Thursday, February 2, 2012

COUNCIL SESSION INFORMATION IN PROGRESS

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.

Reverend David Henfield of Grace Community Church of God of Prophecy was introduced and offered an appropriate prayer.

COUNCILMEMBER JONES MOVED TO APPROVE THE JOURNAL

of the meeting of January 26, 2012.

THE MOTION WAS DULY SECONDED AND AGREED TO.

COMMUNICATIONS

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

- Transmitting a resolution appointing Nancy Winkler to the Board of Directors of the Philadelphia Municipal Authority. (File No. 120077)

THE COMMUNICATION WAS READ.

- Transmitting a resolution, appointing Emily Bittenbender to the Board of Directors of the Philadelphia Municipal Authority. (File No. 120078)

THE COMMUNICATION WAS READ.

- Transmitting a 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. 310 and also sometimes identified by house number and street address as 1001-1035 South Seventeenth street; authorizing the

Philadelphia Redevelopment Authority to execute the redevelopment contract with Carpenter Square LP and to take such action as may be necessary to effectuate the redevelopment contract and disposition supplement, accompanied by an explanatory letter from the Executive Director of the Redevelopment Authority. (File No. 120079)

THE COMMUNICATION WAS READ.

- Transmitting a bill amending Chapter 10-100 of The Philadelphia Code, entitled "Animals," to provide for limits on the numbers of dogs and cats, sterilized and unsterilized, permitted on residential properties, all under certain terms and conditions, accompanied by an explanatory letter from the Managing Director and Deputy Mayor for Administration and Coordination. (File No. 120080)

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. 120058:** Resolution Authorizing the Committee on Labor and Civil Service and the Committee on Licenses and Inspections to hold joint public hearings to review and investigate construction industry practices to identify any weaknesses in the City's current inspection and enforcement procedures and explore appropriate remedies, 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.

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

- **Resolution No. 120059:** Resolution Approving the University of Pennsylvania's proposed amendment to its Institutional Development District Master Plan pursuant to Chapter 14-1107(c) of The Philadelphia Code relating to "Zoning and Planning."

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

- **Bill No. 120049:** An Ordinance Amending Chapter 10-100 of The Philadelphia Code, entitled "Animals," to provide for limits on the numbers of dogs and cats, sterilized and unsterilized, permitted on residential properties, all under certain terms and conditions.

THE BILL WAS REFFERED TO THE COMMITTEE ON PUBLIC HEALTH AND HUMAN SERVICES.

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

- **Bill No. 120050:** An Ordinance Granting permission to the Southeastern Pennsylvania Transportation Authority, 1234 Market Street, Philadelphia, Pennsylvania, to construct, own and maintain open-air passenger shelters and other miscellaneous encroachments on the public sidewalk located at 33rd Street, Dauphin Street and Ridge Avenue, under certain terms and conditions.

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

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

- **Resolution No. 120060:** Resolution Honoring John J. Dougherty on his selection as the Grand Marshal of the 242nd Annual Saint Patrick's Day Parade.

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

- **Resolution No. 120061:** Resolution Honoring Mary Ann Torres.

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

- **Resolution No. 120062:** Resolution Recognizing and acknowledging Delta Sigma Theta Sorority on the occasion of its Fifth Annual Philadelphia City Council Delta Day.

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

- **Bill No. 120051:** An Ordinance Authorizing the revision of lines and grades on a portion of City Plan No. 308 by striking from the City Plan and vacating Spruce Street from Twenty-fifth Street to the Pierhead & Bulkhead Line of the Schuylkill River, striking from the City Plan and vacating Twenty-sixth Street from Spruce Street to Delancey Place, and placing on the City Plan rights-of-way for sewer and drainage purposes and water main purposes within the lines of the said streets being stricken and incorporating the vacated areas of said streets

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

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

- **Resolution No. 120063:** Resolution Urging the Pennsylvania House Judiciary Committee to reject House Bill No. 1523 which could impose heavy financial penalties on municipalities that adopt or enforce reasonable regulations of firearms, and to allow the City of Philadelphia to continue its efforts to regulate firearms for the health, safety and welfare of the City.

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

- **Resolution No. 120064:** 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. 310 and also sometimes identified by house number and street address as 1001-1035 South Seventeenth street; authorizing the Philadelphia Redevelopment Authority to execute the redevelopment contract with Carpenter Square LP and to take such action as may be necessary to effectuate the redevelopment contract and disposition supplement.

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

- **Resolution No. 120065:** Resolution Authorizing City Council's Joint Committees on Transportation & Public Utilities and Legislative Oversight to hold hearings to investigate the status of the Philadelphia International Airport Capacity Enhancement Program.

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

- **Resolution No. 120066:** 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 Quiñones Sánchez Introduced and Referred the following Bill, Sponsored by Councilmembers Quiñones Sánchez, Green, Jones and Henon:

- **Bill No. 120052:** An Ordinance Repealing Chapter 16-500 of The Philadelphia Code, entitled "Councilmanic District Development Program," and replacing it with a new Chapter 16-500, entitled "Philadelphia Land Bank," that authorizes the creation of a land bank and provides for its appointment, powers, and duties, all under certain terms and conditions.

THE BILL WAS REFFERED TO THE COMMITTEE OF THE WHOLE.

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

- **Bill No. 120053:** An Ordinance Renaming and designating Fairhill Square Park at 4th Street & Lehigh Avenue as the Willie Colon Festival Park with the Joaquin Rivera "Proceres De Filadelfia" Plaza.

THE BILL WAS REFFERED TO THE COMMITTEE ON PARKS, RECREATION AND CULTURAL AFFAIRS.

Councilmember Green Introduced and Referred the following Bill, Sponsored by Councilmembers Green, Quiñones Sánchez, Goode, Henon, Oh, Jones, Tasco, Squilla, O'Brien, O'Neill and Blackwell:

- **Bill No. 120054:** An Ordinance Amending Chapter 19-1300 of The Philadelphia Code, entitled "Real Estate Taxes," by providing for installment payment agreements and requiring commencement of enforcement action, all under certain terms and conditions.

THE BILL WAS REFFERED TO THE COMMITTEE ON FINANCE.

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

- **Resolution No. 120067:** Resolution Authorizing the Committee on Commerce and Economic Development to hold hearings on the merger of the City's workforce development agencies.

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

- **Bill No. 120055:** An Ordinance Amending Title 21 of The Philadelphia Code, entitled "Miscellaneous," to authorize and regulate the placement of advertising on school buses owned or controlled by the School District of Philadelphia, under certain terms and conditions.

THE BILL WAS REFFERED TO THE COMMITTEE ON EDUCATION.

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

- **Resolution No. 120068:** Resolution Honoring and Recognizing Cheryl McClenney Brooker on her retirement from the Philadelphia Museum of Art, and her tireless commitment to the art, cultural and civic community of Philadelphia.

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

- **Resolution No. 120069:** Resolution Honoring the life and achievements of Fatimah Ali.

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

- **Bill No. 120056:** An Ordinance Amending Title 16 of The Philadelphia Code, entitled "Public Property," to provide for estimated annual energy cost disclosures upon the sale of certain City-owned residential properties, all under certain terms and conditions.

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

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

- **Resolution No. 120070:** Resolution Honoring and Celebrating Philadelphia's Living Legends, Rev. Dr. W. Wilson Goode, Sr., Walter P. Lomax, Jr., Bill Ellerbee, Dr. Walter Palmer, Louise Williams, Dr. Audrey Bronson, Robert Bogle, Sonia Sanchez, Queen Mother Falaka Fattah, Mary Mason, Sonny Hill, and Gamble & Huff, in the areas of government, music, religion, education, athletics, and activism, as part of the commemoration of Black History Month.

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

- **Resolution No. 120071:** Resolution Authorizing City Council's Committee on Commerce and Economic Development to investigate the City's support of the use of manufacturing in the creative industry, and

how promoting and increasing this relationship will benefit the manufacturing sector in Philadelphia.

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

- **Resolution No. 120072:** Resolution Authorizing City Council's Committee on Public Safety to hold public hearings to examine bail practices in gun-possession cases and the correlation to future gun-related crimes.

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

- **Resolution No. 120073:** Resolution Calling on the Governor and the Pennsylvania General Assembly to enact legislation to require sellers of residential properties in the Commonwealth to disclose annual energy costs associated with residential properties.

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

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

THE RESOLUTION WAS REFFERED TO THE COMMITTEE OF THE WHOLE.

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

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

THE RESOLUTION WAS REFFERED TO THE COMMITTEE OF THE WHOLE.

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

- **Resolution No. 120076:** 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

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

- **Bill No. 120057:** An Ordinance Amending Section 11-506 of The Philadelphia Code, entitled "Alleys, Driveways, and Retaining Walls," by requiring that the buyer, prior to the sale of real estate, be notified of the existence of any retaining wall within the boundaries of the real estate being conveyed; all under certain terms and conditions.

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

CONSIDERATION OF THE CALENDAR

BILLS ON FIRST READING

PUBLIC COMMENT

The following persons provided public comment on February 2, 2012:

Name and Comment Subject

Al Diallo (120032)

Leola M. Stowall (120041)

Julia A. Ramsey (120030)

See Notes of Testimony for full comment.

BILLS AND RESOLUTIONS ON FINAL PASSAGE

- **Resolution No. 120025:** Resolution Authorizing the Committee on Commerce and Economic Development to hold public hearings investigating the feasibility, advantages and legal measures required to establish a special purpose zone in one or more struggling neighborhoods to spur economic development.

THE RESOLUTION WAS ADOPTED & REFERRED TO THE COMMITTEE ON COMMERCE & ECONOMIC DEVELOPMENT.

- **Resolution No. 120026:** Resolution Authorizing City Council's Committee on Technology and Information Services to hold public hearings for the purpose of determining the current condition of the City's information technology (IT) environment and the Office of Innovation and Technology's plans for improving

and supporting the internal requirements of City departments and agencies which will enable the public and City agencies to interact efficiently, creatively, and transparently.

THE RESOLUTION WAS ADOPTED & REFERRED TO THE COMMITTEE ON TECHNOLOGY AND INFORMATION SERVICES.

Resolution No. 120029: Resolution Authorizing the Council Committee on Education to conduct hearings to examine the Philadelphia School District's discipline policy and the recent report "Zero Tolerance in Philadelphia" by the Advancement Project and Youth United for Change, which documents the negative and disproportionate effect of zero tolerance discipline policies on poor and minority students.

THE RESOLUTION WAS ADOPTED & REFERRED TO THE COMMITTEE ON EDUCATION.

Resolution No. 120030: Resolution Calling on the Federal Taskforce of States Attorney General's negotiating a settlement with the major banks related to the mortgage crisis, not to offer any settlement that would grant banks immunity to further prosecution, and to preserve each States right to pursue legal action on the broader issues of mortgage abuse.

THE RESOLUTION WAS ADOPTED.

Resolution No. 120031: Resolution Urging the Pennsylvania General Assembly to reject House Bill 2029 as unnecessary and inconsistent with our core constitutional principles, and affirming that the Council of the City of Philadelphia welcomes all religious beliefs, traditions and heritages, and has full confidence in the U.S. Constitution and the laws of the state of Pennsylvania and does not entertain any concern that any foreign or religious law offers a threat to the law of the land.

THE RESOLUTION WAS ADOPTED.

Resolution No. 120032: 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 and Thirty-sixth 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. 120039: Resolution Appointing Councilmembers Marian Tasco and Curtis Jones, Jr. to the Philadelphia Gas Commission.

THE RESOLUTION WAS ADOPTED.

Resolution No. 120041: Resolution Urging the Pennsylvania Department of Public Welfare State to reconsider its proposed asset test in order for needy Pennsylvanians to receive benefits under the Supplement Nutrition Assistance Program.

THE RESOLUTION WAS ADOPTED.

Resolution No. 120042: Resolution Authorizing Council's Committee on Public Safety and Committee on Housing Neighborhood Development and the Homeless to hold joint hearings on the City and State's preparedness for the influx of returning veterans from war, including Iraq and Afghanistan.

THE RESOLUTION WAS ADOPTED & REFERRED TO THE JOINT COMMITTEES ON PUBLIC SAFETY AND HOUSING, NEIGHBORHOOD DEVELOPMENT & THE HOMELESS.

Resolution No. 120045: Resolution Calling on the Philadelphia City Council Committee on Parks, Recreation and Cultural Affairs to hold public hearings to determine and identify Parks and Recreation Department resources, along with other City departments' programming, universities, cultural institutions, social and non-profit organizations focused on youth, which can be utilized to aid in the academic enrichment and supplement the academic needs of Philadelphia public school students.

THE RESOLUTION WAS ADOPTED & REFERRED TO THE COMMITTEE ON PARKS, RECREATION AND CULTURAL AFFAIRS.

Resolution No. 120060: Resolution Honoring John J. Dougherty on his selection as the Grand Marshal of the 242nd Annual Saint Patrick's Day Parade.

THE RESOLUTION WAS ADOPTED.

Resolution No. 120061: Resolution Honoring Mary Ann Torres.

THE RESOLUTION WAS ADOPTED.

Resolution No. 120062: Resolution Recognizing and acknowledging Delta Sigma Theta Sorority on the occasion of its Fifth Annual Philadelphia City Council Delta Day.

THE RESOLUTION WAS ADOPTED.

Resolution No. 120068: Resolution Honoring and Recognizing Cheryl McClenney Brooker on her retirement from the Philadelphia Museum of Art, and

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THE RESOLUTION WAS ADOPTED.

SPEECHES

COUNCILMEMBER REYNOLDS BROWN MOVED TO ADJOURN

THE MOTION WAS DULY SECONDED AND AGREED TO.