

JOURNAL OF THE CITY COUNCIL OF PHILADELPHIA



Thursday, September 22, 2011

PRESENT: 17 - Councilmembers Blackwell, Clarke, Council President Verna, DiCicco, Goode, Green, Greenlee, Jones, Kelly, Kenney, Krajewski, Miller, O'Neill, Reynolds Brown, Rizzo, Sanchez and Tasco

Council met, a quorum being present.

Reverend Arlington Medley of Victory Community Church was introduced and offered an appropriate prayer.

COUNCILMEMBER TASCO MOVED TO APPROVE THE JOURNAL
of the meeting of September 15, 2011.

THE MOTION WAS DULY SECONDED AND AGREED TO.

COMMUNICATIONS

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

- Transmitting a bill authorizing the Philadelphia Authority of Industrial Development ("PAID") to purchase a certain tract of land with the improvements thereon situate at 9450 Ashton Road, under and subject to the terms and conditions of the Philadelphia Industrial and Commercial Agreement among the City, PAID, and the Philadelphia Industrial Development Corporation, all under certain terms and conditions, accompanied by an explanatory letter from the Deputy Mayor of Economic Development. (File No. 110644)

THE COMMUNICATION WAS READ.

- Transmitting a bill amending Chapter 10-300 of The Philadelphia Code, entitled "Minors," by amending Section 10-303, entitled "Unlawful Conduct of Minors," and Section 10-307, entitled "Parental Responsibility for Minor Children," to provide for earlier curfew hours for minors, to provide for different curfew hours for additional age groups among minors, and to provide for parental liability, establishment

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liability, and for penalties and enforcement, for violations of Chapter 10-300 or any expanded curfew under the Mayor's emergency powers, all under certain terms and conditions, accompanied by an explanatory letter from the Deputy Mayor for Public Safety. (File No. 110645)

THE COMMUNICATION WAS READ.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

- ☐ **Bill No. 110631:** An Ordinance Amending Title 21 of The Philadelphia Code, entitled "Miscellaneous," by regulating the public availability of police accident reports, including, but not limited to, providing for the confidentiality of certain information contained in such reports, and providing fees for the issuance of such reports, all under certain terms and conditions.

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

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

- ☐ **Resolution No. 110637:** 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 Twenty-seventh 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.

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

- ☐ **Bill No. 110632:** An Ordinance Authorizing the Philadelphia Authority for Industrial Development ("PAID") to purchase a certain tract of land with the improvements thereon situate at 9470 Ashton Road, under and subject to the terms and conditions of the Philadelphia Industrial and Commercial Development Agreement among the City, PAID, and the Philadelphia Industrial Development Corporation, all under certain terms and conditions.

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

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

- ☐ **Resolution No. 110638:** Resolution Honoring The Business Center for Entrepreneurship & Social Enterprise on its 10th Annual Enterprising Woman Business Plan Competition.

Councilmember Tasco Introduced and Ordered Placed On Next Week's Final Passage
Calendar the following Resolution for Councilmember Council President Verna, Sponsored
by Councilmember Tasco:

- ☐ **Resolution No. 110639:** 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 Thirty-sixth 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.

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

- ☐ **Resolution No. 110640:** 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 Twenty-first 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.

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

- ☐ **Resolution No. 110641:** Resolution Recognizing and honoring the achievements, traditions and contributions of American Indians, also known as “indigenous peoples” of the City of Philadelphia and declaring October 8, 2011 as Indigenous Peoples Day and every first Saturday of October thereafter as Indigenous Peoples Day.

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Councilmember Jones Introduced and Moved to Be Placed on This Week's Final Passage Calendar - Rules Suspended the following Resolution, Sponsored by Councilmembers Jones, Goode, Clarke, Greenlee and Reynolds Brown:

- 📄 **Resolution No. 110642:** Resolution Supporting the National Minority Business Development Agency <<http://www.mbda.gov/>> and recognizing October 5th through 7th as Philadelphia Minority Enterprise Development (MED) Week which provides critical information to foster the growth and competitiveness of the minority business community.

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

- 📄 **Bill No. 110633:** An Ordinance Amending Chapter 10-300 of The Philadelphia Code, entitled “Minors,” by amending Section 10-303, entitled “Unlawful Conduct of Minors,” and Section 10-307, entitled “Parental Responsibility for Minor Children,” to provide for earlier curfew hours for minors, to provide for different curfew hours for additional age groups among minors, and to provide for parental liability, establishment liability, and for penalties and enforcement, for violations of Chapter 10-300 or any expanded curfew under the Mayor's emergency powers, all under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON PUBLIC SAFETY.

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

- 📄 **Resolution No. 110643:** 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 Thirty-first 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.

Councilmember O'Neill Introduced and Referred the following Bill, Sponsored by Councilmember O'Neill:

- 📄 **Bill No. 110634:** An Ordinance Amending Chapter 12-3000 of The Philadelphia Code, entitled “Use Of An Automated Red Light Enforcement System To Prevent Red Light Violations,” by authorizing the installation of red light enforcement systems at the intersection of Worthington Road at Byberry Road,

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

Councilmember O'Neill Introduced and Referred the following Bill, Sponsored by Councilmember O'Neill:

- 📄 **Bill No. 110635:** An Ordinance Amending Chapter 12-3000 of The Philadelphia Code, entitled "Use Of An Automated Red Light Enforcement System To Prevent Red Light Violations," by authorizing the installation of red light enforcement systems at the intersection of Woodhaven Road at Knights Road, all under certain terms and conditions.

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

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

- 📄 **Bill No. 110636:** An Ordinance Amending Section 14-1629 of The Philadelphia Code, entitled "North Central Philadelphia Community Special District Controls," by specifically amending Section 14-1629(3), entitled "District Boundaries," to prohibit student housing in certain neighborhoods near Temple University; all under certain terms and conditions.

THE BILL WAS REFERRED TO THE COMMITTEE ON RULES.

REPORTS FROM COMMITTEES

COMMITTEE ON STREETS AND SERVICES

- 📄 **Bill No. 100269:** An Ordinance Authorizing the installation of all-way stop signs at the intersection of Whiting Road and Whiting Place.

COUNCILMEMBER DICICCO MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 100269.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

- 📄 **Bill No. 110481:** An Ordinance Establishing a one-way regulation on North Lambert Street, from 65th Avenue to Cheltenham Avenue, southbound.

COUNCILMEMBER DICICCO MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 110481.

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. 110482:** An Ordinance Establishing a one-way regulation on Marion Street, from West Ashmead Street to Hansberry Street, northbound.

COUNCILMEMBER DICICCO MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 110482.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

 **Bill No. 110551:** An Ordinance Authorizing the revision of lines and grades on a portion of City Plan No. 278 by closing to vehicular traffic a portion of Unruh Avenue extending from a point approximately one-thousand seventy-seven feet southeast of Wissinoming Street southeastwardly to the Pierhead Line of the Delaware River, 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. 110551.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

 **Bill No. 110553:** An Ordinance Amending Section 9-205 of The Philadelphia Code, relating to "Sidewalk Sales," and vending in residential areas, within the Ninth District, by deleting a provision allowing sidewalk sales and vending in the area bordered by and including Olney avenue, Cheltenham avenue, Broad street, and Fifth street, both sides.

COUNCILMEMBER DICICCO MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 110553.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

 **Bill No. 110564:** An Ordinance Authorizing the revision of lines and grades on a portion of City Plan No. 55 by striking from the City Plan and vacating the legally open portions of Ashland Street from a point approximately four-hundred one feet southwest of Adams Avenue to the northeasterly channel line of the Frankford Creek and reserving and placing on the City Plan a right-of-way for sewer and drainage purposes and water main purposes within the lines of Ashland Street being stricken and authorizing acceptance of the grant to the City of the said right-of-way, 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. 110564.

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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

The following persons provided public comment on September 22, 2011:

Name and Comment Subject

Ray Nasser (110546 and 110547)

Patricia Bullard (110546 and 110547)

Sandra Rosenfeld (110116)

Robert Taylor (110618)

See Notes of Testimony for full comment.

BILLS ON FIRST READING

- 📄 **Bill No. 100269:** An Ordinance Authorizing the installation of all-way stop signs at the intersection of Whiting Road and Whiting Place.

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

- 📄 **Bill No. 110481:** An Ordinance Establishing a one-way regulation on North Lambert Street, from 65th Avenue to Cheltenham Avenue, southbound.

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

- 📄 **Bill No. 110482:** An Ordinance Establishing a one-way regulation on Marion Street, from West Ashmead Street to Hansberry Street, northbound.

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

- 📄 **Bill No. 110551:** An Ordinance Authorizing the revision of lines and grades on a portion of City Plan No. 278 by closing to vehicular traffic a portion of Unruh Avenue extending from a point approximately one-thousand seventy-seven feet southeast of Wissinoming Street southeastwardly to the Pierhead Line of the Delaware River, under certain terms and conditions.

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

- ☐ **Bill No. 110553:** An Ordinance Amending Section 9-205 of The Philadelphia Code, relating to "Sidewalk Sales," and vending in residential areas, within the Ninth District, by deleting a provision allowing sidewalk sales and vending in the area bordered by and including Olney avenue, Cheltenham avenue, Broad street, and Fifth street, both sides.

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

- ☐ **Bill No. 110564:** An Ordinance Authorizing the revision of lines and grades on a portion of City Plan No. 55 by striking from the City Plan and vacating the legally open portions of Ashland Street from a point approximately four-hundred one feet southwest of Adams Avenue to the northeasterly channel line of the Frankford Creek and reserving and placing on the City Plan a right-of-way for sewer and drainage purposes and water main purposes within the lines of Ashland Street being stricken and authorizing acceptance of the grant to the City of the said right-of-way, under certain terms and conditions.

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

BILLS AND RESOLUTIONS ON FINAL PASSAGE

- ☐ **Resolution No. 110617:** 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 Eleventh and Twelfth Wards 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 ADOPTED.

- ☐ **Resolution No. 110618:** Resolution Recognizing September 2011 as Childhood Cancer Awareness Month in honor of childhood cancer patients, care givers, survivors and those children who have succumbed to the disease.

THE RESOLUTION WAS ADOPTED.

- ☐ **Resolution No. 110619:** 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

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improvements thereon, situate in the Seventh and Nineteenth Wards 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 ADOPTED.

 **Resolution No. 110620:** Resolution Supporting President Obama's urgent American Jobs Act and calling on Mayor Nutter to establish complementary job creation programs at the local level.

THE RESOLUTION WAS ADOPTED.

 **Resolution No. 110621:** Resolution Recognizing Smith Playground and Playhouse.

THE RESOLUTION WAS ADOPTED.

 **Bill No. 100200-AAA, as amended:** An Ordinance Amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning," by amending Section 14-231, entitled "Residential District Rules and Exceptions," by providing for restrictions on placement, installation and maintenance of certain satellite dishes and antennas, under certain terms and conditions.

THE BILL WAS READ.

COUNCILMEMBER CLARKE MOVED TO AMEND BILL NO. 100200-AA (SEE FILE).

COUNCILMEMBER CLARKE MOVED FOR THE ADOPTION OF THE AMENDMENT.

THE MOTION WAS DULY SECONDED AND AGREED TO.

THE AMENDMENT TO BILL NO. 100200-AA WAS ADOPTED.

 **Bill No. 100200-AAA, as amended:** An Ordinance Amending Title 14 of The Philadelphia Code, entitled "Zoning and Planning," by amending Section 14-231, entitled "Residential District Rules and Exceptions," by providing for restrictions on placement, installation and maintenance of certain satellite dishes and antennas, under certain terms and conditions.

THE BILL WAS AMENDED.

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

 **Resolution No. 110642:** Resolution Supporting the National Minority Business Development Agency <<http://www.mdba.gov/>> and recognizing October 5th through 7th as Philadelphia Minority Enterprise Development (MED) Week

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which provides critical information to foster the growth and competitiveness of the minority business community.

THE RESOLUTION WAS ADOPTED.

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

📄 **Bill No. 110547:** An Ordinance Amending Chapter 20-500 of The Philadelphia Code, entitled “Councilmanic Districts,” by revising the boundaries of the Councilmanic Districts, under certain terms and conditions.

THE BILL WAS READ.

THE BILL WAS PASSED.

The Ayes and Nays were as follows:

Ayes: 15 - Councilmembers Blackwell, Clarke, Council President Verna, DiCicco, Goode, Green, Greenlee, Jones, Kenney, Krajewski, Miller, Reynolds Brown, Rizzo, Sanchez and Tasco

Nays: 2 - Councilmembers Kelly and O'Neill

SPEECHES

COUNCILMEMBERS JONES, SANCHEZ AND GREEN - (SEE NOTES OF TESTIMONY).

COUNCILMEMBER CLARKE MOVED TO ADJOURN

THE MOTION WAS DULY SECONDED AND AGREED TO.