Thursday, May 10, 2012

PRESENT: 17 - Councilmembers Council President Clarke, Squilla, Johnson, Blackwell, Jones, Henon, Quiñones Sánchez, Bass, Tasco, O'Neill, Reynolds Brown, Greenlee, Goode, Oh, Kenney, Green and O'Brien

Council met, a quorum being present.

Deacon Vincent Guest of Diocese of Camden, New Jersey was introduced and offered an appropriate prayer.

COUNCILMEMBER GREENLEE MOVED TO APPROVE THE JOURNAL

of the meeting of May 3, 2012.

THE MOTION WAS DULY SECONDED AND AGREED TO.

COMMUNICATIONS

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

- Transmitting a message advising Council that Bill No. 120251, which was passed by Council on May 3, 2012, was signed by the Mayor on May 9, 2012. (File No. 120404)

THE COMMUNICATION WAS READ.

- Transmitting a bill amending Title 22 of The Philadelphia Code, entitled "Public Employees Retirement Code," to expand the scope of "Plan '10" and "DC Plan" to cover additional employees pursuant to an arbitration decision, to change contribution rates, and to make technical amendments, all under certain terms and conditions, accompanied by an explanatory letter from the Director of Finance. (File No. 120405)

THE COMMUNICATION WAS READ.

- Transmitting a bill authorizing the Procurement Commissioner to enter into purchase obligations for the delivery of electric supply for use by facilities

owned and leased by the City, including agreements that obligate payments for delivery of electric supply in fiscal year 2015, all under certain terms and conditions, accompanied by an explanatory letter from the Deputy Mayor for Transportation and Utilities. (File No. 120406)

THE COMMUNICATION WAS READ.

- Transmitting a bill authorizing the Commissioner of Public Property to enter into a long-term lease agreement with the Southeastern Pennsylvania Transportation Authority ("SEPTA"), whereby the City will obtain use of a parking lot located approximately at the intersection of Dupont and High Streets, and of a section of an abandoned SEPTA railroad line from a point contiguous with such parking lot to a point near the intersection of Umbria and Parker Streets, all under certain terms and conditions. (File No. 120407)

THE COMMUNICATION WAS READ.

- Transmitting a bill authorizing the Street Commissioner to enter into a multi-year agreement with Waste Management of Pennsylvania, Inc. for the receipt, transfer, and disposal of municipal solid waste, all under certain terms and conditions. (File No. 120408)

THE COMMUNICATION WAS READ.

THE COMMUNICATION WAS READ.

- Transmitting a bill authorizing the Street Commissioner to enter into a multi-year agreement with Covanta 4 Recovery, LP for the receipt, transfer, and disposal of municipal solid waste, all under certain terms and conditions. (File No. 120409)

THE COMMUNICATION WAS READ.

INTRODUCTION OF BILLS AND RESOLUTIONS

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

- **Bill No. 120384:** An Ordinance Amending Section 12-1130 of The Philadelphia Code, entitled "Vehicle Seizures," by requiring refunds and waivers of towing and storage fees, all under certain terms and conditions.

THE BILL WAS REFFERED TO THE COMMITTEE ON RULES.

Councilmember Blackwell Introduced and Referred the following Bill, Sponsored by Councilmembers Blackwell and Council President Clarke:

- **Bill No. 120385:** An Ordinance Amending Title 20 of The Philadelphia Code,

entitled "Officers and Employees," by allowing persons offered employment with the City to enter into payment agreements for debts owed to the City or City agencies without a down payment, under certain terms and conditions.

THE BILL WAS REFFERED TO THE COMMITTEE ON FINANCE.

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

- **Bill No. 120386:** An Ordinance To amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by 52nd Street, Master Street, Peach Street, and Media Street.

THE BILL WAS REFFERED 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. 120398:** 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 improvement in accordance with the terms of Chapter 16-400 of The Philadelphia Code.

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

- **Bill No. 120387:** An Ordinance Amending Section 17-109 of The Philadelphia Code, entitled "Local Bidding Preferences," by adjusting the local bidding preference for City contracts, all under certain terms and conditions.

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

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

- **Resolution No. 120399:** Resolution Congratulating Autumn Adkins Graves for her contributions and service to Girard College and to the City of Philadelphia.

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

- **Bill No. 120388:** An Ordinance Amending Title 22 of The Philadelphia Code, entitled "Public Employees Retirement Code," to expand the scope of "Plan '10" and "DC Plan" to cover additional employees pursuant to an arbitration decision, to change contribution rates, and to make technical amendments, all under certain terms and conditions.

THE BILL WAS REFFERED TO THE COMMITTEE ON LABOR AND CIVIL SERVICE.

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

- **Bill No. 120389:** An Ordinance Authorizing the Commissioner of Public Property to enter into a long-term lease agreement with the Southeastern Pennsylvania Transportation Authority ("SEPTA"), whereby the City will obtain use of a parking lot located approximately at the intersection of Dupont and High Streets, and of a section of an abandoned SEPTA railroad line from a point contiguous with such parking lot to a point near the intersection of Umbria and Parker Streets, all under certain terms and conditions.

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

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

- **Bill No. 120390:** An Ordinance Establishing a no parking regulation on Roberts Avenue, north side.

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

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

- **Bill No. 120391:** An Ordinance Establishing a no parking regulation on Fox Street, east side.

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

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

- **Bill No. 120392:** An Ordinance Authorizing the Chief Innovation Officer to enter into up to two multi-year contracts for access to online research services and

THE BILL WAS REFFERED TO THE COMMITTEE ON TECHNOLOGY AND INFORMATION SERVICES.

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

- **Bill No. 120393:** An Ordinance Authorizing the Streets Commissioner to enter into a multi-year agreement with Covanta 4 Recovery, LP for the receipt, transfer, and disposal of municipal solid waste, all under certain terms and conditions.

THE BILL WAS REFFERED TO THE COMMITTEE OF THE WHOLE.

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

- **Bill No. 120394:** An Ordinance Authorizing the Streets Commissioner to enter into a multi-year agreement with Waste Management of Pennsylvania, Inc. for the receipt, transfer, and disposal of municipal solid waste, all under certain terms and conditions.

THE BILL WAS REFFERED TO THE COMMITTEE OF THE WHOLE.

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

- **Resolution No. 120400:** Resolution Recognizing and honoring the 63 outstanding Philadelphia public school teachers, recipients of the Lindback Award for Distinguished High School Teachers for excellence and in particular the seven recipients from schools located in the 4th Council District during National Teacher Appreciation Week, May 7-11, 2012.

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. 120401:** Resolution Authorizing Council's Committee on Parks, Recreation and Cultural Affairs to hold public hearings for applicants seeking nomination to serve on the Commission on Parks and Recreation, and further authorizing the Committee to recommend for Council's consideration nominations to be forwarded to the Mayor.

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

- **Bill No. 120395:** An Ordinance Authorizing the revision of lines and grades on a

portion of City Plan No. 271 by striking from the City Plan and vacating Bodine Street from Spring Garden Street to Green Street and reserving and placing on the City Plan a right-of-way for use as a pedestrian walkway within the easterly six feet wide portion of said Bodine Street, under certain terms and conditions, and authorizing acceptance of the grant to the City of the said right-of-way.

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

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

Bill No. 120396: An Ordinance Authorizing Northern Liberties Auction, Inc. ("Owner") to construct, use and maintain various encroachments within the right-of-way on the north sidewalk of Spring Garden Street between N. Third Street and Bodine Street ("Property"), under certain terms and conditions.

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

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

Bill No. 120397: An Ordinance Continuing the Port Richmond Industrial Development Enterprise Neighborhood Improvement District beyond its termination date in the area bounded generally by the north side of Allegheny Avenue, west side of Memphis Street between Allegheny Avenue and East Westmoreland Street, south side of East Westmoreland Street, properties facing west along the east side of Tulip Street, the north side of Venango Street, and the west side of Amber Street, continuing Port Richmond Industrial Development Enterprise Inc., a Pennsylvania nonprofit corporation, as the Neighborhood Improvement District Management Association for the District; approving a final plan for the District, including a list of proposed improvements and their estimated cost, and providing for assessment fees to be levied on property owners within the District; authorizing the Director of Commerce, on behalf of the City, to execute an agreement with Port Richmond Industrial Development Enterprise, Inc. relating to the District; and authorizing Port Richmond Industrial Development Enterprise, Inc. to assess property owners within the District a special property assessment fee to be used in accordance with the approved final plan; all in accordance with the provisions of the Community and Economic Improvement Act, and under certain terms and conditions.

THE BILL WAS REFFERED TO THE COMMITTEE ON RULES.

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

- Richmond Industrial Development Enterprise Neighborhood Improvement District beyond its termination date in the area bounded generally by the north side of Allegheny Avenue, west side of Memphis Street between Allegheny Avenue and East Westmoreland Street, south side of East Westmoreland Street, properties facing west along the east side of Tulip Street, the north side of Venango Street, and the west side of Amber Street, and for which Port Richmond Industrial Development Enterprise, Inc., a Pennsylvania nonprofit corporation, serves as the Neighborhood Improvement District Management Association; approving a preliminary plan for and report concerning the District; and authorizing and directing the Committee on Rules and the Clerk of Council to take all actions that are required by the Community and Economic Improvement Act prior to the reenactment of an ordinance that would formally continue the term of the District.

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

- **Resolution No. 120403:** 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-first 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 improvement in accordance with the terms of Chapter 16-400 of The Philadelphia Code.

REPORTS FROM COMMITTEES

COMMITTEE ON RULES

- **Bill No. 120321:** An Ordinance
  Declaring it is desirable for the health, safety and welfare of the people of the area served by Temple University Hospital, Inc., Jeanes Hospital, Temple Physicians, Inc., Temple Health System Transport Team, Inc., the American Oncologic Hospital, the Institute for Cancer Research and Fox Chase Network, Inc. for The Hospitals and Higher Education Facilities Authority of Philadelphia

to undertake certain projects for such entities, each of which are nonprofit corporations.

COUNCILMEMBER GREENLEE MOVED TO SUSPEND THE RULES OF THE COUNCIL SO AS TO PERMIT CONSIDERATION THIS DAY OF BILL NO. 120321.

THE MOTION WAS DULY SECONDED AND AGREED TO.

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

CONSIDERATION OF THE CALENDAR

BILLS ON FIRST READING

Bill No. 120106-A, as amended: An Ordinance Amending Title 12 of The Philadelphia Code, entitled "Traffic Code," by providing for the adjudication of parking violations contested by alternative methods; all under certain terms and conditions.

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

Bill No. 120321: An Ordinance
Declaring it is desirable for the health, safety and welfare of the people of the area served by Temple University Hospital, Inc., Jeanes Hospital, Temple Physicians, Inc., Temple Health System Transport Team, Inc., the American Oncologic Hospital, the Institute for Cancer Research and Fox Chase Network, Inc. for The Hospitals and Higher Education Facilities Authority of Philadelphia to undertake certain projects for such entities, each of which are nonprofit corporations.

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

PUBLIC COMMENT

The following persons provided public comment on May 10, 2012:

Name and Comment Subject)

Robert Taylor (120356)

Peter Schneider (120350)

Judith Parker (120356)

Irv Ackelsberg (120350)

(See Notes of Testimony for full comment.)

BILLS AND RESOLUTIONS ON FINAL PASSAGE

Resolution No. 120254: Resolution Authorizing the City Council Committee on Housing, Neighborhood Development, and the Homeless to hold hearings concerning the impact of the Department of Parks and Recreation's proposed Regulation 769785 as it pertains to public feeding in Philadelphia.

THE RESOLUTION WAS ADOPTED & REFERRED TO THE COMMITTEE ON HOUSING, NEIGHBORHOOD DEVELOPMENT AND THE HOMELESS.

Resolution No. 120347: 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 Sixth 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 improvement in accordance with the terms of Chapter 16-400 of The Philadelphia Code.

THE RESOLUTION WAS ADOPTED.

Resolution No. 120348: Resolution Approving the redevelopment contract and disposition supplement of the Philadelphia Redevelopment Authority for the redevelopment and urban renewal of a portion of the Model Cities Urban Renewal Area, identified by house number and street address as 1709-1711 Olive street; authorizing the Redevelopment Authority to execute the redevelopment contract with Kevin Redding and Whitney Redding and to take such action as may be necessary to effectuate the redevelopment contract and disposition supplement.

THE RESOLUTION WAS ADOPTED.

Resolution No. 120349: Resolution Authorizing the Commissioner of Public Property to execute and deliver to 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 Seventh and Thirty-second Wards 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 improvement in accordance with the terms of Chapter 16-400 of The Philadelphia Code.

THE RESOLUTION WAS ADOPTED.

Resolution No. 120350: Resolution Urging the Pennsylvania General Assembly to oppose House Bill 2191 that will legalize payday lending in Pennsylvania and harm the citizens of our Commonwealth.

DISCUSSION - RESOLUTION NO. 120350 -COUNCILMEMBER TASCO - (SEE NOTES OF TESTIMONY).

THE RESOLUTION WAS ADOPTED.

Resolution No. 120354: Resolution Approving the redevelopment contract and disposition supplement of the Philadelphia Redevelopment Authority for the redevelopment and urban renewal of a portion of the South Central Urban Renewal Area, designated by house number and street address as 728 South Hicks street; authorizing the Philadelphia Redevelopment Authority to execute the redevelopment contract with Kip and Janelle Ketchum and to take such action as may be necessary to effectuate the redevelopment contract and disposition supplement.

THE RESOLUTION WAS ADOPTED.

Resolution No. 120355: Resolution Authorizing the Commissioner of Public Property to execute and deliver to Philadelphia Redevelopment Authority, without consideration, deeds conveying conditional fee simple title to certain City-owned lots or pieces of ground with the buildings and improvements thereon, situate in the Nineteenth Ward of the City of Philadelphia, pursuant to Chapter 16-400 of The Philadelphia Code and authorizing the Philadelphia Redevelopment Authority to dispose of such properties for rehabilitation and/or improvement in accordance with the terms of Chapter 16-400 of The Philadelphia Code.

THE RESOLUTION WAS ADOPTED.

Resolution No. 120356: Resolution Supporting the reduction of Greenhouse Gas Pollution under the Clean Air Act and urging the Environmental Protection

THE RESOLUTION WAS ADOPTED.

Resolution No. 120358: Resolution Approving the redevelopment contract and disposition supplement of the Philadelphia Redevelopment Authority for the redevelopment and urban renewal of a portion of the South Central Urban Renewal Area, designated as Parcel No. 312 and also sometimes identified by house number and street address as 1122-1130 Hall street; authorizing the Philadelphia Redevelopment Authority to execute the redevelopment contract with Webster Investments LLC and to take such action as may be necessary to effectuate the redevelopment contract and disposition supplement.

THE RESOLUTION WAS ADOPTED.

Resolution No. 120399: Resolution Congratulating Autumn Adkins Graves for her contributions and service to Girard College and to the City of Philadelphia.

THE RESOLUTION WAS ADOPTED.

Resolution No. 120400: Resolution Recognizing and honoring the 63 outstanding Philadelphia public school teachers, recipients of the Lindback Award for Distinguished High School Teachers for excellence and in particular the seven recipients from schools located in the 4th Council District during National Teacher Appreciation Week, May 7-11, 2012.

THE RESOLUTION WAS ADOPTED.

Resolution No. 120401: Resolution Authorizing Council's Committee on Parks, Recreation and Cultural Affairs to hold public hearings for applicants seeking nomination to serve on the Commission on Parks and Recreation, and further authorizing the Committee to recommend for Council's consideration nominations to be forwarded to the Mayor.

THE RESOLUTION WAS ADOPTED.

BILLS AND RESOLUTIONS ON SECOND READING AND FINAL PASSAGE

Bill No. 120138: An Ordinance Authorizing the Department of Human Services, on behalf of the City, to enter into a grant agreement with the Commonwealth of Pennsylvania, Department of Public Welfare for a grant to provide funds for the Time-Limited Family Reunification initiative to the City, 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, Tasco, O'Neill, Reynolds Brown, Greenlee, Goode, Oh, Kenney, Green and O'Brien*

Nays: *0*

Bill No. 120298: An Ordinance Approving a Substantial Amendment to the Year 37 Consolidated Plan (FY 2012) and application to the United States Department of Housing and Urban Development for approximately $1,260,836 in Emergency Solutions Grant funding, all under certain terms and conditions.

THE BILL WAS READ AND PASSED.

The Ayes and Nays were as follows:

Nays: *0*

Ayes: *17 - Councilmembers Council President Clarke, Squilla, Johnson, Blackwell, Jones, Henon, Quiñones Sánchez, Bass, Tasco, O'Neill, Reynolds Brown, Greenlee, Goode, Oh, Kenney, Green and O'Brien*

Resolution No. 120188: Resolution Proposing an amendment to The Philadelphia Home Rule Charter to allow for the establishment of an independent rate-making body for fixing and regulating water and sewer rates and charges; to prescribe open and transparent processes and procedures for fixing and regulating said rates and charges; all under certain terms and conditions; and providing for the submission of the amendment to the electors of Philadelphia.

THE RESOLUTION WAS ADOPTED.

The Ayes and Nays were as follows:

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

Nays: *1 - Councilmember O'Brien*

Bill No. 120177: An Ordinance Providing for the submission to the qualified electors of the City of Philadelphia of the proposal set forth in a Resolution approved by Council proposing an amendment to the Philadelphia Home Rule Charter to allow for the establishment of an independent rate-making body for fixing and regulating water and sewer rates and charges; to prescribe open and transparent processes and procedures for fixing and regulating said rates and charges; and authorizing the appropriate officers to publish notice and to make arrangements for the special election.

THE BILL WAS READ AND PASSED.

The Ayes and Nays were as follows:

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

Nays: *1 - Councilmember O'Brien*

Bill No. 120137: An Ordinance Repealing an Ordinance (Bill No. 070149-A), entitled "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 that any advertisement or correspondence pertaining to the rental of residential property shall include the housing inspection license number for such property, providing for penalties, and making certain technical changes, all under certain terms and conditions."

THE BILL WAS READ AND PASSED.

The Ayes and Nays were as follows:

Ayes: *17 - Councilmembers Council President Clarke, Squilla, Johnson, Blackwell, Jones, Henon, Quiñones Sánchez, Bass, Tasco, O'Neill, Reynolds Brown, Greenlee, Goode, Oh, Kenney, Green and O'Brien*

Nays: *0*

SPEECHES

COUNCILMEMBERS OH, JONES, BROWN, GREEN, O'BRIEN, GOODE, JOHNSON, COUNCIL PRESIDENT CLARKE - (SEE NOTES OF TESTIMONY).

COUNCILMEMBER REYNOLDS BROWN MOVED TO ADJOURN

THE MOTION WAS DULY SECONDED AND AGREED TO.