Thursday, March 15, 2012

EXCUSED: 1 - Councilmember Reynolds Brown

PRESENT: 16 - Councilmembers Council President Clarke, Squilla, Johnson, Blackwell, Jones, Henon, Quiñones Sánchez, Bass, Tasco, O'Neill, Greenlee, Goode, Oh, Kenney, Green and O'Brien

Council met, a quorum being present.

Bishop Carolina B. Harris of Ephesians Christian Fellowship Church was introduced and offered an appropriate prayer.

of the meeting of March 8, 2012.

THE MOTION WAS DULY SECONDED AND AGREED TO.

Councilmember Jones requested leave of absence for

Councilmember Brown.

THE REQUEST WAS GRANTED.

COMMUNICATIONS

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

- Transmitting a message advising Council that Bill Nos. 120012 and 120013, which were passed by Council on March 1, 2012, were signed by the Mayor on March 14, 2012. (File No. 120226)

THE COMMUNICATION WAS READ.

- March 14, 2012

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

  Pursuant to Sections 4-604 and 2-307 of the Home Rule Charter, I am today

transmitting to the Council the recommendation of the City Planning Commission regarding the following bills:

Bill No.
120050
120101
120111

Respectfully,
Michael A. Nutter
Mayor (File No. 120227)

THE COMMUNICATION WAS READ.

- Transmitting a bill authorizing the Parks and Recreation Commissioner to enter into a lease agreement with the Southeastern Pennsylvania Transportation Authority, to continue leasing to SEPTA certain land and improvements located in the area bounded by Ridge Avenue, 33rd Street, and Dauphin Street, all under certain terms and conditions, accompanied by an explanatory letter from the Deputy Mayor for Environmental and Community Resources. (File No. 120228)

THE COMMUNICATION WAS READ.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

- **Resolution No. 120217:** Resolution Authorizing the Committee on Labor and Civil Service to hold public hearings on industry practices for private security officers working across the City of Philadelphia concerning their right to join labor unions and organize for improved terms and working conditions.

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

- **Bill No. 120211:** An Ordinance Authorizing the revision of lines and grades on a portion of City Plan No. 269 by striking from the City Plan and vacating the southwesterly footway area of East Service Drive from a point approximately eighteen feet northwest of Health Sciences Drive to a point approximately two-hundred twenty-seven feet further northwestwardly therefrom, striking from the City Plan and vacating the northwesterly footway area of Health Sciences Drive from a point approximately one-hundred sixty-six feet southwest of East Service Drive to a point approximately three-hundred thirteen feet further

southwestwardly therefrom, reserving and placing on the City Plan rights-of-way for public pedestrian use within the areas of East Service Drive and Health Sciences Drive being stricken, reserving and placing on the City Plan rights-of-way for drainage purposes, water main purposes, and public utility purposes within portions of the areas of East Service Drive and Health Sciences Drive being stricken, and relocating the southwesterly curbline of East Service Drive, from a point approximately two-hundred forty-five feet northwest of Health Sciences Drive to a point approximately one-hundred sixty-one feet further northwestwardly therefrom, thereby establishing a curb lay-by along the southwesterly side of said East Service Drive, all under certain terms and conditions.

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

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

- **Resolution No. 120218:** Resolution Recognizing the week of May 6th through May 12th as Martin Delany Week.

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

- **Resolution No. 120219:** 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-second 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 Greenlee Introduced and Referred the following Bill for Councilmember Council President Clarke, Sponsored by Councilmember Greenlee:

- **Bill No. 120212:** An Ordinance Amending Section 9-213 of The Philadelphia Code, entitled "Farmers' Markets," by adding a permissible location the sidewalk and west curb lane of the west side of the 1400 block of Ridge Avenue, from Fairmount Avenue to North 15th Street, all under certain terms and conditions.

THE BILL WAS REFFERED 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. 120213:** An Ordinance Authorizing the Parks and Recreation Commissioner to enter into a lease agreement with the Southeastern Pennsylvania Transportation Authority, to continue leasing to SEPTA certain land and improvements located in the area bounded by Ridge Avenue, 33rd Street, and Dauphin Street, all under certain terms and conditions.

THE BILL WAS REFFERED TO THE COMMITTEE OF THE WHOLE.

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

- **Resolution No. 120220:** 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 Sixteenth and Eighteenth 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.

Councilmember Greenlee Introduced and Ordered Placed on This Week's Final Passage Calendar the following Resolution for Councilmember Council President Clarke, Sponsored by Councilmembers Greenlee and Tasco:

- **Resolution No. 120221:** Resolution Honoring and Congratulating The Reverend Canon Thomas Wilson Stearly Logan, Sr. for over 73 years of devoted service to the Episcopal Church, and on the great occasion of his 100th Birthday.

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

- **Resolution No. 120222:** Resolution Authorizing City Council's Committee on Public Health and Human Services to hold hearings to examine the prevalence and implications of intergenerational households in Philadelphia.

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

- **Resolution No. 120223:** Resolution Authorizing City Council's Legislative Oversight Committee to hold hearings to examine the effectiveness of current ordinances in addressing illegal dumping and littering in Philadelphia's business

corridors and to explore ways to collaborate with City agencies to address this problem.

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

- **Bill No. 120214:** An Ordinance To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by York Street, Front Street, Second Street and Berks Street.

THE BILL WAS REFFERED TO THE COMMITTEE ON RULES.

Councilmember Bass Introduced and Referred the following Bill, Sponsored by Councilmembers Jones, Goode, Quiñones Sánchez and Bass:

- **Bill No. 120215:** An Ordinance Repealing Chapter 21-1200 of The Philadelphia Code, entitled "Police Advisory Board".

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

Councilmember Bass Introduced and Referred the following Bill, Sponsored by Councilmembers Jones, Goode, Quiñones Sánchez and Bass:

- **Bill No. 120216:** 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 of The Philadelphia Home Rule Charter relating to the creation, appointment, powers and duties of a Police Advisory Commission; and authorizing the appropriate officers to publish notice and to make arrangements for the special election.

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

Councilmember Jones Introduced and Ordered Placed on This Week's Final Passage Calendar the following Resolution for Councilmember Council President Clarke, Sponsored by Councilmember Jones:

- **Resolution No. 120224:** Resolution Also naming the loop located at 33rd and Oxford Streets, currently listed as part of Reservoir Drive, "Tony Langford Way."

Councilmember Jones Introduced and Referred the following Resolution, Sponsored by Councilmember Jones:

- **Resolution No. 120225:** Resolution Proposing an amendment to The Philadelphia Home Rule Charter to establish an independent Police Advisory Commission, and to provide for the Commission's funding, appointment, powers

and duties, including, but not limited to, the duty to investigate complaints alleging misconduct by members of the Philadelphia Police Department against members of the public; and providing for the submission of the amendment to the electors of Philadelphia.

THE RESOLUTION WAS REFFERED TO THE COMMITTEE ON LAW AND GOVERNMENT.

REPORTS FROM COMMITTEES

COMMITTEE OF THE WHOLE

Resolution No. 120074: Resolution Appointing Nancy Winkler to the Board of Directors of the Philadelphia Municipal Authority.

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

Resolution No. 120075: Resolution Appointing Emily Bittenbender to the Board of Directors of the Philadelphia Municipal Authority.

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

COMMITTEE ON FINANCE

Bill No. 120007, as amended: An Ordinance Amending Chapters 19-2600, 19-1500, and 19-2800 of The Philadelphia Code, entitled, respectively, "Business Privilege Taxes," "Wage and Net Profits Tax," and "Pennsylvania Intergovernmental Cooperation Authority Tax on Wages and Net Profits," by providing certain exclusions and revising certain definitions, all under certain terms and conditions.

COUNCILMEMBER GREEN MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 120007.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

Bill No. 120104: An Ordinance Amending Bill No. 110343 entitled "An Ordinance approving the Fiscal Year 2012 Capital Budget providing for expenditures for the capital purposes of the Philadelphia Gas Works (including the supplying of funds in connection therewith) subject to certain constraints and conditions, and acknowledging receipt of the Forecast of Capital Budgets for Fiscal Years 2013 through 2017" by approving a Revised Capital Budget for Fiscal Year 2012.

PERMIT CONSIDERATION THIS DAY OF BILL NO. 120104.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

Bill No. 120105: An Ordinance Authorizing the execution, delivery and performance by the Philadelphia Facilities Management Corporation on behalf of the Philadelphia Gas Works of a Renewal Amendment to Service Agreement for Gas Storage and Transportation Under Rate Schedule GSS with Transcontinental Gas Pipe Line Corporation.

COUNCILMEMBER GREEN MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 120105.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

COMMITTEE ON PUBLIC PROPERTY AND PUBLIC WORKS

Bill No. 120084: An Ordinance Authorizing the Commissioner of Public Property to enter into a sublease agreement with the Philadelphia Authority for Industrial Development, for certain land and improvements located at 300 E. Hunting Park Avenue, all under certain terms and conditions.

COUNCILMEMBER HENON MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 120084.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

Bill No. 120140: An Ordinance Authorizing the Commissioner of Public Property to convey to the Philadelphia Authority for Industrial Development a certain tract of City-owned land situate at 332-52 East Tioga Street, with buildings and improvements located thereon, if any, all under certain terms and conditions.

COUNCILMEMBER HENON MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 120140.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

SPECIAL BUSINESS

Councilmember Greenlee

moved that the vote by which Resolution No. 120150 passed Council be reconsidered.

THE MOTION WAS DULY SECONDED AND AGREED TO.

- **Resolution No. 120150:** Resolution Approving the redevelopment contract and disposition supplement of the Philadelphia Redevelopment Authority for the redevelopment and urban renewal of a portion of the Center City Redevelopment Area, designated as Parcel No. 46 and also sometimes identified by house number and street address as 2017-2023 Chestnut street; authorizing the Redevelopment Authority to execute the redevelopment contract with Aquinas 2021 Chestnut Street, LP and to take such action as may be necessary to effectuate the redevelopment contract and disposition supplement.

THE RESOLUTION WAS RECONSIDERED.

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

CONSIDERATION OF THE CALENDAR

BILLS ON FIRST READING

- **Bill No. 120007, as amended:** An Ordinance Amending Chapters 19-2600, 19-1500, and 19-2800 of The Philadelphia Code, entitled, respectively, "Business Privilege Taxes," "Wage and Net Profits Tax," and "Pennsylvania Intergovernmental Cooperation Authority Tax on Wages and Net Profits," by providing certain exclusions and revising certain definitions, all under certain terms and conditions.

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

- **Bill No. 120104:** An Ordinance Amending Bill No. 110343 entitled "An Ordinance approving the Fiscal Year 2012 Capital Budget providing for expenditures for the capital purposes of the Philadelphia Gas Works (including the supplying of funds in connection therewith) subject to certain constraints and conditions, and acknowledging receipt of the Forecast of Capital Budgets for Fiscal Years 2013 through 2017" by approving a Revised Capital Budget for Fiscal Year 2012.

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

- **Bill No. 120105:** An Ordinance Authorizing the execution, delivery and performance by the Philadelphia Facilities Management Corporation on behalf of

the Philadelphia Gas Works of a Renewal Amendment to Service Agreement for Gas Storage and Transportation Under Rate Schedule GSS with Transcontinental Gas Pipe Line Corporation.

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

Bill No. 120084: An Ordinance Authorizing the Commissioner of Public Property to enter into a sublease agreement with the Philadelphia Authority for Industrial Development, for certain land and improvements located at 300 E. Hunting Park Avenue, all under certain terms and conditions.

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

Bill No. 120140: An Ordinance Authorizing the Commissioner of Public Property to convey to the Philadelphia Authority for Industrial Development a certain tract of City-owned land situate at 332-52 East Tioga Street, with buildings and improvements located thereon, if any, all under certain terms and conditions.

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

PUBLIC COMMENT

The following persons provided public comment on March 15, 2012:

Name and Comment Subject

Joey Temple (120018)

See Notes of Testimony for full comment.

BILLS AND RESOLUTIONS ON FINAL PASSAGE

Resolution No. 120179: Resolution Authorizing the City Council's Joint Committees on Licenses and Inspections and Public Safety to hold hearings on the issue of negligent landlords, problem rental properties and their effects on the surrounding community and in furtherance of such investigation, authorizing the issuance of subpoenas to compel the attendance of witnesses and the production of documents to the full extent authorized under Section 2-401 of the Home Rule Charter.

THE RESOLUTION WAS ADOPTED & REFERRED TO THE COMMITTEES ON PUBLIC SAFETY AND LICENSES AND INSPECTIONS.

Resolution No. 120180: Resolution Authorizing the Council Committee on Public Health and Human Services to hold hearings regarding impact of the

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

Resolution No. 120181: Resolution Amending Resolution No. 110453, approving the annual Program Statement and Budget for the expenditure of the Neighborhood Transformation Initiative (NTI) Bond Proceeds for Fiscal Year 2012.

THE RESOLUTION WAS ADOPTED.

Resolution No. 120183: Resolution Authorizing the Committee of the Whole Council to hold hearings regarding the impact of the proposed Fiscal Year 2012-13 state budget on all City of Philadelphia government services and infrastructure, and services provided by governmental and quasi-governmental entities including, but not limited to, the Philadelphia School District, state institutions of higher education, and SEPTA.

THE RESOLUTION WAS ADOPTED & REFERRED TO THE COMMITTEE OF THE WHOLE.

Resolution No. 120184: Resolution Appointing a five (5) person committee entitled the "Economic Opportunity Review Committee" pursuant to §17-1607 of The Philadelphia Code.

THE RESOLUTION WAS ADOPTED.

Resolution No. 120192: Resolution Condemning the actions of the Pennsylvania State Senate in authorizing the passage of House Bill 934, requiring citizens to produce and display specific designated photo identification before being able to exercise their fundamental and Constitutional right to vote in state and federal elections.

THE RESOLUTION WAS READ.

The Ayes and Nays were as follows:

Ayes: *14 - Councilmembers Council President Clarke, Squilla, Johnson, Blackwell, Jones, Henon, Quiñones Sánchez, Bass, Tasco, Greenlee, Goode, Kenney, Green and O'Brien*

Nays: *2 - Councilmembers O'Neill and Oh*

DISCUSSION - COUNCILMEMBERS O'NEILL AND OH - (SEE NOTES OF TESTIMONY).

Resolution No. 120192: Resolution Condemning the actions of the Pennsylvania State Senate in authorizing the passage of House Bill 934, requiring citizens to produce and display specific designated photo identification before being able to exercise their fundamental and Constitutional right to vote in state and federal elections.

THE RESOLUTION WAS ADOPTED.

The Ayes and Nays were as follows:

Ayes: *14 - Councilmembers Council President Clarke, Squilla, Johnson, Blackwell, Jones, Henon, Quiñones Sánchez, Bass, Tasco, Greenlee, Goode, Kenney, Green and O'Brien*

Nays: *2 - Councilmembers O'Neill and Oh*

Resolution No. 120194: Resolution Authorizing Council's Committee on Public Safety to investigate and hold hearings on the impact of prioritizing prison space in secure facilities for violent offenders and offenders with illegal guns as a means of decreasing serious crimes while examining the efficiency and effectiveness of alternative means of housing non-violent and low risk offenders.

THE RESOLUTION WAS ADOPTED.

Resolution No. 120218: Resolution Recognizing the week of May 6th through May 12th as Martin Delany Week.

THE RESOLUTION WAS ADOPTED.

Resolution No. 120221: Resolution Honoring and Congratulating The Reverend Canon Thomas Wilson Stearly Logan, Sr. for over 73 years of devoted service to the Episcopal Church, and on the great occasion of his 100th Birthday.

THE RESOLUTION WAS ADOPTED.

Resolution No. 120224: Resolution Also naming the loop located at 33rd and Oxford Streets, currently listed as part of Reservoir Drive, "Tony Langford Way."

THE RESOLUTION WAS ADOPTED.

BILLS AND RESOLUTIONS ON SECOND READING AND FINAL PASSAGE

Bill No. 120018, as amended: An Ordinance Naming and designating the "Robin Hood Dell East" located at Ridge Avenue and Huntingdon Drive as the "Georgie Woods Entertainment Center."

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, Tasco, O'Neill, Greenlee, Goode, Oh, Kenney, Green and O'Brien*

Nays: *0*

DISCUSSION - COUNCILEMBER JONES - (SEE NOTES OF TESTIMONY).

SPEECHES

COUNCILMEMBERS SANCHEZ, GREEN, BLACKWELL, KENNEY, BASS AND SQUILLLA - (SEE NOTES OF TESTIMONY).

COUNCILMEMBER GREENLEE MOVED TO ADJOURN

THE MOTION WAS DULY SECONDED AND AGREED TO.