Greenlee

THE REQUEST WAS GRANTED.

**COMMUNICATIONS**

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

- Transmitting a message advising Council that Bill Nos. 090468, 090518, 090569, 090570, 090572, 090576, 090662, 090663, 090664, 090666, 090670, 090689 and 090705, which were passed by Council on October 29, 2009, were signed by the Mayor on November 4, 2009. (File No. 090823)

THE COMMUNICATION WAS READ.

- Transmitting a bill authorizing the People's Emergency Center to construct, own and maintain one bench and one parking sign on the north and south footway of Lancaster Avenue, between 40th Street and 41st Street, and one sculpture

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pedestal and three planters on the traffic island at the intersection of 40th Street, Lancaster Avenue, and Haverford Avenue, all under certain terms and conditions. (File No. 090825)

THE COMMUNICATION WAS READ.

- Transmitting a bill authorizing the Korean Community Development Services Center to construct, own and maintain three benches near the northeast corner of West Tabor Road and North Fifth Street, and near the southwest and northeast corners of West Olney Avenue and North Fifth Street, all under certain terms and conditions. (File No. 090826)

THE COMMUNICATION WAS READ.

**INTRODUCTION OF BILLS AND RESOLUTIONS**

Councilmember Kenney Introduced the following Resolution, Sponsored by Councilmember Kenney:

- Resolution No. 090815:** Resolution Recognizing Kahn and Company Real Estate on the occasion of celebrating their 100th Anniversary.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

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

- Bill No. 090809:** An Ordinance Authorizing Brandywine Cira Post Office L.P. to construct, own and maintain various encroachments at 2970 Market Street, all under certain terms and conditions.

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

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

- Bill No. 090810:** An Ordinance Authorizing the People's Emergency Center to construct, own and maintain one bench and one parking sign on the north and south footway of Lancaster Avenue, between 40th Street and 41st Street, and one sculpture pedestal and three planters on the traffic island at the intersection of 40th Street, Lancaster Avenue, and Haverford Avenue, all under certain terms and conditions.

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

Councilmember Tasco Introduced the following Bill, Sponsored by Councilmember Tasco:

 **Bill No. 090811:** An Ordinance Authorizing the Korean Community Development Services Center to construct, own and maintain three benches near the northeast corner of West Tabor Road and North Fifth Street, and near the southwest and northeast corners of West Olney Avenue and North Fifth Street, all under certain terms and conditions.

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

Councilmember Miller Introduced the following Resolution, Sponsored by Councilmember Miller:

 **Resolution No. 090816:** Resolution Authorizing the Commissioner of Public Property to execute and deliver to the Redevelopment Authority of the City of Philadelphia, 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 Fifty-ninth Ward of the City of Philadelphia, pursuant to Chapter 16-400 of The Philadelphia Code and authorizing the Redevelopment Authority of the City of Philadelphia to dispose of such properties for rehabilitation and/or improvement in accordance with the terms of Chapter 16-400 of The Philadelphia Code.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

Councilmember Miller Introduced the following Resolution for Councilmember Sanchez, Sponsored by :

 **Resolution No. 090817:** Resolution Authorizing the Commissioner of Public Property to execute and deliver to the Redevelopment Authority of the City of Philadelphia, 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 Redevelopment Authority of the City of Philadelphia to dispose of such properties for rehabilitation and/or improvement in accordance with the terms of Chapter 16-400 of The Philadelphia Code.

THE RESOLUTION WAS READ.

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THE RESOLUTION WAS ADOPTED.

Councilmember Green Introduced the following Resolution, Sponsored by Councilmembers Green, Clarke and Jones:

- ☐ **Resolution No. 090818:** Resolution Resolving that the City of Philadelphia shall be deemed to have satisfied the local governing body review requirement for its application for a Recovery Act Byrne Grant.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

Councilmember Green Introduced the following Resolution, Sponsored by Councilmember Green:

- ☐ **Resolution No. 090819:** Resolution Authorizing the Committee on Labor and Civil Service to employ and fix the compensation of experts to assist the Committee with its inquiries and recommendations in conjunction with the hearings and investigations being conducted by the Committee.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

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

- ☐ **Bill No. 090812:** An Ordinance Amending Section 9-203 of The Philadelphia Code, entitled "Street Vendors," by permitting street vending on designated streets and making certain technical changes, all under certain terms and conditions.

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

Councilmember Jones Introduced the following Resolution, Sponsored by Councilmembers Jones, Blackwell, Sanchez, Reynolds Brown and Tasco:

- ☐ **Resolution No. 090820:** Resolution Congratulating Harrisburg Mayor-Elect, Linda Thompson and York Mayor-Elect, Kim Bracey on their historic elections as the first African-American as mayors of those cities.

THE RESOLUTION WAS READ.

THE RESOLUTION WAS ADOPTED.

Councilmember Clarke Introduced the following Bill, Sponsored by Councilmembers Clarke, Jones, Green, Sanchez, Kelly, Tasco, Blackwell, Miller, Kenney, Rizzo, O'Neill,

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Krajewski and DiCicco:

- 📄 **Bill No. 090813:** An Ordinance Amending Section 17-109 of The Philadelphia Code, entitled “Local Bidding Preferences,” by amending the process by which local bidding preferences are awarded, under certain terms and conditions.

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

Councilmember Rizzo Introduced the following Privileged Resolution, Sponsored by Councilmembers Rizzo, Council President Verna, Blackwell, Jones, Krajewski, Miller, Tasco and O'Neill:

- 📄 **Privileged Resolution No. 090822:** Privileged Resolution Urging the Nutter Administration to reinstitute mechanical leaf collection service in the City of Philadelphia

THE PRIVILEGED RESOLUTION WAS READ.

DISCUSSION - COUNCILMEMBER GREEN, CLARKE, MILLER, O'NEILL, RIZZO, DICICCO, KENNEY, TASCO, JONES, KELLY - RESOLUTION NO. 090822 - (SEE NOTES OF TESTIMONY).

- 📄 **Privileged Resolution No. 090822:** Privileged Resolution Urging the Nutter Administration to reinstitute mechanical leaf collection service in the City of Philadelphia

THE PRIVILEGED RESOLUTION WAS ADOPTED.

*The Ayes and Nays were as follows:*

- Ayes: 14 - Councilmembers Blackwell, Clarke, Council President Verna, Goode, Jones, Kelly, Kenney, Krajewski, Miller, O'Neill, Reynolds Brown, Rizzo, Sanchez and Tasco*
- Nays: 2 - Councilmembers DiCicco and Green*

## REPORTS FROM COMMITTEES

### COMMITTEE ON RULES

- 📄 **Bill No. 080130, as amended:** An Ordinance Amending Title 14 of The Philadelphia Code, entitled “Zoning and Planning,” by amending Chapter 14-300, entitled “Commercial Districts,” by adopting a new Section, entitled "Transit-Oriented Development District," to promote mixed use higher density development in certain areas in order to encourage the use of public transit and less reliance on automobiles, all under certain terms and conditions.

COUNCILMEMBER KENNEY MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO

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PERMIT CONSIDERATION THIS DAY OF BILL NO. 080130.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

 **Bill No. 090071, as amended:** An Ordinance Amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning," by amending Chapter 14-1600, entitled "Miscellaneous," by adopting a new Section, entitled "Overbrook Farms Transit-Oriented Center Special District Controls," under certain terms and conditions.

COUNCILMEMBER KENNEY MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 090071.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

 **Bill No. 090578:** An Ordinance Amending Section 14-1637 of The Philadelphia Code, entitled "City Avenue Regional Center and City Avenue Village Center Special District Controls," including by making changes relating to minimum spacing and buffer areas, all under certain terms and conditions.

COUNCILMEMBER KENNEY MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 090578.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

 **Bill No. 090582:** An Ordinance To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Eighth Street, Filbert Street, Ninth Street and Market Street.

COUNCILMEMBER KENNEY MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 090582.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

 **Bill No. 090584:** An Ordinance To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by 12th Street, Catharine Street, Fawn Street, and Clymer Street.

COUNCILMEMBER KENNEY MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 090584.

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. 090585, 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 12th Street, Spruce Street, Camac Street, and Manning Street.

THE MOTION WAS DULY SECONDED AND AGREED TO.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

📄 **Bill No. 090667, as amended:** An Ordinance Amending Chapter 14-1600 of The Philadelphia Code, entitled "Miscellaneous," by repealing Section 14-1626, entitled "Demolition Moratorium in Old City," and Section 14-1628, entitled "Demolition Moratorium in Queen Village," and enacting a new Section 14-1626, entitled "Demolition Moratorium Districts," and designating Waverly Walk between 12th Street and 13th Street and Addison Street between 12th Street and 13th Street as Demolition Moratorium Districts, all under certain terms and conditions.

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

**COMMITTEE ON STREETS AND SERVICES**

📄 **Bill No. 090573:** An Ordinance Authorizing the revision of lines and grades on a portion of City Plan No. 42 by placing on the City Plan a right-of-way for drainage purposes extending from Thirty-third Street to Thirty-second Street, northeast of South Street, under certain terms and conditions.

COUNCILMEMBER DICICCO MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 090573.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

📄 **Bill No. 090574:** An Ordinance Amending Section 2 of an Ordinance (Bill No. 070504) approved July 3, 2007, entitled "An Ordinance authorizing and directing the revision of lines and grades on a portion of City Plan No. 197 by striking from the City Plan and vacating the legally open portions of Casper Street from Tioga Street to Russell Street, striking from the City Plan Russell Street from Casper Street southeastwardly approximately three-hundred ten feet to a dead end, and striking from the City Plan and abandoning a certain drainage right-of-way, and by reserving and placing on the City Plan rights-of-way for

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water main purposes, drainage purposes, and public utility purposes within the beds of the streets being stricken by authority of this Ordinance, if necessary, under certain terms and conditions,” by extending the period for compliance with the terms and conditions stated therein.

COUNCILMEMBER DICICCO MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 090574.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

 **Bill No. 090575:** An Ordinance Authorizing the vacating of Edom Street (also known as Eadom Street) from Arendell Avenue to Linden Avenue, under certain terms and conditions.

COUNCILMEMBER DICICCO MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 090575.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

 **Bill No. 090589:** An Ordinance Authorizing the revision of lines and grades on a portion of City Plan No. 118 by striking from the City Plan the southerly twenty-foot-wide portion of Diamond Street from Tenth Street to Alder Street, under certain terms and conditions.

COUNCILMEMBER DICICCO MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 090589.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

 **Bill No. 090668:** An Ordinance Authorizing the revision of lines and grades on a portion of City Plan No. 271 by placing on the City Plan a cut-back area at the northwest corner of Second Street and Germantown Avenue and by relocating portions of the curblines at and near the intersection of Second Street and Germantown Avenue, under certain terms and conditions, including the dedication to the City of the bed of the said cut-back area.

COUNCILMEMBER DICICCO MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 090668.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

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📄 **Bill No. 090691-AAA:** An Ordinance Amending Section 9-605 of The Philadelphia Code, entitled “Towing,” and Section 12-2405, entitled “Removal or Immobilization of Parked Vehicles; Notice,” to prohibit the towing of vehicles identified as reported stolen unless an attempt has been made by the Police to give the vehicle owner an opportunity to recover the vehicle before the vehicle is towed; and adding Section 10-839 to require the reporting of stolen vehicles to the Police; all under certain terms and conditions.

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

📄 **Bill No. 090702:** An Ordinance Granting permission to the Trustees of the University of Pennsylvania, University of Pennsylvania Health System, 3624 Market Street, Suite 575 West, Philadelphia, PA 19104, for the installation of information signs and planters on the public sidewalk located on the 3400 block of Civic Center Boulevard, under certain terms and conditions.

COUNCILMEMBER DICICCO MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 090702.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

📄 **Bill No. 090703:** An Ordinance Amending Section 9-213 of The Philadelphia Code, entitled “Farmers’ Markets,” by adding as a permissible location the West side of Wadsworth Avenue between Bayard Street and Pickering Street, all under certain terms and conditions.

COUNCILMEMBER DICICCO MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 090703.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

📄 **Bill No. 090709:** An Ordinance Authorizing Frank and Ritamarie Olivieri, owners of the property Pat’s King of Steaks, 901-03 Wharton Street, to legalize various existing sidewalk encroachments located on an island parcel bounded by Wharton Street, 9th Street, and Passyunk Avenue, under certain terms and conditions.

COUNCILMEMBER DICICCO MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 090709.

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. 090710:** An Ordinance Authorizing John Kile to construct, own and maintain, an open-air sidewalk cafe at 2448 E. Huntingdon Street, under certain terms and conditions.

COUNCILMEMBER DICICCO MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 090710.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

📄 **Bill No. 090711:** An Ordinance Authorizing Mick Hally to construct, own and maintain, an open-air sidewalk cafe at 1148-1150 S. 11th Street, under certain terms and conditions.

COUNCILMEMBER DICICCO MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 090711.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

📄 **Bill No. 090712:** An Ordinance Amending Section 9-211 of The Philadelphia Code, entitled "Boxes for the Distribution of News and Printed Material," by amending certain specifications for publishers' boxes, increasing licensing fees, amending permissible locations and increasing fines, all under certain terms and conditions.

COUNCILMEMBER DICICCO MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 090712.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

📄 **Bill No. 090714-A, as amended:** An Ordinance Amending Section 9-605 of The Philadelphia Code, entitled "Towing," and Chapter 12-2400 of The Philadelphia Code, entitled "Towing And Immobilizing of Parked or Abandoned Vehicles," by reducing the amount towing companies can charge owners of recovered stolen or illegally used vehicles.

COUNCILMEMBER DICICCO MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 090714-A.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

**COMMITTEE ON COMMERCE & ECONOMIC DEVELOPMENT**

📄 **Bill No. 090671:** An Ordinance Amending Section 17-109 of The Philadelphia Code, entitled “Local Bidding Preferences,” by providing for a local bidding preference for contracts funded by certain federal stimulus moneys, under certain terms and conditions.

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

📄 **Bill No. 090672-A:** An Ordinance Amending Chapter 17-1600 of The Philadelphia Code, entitled “Economic Opportunity Plans,” by providing that Economic Opportunity Plans be included on all development projects or contracts bid pursuant to federal stimulus funds allocated to the City of Philadelphia pursuant to the American Recovery and Reinvestment Act.

COUNCILMEMBER GOODE MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 090672-A.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

**SPECIAL BUSINESS**

Councilmember Clarke

move that because Resolution No. 090821 was not circulated yesterday that the rules of Council be suspended to permit consideration of the resolution.

THE MOTION WAS DULY SECONDED AND AGREED TO.

*The Ayes and Nays were as follows:*

*Ayes: 16 - Councilmembers Blackwell, Clarke, Council President Verna, DiCicco, Goode, Green, Jones, Kelly, Kenney, Krajewski, Miller, O'Neill, Reynolds Brown, Rizzo, Sanchez and Tasco*

*Nays: 0*

📄 **Resolution No. 090821:** Resolution Requesting the Mayor to return to Council Bill No. 090660, entitled "An Ordinance amending Section 9-1103 of The Philadelphia Code, entitled 'Unlawful Employment Practices,' and enacting a new Chapter 9-3200, entitled 'Entitlement To Leave Due To Domestic Or Sexual Violence,' to provide that certain employees may take unpaid leave from work to address domestic or sexual violence,” for the purpose of reconsideration by the Council of the vote by which said bill passed Council.

THE RESOLUTION WAS READ.

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Councilmember Clarke

moved for the adoption of Resolution No. 090821

THE MOTION WAS DULY SECONDED AND AGREED TO.

📄 **Resolution No. 090821:** Resolution Requesting the Mayor to return to Council Bill No. 090660, entitled "An Ordinance amending Section 9-1103 of The Philadelphia Code, entitled 'Unlawful Employment Practices,' and enacting a new Chapter 9-3200, entitled 'Entitlement To Leave Due To Domestic Or Sexual Violence,' to provide that certain employees may take unpaid leave from work to address domestic or sexual violence," for the purpose of reconsideration by the Council of the vote by which said bill passed Council.

THE RESOLUTION WAS ADOPTED.

DISCUSSION - COUNCILMEMBER CLARKE - BILL NO. 090660 - (SEE NOTES OF TESTIMONY).

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

📄 November 5, 2009

To the President and the Members of  
the Council of the City of Philadelphia:

I am returning herewith as requested by your Resolution adopted November 5, 2009, Bill No. 090660, entitled "An Ordinance amending Section 9-1103 of The Philadelphia Code, entitled 'Unlawful Employment Practices,' to provide that certain employees may take unpaid leave from work to address domestic or sexual violence," for the purpose of reconsideration by the Council of the vote by which said bill passed Council.

Respectfully submitted,  
Michael A. Nutter  
Mayor (File No. 090824)

THE COMMUNICATION WAS READ.

Councilmember Clarke

moved that the vote by which Bill No. 090660 passed Council be reconsidered.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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📄 **Bill No. 090660-A, as amended:** An Ordinance Amending Bill No. 080468-A (approved November 5, 2008), entitled “An Ordinance amending Section 9-1103 of The Philadelphia Code, entitled 'Unlawful Employment Practices,' and enacting a new Chapter 9-3200, entitled 'Entitlement To Leave Due To Domestic Or Sexual Violence,' to provide that certain employees may take unpaid leave from work to address domestic or sexual violence; all under certain terms and conditions,” by making various technical amendments and by repealing the sunset provision.

THE BILL WAS RECONSIDERED.

*The Ayes and Nays were as follows:*

*Ayes: 16 - Councilmembers Blackwell, Clarke, Council President Verna, DiCicco, Goode, Green, Jones, Kelly, Kenney, Krajewski, Miller, O'Neill, Reynolds Brown, Rizzo, Sanchez and Tasco*

*Nays: 0*

THE BILL WAS READ.

THE BILL AGAIN, BEING BEFORE THE COUNCIL, COUNCILMEMBER CLARKE MOVED TO AMEND BILL NO. 090660 (SEE FILE).

COUNCILMEMBER CLARKE MOVED FOR THE ADOPTION OF THE AMENDMENT.

THE MOTION WAS DULY SECONDED AND AGREED TO.

THE AMENDMENT TO BILL NO. 090660 WAS ADOPTED.

📄 **Bill No. 090660-A, as amended:** An Ordinance Amending Bill No. 080468-A (approved November 5, 2008), entitled “An Ordinance amending Section 9-1103 of The Philadelphia Code, entitled 'Unlawful Employment Practices,' and enacting a new Chapter 9-3200, entitled 'Entitlement To Leave Due To Domestic Or Sexual Violence,' to provide that certain employees may take unpaid leave from work to address domestic or sexual violence; all under certain terms and conditions,” by making various technical amendments and by repealing the sunset provision.

THE BILL WAS AMENDED.

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

**CONSIDERATION OF THE CALENDAR**

**BILLS ON FIRST READING**

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📄 **Bill No. 090568-AAA, as amended:** An Ordinance Amending Title 4 of The Philadelphia Code, entitled “The Philadelphia Building Construction and Occupancy Code,” by amending Subcode “PM” (The Philadelphia Property Maintenance Code), by requiring the periodic inspection of the exterior walls and appurtenances of certain buildings, the filing of reports of such inspections, and the repair and maintenance of certain conditions discovered during such inspections, all under certain terms and conditions.

THE BILL WAS READ.

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

📄 **Bill No. 080130:** An Ordinance Amending Title 14 of The Philadelphia Code, entitled “Zoning and Planning,” by amending Chapter 14-300, entitled “Commercial Districts,” by adopting a new Section, entitled "Transit-Oriented Development District," to promote mixed use higher density development in certain areas in order to encourage the use of public transit and less reliance on automobiles, all under certain terms and conditions.

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

📄 **Bill No. 090071:** An Ordinance Amending Title 14 of The Philadelphia Code, entitled “Zoning and Planning,” by amending Chapter 14-1600, entitled “Miscellaneous,” by adopting a new Section, entitled “Overbrook Farms Transit-Oriented Center Special District Controls,” under certain terms and conditions.

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

📄 **Bill No. 090578:** An Ordinance Amending Section 14-1637 of The Philadelphia Code, entitled “City Avenue Regional Center and City Avenue Village Center Special District Controls,” including by making changes relating to minimum spacing and buffer areas, all under certain terms and conditions.

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

📄 **Bill No. 090582:** An Ordinance To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Eighth Street, Filbert Street, Ninth Street and Market Street.

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

📄 **Bill No. 090584:** An Ordinance To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by 12th Street, Catharine Street, Fawn Street, and Clymer Street.

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

- ☐ **Bill No. 090585:** An Ordinance To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by 12th Street, Spruce Street, Camac Street, and Manning Street.

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

- ☐ **Bill No. 090573:** An Ordinance Authorizing the revision of lines and grades on a portion of City Plan No. 42 by placing on the City Plan a right-of-way for drainage purposes extending from Thirty-third Street to Thirty-second Street, northeast of South Street, under certain terms and conditions.

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

- ☐ **Bill No. 090574:** An Ordinance Amending Section 2 of an Ordinance (Bill No. 070504) approved July 3, 2007, entitled "An Ordinance authorizing and directing the revision of lines and grades on a portion of City Plan No. 197 by striking from the City Plan and vacating the legally open portions of Casper Street from Tioga Street to Russell Street, striking from the City Plan Russell Street from Casper Street southeastwardly approximately three-hundred ten feet to a dead end, and striking from the City Plan and abandoning a certain drainage right-of-way, and by reserving and placing on the City Plan rights-of-way for water main purposes, drainage purposes, and public utility purposes within the beds of the streets being stricken by authority of this Ordinance, if necessary, under certain terms and conditions," by extending the period for compliance with the terms and conditions stated therein.

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

- ☐ **Bill No. 090575:** An Ordinance Authorizing the vacating of Edom Street (also known as Eadom Street) from Arendell Avenue to Linden Avenue, under certain terms and conditions.

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

- ☐ **Bill No. 090589:** An Ordinance Authorizing the revision of lines and grades on a portion of City Plan No. 118 by striking from the City Plan the southerly twenty-foot-wide portion of Diamond Street from Tenth Street to Alder Street, under certain terms and conditions.

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

- ☐ **Bill No. 090668:** An Ordinance Authorizing the revision of lines and grades on a portion of City Plan No. 271 by placing on the City Plan a cut-back area at the northwest corner of Second Street and Germantown Avenue and by relocating

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portions of the curblines at and near the intersection of Second Street and Germantown Avenue, under certain terms and conditions, including the dedication to the City of the bed of the said cut-back area.

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

- 📄 **Bill No. 090702:** An Ordinance Granting permission to the Trustees of the University of Pennsylvania, University of Pennsylvania Health System, 3624 Market Street, Suite 575 West, Philadelphia, PA 19104, for the installation of information signs and planters on the public sidewalk located on the 3400 block of Civic Center Boulevard, under certain terms and conditions.

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

- 📄 **Bill No. 090703:** An Ordinance Amending Section 9-213 of The Philadelphia Code, entitled "Farmers' Markets," by adding as a permissible location the West side of Wadsworth Avenue between Bayard Street and Pickering Street, all under certain terms and conditions.

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

- 📄 **Bill No. 090709:** An Ordinance Authorizing Frank and Ritamarie Olivieri, owners of the property Pat's King of Steaks, 901-03 Wharton Street, to legalize various existing sidewalk encroachments located on an island parcel bounded by Wharton Street, 9th Street, and Passyunk Avenue, under certain terms and conditions.

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

- 📄 **Bill No. 090710:** An Ordinance Authorizing John Kile to construct, own and maintain, an open-air sidewalk cafe at 2448 E. Huntingdon Street, under certain terms and conditions.

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

- 📄 **Bill No. 090711:** An Ordinance Authorizing Mick Hally to construct, own and maintain, an open-air sidewalk cafe at 1148-1150 S. 11th Street, under certain terms and conditions.

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

- 📄 **Bill No. 090712:** An Ordinance Amending Section 9-211 of The Philadelphia Code, entitled "Boxes for the Distribution of News and Printed Material," by amending certain specifications for publishers' boxes, increasing licensing fees, amending permissible locations and increasing fines, all under certain terms and conditions.

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

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📄 **Bill No. 090714-A, as amended:** An Ordinance Amending Section 9-605 of The Philadelphia Code, entitled “Towing,” and Chapter 12-2400 of The Philadelphia Code, entitled “Towing And Immobilizing of Parked or Abandoned Vehicles,” by reducing the amount towing companies can charge owners of recovered stolen or illegally used vehicles.

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

📄 **Bill No. 090672-A:** An Ordinance Amending Chapter 17-1600 of The Philadelphia Code, entitled “Economic Opportunity Plans,” by providing that Economic Opportunity Plans be included on all development projects or contracts bid pursuant to federal stimulus funds allocated to the City of Philadelphia pursuant to the American Recovery and Reinvestment Act.

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

**BILLS ON SECOND READING AND FINAL PASSAGE**

📄 **Bill No. 090390, as amended:** An Ordinance Amending Chapter 16-400 of The Philadelphia Code, entitled “Vacant and Surplus Properties,” by amending Section 16-404, entitled “The Vacant Property Review Committee”.

THE BILL WAS READ.

THE BILL WAS PASSED.

*The Ayes and Nays were as follows:*

*Ayes: 16 - Councilmembers Blackwell, Clarke, Council President Verna, DiCicco, Goode, Green, Jones, Kelly, Kenney, Krajewski, Miller, O'Neill, Reynolds Brown, Rizzo, Sanchez and Tasco*

*Nays: 0*

📄 **Bill No. 090581-A, as amended:** An Ordinance Amending Chapter 9-400 of The Philadelphia Code, entitled “Carriers,” by adding a new Section 9-410, entitled “Pedicabs,” to provide for the licensing and regulation of businesses operating Pedicabs for hire, and setting forth rules of operation; all under certain terms and conditions.

THE BILL WAS READ.

COUNCILMEMBER BROWN MOVED TO AMEND BILL NO. 090581 (SEE FILE).

COUNCILMEMBER BROWN MOVED FOR THE ADOPTION OF THE AMENDMENT.

THE MOTION WAS DULY SECONDED AND AGREED TO.

THE AMENDMENT TO BILL NO. BILL NO. 090581 WAS ADOPTED.

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📄 **Bill No. 090581-A, as amended:** An Ordinance Amending Chapter 9-400 of The Philadelphia Code, entitled “Carriers,” by adding a new Section 9-410, entitled “Pedicabs,” to provide for the licensing and regulation of businesses operating Pedicabs for hire, and setting forth rules of operation; all under certain terms and conditions.

THE BILL WAS AMENDED.

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

**INTRODUCTION OF BILLS AND RESOLUTIONS**

Councilmember Clarke Introduced the following Bill, Sponsored by Councilmember Clarke:

📄 **Bill No. 090814:** An Ordinance Amending Section 17-109 of The Philadelphia Code, entitled “Local Bidding Preferences,” by increasing the local business preference percentage, under certain terms and conditions.

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

**SPEECHES**

COUNCILMEMBERS GREEN, JONES, BROWN, TASCO AND BLACKWELL, (SEE NOTES OF TESTIMONY).

COUNCILMEMBER CLARKE MOVED TO ADJOURN

THE MOTION WAS DULY SECONDED AND AGREED TO.