

Stated Meeting
February 9, 2017

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COUNCIL OF THE CITY OF PHILADELPHIA
STATED MEETING

Room 400, City Hall
Philadelphia, Pennsylvania
Thursday, February 9, 2017
10:50 a.m.

PRESENT:

COUNCIL PRESIDENT DARRELL L. CLARKE
COUNCILWOMAN CINDY BASS
COUNCILWOMAN JANNIE L. BLACKWELL
COUNCILMAN ALLAN DOMB
COUNCILMAN DEREK S. GREEN
COUNCILMAN WILLIAM K. GREENLEE
COUNCILWOMAN HELEN GYM
COUNCILMAN BOBBY HENON
COUNCILMAN KENYATTA JOHNSON
COUNCILMAN CURTIS JONES, JR.
COUNCILMAN DAVID OH
COUNCILMAN BRIAN J. O'NEILL
COUNCILWOMAN CHERELLE L. PARKER
COUNCILWOMAN MARIA D. QUINONES-SANCHEZ
COUNCILWOMAN BLONDELL REYNOLDS BROWN
COUNCILMAN MARK SQUILLA
COUNCILMAN AL TAUBENBERGER

MICHAEL A. DECKER, CHIEF CLERK

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COUNCIL PRESIDENT CLARKE: Good morning, everyone. We're going to get started. If the visitors will retire behind the rail, members take their seat, we'll get moving.

Thank you very much.

To give our invocation this morning, the Chair recognizes Pastor Douglas Carpenter of Philadelphia Prayer, Praise and Worship Center. He is here today as the guest of Councilman Green.

I would ask all guests, visitors, and members to please rise.
(Councilmembers and guests rise.)

PASTOR CARPENTER: First of all, thank you for this privilege and this opportunity.

My Bible tells me, First Timothy, Chapter 2, that we ought to have prayer and intercession and giving of thanks for all people, for kings and for all those that are in authority, that we may lead a quiet and peaceable life in

1 2/9/17 - STATED - INVOCATION

2 all goodness and honesty.

3 So, God, we come today that you
4 might bless this Council, bless this
5 President, the Councilmembers, and the
6 staffs; that they might be able to govern
7 as you would have them; that the City
8 would be more blessed because you have
9 made a way for them to be who they are;
10 and that they represent a diverse
11 population, but their assignment is one
12 to bring unity to the community.

13 So, God, we pray that you might
14 use them and guide them in everything
15 that needs to be done today; that at the
16 end of the day they could all sleep at
17 night; at the end of the day everybody
18 will in fact be blessed; at the end of
19 the day everybody will still be included;
20 that this would still become a great
21 city, a safe city, and a blessed city.

22 So we thank you right now for
23 what you've called them to do. It's more
24 than a job. It's an assignment. It's a
25 calling. It's a ministry.

1 2/9/17 - STATED - APPROVAL OF JOURNAL

2 So we pray your blessings upon
3 this session, everyone here, that we all
4 might come together to decide how to move
5 this city in the direction that you would
6 have it go.

7 So we thank you for the
8 President and the Councilmembers and
9 their staffs, and thank you for everyone
10 in this Council meeting on today that
11 your will would be done.

12 In Christ's name, amen.

13 (Amen.)

14 COUNCIL PRESIDENT CLARKE:

15 Thank you so much, Pastor, for those
16 inspiring words.

17 Council will be at ease.

18 (Council at ease.)

19 COUNCIL PRESIDENT CLARKE:

20 Thank you very much.

21 The next order of business is
22 the approval of the Journal of the
23 meeting of Thursday, February 2nd, 2017,
24 and the Chair recognizes Councilman
25 Greenlee.

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1 2/9/17 - STATED - LEAVES

2 COUNCILMAN GREENLEE: Thank
3 you, Mr. President. I move that the
4 Journal of the meeting of Thursday,
5 February 2nd, 2017 be approved.

6 (Duly seconded.)

7 COUNCIL PRESIDENT CLARKE:
8 Thank you.

9 It has been moved and properly
10 seconded that the Journal of the meeting
11 of Thursday, February 2nd, 2017 stand
12 approved.

13 All those in favor say aye.

14 (Aye.)

15 COUNCIL PRESIDENT CLARKE:
16 Those opposed?

17 (No response.)

18 COUNCIL PRESIDENT CLARKE: The
19 ayes have it, and the Journal is
20 approved.

21 The next order of business is
22 requests for leaves of absence, and the
23 Chair recognizes Councilman Henon.

24 COUNCILMAN HENON: Thank you,
25 Mr. President. On behalf of the

1 2/9/17 - STATED - LEAVES

2 majority, there are no requests of leave
3 of absence today.

4 COUNCIL PRESIDENT CLARKE: The
5 Chair thanks the gentleman.

6 The Chair recognizes Councilman
7 Oh on behalf of the minority.

8 COUNCILMAN OH: Good morning.
9 On behalf of the minority, there are no
10 requests for leave of absence.

11 COUNCIL PRESIDENT CLARKE: The
12 Chair thanks the gentleman.

13 At this time, I would like to
14 dispense with the regular order of
15 business and I would like to thank
16 everyone who has come down, particularly
17 today given the inclement weather, for
18 your participation today. We appreciate
19 you coming down to witness your
20 government in action. We hope you enjoy
21 yourself so much that you come back
22 again. Again, thank you so much.

23 Unfortunately, we do not have
24 any presentations today, so we will
25 move -- I can see the sadness on

1 2/9/17 - STATED - COMMUNICATIONS
2 everybody's face. We'll make up for it
3 next week, though.

4 We will move directly into
5 communications, and the Chair requests
6 that the Sergeant-of-Arms delivers the
7 messages from the Mayor to the Chief
8 Clerk.

9 Mr. Decker, please read those
10 messages.

11 CHIEF CLERK: To the President
12 and members of the Council of the City of
13 Philadelphia, I am pleased to advise you
14 that on February 8, 2017, I signed the
15 following bills which were passed by
16 Council at its session on January 26,
17 2017: Bill No. 161001 and Bill No.
18 161016.

19 And I am submitting herewith
20 for the consideration of your honorable
21 body the following proposed resolutions:
22 A resolution appointing Mary Hummel to
23 the Board of Directors for the Old City
24 Special Services District;

25 A resolution appointing Patrick

1 2/9/17 - STATED - COMMUNICATIONS

2 Shillenn to the Board of Directors for
3 the Old City Special Services District;
4 and

5 A resolution appointing
6 Danielle DelRe to the Board of Directors
7 for the Old City Special Services
8 District; and

9 A resolution appointing Timothy
10 Snowden to the Board of Directors for the
11 Old City Special Services District; and

12 A resolution appointing Pat
13 Lavelle to the Board of Directors for the
14 Old City Special Services District; and

15 An ordinance authorizing
16 acceptance of the dedication to the City
17 of the bed of Westmoreland Street from a
18 point approximately one hundred
19 ninety-seven feet west of Third Street to
20 a point approximately sixty-six feet
21 further westwardly therefrom; and

22 An ordinance authorizing the
23 Procurement Commissioner to enter into
24 agreements to purchase electricity,
25 natural gas and motor fuel for use by the

1 2/9/17 - STATED - INTRO. OF BILLS

2 City in City facilities and vehicles,
3 including agreements that obligate
4 payment for delivery of such energy
5 supplies in future fiscal years; and

6 An ordinance authorizing the
7 Director of the Free Library of
8 Philadelphia and the Commissioner of
9 Public Property to enter into a sublease
10 with the Philadelphia Authority for
11 Industrial Development, tenant under a
12 master lease with the landlord, for space
13 in the building located at 1500 Spring
14 Garden Street to house the Library for
15 the Blind and Physically Handicapped, all
16 under certain terms and conditions.

17 COUNCIL PRESIDENT CLARKE:
18 Thank you, Mr. Decker. Do you have any
19 additional communications?

20 CHIEF CLERK: I have none,
21 Mr. President.

22 COUNCIL PRESIDENT CLARKE:
23 Thank you very much.

24 The next order of business is
25 the introduction of bills and

1 2/9/17 - STATED - INTRO. OF BILLS
2 resolutions, and the Chair recognizes
3 Councilwoman Reynolds Brown.

4 COUNCILWOMAN BROWN: No bills
5 or resolutions this morning,
6 Mr. President.

7 COUNCIL PRESIDENT CLARKE:
8 Thank you, Councilwoman, and good
9 morning.

10 The Chair recognizes
11 Councilwoman Blackwell.

12 COUNCILWOMAN BLACKWELL: Thank
13 you, Mr. President. I have one
14 privileged resolution signed by everyone.

15 COUNCIL PRESIDENT CLARKE:
16 Thank you, Councilwoman.

17 CHIEF CLERK: A privileged
18 resolution Recognizing and Honoring
19 Winnie Harris for her years of activism
20 in Philadelphia, and offering our deepest
21 and sincerest condolences to family and
22 friends and all those who are grieving
23 her untimely death.

24 COUNCIL PRESIDENT CLARKE: And
25 that will be on this week's Final Passage

1 2/9/17 - STATED - INTRO. OF BILLS

2 Calendar.

3 The Chair recognizes Councilman
4 Greenlee.

5 COUNCILMAN GREENLEE: Thank
6 you, Mr. President. On your behalf, I
7 offer two bills and one resolution.

8 COUNCIL PRESIDENT CLARKE:
9 Thank you, Councilman.

10 CHIEF CLERK: An ordinance to
11 amend the Philadelphia Zoning Maps by
12 changing the zoning designations of
13 certain areas of land located within an
14 area bounded by Dauphin Street, 31st
15 Street, Susquehanna Avenue, Ridge Avenue,
16 and 32nd Street.

17 COUNCIL PRESIDENT CLARKE:
18 Referred to committee.

19 CHIEF CLERK: And an ordinance
20 authorizing the Director of the Free
21 Library of Philadelphia and the
22 Commissioner of Public Property to enter
23 into a sublease with the Philadelphia
24 Authority for Industrial Development,
25 tenant under a master lease with the

1 2/9/17 - STATED - INTRO. OF BILLS
2 landlord, for space in the building
3 located at 1500 Spring Garden Street to
4 house the Library for the Blind and
5 Physically Handicapped.

6 COUNCIL PRESIDENT CLARKE: And
7 that will be referred to committee.

8 CHIEF CLERK: And a
9 non-privileged resolution authorizing the
10 Commissioner of Public Property to
11 execute and deliver to the Philadelphia
12 Redevelopment Authority, without
13 consideration, deeds conveying
14 conditional fee simple title to certain
15 City-owned lots or pieces of ground with
16 the buildings and improvements thereon,
17 situate in the Thirty-Seventh Ward of the
18 City of Philadelphia.

19 COUNCIL PRESIDENT CLARKE: Next
20 week's Final Passage Calendar.

21 The Chair recognizes Councilman
22 Henon.

23 COUNCILMAN HENON: Thank you,
24 Council President. I have no bills or
25 resolutions today.

1 2/9/17 - STATED - INTRO. OF BILLS

2 COUNCIL PRESIDENT CLARKE:

3 Thank you, Councilman.

4 The Chair recognizes Councilman
5 Jones.

6 COUNCILMAN JONES: Thank you,
7 Mr. President. I have one bill, two
8 resolutions co-sponsored by Taubenberger,
9 Greenlee, Johnson, and those are the only
10 signatures I can recognize. There's some
11 others.

12 COUNCIL PRESIDENT CLARKE: I
13 understand. Thank you, Councilman.

14 CHIEF CLERK: An ordinance
15 authorizing the Commissioner of Public
16 Property, on behalf of the City, to
17 convey to the Philadelphia Authority for
18 Industrial Development, all or part of a
19 parcel of land located in the area
20 bounded by Ridge Avenue, Leverington
21 Avenue, Mitchell Street, and Krams
22 Avenue, for further conveyance.

23 COUNCIL PRESIDENT CLARKE:
24 Referred to committee.

25 CHIEF CLERK: And a privileged

1 2/9/17 - STATED - INTRO. OF BILLS
2 resolution honoring and congratulating
3 Matt Ryan, a 2003 graduate of Penn
4 Charter, on being named the NFL's 2016
5 Most Valuable Player and leading his team
6 to the Super Bowl.

7 COUNCIL PRESIDENT CLARKE: I'm
8 sorry. Something in my throat. I'm
9 sorry.

10 Councilman, I'm sorry. That's
11 on this week's Final Passage Calendar.

12 COUNCILMAN JONES: He went to
13 school at Penn charter in Philadelphia.
14 Yes, we need to get him some lozenges for
15 the choke, but for two quarters he was
16 the man. So for that, he should be
17 recognized.

18 Thank you, Mr. President.

19 COUNCIL PRESIDENT CLARKE:
20 Thank you, Councilman. That's why they
21 play the game. Thank you, sir.

22 Mr. Decker, I'm sorry.

23 CHIEF CLERK: And a
24 non-privileged resolution calling on
25 state legislators to reevaluate and

1 2/9/17 - STATED - INTRO. OF BILLS
2 increase the fines and penalties for
3 passing a stopped trolley, in light of
4 continued incidents of pedestrian related
5 deaths in the City of Philadelphia.

6 COUNCIL PRESIDENT CLARKE: That
7 will be on next week's Final Passage
8 Calendar.

9 And the Chair recognizes
10 Councilman Johnson.

11 COUNCILMAN JOHNSON: Council
12 President, I have two bills.

13 COUNCIL PRESIDENT CLARKE:
14 Thank you, Councilman.

15 COUNCILMAN JOHNSON: You're
16 welcome.

17 CHIEF CLERK: An ordinance
18 authorizing the Commissioner of Public
19 Property and the Director of Commerce, on
20 behalf of the City, to acquire an
21 approximately 136 acre property known as
22 the Airport Business Center located in
23 Tinicum Township, Delaware County,
24 together with all improvements thereon.

25 COUNCIL PRESIDENT CLARKE:

1 2/9/17 - STATED - INTRO. OF BILLS

2 Referred to committee.

3 CHIEF CLERK: And an ordinance
4 authorizing the Procurement Commissioner
5 to enter into agreements to purchase
6 electricity, natural gas and motor fuel
7 for use by the City in City facilities
8 and vehicles, including agreements that
9 obligate payment for delivery of such
10 energy supplies in future fiscal years.

11 COUNCIL PRESIDENT CLARKE:
12 Referred to committee.

13 And the Chair recognizes
14 Councilwoman Quinones-Sanchez.

15 COUNCILWOMAN SANCHEZ: Thank
16 you, Mr. President. I have one bill.

17 COUNCIL PRESIDENT CLARKE:
18 Thank you, Councilwoman.

19 CHIEF CLERK: An ordinance
20 authorizing acceptance of the dedication
21 to the City of the bed of Westmoreland
22 Street from a point approximately one
23 hundred ninety-seven feet west of Third
24 Street to a point approximately sixty-six
25 feet further westwardly therefrom.

1 2/9/17 - STATED - INTRO. OF BILLS

2 COUNCIL PRESIDENT CLARKE: And
3 that will be referred to the appropriate
4 committee.

5 The Chair recognizes Councilman
6 Green.

7 COUNCILMAN GREEN: Good
8 morning, Council President.

9 COUNCIL PRESIDENT CLARKE: Good
10 morning.

11 COUNCILMAN GREEN: I have one
12 privileged resolution.

13 COUNCIL PRESIDENT CLARKE:
14 Thank you, Councilman.

15 CHIEF CLERK: A privileged
16 resolution authorizing the Committee on
17 the Disabled & Persons with Special Needs
18 to hold hearings regarding Pennsylvania's
19 HealthChoices initiative.

20 COUNCIL PRESIDENT CLARKE: And
21 that will be on this week's Final Passage
22 Calendar.

23 The Chair recognizes
24 Councilwoman Parker.

25 COUNCILWOMAN PARKER: Thank

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1 2/9/17 - STATED - INTRO. OF BILLS

2 you, Mr. President. I have no bills or
3 resolutions.

4 COUNCIL PRESIDENT CLARKE:

5 Thank you, Councilwoman.

6 And the Chair recognizes
7 Councilman Domb.

8 COUNCILMAN DOMB: Good morning,
9 Council President. No bills or
10 resolutions today.

11 COUNCIL PRESIDENT CLARKE:

12 Thank you, Councilman.

13 The Chair recognizes
14 Councilwoman Gym.

15 COUNCILWOMAN GYM: Good
16 morning, Council President.

17 COUNCIL PRESIDENT CLARKE: Good
18 morning.

19 COUNCILWOMAN GYM: One
20 privileged resolution.

21 COUNCIL PRESIDENT CLARKE:

22 Thank you, Councilwoman.

23 CHIEF CLERK: A privileged
24 resolution recognizing, honoring, and
25 observing, February 6th through the 10th,

1 2/9/17 - STATED - INTRO. OF BILLS
2 2017, as "National School Counselors
3 Week" in the City of Philadelphia.

4 COUNCIL PRESIDENT CLARKE: And
5 that will be on this week's Final Passage
6 Calendar.

7 The Chair recognizes Councilman
8 Taubenberger.

9 COUNCILMAN TAUBENBERGER: Thank
10 you, Council President, and good morning,
11 colleagues. I have no bills or
12 resolutions this morning.

13 COUNCIL PRESIDENT CLARKE:
14 Thank you, Councilman.

15 The Chair recognizes Councilman
16 O'Neill.

17 COUNCILMAN O'NEILL: Thank you,
18 Mr. President. I have no bills or
19 resolutions.

20 COUNCIL PRESIDENT CLARKE:
21 Thank you, Councilman.

22 The Chair recognizes Councilman
23 Squilla.

24 COUNCILMAN SQUILLA: Thank you,
25 Mr. President. I have two bills and five

1 2/9/17 - STATED - INTRO. OF BILLS
2 non-privileged resolutions.

3 COUNCIL PRESIDENT CLARKE:
4 Thank you, Councilman.

5 CHIEF CLERK: An ordinance
6 amending Section 9-213 of The
7 Philadelphia Code, entitled "Farmers'
8 Markets," by adding a permissible
9 location.

10 COUNCIL PRESIDENT CLARKE:
11 Referred to committee.

12 CHIEF CLERK: And an ordinance
13 amending Section 9-204 of The
14 Philadelphia Code, entitled "Sidewalk
15 Vendors in Center City," by eliminating
16 previously designated vendor locations in
17 Center City.

18 COUNCIL PRESIDENT CLARKE:
19 Referred to committee.

20 CHIEF CLERK: And a
21 non-privileged resolution reappointing
22 Pat Lavelle to the Board of Directors for
23 the Old City Special Services District;
24 and

25 A non-privileged resolution

1 2/9/17 - STATED - INTRO. OF BILLS
2 reappointing Timothy Snowden to the Board
3 of Directors for the Old City Special
4 Services District; and

5 A non-privileged resolution
6 appointing Danielle DelRe to the Board of
7 Directors for the Old City Special
8 Services District; and

9 A non-privileged resolution
10 appointing Patrick Shillenn to the Board
11 of Directors for the Old City Special
12 Services District; and

13 A non-privileged resolution
14 appointing Mary Hummel to the Board of
15 Directors for the Old City Special
16 Services District.

17 COUNCIL PRESIDENT CLARKE: And
18 those resolutions will be referred to
19 committee, all five of them just read by
20 the Chief Clerk.

21 And the Chair recognizes
22 Councilwoman Bass.

23 COUNCILWOMAN BASS: Thank you,
24 Mr. President. Today I offer one
25 non-privileged resolution and I wish to

1 2/9/17 - STATED - INTRO. OF BILLS
2 be recognized after the title of the
3 resolution re-calling Bill No. 160687-A
4 as read for a motion on the resolution.

5 COUNCIL PRESIDENT CLARKE:
6 Thank you, Councilwoman.

7 CHIEF CLERK: A non-privileged
8 resolution requesting the Mayor to return
9 to Council Bill No. 160687-A, entitled
10 "An ordinance amending Title 6 of The
11 Philadelphia Code, entitled 'Health,' to
12 require disclosures of lead hazards,
13 including lead service lines, and making
14 technical changes, all under certain
15 terms and conditions," for the purpose of
16 reconsideration by the Council of the
17 vote by which said bill passed Council.

18 COUNCIL PRESIDENT CLARKE: And
19 the Chair recognizes Councilwoman Bass.

20 COUNCILWOMAN BASS: Thank you,
21 Mr. President. I move that the rules of
22 Council be suspended to permit
23 consideration of the resolution on
24 today's Final Passage Calendar.

25 (Duly seconded.)

1 2/9/17 - STATED - INTRO. OF BILLS

2 COUNCIL PRESIDENT CLARKE:

3 Thank you. It's been moved and properly
4 seconded.

5 All those in favor?

6 (Aye.)

7 COUNCIL PRESIDENT CLARKE:

8 Those opposed?

9 (No response.)

10 COUNCIL PRESIDENT CLARKE: The
11 ayes have it, and the rules of Council
12 are suspended and that will be considered
13 on today's Calendar.

14 The Chair recognizes Councilman
15 Oh.

16 COUNCILMAN OH: Thank you very
17 much. I offer three privileged
18 resolutions co-sponsored by
19 Councilmembers Squilla, Curtis Jones,
20 Jr., Domb, and Taubenberger. Thank you.

21 COUNCIL PRESIDENT CLARKE:

22 Thank you, Councilman.

23 CHIEF CLERK: A privileged
24 resolution authorizing Council's
25 Committee on Finance to Hold Hearings

1 2/9/17 - STATED - INTRO. OF BILLS
2 Regarding the City's Cigarette Tax and
3 Tax Rate Which Will Ensure Maximum
4 Revenue for the School District of
5 Philadelphia.

6 COUNCIL PRESIDENT CLARKE: That
7 will be on today's Final Passage
8 Calendar.

9 CHIEF CLERK: And a privileged
10 resolution authorizing Council's
11 Committee on Global Opportunities and the
12 Creative/Innovative Economy and the
13 Committee on Public Safety to Hold Public
14 Hearings to Explore Global Best Practices
15 Regarding Technology that Improves Public
16 Safety and Services.

17 COUNCIL PRESIDENT CLARKE:
18 Today's Calendar.

19 CHIEF CLERK: And a privileged
20 resolution authorizing Council's
21 Committee on Streets and Services and
22 Committee on Global Opportunities and the
23 Creative/Innovative Economy to Hold
24 Hearings Regarding Possible
25 Implementation of Technologies to

1 2/9/17 - STATED - BILLS ON 2ND READING
2 Streamline on-Street Parking Solutions in
3 Philadelphia.

4 COUNCIL PRESIDENT CLARKE: And
5 that will also be on today's Final
6 Passage Calendar.

7 That concludes the introduction
8 of bills and resolutions.

9 We have no reports from
10 committee today, and we will move to the
11 consideration of the Calendar.

12 There being no bills on the
13 First Reading Calendar, the Chair
14 recognizes Councilman Henon for the
15 purpose of calling up bills and
16 resolutions on the Final Passage Calendar
17 today.

18 COUNCILMAN HENON: Thank you,
19 Council President. The following bills
20 and resolutions are being called up for
21 Second Reading and Final Passage
22 Calendars today: Bill No. 170041,
23 170044, 170096, 170097, 170098, 170100,
24 170101, and 161058. All other bills and
25 resolutions are being held.

1 2/9/17 - STATED - PUBLIC COMMENT

2 COUNCIL PRESIDENT CLARKE:

3 Thank you, Councilman.

4 Before considering these bills
5 and resolutions on the Final Passage
6 Calendar, we will have our public comment
7 session. It will go as follows:

8 If you are interested in
9 testifying on a bill or resolution that
10 is on the Final Passage Calendar today,
11 if you have not already done so, I'd ask
12 that you sign up at the table to my left.

13 When your name is called, you
14 will go to the podium in the middle of
15 the Council Chambers. There's a device.
16 On that device there's a light. When
17 that light turns green, it will be your
18 time to speak. When the light turns
19 yellow, you will have 30 seconds to
20 conclude your remarks. When the light
21 turns red, we'd ask that you please
22 adhere to our guidelines and conclude
23 your remarks.

24 Mr. Decker, please call the
25 first witness.

1 2/9/17 - STATED - PUBLIC COMMENT

2 CHIEF CLERK: Joe Danihel,
3 commenting on 170100, 170096, 170044,
4 170097, 170051, and 171114.

5 (Witness approached podium.)

6 MR. DANIHEL: Good morning.

7 COUNCIL PRESIDENT CLARKE: Good
8 morning.

9 MR. DANIHEL: This is an
10 official decree of the people and it must
11 be acted upon immediately.

12 This Council's only
13 consistencies are its violations of the
14 rule of law and passing of needless
15 resolutions, hypocritically calling out
16 other public servants as un-American,
17 unfit for office, buying votes for a bag
18 of weed and a 40, and undermining faith
19 in America's democratic institutions,
20 constitutional values, individual rights.

21 As a republic, our public
22 servants are oath-bound to obey laws and
23 constitutions. The Fifth Amendment: Nor
24 be deprived of life, liberty or property
25 without due process, nor shall private

1 2/9/17 - STATED - PUBLIC COMMENT

2 property be taken without just
3 compensation. This Council and other
4 oath-bound public servants, in my
5 opinion, have violated constitutions and
6 laws - 42 USC 1982, 1983, 85, 86, 87, 18
7 USC 241, 242, 2381, 2384, PA
8 Constitution, Article I, Section 1
9 through 11, 26 PA 703, 708, 709, 712,
10 713, 716, and many other laws listed in
11 SCOTUS 15-8965.

12 I again call for the federal
13 and Commonwealth governments to perform
14 their constitutional obligations to
15 investigate and prosecute all involved in
16 the theft, illegal deed transfer, and
17 deprivation of 42 USC 1982 property
18 rights for 23 years of my home, 1038 West
19 Wyoming. Immediate remedy is required by
20 the Constitution.

21 A just government must comply
22 with the rule of law. This color of law
23 government must have its charter to
24 govern revoked until a constitutionally
25 compliant government is installed.

1 2/9/17 - STATED - 2ND READING

2 Civil servants cannot refuse
3 their sworn duty any more than a fireman
4 can refuse to fight a fire. You can't
5 speak truth to power when you are the
6 power with unclean hands that commit
7 fraud and theft.

8 I remind Council, it takes a
9 lot of cooperation to create and allow
10 monumental corruption.

11 COUNCIL PRESIDENT CLARKE:
12 Thank you for your testimony.

13 CHIEF CLERK: There are no
14 other speakers on the public comment
15 list, Mr. President.

16 COUNCIL PRESIDENT CLARKE:
17 Thank you, Mr. Decker.

18 That concludes our public
19 comment session. We will now continue
20 with our Calendar.

21 And, Mr. Decker, could you
22 please read the title of 170041.

23 CHIEF CLERK: A resolution
24 urging state legislators to comply with
25 the requirements of the federal REAL ID

1 2/9/17 - STATED - 2ND READING

2 Act, allowing Pennsylvania residents to
3 continue to use state issued driver's
4 licenses for domestic air travel and
5 access to federal facilities.

6 COUNCIL PRESIDENT CLARKE: The
7 Chair recognizes Councilman Jones.

8 COUNCILMAN JONES: Thank you,
9 Mr. President. I move for its adoption.

10 (Duly seconded.)

11 COUNCIL PRESIDENT CLARKE: It's
12 been moved and properly seconded.

13 All those in favor say aye.

14 (Aye.)

15 COUNCIL PRESIDENT CLARKE:

16 Those opposed?

17 (No response.)

18 COUNCIL PRESIDENT CLARKE: The
19 ayes have it, and Resolution 170041 is
20 adopted.

21 Mr. Decker, 170044.

22 CHIEF CLERK: A resolution
23 authorizing the Philadelphia
24 Redevelopment Authority to execute and
25 deliver to the Philadelphia Land Bank

1 2/9/17 - STATED - 2ND READING
2 deeds conveying title to certain
3 properties located in the Second
4 Councilmanic District.

5 COUNCIL PRESIDENT CLARKE: The
6 Chair recognizes Councilman Johnson.

7 COUNCILMAN JOHNSON: I move for
8 the adoption of the resolution.

9 (Duly seconded.)

10 COUNCIL PRESIDENT CLARKE: It's
11 been moved and properly seconded.

12 All those in favor say aye.

13 (Aye.)

14 COUNCIL PRESIDENT CLARKE:
15 Those opposed?

16 (No response.)

17 COUNCIL PRESIDENT CLARKE: The
18 ayes have it. Resolution 170044 is
19 adopted.

20 Mr. Decker, 170096.

21 CHIEF CLERK: A resolution
22 authorizing the Commissioner of Public
23 Property to execute and deliver to the
24 Philadelphia Redevelopment Authority,
25 without consideration, deeds conveying

1 2/9/17 - STATED - 2ND READING

2 conditional fee simple title to certain
3 City-owned lots or pieces of ground with
4 the buildings and improvements thereon,
5 situate in the Forty-Third Ward of the
6 City of Philadelphia.

7 COUNCIL PRESIDENT CLARKE: The
8 Chair recognizes Councilman Greenlee.

9 COUNCILMAN GREENLEE: Thank
10 you, Mr. President. I move the adoption
11 of the resolution.

12 (Duly seconded.)

13 COUNCIL PRESIDENT CLARKE: It's
14 been moved and properly seconded.

15 All those in favor say aye.

16 (Aye.)

17 COUNCIL PRESIDENT CLARKE:
18 Those opposed?

19 (No response.)

20 COUNCIL PRESIDENT CLARKE: The
21 ayes have it. Resolution 170096 is
22 adopted.

23 Mr. Decker, 170097.

24 CHIEF CLERK: A resolution
25 authorizing the Commissioner of Public

1 2/9/17 - STATED - 2ND READING
2 Property to execute and deliver to the
3 Philadelphia Redevelopment Authority,
4 without consideration, deeds conveying
5 conditional fee simple title to certain
6 City-owned lots or pieces of ground with
7 the buildings and improvements thereon,
8 situate in the Seventh Ward of the City
9 of Philadelphia.

10 COUNCIL PRESIDENT CLARKE: The
11 Chair recognizes Councilwoman
12 Quinones-Sanchez.

13 COUNCILWOMAN SANCHEZ: I move
14 for its adoption.

15 (Duly seconded.)

16 COUNCIL PRESIDENT CLARKE: It's
17 been moved and properly seconded.

18 All those in favor say aye.

19 (Aye.)

20 COUNCIL PRESIDENT CLARKE:
21 Those opposed?

22 (No response.)

23 COUNCIL PRESIDENT CLARKE: The
24 ayes have it. 170097 is adopted.

25 Mr. Decker, 170098.

1 2/9/17 - STATED - 2ND READING

2 CHIEF CLERK: A resolution
3 recognizing, honoring and celebrating the
4 life and legacy of Luisa Charriez de
5 Morales for her dedication to the Latino
6 community and renaming the 3700 block of
7 North 7th Street between West Erie Avenue
8 and West Butler Street as "Luisa Charriez
9 de Morales Paseo."

10 COUNCIL PRESIDENT CLARKE: The
11 Chair again recognizes Councilwoman
12 Quinones-Sanchez.

13 COUNCILWOMAN SANCHEZ: Thank
14 you. I move for its adoption.

15 (Duly seconded.)

16 COUNCIL PRESIDENT CLARKE: It's
17 been moved and properly seconded.

18 All those in favor say aye.

19 (Aye.)

20 COUNCIL PRESIDENT CLARKE:
21 Those opposed?

22 (No response.)

23 COUNCIL PRESIDENT CLARKE: The
24 ayes have it, and that Resolution 170098
25 is adopted.

1 2/9/17 - STATED - 2ND READING

2 Mr. Decker, 170100.

3 CHIEF CLERK: A resolution
4 condemning President Trump's Executive
5 Order banning people from Muslim-majority
6 nations from entering the United States
7 as unconstitutional, unlawful, and
8 un-American.

9 COUNCIL PRESIDENT CLARKE: The
10 Chair recognizes Councilwoman Bass.

11 COUNCILWOMAN BASS: Thank you,
12 Mr. President. I move for the adoption
13 of the resolution.

14 (Duly seconded.)

15 COUNCIL PRESIDENT CLARKE: It's
16 been moved and properly seconded.

17 All those in favor say aye.

18 (Aye.)

19 COUNCIL PRESIDENT CLARKE: My
20 mistake. I'll let you speak. You want
21 to speak or you just want to be
22 reported --

23 COUNCILMAN O'NEILL: No.

24 COUNCIL PRESIDENT CLARKE:
25 Councilman Oh?

1 2/9/17 - STATED - 2ND READING

2 COUNCILMAN OH: I would like to
3 say a few words. Thank you.

4 I do not support the Muslim
5 ban. I want to be clear. I don't think
6 it's a good idea. However, I don't know
7 that it's unconstitutional. There was a
8 judge in Massachusetts, a federal judge,
9 who found that it was constitutional, one
10 in Washington who found that it was not
11 constitutional. That issue is going to
12 be resolved hopefully in a higher court.
13 For that reason, I am not going to vote
14 for this resolution.

15 Thank you.

16 COUNCIL PRESIDENT CLARKE:
17 You're voting no. Let the record reflect
18 that.

19 Let the record reflect that
20 Councilman O'Neill is voting no.

21 And the Chair now recognizes
22 Councilman Taubenberger.

23 COUNCILMAN TAUBENBERGER: I'd
24 like to be very clear on this. I also
25 will be voting no on this. To be very

1 2/9/17 - STATED - 2ND READING
2 blunt, I will also say the fact that
3 they're -- one, as Councilman Oh said,
4 it's in the court system. Two, we need
5 to take a look at the countries that are
6 listed. Only one, only one has a
7 functioning government. So I think until
8 the courts decree on this, I am voting
9 no.

10 Thank you very much.

11 COUNCIL PRESIDENT CLARKE: And
12 the record shall reflect that Councilman
13 Taubenberger is voting no.

14 Councilman Jones, can I do
15 this? Since we're in the middle of the
16 vote, we have taken a vote on ayes and
17 nay, can I conclude the vote and then you
18 can be recognized to speak?

19 COUNCILMAN JONES: Yes,
20 Mr. President.

21 COUNCIL PRESIDENT CLARKE:
22 Okay. 170100, the ayes have it and it is
23 adopted.

24 The Chair now recognizes
25 Councilman Jones.

1 2/9/17 - STATED - 2ND READING

2 COUNCILMAN JONES:

3 Mr. President, there's a question of
4 constitutionality, and that will reside
5 in the courts, but there's a question of
6 right and wrong. And often history will
7 reflect people justifying hiding behind a
8 law book, hiding behind a question of who
9 should decide, but right is right and
10 wrong is wrong. And when we as a
11 country -- I am a proud citizen, but let
12 the record reflect we didn't always get
13 it right. We didn't get it right when we
14 herded Native Americans onto reservations
15 and doing that in an unjust manner. We
16 were wrong again when we did internment
17 camps for people who might have maybe
18 been, because of the way they looked or
19 the way they spoke, enemies of this
20 country, many of whom's relatives died
21 defending this country.

22 So as we move into the current
23 day and this Administration, let us not
24 hide behind constitutionality or the
25 courts. They will decide that, but in

1 2/9/17 - STATED - 2ND READING

2 these Chambers, right is right and wrong
3 is wrong, and let the record reflect
4 that.

5 Thank you, Mr. President.

6 COUNCIL PRESIDENT CLARKE:

7 Thank you, Councilman Jones.

8 The Chair recognizes Councilman
9 Oh.

10 COUNCILMAN OH: Thank you very
11 much. I have great respect for my
12 colleague Councilman Curtis Jones, Jr.,
13 and I certainly understand where he comes
14 and -- from where he comes, and I support
15 that. However, somebody is right and
16 somebody is wrong. That is kind of
17 oftentimes subjective and different. I
18 happen not to disagree with Councilman
19 Curtis Jones. However, I do think that
20 we have a process in this country of ours
21 that at this time it is very important to
22 adhere to. We have a separation of
23 powers, federal government, state
24 government, and local government. We
25 have a separation of branches between the

1 2/9/17 - STATED - 2ND READING

2 executive, the legislative, and the
3 judiciary. And I think that the details
4 of this are such that while people may
5 feel very strongly about certain issues
6 and while courts do get it wrong, so do
7 legislators and others.

8 So I don't want to disagree
9 with my colleague on the morality or the
10 issues that he's saying. However, I will
11 say that I do think that it is not a
12 matter of hiding behind. It is a matter
13 of clarity, that there is an issue of
14 constitutionality that will be determined
15 in the courts. I have my opinion, but
16 likewise, for example, with our Mayor,
17 there are things about what the Mayor
18 does that I don't support, but I support
19 the fact that he is the Mayor. He was
20 duly elected and he should have an
21 ability to make certain types of orders.
22 But that will be determined in the
23 courts, and I'd rather these things be
24 determined in the courts than a new trend
25 about threatening folks who you don't

1 2/9/17 - STATED - 2ND READING
2 agree with with cutting off their funds.
3 One day it is one issue; the next day
4 it's another issue. This train can
5 continue as we disagree with each other
6 over right and wrong and have the moral
7 high ground to de-fund folks we don't
8 like.

9 Thank you.

10 COUNCIL PRESIDENT CLARKE:

11 Thank you, Councilman.

12 The Chair recognizes Councilman
13 Green.

14 COUNCILMAN GREEN: Thank you,
15 Council President. I respect the
16 opinions of my colleagues that raise the
17 issue of constitutionality in reference
18 to this issue and the Executive Order
19 issued by the current occupant of
20 Pennsylvania Avenue. However, my concern
21 when you also look at the issue of
22 constitutionality is some of the
23 challenges in reference to freedom of
24 religion in the Executive Order that is
25 to me challenging, the establishing

1 2/9/17 - STATED - 2ND READING
2 clause of religion in the Constitution.
3 When you have a ban in certain countries,
4 though the majority Muslim countries, but
5 also in that Executive Order you have
6 certain preferences to other religions in
7 the Executive Order, that's what causes
8 the constitutionality perspective from my
9 concern. That's why I support this
10 resolution.

11 I can respect the issue that
12 this should be debated in the court
13 system, which it will be, but my concern
14 is in reference to the establishment
15 issue of religion in the Executive Order
16 which puts a preference on some religions
17 over others.

18 COUNCIL PRESIDENT CLARKE:

19 Thank you, Councilman.

20 The Chair recognizes
21 Councilwoman Quinones-Sanchez.

22 COUNCILWOMAN SANCHEZ: I wanted
23 to put a silver lining on this. On
24 Friday, I was joined by the Mayor,
25 Senator Sharif Street, and State

1 2/9/17 - STATED - 2ND READING

2 Representative Jason Dawkins at the
3 Muslim Society, one of the largest
4 mosques in my district. And, you know,
5 the message -- it was an inter-faith
6 ceremony, and the message was one of
7 unity, one of peace. And I think that
8 one of the things that has happened with
9 all of this is that people understand
10 that we really have to come together at
11 this particular time.

12 But the most profound piece of
13 that ceremony for me was the children in
14 the room, the children in the room who
15 the Mayor addressed, who when questioned
16 by the press said, I feel safer today,
17 because the Mayor said and the police
18 officers that have joined us at the
19 ceremony has said that I am going to be
20 safer.

21 And so in our messaging, it's
22 very important to recognize that people
23 are fearful, people are scared, and as
24 legislators and as leaders, we have to
25 reassure folks that we're going to be

1 2/9/17 - STATED - 2ND READING
2 okay. And we're going to be okay, and
3 this has helped us enlighten folks about
4 the value of what this nation was founded
5 on. And so the silver lining is people
6 are coming together.

7 Thank you.

8 COUNCIL PRESIDENT CLARKE:

9 Thank you, Councilwoman.

10 The Chair recognizes Councilman
11 Jones.

12 COUNCILMAN JONES: Thank you
13 again, Mr. President. And I'm going to
14 give my colleague a hug as soon as we
15 leave these Chambers, but on this floor,
16 you gonna get it.

17 So let me just say, I'm not
18 clear, I didn't get the memo. Did Donald
19 Trump read the Constitution since he was
20 elected? I don't know. That was a
21 question once before. But whether you
22 are the President, which I respect his
23 presidency, I'm here to tell you that;
24 however, right is right and wrong is
25 wrong.

1 2/9/17 - STATED - 2ND READING

2 FDR, a democrat, did internment
3 camps, and he was wrong. Ulysses S.
4 Grant, March of Sorrows or how they moved
5 Native Americans, he was wrong. He was a
6 republican, by the way. And Donald Trump
7 is equally wrong even though he holds the
8 office.

9 The five countries he's banning
10 and he cites 9/11 as the reason, well, if
11 that's true, why aren't we banning folk
12 from Saudi Arabia? Oh, because they have
13 business interests with Donald Trump.
14 And so the countries that he has -- so
15 there's at least a question in my mind.
16 If it is not constitutionally right, it
17 is damn sure self-serving.

18 And so if you bring this up in
19 this Chamber, we're going to deal with it
20 in this Chamber, because truth is truth,
21 as you said, right is right and wrong is
22 wrong. And I just want you to know that
23 if he continues on this path, I'm not as
24 optimistic, I am not as optimistic as my
25 colleague Sanchez. Yes, it's bringing

1 2/9/17 - STATED - 2ND READING
2 good people together, but it's causing
3 divisions even in this Council, and we
4 have to be careful about just because the
5 bully became the President of the student
6 body doesn't make the bully and bullying
7 right.

8 Thank you, Mr. President.

9 COUNCIL PRESIDENT CLARKE:

10 Thank you, Councilman.

11 The Chair recognizes
12 Councilwoman Blackwell.

13 COUNCILWOMAN BLACKWELL: Thank
14 you, Mr. President. Last night we had
15 our monthly meeting -- we do every second
16 Wednesday -- of the Mayor's Commission on
17 African and Caribbean Immigrant Affairs
18 and we talked about this whole issue for
19 an hour and a half. And, you know, when
20 10 o'clock was approaching, we said we
21 have to agree to have another meeting and
22 give out info, but that we could not stay
23 there all night and debate it.

24 It's a real important issue.

25 And I'm proud that my colleague

1 2/9/17 - STATED - 2ND READING

2 introduced this and I'm proud to support
3 this resolution.

4 Thank you.

5 COUNCIL PRESIDENT CLARKE:

6 Thank you, Councilwoman. Thank you very
7 much.

8 Mr. Decker, please read the
9 title of 170101.

10 CHIEF CLERK: A resolution
11 recognizing and acknowledging the victims
12 of the mass shooting at the Quebec
13 Islamic Cultural Center, condemning
14 religious intolerance and Islamophobia,
15 and affirming support for Philadelphia's
16 Muslim community.

17 COUNCIL PRESIDENT CLARKE: The
18 Chair recognizes Councilwoman Bass.

19 COUNCILWOMAN BASS: Thank you,
20 Mr. President. I move for the adoption
21 of the resolution.

22 (Duly seconded.)

23 COUNCIL PRESIDENT CLARKE: It's
24 been moved and properly seconded.

25 All those in favor?

1 2/9/17 - STATED - 2ND READING

2 (Aye.)

3 COUNCIL PRESIDENT CLARKE:

4 Those opposed?

5 (No response.)

6 COUNCIL PRESIDENT CLARKE: The
7 ayes have it, and Resolution 170101 is
8 adopted.

9 Mr. Decker, please read the
10 title of 161058.

11 CHIEF CLERK: An ordinance
12 adopting an amendment to the Articles of
13 Incorporation of the Philadelphia Energy
14 Authority increasing the number of
15 members on the Authority's Board from
16 five to seven, as proposed by the Board
17 in a Resolution adopted November 30,
18 2016.

19 COUNCIL PRESIDENT CLARKE: This
20 bill has been heard on two separate
21 occasions. The question is shall the
22 bill pass finally.

23 Mr. Decker, please call the
24 roll.

25 CHIEF CLERK: Councilwoman

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1 2/9/17 - STATED - 2ND READING

2 Bass.

3 COUNCILWOMAN BASS: Aye.

4 CHIEF CLERK: Councilwoman

5 Blackwell.

6 COUNCILWOMAN BLACKWELL: Aye.

7 CHIEF CLERK: Councilman Domb.

8 COUNCILMAN DOMB: Aye.

9 CHIEF CLERK: Councilman Green.

10 COUNCILMAN GREEN: Aye.

11 CHIEF CLERK: Councilman

12 Greenlee.

13 COUNCILMAN GREENLEE: Aye.

14 CHIEF CLERK: Councilwoman Gym.

15 COUNCILWOMAN GYM: Aye.

16 CHIEF CLERK: Councilman Henon.

17 COUNCILMAN HENON: Aye.

18 CHIEF CLERK: Councilman

19 Johnson.

20 COUNCILMAN JOHNSON: Aye.

21 CHIEF CLERK: Councilman Jones.

22 COUNCILMAN JONES: Aye.

23 CHIEF CLERK: Councilman

24 O'Neill.

25 COUNCILMAN O'NEILL: Aye.

1 2/9/17 - STATED - 2ND READING
2 CHIEF CLERK: Councilman Oh.
3 COUNCILMAN OH: Aye.
4 CHIEF CLERK: Councilwoman
5 Parker.
6 COUNCILWOMAN PARKER: Aye.
7 CHIEF CLERK: Councilwoman
8 Quinones-Sanchez.
9 COUNCILWOMAN SANCHEZ: Aye.
10 CHIEF CLERK: Councilwoman
11 Reynolds Brown.
12 COUNCILWOMAN BROWN: Aye.
13 CHIEF CLERK: Councilman
14 Squilla.
15 COUNCILMAN SQUILLA: Aye.
16 CHIEF CLERK: Councilman
17 Taubenberger.
18 COUNCILMAN TAUBENBERGER: Aye.
19 CHIEF CLERK: Council President
20 Clarke.
21 COUNCIL PRESIDENT CLARKE: Aye.
22 The ayes are 17; the nays are
23 zero. A majority of members present
24 voting in the affirmative, the bill
25 passes.

1 2/9/17 - STATED - 2ND READING

2 Mr. Decker, do you have any
3 additional resolutions?

4 CHIEF CLERK: A resolution
5 Recognizing and Honoring Winnie Harris
6 for her years of activism in
7 Philadelphia, and offering our deepest
8 and sincerest condolences to family and
9 friends and all those who are grieving
10 her untimely death, introduced by
11 Councilwoman Blackwell.

12 COUNCIL PRESIDENT CLARKE: The
13 Chair recognizes Councilwoman Blackwell.

14 COUNCILWOMAN BLACKWELL: Thank
15 you, Mr. President. I move for the
16 adoption.

17 (Duly seconded.)

18 COUNCIL PRESIDENT CLARKE: It's
19 been moved and properly seconded.

20 All those in favor say aye.

21 (Aye.)

22 COUNCIL PRESIDENT CLARKE:
23 Those opposed?

24 (No response.)

25 COUNCIL PRESIDENT CLARKE: The

1 2/9/17 - STATED - 2ND READING

2 ayes have it, and that resolution is
3 adopted.

4 CHIEF CLERK: And a resolution
5 honoring and congratulating Matt Ryan, a
6 2003 graduate of Penn Charter, on being
7 named the NFL's 2016 Most Valuable Player
8 and leading his team to the Super Bowl,
9 introduced by Councilman Jones.

10 COUNCIL PRESIDENT CLARKE: The
11 Chair recognizes Councilman Jones.

12 COUNCILMAN JONES: Once again,
13 sports bringing us all back together. I
14 move for the adoption of the resolution.

15 (Duly seconded.)

16 COUNCIL PRESIDENT CLARKE: It's
17 been moved and properly seconded.

18 All those in favor say aye.

19 (Aye.)

20 COUNCIL PRESIDENT CLARKE:
21 Those opposed?

22 (No response.)

23 COUNCIL PRESIDENT CLARKE: The
24 ayes have it, and that resolution is
25 adopted.

1 2/9/17 - STATED - 2ND READING

2 CHIEF CLERK: And a resolution
3 authorizing the Committee on the Disabled
4 & Persons with Special Needs to hold
5 hearings regarding Pennsylvania's
6 HealthChoices initiative, introduced by
7 Councilman Green.

8 COUNCIL PRESIDENT CLARKE: The
9 Chair recognizes Councilman Green.

10 COUNCILMAN GREEN: Thank you,
11 Council President. I move for the
12 adoption of the resolution.

13 (Duly seconded.)

14 COUNCIL PRESIDENT CLARKE: It's
15 been moved and properly seconded.

16 All those in favor say aye.

17 (Aye.)

18 COUNCIL PRESIDENT CLARKE:

19 Those opposed?

20 (No response.)

21 COUNCIL PRESIDENT CLARKE: The
22 ayes have it, and that resolution is
23 adopted.

24 CHIEF CLERK: And a resolution
25 recognizing, honoring, and observing,

1 2/9/17 - STATED - 2ND READING
2 February 6th through 10th, 2017, as
3 "National School Counselors Week" in the
4 City of Philadelphia, introduced by
5 Councilwoman Gym.

6 COUNCIL PRESIDENT CLARKE: The
7 Chair recognizes Councilwoman Gym.

8 COUNCILWOMAN GYM: I move for
9 the adoption of the resolution.

10 (Duly seconded.)

11 COUNCIL PRESIDENT CLARKE: It's
12 been moved and properly seconded.

13 All those in favor say aye.

14 (Aye.)

15 COUNCIL PRESIDENT CLARKE:
16 Those opposed?

17 (No response.)

18 COUNCIL PRESIDENT CLARKE: The
19 ayes have it, and that resolution is
20 adopted.

21 CHIEF CLERK: And a resolution
22 requesting the Mayor to return to Council
23 Bill No. 160687-A, entitled "An ordinance
24 amending Title 6 of The Philadelphia
25 Code, entitled 'Health,' to require

1 2/9/17 - STATED - 2ND READING
2 disclosure of lead hazards, including
3 lead service lines, and making technical
4 changes," for the purpose of
5 reconsideration by the Council of the
6 vote by which said bill passed Council,
7 introduced by Councilwoman Bass.

8 COUNCIL PRESIDENT CLARKE: The
9 Chair recognizes Councilwoman Bass for a
10 motion regarding special business.

11 COUNCILWOMAN BASS: Thank you,
12 Mr. President. I move that the rules of
13 Council be suspended...

14 COUNCIL PRESIDENT CLARKE: One
15 more time, Mr. Decker gets me on track.

16 Councilwoman, I'm going to call
17 you for a motion to adopt the resolution.

18 COUNCILWOMAN BASS: Thank you,
19 Mr. President.

20 COUNCIL PRESIDENT CLARKE: Just
21 make the motion.

22 COUNCILWOMAN BASS: So moved.
23 (Duly seconded.)

24 COUNCIL PRESIDENT CLARKE: It's
25 been moved and properly seconded.

1 2/9/17 - STATED - 2ND READING

2 All those in favor say aye.

3 (Aye.)

4 COUNCIL PRESIDENT CLARKE:

5 Those opposed?

6 (No response.)

7 COUNCIL PRESIDENT CLARKE: The
8 ayes have it.

9 CHIEF CLERK: And a resolution
10 authorizing Council's Committee on
11 Finance to Hold Hearings Regarding the
12 City's Cigarette Tax and the Tax Rate
13 Which Will Ensure Maximum Revenue for the
14 School District of Philadelphia,
15 introduced by Councilman Oh.

16 COUNCIL PRESIDENT CLARKE: The
17 Chair recognizes Councilman Oh.

18 COUNCILMAN OH: Thank you very
19 much. I move for the adoption of the
20 resolution.

21 (Duly seconded.)

22 COUNCIL PRESIDENT CLARKE: It's
23 been moved and properly seconded.

24 All those in favor say aye.

25 (Aye.)

1 2/9/17 - STATED - 2ND READING

2 COUNCIL PRESIDENT CLARKE:

3 Those opposed?

4 (No response.)

5 COUNCIL PRESIDENT CLARKE: The
6 ayes have it, and that resolution is
7 adopted.

8 CHIEF CLERK: And a resolution
9 authorizing Council's Committee on Global
10 Opportunities and the Creative/Innovative
11 Economy and the Committee on Public
12 Safety to Hold Public Hearings to Explore
13 Global Best Practices Regarding
14 Technology that Improves Public Safety
15 and Services, introduced by Councilman
16 Oh.

17 COUNCIL PRESIDENT CLARKE: The
18 Chair one more time recognizes Councilman
19 Oh.

20 COUNCILMAN OH: Thank you. I
21 move for the adoption of the resolution.

22 (Duly seconded.)

23 COUNCIL PRESIDENT CLARKE: It's
24 been moved and properly seconded.

25 All those in favor say aye.

1 2/9/17 - STATED - 2ND READING

2 (Aye.)

3 COUNCIL PRESIDENT CLARKE:

4 Those opposed?

5 (No response.)

6 COUNCIL PRESIDENT CLARKE: The
7 ayes have it, and that resolution is
8 adopted.

9 CHIEF CLERK: And a resolution
10 authorizing Council's Committee on
11 Streets and Services and Committee on
12 Global Opportunities and the
13 Creative/Innovative Economy to Hold
14 Public Hearings Regarding Possible
15 Implementation of Technologies to
16 Streamline on-Street Parking Solutions in
17 Philadelphia, introduced by Councilman
18 Oh.

19 COUNCIL PRESIDENT CLARKE: The
20 Chair recognizes Councilman Oh.

21 COUNCILMAN OH: Thank you. I
22 move for the adoption of the resolution.

23 (Duly seconded.)

24 COUNCIL PRESIDENT CLARKE: It's
25 been moved and properly seconded.

1 2/9/17 - STATED - SPECIAL BUSINESS

2 All those in favor say aye.

3 (Aye.)

4 COUNCIL PRESIDENT CLARKE:

5 Those opposed?

6 (No response.)

7 COUNCIL PRESIDENT CLARKE: The
8 ayes have it, and that resolution is
9 adopted.

10 CHIEF CLERK: There are no
11 other resolutions on the Final Passage
12 Calendar, Mr. President.

13 COUNCIL PRESIDENT CLARKE:
14 Thank you very much, Mr. Decker.

15 The Chair now recognizes
16 Councilwoman Bass for a motion regarding
17 special business.

18 COUNCILWOMAN BASS: Thank you,
19 Mr. President. I move that the rules of
20 Council be suspended to permit
21 consideration of special business at this
22 time.

23 (Duly seconded.)

24 COUNCIL PRESIDENT CLARKE: It's
25 been moved and seconded the rules of

1 2/9/17 - STATED - SPECIAL BUSINESS

2 Council be suspended to permit
3 consideration of special business at this
4 time.

5 All in favor say aye.

6 (Aye.)

7 COUNCIL PRESIDENT CLARKE:

8 Those opposed?

9 (No response.)

10 COUNCIL PRESIDENT CLARKE: The
11 ayes have it and the motion passes.

12 Mr. Decker will please read the
13 letter from the Mayor.

14 CHIEF CLERK: To the President
15 and members of the Council of the City of
16 Philadelphia, I am returning herewith, as
17 requested by your resolution adopted
18 today, Bill No. 160687-A, entitled "An
19 ordinance amending Title 6 of The
20 Philadelphia Code, entitled 'Health,' to
21 require disclosure of lead hazards,
22 including lead service lines, and making
23 technical changes, all under certain
24 terms and conditions," for the purpose of
25 reconsideration by the Council of the

1 2/9/17 - STATED - SPECIAL BUSINESS
2 vote by which said bill passed Council.

3 COUNCIL PRESIDENT CLARKE:

4 Thank you, Mr. Decker.

5 The Chair again recognizes
6 Councilwoman Bass for a motion that
7 Council reconsider the vote by which Bill
8 No. 160687-A was passed.

9 COUNCILWOMAN BASS: Thank you,
10 Mr. President. I offer an amendment to
11 Bill No. 160687-A.

12 COUNCIL PRESIDENT CLARKE: Just
13 say so moved.

14 COUNCILWOMAN BASS: So moved.
15 (Duly seconded.)

16 COUNCIL PRESIDENT CLARKE:
17 Thank you. All in favor please signify
18 by saying aye.

19 (Aye.)

20 COUNCIL PRESIDENT CLARKE:

21 Those opposed, nay.

22 (No response.)

23 COUNCIL PRESIDENT CLARKE: The
24 ayes have it. A majority of all members
25 having voted in the affirmative, the

1 2/9/17 - STATED - SPECIAL BUSINESS
2 motion carries and the vote by which Bill
3 No. 160687-A was passed has been
4 reconsidered.

5 The Chair again recognizes
6 Councilwoman Bass.

7 COUNCILWOMAN BASS: Okay.
8 Thank you, Mr. President. I offer an
9 amendment to Bill No. 160687-A. A copy
10 of the amendment has been circulated to
11 all members of Council, and I move for
12 the adoption of the amendment.

13 (Duly seconded.)

14 COUNCIL PRESIDENT CLARKE:
15 Thank you. It's been moved and properly
16 seconded that the amendment to Bill No.
17 160687-A be adopted.

18 All in favor will indicate by
19 saying aye.

20 (Aye.)

21 COUNCIL PRESIDENT CLARKE:
22 Those opposed?

23 (No response.)

24 COUNCIL PRESIDENT CLARKE: The
25 ayes have it, and Bill No. 160687-A has

1 2/9/17 - STATED - SPEECHES

2 been amended. This bill will be placed
3 on our Final Passage Calendar for our
4 next session of Council.

5 That completes our Calendar for
6 today.

7 Are there any speeches on the
8 part of the minority?

9 And the Chair recognizes
10 Councilman Taubenberger.

11 COUNCILMAN TAUBENBERGER: Today
12 we had some inclement weather. The
13 schools were closed. But I think a
14 special thanks ought to be to those men
15 and women that are out there plowing and
16 salting our streets and roads and keeping
17 them open. Also to our Fire Department
18 for their valiant efforts in always being
19 on duty and of course for the Police as
20 well for being outside, because you know
21 what, it's really nice and warm in here,
22 and I want to thank also the custodian
23 staff as well, but the fact is they're
24 doing a lot of good work in keeping our
25 City functioning in actually a very

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2 difficult storm. So I would like to
3 commend them very, very, very much.

4 Thank you.

5 COUNCIL PRESIDENT CLARKE:

6 Thank you, Councilman. We all concur.

7 The Chair recognizes Councilman

8 Oh.

9 COUNCILMAN OH: Thank you very

10 much. I wanted to point out that the

11 estimations of the revenues generated by

12 the cigarette tax in 2015 was \$63.4

13 million, but we got 13.2 million less

14 than projected. In the following year,

15 2016, 77.5 million was the projected

16 revenue from the cigarette tax, but we

17 got 18.8 million less than that. And

18 this year there's a projected \$75 million

19 from the cigarette tax, but at the

20 six-month period, we only got \$25

21 million, and so the Controller projects

22 \$50 million, which means a \$25 million

23 deficit from the projection.

24 So the School District each

25 year of the cigarette tax has an

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2 increasing deficit from the money that
3 they projected that they would receive.
4 That money has to be made up. For that
5 reason, I do think it is important to
6 relook at the cigarette tax in terms of
7 what is the maximum rate of revenue that
8 will be generated from this tax.

9 The second thing that I want to
10 point out is that in this regard, the
11 need for revenues is a very pressing
12 problem for our City, as not only the
13 Administration has talked about cutting
14 off funds to our City but people in
15 Harrisburg. When I listen to the radio
16 and I read the news and even listen to
17 elected officials, they have consistently
18 said this is a republican-generated
19 issue, and I would say that is not true.
20 It's also, I think, problematic.

21 The republicans have won the
22 national election. That's true for the
23 next four years. So we are all going to
24 have to deal with the fact that we need
25 to work as best we can with Washington,

1 2/9/17 - STATED - SPEECHES

2 DC.

3 The republicans control
4 Harrisburg for the most part as it
5 affects our City, and we're going to have
6 to work with Harrisburg as best we can
7 for the time being and maybe beyond that.

8 There are republicans who do
9 support our City, and when I hear people
10 say the republicans did this, I think
11 about all the democrats who voted for
12 those bills, and every one of the bills
13 that we have spoken about, democrats have
14 voted in favor of those bills and
15 democrats from Philadelphia have voted in
16 favor of de-funding our City. Yet that
17 isn't mentioned. And the reason I'd say
18 it's important is because we will not be
19 able to represent our City if we turn
20 this into a democrat-republican issue.
21 It is going to have to be an issue of who
22 supports our City and who doesn't support
23 our City.

24 We do need funds. We need to
25 have an ability to collect the funds that

1 2/9/17 - STATED - SPEECHES

2 are generated in our City, and that has
3 to be on a bipartisan basis, because we
4 just don't have the votes in Harrisburg
5 or in DC on an R versus D basis.

6 I do think that when we look at
7 issues from our own personal perspective,
8 they are very heartfelt to us, but when
9 we don't control the decision-making, we
10 do have to understand the perspectives of
11 people who oppose those opinions that we
12 have and see how we can speak to them in
13 a way they understand.

14 While I don't agree with issues
15 that Mayor Kenney has made decisions on,
16 I do agree that he is the Mayor. I
17 believe he's properly elected. I believe
18 he has certain powers that come with him
19 being the executive, as does the
20 Governor, as does the President.

21 When President Obama made
22 Executive Orders, I thought that was
23 within his realm, although people
24 disagreed. When Governor Wolf makes
25 Executive Orders, the Legislature

1 2/9/17 - STATED - SPEECHES

2 challenges that. I believe that is part
3 of the separation of powers that keeps
4 our democracy intact.

5 If there are republicans that
6 support local control, then they need to
7 be on our side as we go into trying to
8 assure that our schools are funded, our
9 City services are funded, and I would not
10 like to make this an issue where
11 republicans that would support us in this
12 process feel excluded from helping us
13 because we have, in rhetoric, made this a
14 republican versus democrat issue.

15 Thank you.

16 COUNCIL PRESIDENT CLARKE:

17 Thank you, Councilman.

18 On behalf of the majority, the
19 Chair recognizes Councilman Jones.

20 COUNCILMAN JONES: For the
21 democratic response, I agree with my
22 colleague that it's not an R thing, it's
23 not a D thing. It's not democrats versus
24 republicans. An example of that is I was
25 recently in Harrisburg and there was

1 2/9/17 - STATED - SPEECHES

2 Governor Wolf's proposal to close two
3 prisons. As part of the Justice Reform
4 Committee, we find that as something
5 intriguing. Many of the republicans in
6 the rural counties opposed that. They
7 wanted to keep it open. I won't say
8 because they work there, but maybe some
9 of their interests, I can't speculate
10 why. But what was to your point,
11 Councilman Oh, the republicans from the
12 suburban counties joined with the
13 democrats from Philadelphia in opposing
14 obstructing those closures, because they
15 understood and found common ground on
16 cost reductions. If you have such a
17 large deficit, as they do, you have to do
18 something. And so they came together,
19 worked cross the aisle to make that
20 happen. I believe we do that here in
21 Chambers every day. So they're beginning
22 to catch on. And I agree that that
23 should trickle up to the federal level,
24 and hopefully we can do that.

25 However, we're not always going

1 2/9/17 - STATED - SPEECHES

2 to agree. We agree on the separation of
3 powers. We agree that a duly elected
4 President should be respected, but I
5 don't have to respect their decisions. I
6 can in this country, in a democracy,
7 voice those opinions with whatever
8 rhetoric suits that situation, and I
9 intend to exercise my constitutional
10 right to do so.

11 I wanted to rise, though, on
12 another subject, and I'm going to hug
13 Councilman Oh in the hallway if he lets
14 me, but what I wanted to talk about,
15 Mr. President, was the fact that public
16 safety means different things to
17 different people. As Chair of Public
18 Safety, I realize that more today than
19 ever.

20 Whether a building collapses or
21 there's a senseless shooting in the
22 street or if there are hit-and-runs in
23 the City of Philadelphia, dead is dead.
24 I have personally seen drivers act in
25 callous ways that did not adhere to the

1 2/9/17 - STATED - SPEECHES

2 laws of traffic and the vehicle code.

3 In 2015 -- and we're looking at
4 2016's numbers -- there were more than
5 9,000 hit-and-runs. Thirty-five percent
6 of all of those hit-and-runs involved a
7 pedestrian, which was 3,100 hit-and-runs.

8 The District Attorney's Office
9 has prosecuted between 500 and 6,000
10 cases each year of hit-and-runs. In the
11 Fourth District, there have been several
12 fatalities based on hit-and-runs.

13 A 38-year-old Miriam Wilson was
14 struck by a vehicle as she crossed the
15 street. That vehicle went around a
16 trolley in some type of haste.

17 Jayanna Powell, 8 years old, on
18 November 18th, 2016 was on 63rd Street
19 where she was struck and killed, and the
20 driver fled.

21 Two days ago I attended a vigil
22 for Catherine Brown, who was killed in
23 January, was struck by a trolley when a
24 vehicle went around the trolley. She
25 pushed her 11-year-old grandson to the

1 2/9/17 - STATED - SPEECHES

2 side, saving his life, and she was drug
3 an entire block, and the driver kept
4 going.

5 All of these victims will never
6 get an opportunity to make their next
7 appointment. They will not see their
8 families again.

9 There are no meetings, no lunch
10 dates, no sporting events so important
11 that we should run a red light, that we
12 should go around a trolley, that we
13 should not yield for an ambulance. I've
14 seen that happen where people are in the
15 back of that truck not breathing or
16 bleeding out and people say, well, let
17 them find their own way, often just to
18 catch the next light.

19 So as Marian Tasco used to say,
20 you can act in haste, but you will repent
21 in your leisure.

22 What I am calling on the state
23 to do is increase the penalties when they
24 do that, because it's \$150 or so when
25 they get a ticket. It should be much

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2 more. It's reckless endangerment that
3 has caused catastrophes and fatalities.

4 So we want to join with the
5 Transportation Committee. We want to
6 seek our colleagues up at the state level
7 who govern the vehicle codes to increase
8 those penalties, to make sure there are
9 consequences when people on the way to a
10 sporting event decide they're going to
11 run a light or violate a mass
12 transportation yield.

13 So we're looking at that,
14 Mr. President. Again, public safety
15 means different things to different
16 people, and in order to keep us all safe,
17 we should adhere to, sometimes with a
18 little patience, these laws.

19 Thank you, Mr. President.

20 COUNCIL PRESIDENT CLARKE:

21 Thank you, Councilman.

22 The Chair recognizes
23 Councilwoman Reynolds Brown.

24 COUNCILWOMAN BROWN: Thank you,
25 Mr. President, and good morning. I

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2 watched as I'm sure many of us tried to
3 listen closely this week when Senator
4 Elizabeth Warren was silenced for reading
5 Coretta Scott King's letter at the
6 hearings for Senator Sessions and the
7 active debate that took place. In fact,
8 I would encourage my colleagues to take a
9 few minutes and read that letter, which
10 is quite eloquent and reminds us in many
11 ways of a time in history that we thought
12 was far behind us, but then we are too
13 often reminded that we're stuck in the
14 mud when it comes to respecting those who
15 have differing of opinion.

16 The bad news of that debate is
17 that her colleagues, Senate republicans,
18 actually rebuked Warren after she read
19 the letter wrote by the civil rights
20 leader many, many years ago, where even
21 30 years ago they were examining his
22 record.

23 This rare move to silence a
24 United States Senator for simply offering
25 her voice, offering her perspective,

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2 offering her opposition to an appointment
3 sparked a #LetLizSpeak social media
4 campaign, which is quite exciting to
5 watch and participate in.

6 The good news is that a number
7 of her democratic colleagues stood up the
8 next day and read the letter without -- I
9 repeat, without -- GOP objection.

10 Senator Sanders remarked, and I quote,
11 "It is unconscionable and outrageous that
12 Senator Warren was cut from the debate."

13 So for me it was a woeful
14 reminder of the severe partisanship that
15 exists at the highest level of government
16 in the United States Senate, and further
17 it was an affirmation for me of why I
18 took the risky, bold move to jump and
19 leap and run for elected office 20 years
20 ago, because it's still clear that if
21 women are not at the table, we just might
22 be on the menu.

23 Further the good news for me is
24 that we live and work in this legislative
25 body where all women are given an equal

1 2/9/17 - STATED - SPEECHES

2 voice, where all of us are given a chance
3 to voice our opposition, where we all
4 many times respectfully agree to disagree
5 on how we feel about public policy
6 matters. The United States Senate might
7 take a page out of our book.

8 In closing, what I know and
9 what I've learned in my work here in City
10 Council is that we listen to what people
11 say, but then ultimately we watch what
12 people do, because it's in what they do
13 that defines who they are. So we will
14 watch to see if Attorney General Jeff
15 Sessions uses his awesome power or the
16 awesome power of his office to exercise
17 the power in a way that's fair and in a
18 way that is just. In the meantime,
19 #LetLizSpeak, Mr. President.

20 Thank you very much.

21 COUNCIL PRESIDENT CLARKE:

22 Thank you, Councilwoman.

23 The Chair recognizes Councilman
24 Taubenberger.

25 COUNCILMAN TAUBENBERGER: Yes.

1 2/9/17 - STATED - SPEECHES

2 I couldn't agree more with what
3 Councilwoman Reynolds Brown has just
4 said, and I want to thank you personally
5 for giving us all a voice and really
6 keeping partisan politics for the most
7 part out of this.

8 I concur also with Councilman
9 Jones in trying to get safety more
10 attentive on the State Legislature. I
11 will work with you tirelessly to get that
12 done, because a life is a life and once
13 someone goes, you cannot bring them back.

14 But I also want to bring some
15 collective institutional knowledge on
16 something that we did which was
17 exceptionally bipartisan, which was
18 really different, and actually the
19 President did what we asked, President
20 Donald Trump.

21 In October we had a resolution,
22 which was fiercely debated again, a
23 federal issue, but it was debated in
24 these Chambers on President Obama's
25 signature issue, the Pacific Trade

1 2/9/17 - STATED - SPEECHES

2 Agreement, one of his signature things
3 that he wanted to bring forward. Our
4 republicans were in lockstep with
5 President Obama and we voted to defeat
6 that venture. We only had three votes.
7 Conversely, the democratic majority
8 passed a resolution asking the United
9 States government to get out of the
10 Pacific Trade Agreement. Well, President
11 Trump has done what we asked. We are now
12 out of the Pacific Trade Agreement. But
13 that kind of bipartisanship might sound a
14 little comedic. It's not. It's where
15 people have a different viewpoint and
16 they brought it up. It was done in this
17 Chamber. President Trump did what we
18 asked. We are out of the Pacific Trade
19 Agreement.

20 That's all I have to say. Have
21 a great day, and thank you for letting me
22 speak.

23 COUNCIL PRESIDENT CLARKE:

24 Absolutely. Thank you very much.

25 And the Chair recognizes

1 2/9/17 - STATED - ADJOURNMENT

2 Councilman Oh.

3 COUNCILMAN OH: I thought I
4 should clarify for the public that when I
5 talked about looking at the cigarette
6 tax, we're already at the maximum. The
7 question is if we lower the tax, we may
8 get more revenues. I won't know, but I
9 think we should have a hearing. I do
10 myself believe if we lower the tax, we
11 would increase revenues.

12 Thank you.

13 COUNCIL PRESIDENT CLARKE:

14 Thank you, Councilman.

15 That concludes the speeches on
16 the behalf of the majority and the
17 minority, and the Chair recognizes
18 Councilwoman Brown for a motion to
19 adjourn.

20 COUNCILWOMAN BROWN: Thank you,
21 Mr. President. I move that Council stand
22 adjourned until Thursday, February 16th,
23 2017 at 10:00 a.m.

24 (Duly seconded.)

25 COUNCIL PRESIDENT CLARKE:

1 2/9/17 - STATED - ADJOURNMENT

2 Thank you. It's been moved and properly
3 seconded that Council stand adjourned
4 until Thursday, February 16th, 2017 --
5 excuse me. Excuse me, folks. You got to
6 wait until we adjourn. Thank you --
7 February 16th, 2017, 10:00 a.m.

8 All those in favor will say
9 aye.

10 (Aye.)

11 COUNCIL PRESIDENT CLARKE:

12 Those opposed?

13 (No response.)

14 COUNCIL PRESIDENT CLARKE: The
15 ayes have it, and the motion carries.

16 Thank you all very much.

17 (Stated Meeting adjourned at
18 11:50 a.m.)

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CERTIFICATE

I HEREBY CERTIFY that the proceedings, evidence and objections are contained fully and accurately in the stenographic notes taken by me upon the foregoing matter, and that this is a true and correct transcript of same.

MICHELE L. MURPHY
RPR-Notary Public

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