

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON STREETS AND SERVICES

Room 400, City Hall
Philadelphia, Pennsylvania
Monday, October 6, 2014
10:25 a.m.

PRESENT:

COUNCILMAN MARK SQUILLA, CHAIR
COUNCILWOMAN CINDY BASS
COUNCILWOMAN JANNIE BLACKWELL
COUNCILMAN WILLIAM K. GREENLEE
COUNCILMAN ED NEILSON
COUNCILMAN DAVID OH

BILLS 140379, 140486, 140520, 140632, 140634,
140636, 140650, 140651, 140691, and 140696

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COUNCILMAN SQUILLA: Good morning, everyone. I'm Councilman Squilla, Chair of the Committee on Streets and Services. A quorum of the Committee being present, we will now begin the hearing.

To my left present is Councilman Neilson, Councilman Greenlee. To my right, Councilman Oh and Councilwoman Bass.

I'll now ask Mr. McMonagle to read the title of the first bill.

THE CLERK: Bill No. 140379, an ordinance authorizing Robert Ullman and Van Ou to construct, own, and maintain a wheel chair lift and planter encroachment at 2323 Fairmount Avenue, Philadelphia, PA 19130, under certain terms and conditions.

Oh, I'm sorry. That's being held. Bill No. 140379 is being held --

COUNCILMAN SQUILLA: Let me make one statement. 140379 and 140636 are being held at the call of the

1 10/6/14 - STREETS - BILL 140379, ETC.

2 sponsor.

3 Continue, Mr. McMonagle.

4 THE CLERK: Bill No. 140650, an
5 ordinance amending Title 12 of The
6 Philadelphia Code, entitled "Traffic
7 Code," to change the amount of time that
8 a boat, motor home, truck camper or
9 vending cart may be parked in any
10 on-street parking space.

11 COUNCILMAN SQUILLA: Anybody
12 here to testify? Is Captain Healy here?

13 (No response.)

14 COUNCILMAN SQUILLA: We did
15 receive testimony in writing by Captain
16 Francis Healy from the Philadelphia
17 Police Department. We would submit that
18 for the record.

19 If anybody else wants to
20 testify?

21 (No response.)

22 COUNCILMAN SQUILLA: Seeing
23 none, Mr. McMonagle, please read the
24 title of the next bill.

25 THE CLERK: Bill No. 140691, an

1 10/6/14 - STREETS - BILL 140379, ETC.
2 ordinance authorizing Paul Stolfo, to
3 construct, own and maintain an elevator
4 encroachment to be located at 2536-38
5 Broad Street, all under certain terms and
6 conditions.

7 (Witnesses approached witness
8 table.)

9 COUNCILMAN SQUILLA: Now we
10 have somebody. Please, when you get
11 settled, just state your name for the
12 record and proceed with your testimony.

13 MR. TORRENCE: Good morning,
14 Chairman Squilla and members of the
15 Streets and Services Committee. My name
16 is St. Martin Torrence. I'm the Director
17 of Legislative Affairs for the Department
18 of Streets. I'm here to offer testimony
19 on Bill No. 140691.

20 This bill authorizes Paul
21 Stolfo to construct, own and maintain an
22 elevator encroachment within the City
23 right-of-way. The encroachment is as
24 follows:

25 An 8 foot 6 inch wide elevator,

1 10/6/14 - STREETS - BILL 140379, ETC.
2 approximately 17 feet 6 inches south of
3 the northerly property line of the
4 subject parcel on South Broad Street,
5 extending to approximately 6 feet from
6 the southerly property line along the
7 same frontage. Said encroachment to
8 extend 3 feet 6 inches into the westerly
9 footway of South Broad Street, extending
10 to a maximum height of 16 feet and a
11 maximum depth of approximately 10 feet or
12 as required to provide elevator service
13 into the basement of the subject parcel.

14 The Streets Department has no
15 objections to the proposed encroachment.

16 Thank you for your time. This
17 concludes my testimony.

18 MS. CHIU: Good morning,
19 Chairman Squilla and members of Streets
20 and Services Committee. I'm Sarah Chiu,
21 City Planner with the Philadelphia City
22 Planning Commission. I'm here to testify
23 on Bill No. 140691, which Councilmember
24 Johnson introduced on September 18th,
25 2014.

1 10/6/14 - STREETS - BILL 140379, ETC.

2 Bill No. 140691 is to allow the
3 construction of an 8 feet 6 inches wide
4 elevator at 2536 to 38 Broad Street. The
5 encroachment will extend 3 feet 6 inches
6 into the westerly footway of South Broad
7 Street, extending a maximum height of 16
8 feet and a maximum width of approximately
9 10 feet or as required to provide
10 elevator service into the basement of the
11 subject property. The encroachment will
12 leave approximately 17 feet for
13 pedestrian walking zone.

14 The City Planning Commission
15 will consider Bill No. 140691 at its
16 scheduled meeting on October 21st, with
17 the staff recommendation for approval.

18 This concludes my testimony. I
19 appreciate the opportunity to testify
20 before you today and would be pleased to
21 answer any questions you may have.

22 COUNCILMAN SQUILLA: Thank you.

23 Are there any questions for
24 this panel?

25 (No response.)

1 10/6/14 - STREETS - BILL 140379, ETC.

2 COUNCILMAN SQUILLA: Seeing
3 none, anyone else here to testify on Bill
4 No. 140691?

5 (No response.)

6 COUNCILMAN SQUILLA: Seeing
7 none, Mr. McMonagle, please read the
8 title of the next bill.

9 THE CLERK: Bill No. 140696, an
10 ordinance repealing an ordinance (Bill
11 No. 140490) entitled "An ordinance
12 authorizing Cafe Italiano Inc. to
13 construct, own and maintain an open-air
14 sidewalk cafe at 1871 Cottman Avenue,
15 Philadelphia, PA 19111, under certain
16 terms and conditions.

17 COUNCILMAN SQUILLA: Please
18 proceed.

19 MR. TORRENCE: This will be a
20 little easier.

21 Good morning, Chairman Squilla
22 and members of the Streets and Services
23 Committee. My name is St. Martin
24 Torrence and I'm the Director of
25 Legislative Affairs for the Department of

1 10/6/14 - STREETS - BILL 140379, ETC.

2 Streets. I'm here to offer testimony on
3 Bill No. 140696.

4 The Streets Department has no
5 objections to the proposed ordinance.

6 Thank you for your time. This
7 concludes my testimony.

8 COUNCILMAN SQUILLA: Thank you.

9 MS. CHIU: Good morning,
10 Chairman Squilla and members of Streets
11 and Services Committee. I'm Sarah Chiu,
12 City Planner with the Philadelphia City
13 Planning Commission. I'm here to testify
14 on Bill No. 140696, which Councilmember
15 O'Neill introduced on September 18th,
16 2014.

17 Bill No. 140696 is to repeal
18 Bill No. 140490 in its entirety. Bill
19 No. 140490 was to authorize a sidewalk
20 cafe encroachment with four tables and 16
21 chairs at 1871 Cottman Avenue. However,
22 the owner did not follow the approved
23 ordinance. He constructed a large deck
24 out on the sidewalk without approval.

25 The Planning Commission will

1 10/6/14 - STREETS - BILL 140379, ETC.
2 consider this bill, 140696, at its
3 scheduled meeting on October 21st, with
4 the staff recommendation for approval.

5 This concludes my testimony. I
6 appreciate the opportunity to testify
7 before you today and would be pleased to
8 answer any questions you may have.

9 COUNCILMAN SQUILLA: Are there
10 any questions for this panel?

11 (No response.)

12 COUNCILMAN SQUILLA: Seeing
13 none, anyone else here to testify on Bill
14 No. 140696?

15 (No response.)

16 COUNCILMAN SQUILLA: Seeing
17 none, thank you for your testimony.

18 Mr. McMonagle, please read the
19 title of the next bill.

20 Before we do that,
21 Mr. McMonagle, I want to recognize
22 Councilwoman Blackwell is also present
23 here for the hearing.

24 COUNCILWOMAN BLACKWELL: Thank
25 you.

1 10/6/14 - STREETS - BILL 140379, ETC.

2 THE CLERK: Bill No. 140651, an
3 ordinance authorizing the revision of
4 lines and grades on a portion of City
5 Plan No. 238 by striking from the City
6 Plan and vacating Hall Street from Fifth
7 Street to its terminus westwardly
8 therefrom, under certain terms and
9 conditions.

10 (Witness approached witness
11 table.)

12 COUNCILMAN SQUILLA: You can
13 start.

14 MR. MORELLI: Good morning, Mr.
15 Chairman and members of the Committee.
16 My name is Frank Morelli, Survey Bureau
17 Manager of the Department of Streets, and
18 the Department of Streets would like to
19 offer the following testimony on Bill No.
20 140651.

21 This is not an Administration
22 ordinance, but an ordinance requested by
23 Mr. Louis Zahner of Zahner Development.

24 The purpose of this ordinance
25 is to authorize the striking from the

1 10/6/14 - STREETS - BILL 140379, ETC.
2 City Plan and vacating of Hall Street
3 from Fifth Street to its terminus
4 approximately 139 feet westwardly
5 therefrom. This portion of Hall Street
6 extends to a dead end and is only 12 foot
7 wide and has apparently not been
8 maintained by the Streets Department for
9 many years. This action is to return the
10 street bed to private ownership and allow
11 the interested party to assemble land and
12 consolidate parcels for residential
13 development.

14 This ordinance is supported by
15 the Department of Streets and is
16 recommended to your Committee for
17 favorable action.

18 MS. CHIU: Good morning,
19 Chairman Squilla and members of Streets
20 and Services Committee. I'm Sarah Chiu,
21 City Planner with the Philadelphia City
22 Planning Commission. I'm here to testify
23 on Bill No. 140651, which Councilmember
24 Squilla introduced on September 11th,
25 2014.

1 10/6/14 - STREETS - BILL 140379, ETC.

2 Bill No. 140651 is to strike
3 from the City Plan and vacating Hall
4 Street from Fifth Street to its terminus.
5 Hall Street at this location extends to a
6 dead end and is only 12 feet wide. It
7 has not been maintained for many years.
8 This action will return the street bed to
9 private ownership and allow the developer
10 to assemble land and consolidate parcels
11 for a residential development.

12 The City Planning Commission
13 will consider this bill, 140651, at its
14 scheduled meeting on October 21st, with
15 the staff recommendation for approval.

16 This concludes my testimony. I
17 appreciate the opportunity to testify
18 before you today and would be pleased to
19 answer any questions you may have.

20 COUNCILMAN SQUILLA: Thank you.

21 Are there any questions?

22 (No response.)

23 COUNCILMAN SQUILLA: Seeing
24 none, anyone else here to testify on Bill
25 No. 140651?

1 10/6/14 - STREETS - BILL 140379, ETC.

2 (No response.)

3 COUNCILMAN SQUILLA: Thank you
4 for your testimony.

5 Mr. McMonagle, please read the
6 title of the next bill.

7 THE CLERK: Bill No. 140486, an
8 ordinance amending Section 9-204 of The
9 Philadelphia Code, entitled "Sidewalk
10 Vendors in Center City," by eliminating
11 previously designated vendor locations in
12 Center City; and by revising and adding
13 to the list of locations that shall not
14 be designated for vending; all under
15 certain terms and conditions.

16 (Witness approached witness
17 table.)

18 COUNCILMAN SQUILLA: Rebecca,
19 would you like to state your name and
20 then proceed with your testimony. Thank
21 you.

22 MS. SWANSON: Good morning,
23 Chairman Squilla and members of the
24 Committee on Streets and Services. My
25 name is Rebecca Swanson and I'm the

1 10/6/14 - STREETS - BILL 140379, ETC.
2 Director of Policy and Legislative
3 Affairs for the Department of Licenses
4 and Inspections. Today I am here to
5 provide testimony on Bill No. 140486,
6 which, if enacted, will amend Section
7 9-204, entitled "Sidewalk Vendors in
8 Center City," to add new and eliminate
9 previously designated vendor locations to
10 the list of permissible locations where
11 such activity may be conducted, under
12 certain terms and conditions.

13 The Department of Licenses and
14 Inspections offers no objection to the
15 enactment of this bill and is prepared to
16 enforce its provisions should it pass in
17 Council and become law. The Department's
18 Vending Unit worked with the sponsor and
19 his office in designating the vending
20 locations proposed in the bill, and the
21 Department thanks the sponsor for this
22 opportunity.

23 Thank you for the opportunity
24 to provide the Department's testimony on
25 Bill No. 140486. I will be happy to

1 10/6/14 - STREETS - BILL 140379, ETC.
2 answer any questions at this time.

3 COUNCILMAN SQUILLA: I have one
4 question. Obviously you're trying to
5 clean up the bill to begin with, so
6 certain locations that do not have
7 vendors at them now and this sort of
8 cleans them up. Is there going to be an
9 actual reevaluation again to look at
10 other spots throughout the Center City
11 area to add or take away more locations?

12 MS. SWANSON: We can do that.

13 COUNCILMAN SQUILLA: Okay.

14 MS. SWANSON: Now that we've
15 had our lottery, we can put the new ones
16 in.

17 COUNCILMAN SQUILLA: And the
18 lottery is done now in April or May of
19 each year for new spots in July. Is that
20 how -- how does that work?

21 MS. SWANSON: If we learn that
22 spots have been vacated, we will hold a
23 lottery for those vacated locations.

24 COUNCILMAN SQUILLA: So there's
25 no special time for a lottery, just that

1 10/6/14 - STREETS - BILL 140379, ETC.
2 whenever you call a lottery?

3 MS. SWANSON: We hadn't done
4 one in eight years before this one that
5 we did in the spring. It's really if
6 somebody vacates, then we do the lottery
7 to replace those spots, and people tend
8 not to vacate these very often.

9 COUNCILMAN SQUILLA: Right.
10 But if there's new locations added, then
11 a lottery would then be put in place at
12 that point?

13 MS. SWANSON: Yes. That is
14 correct.

15 COUNCILMAN SQUILLA: Okay. All
16 right. Thank you very much.

17 Any other questions?

18 Councilman Neilson.

19 COUNCILMAN NEILSON: Thank you,
20 Mr. Chairman.

21 This bill adds new and
22 eliminates previously designated vendor
23 locations. How many vendors will be
24 displaced by this legislation with the
25 eliminated designations?

1 10/6/14 - STREETS - BILL 140379, ETC.

2 MS. SWANSON: I can count it
3 up. You can see it's significant, but
4 really it's just removing ones that were
5 currently not being occupied and adding
6 new ones.

7 COUNCILMAN NEILSON: So if any
8 of those vendors were asked to move, they
9 would be given first shot at a new
10 location?

11 MS. SWANSON: Well, we didn't
12 ask -- we wouldn't ask anybody to move, I
13 believe. I believe it would just be kind
14 of cleaning up who was already there in
15 these different spots. We had just done
16 the lottery for new spots. So it's just
17 kind of cleaning up which spots are
18 currently empty.

19 COUNCILMAN NEILSON: So
20 although we're eliminating them, that's
21 because no one was using them; is that
22 what you're telling me?

23 MS. SWANSON: Yes.

24 COUNCILMAN NEILSON: So
25 tomorrow if we pass this out of Committee

1 10/6/14 - STREETS - BILL 140379, ETC.

2 today, we're not going to be bombarded by
3 vendors that have just been eliminated
4 off the corners?

5 MS. SWANSON: No, you will not.

6 COUNCILMAN NEILSON: Thank you.

7 Thank you, Mr. Chairman.

8 COUNCILMAN SQUILLA: Thank you,
9 Mr. Neilson.

10 Any other questions?

11 (No response.)

12 COUNCILMAN SQUILLA: Seeing
13 none, is there anyone else here to
14 testify on Bill No. 140486?

15 (No response.)

16 COUNCILMAN SQUILLA: Seeing
17 none, Mr. McMonagle, please read the
18 title of the next bill.

19 THE CLERK: Bill No. 140520, an
20 ordinance amending Section 9-213 of The
21 Philadelphia Code, entitled "Farmers'
22 Markets," by adding the corner of
23 Pleasant Street and Chew Avenue, abutting
24 the Pleasant Playground, as a permissible
25 location, all under certain terms and

1 10/6/14 - STREETS - BILL 140379, ETC.
2 conditions.

3 (Witness approached witness
4 table.)

5 MS. SWANSON: Good morning,
6 Chairman Squilla and members of the
7 Committee on Streets and Services. My
8 name is Rebecca Swanson. I am the
9 Director of Policy and Legislative
10 Affairs for the Department of Licenses
11 and Inspections. Today I am here to
12 provide testimony on Bill No. 140520,
13 which, if enacted, will amend Section
14 9-213, entitled "Farmers' Markets," to
15 add the location as designated in the
16 bill to the list of permissible locations
17 where such activity may be conducted,
18 under certain terms and conditions.

19 The Department of Licenses and
20 Inspections offers no objection to the
21 enactment of this bill and is prepared to
22 enforce its provisions shall it pass in
23 Council and become law.

24 Thank you for the opportunity
25 to provide the Department's testimony on

1 10/6/14 - STREETS - BILL 140379, ETC.
2 Bill No. 140520. I'll be happy to answer
3 any questions at this time.

4 COUNCILMAN SQUILLA: Thank you.
5 Please state your name for the
6 record and proceed with your testimony.

7 MS. ARNESEN: Good morning,
8 Councilman Squilla and members of the
9 Streets and Services Committee. My name
10 is Hope Arnesen. I'm co-founder of a
11 Mount Airy group, The Community Art
12 Collective in East Mount Airy. My
13 partner, Mechele Abraham-Avery, and I, we
14 partnered with Food Trust to bring the
15 farmers' market to Pleasant Playground in
16 East Mount Airy. Though the market is
17 open to all community residents, we
18 sought out Food Trust to best serve an
19 underserved community in Census Tract
20 253. Their commitment to fresh and
21 locally sourced produce for underserved
22 communities attracted us as well as their
23 Food Bucks subsidy that has proved to be
24 greatly beneficial for the park's
25 surrounding community members, especially

1 10/6/14 - STREETS - BILL 140379, ETC.
2 the senior residents.

3 The Community Art Collective
4 has set up a Children's Food Play table
5 to encourage children and youth into
6 making better food choices and exposing
7 them to food diversity. While we
8 participated at the site, we were able to
9 see just how needed the market is. The
10 Pleasant Playground location is also
11 ideal because it encourages residents to
12 visit and utilize the new Parks and
13 Recreation center, which will be hosting
14 programs for all community members. The
15 Community Art Collective is helping with
16 diverse programming at the center, and we
17 hope to join the food market with our
18 education garden, which is in the
19 proposal process with Parks and Rec.

20 Thank you.

21 COUNCILMAN SQUILLA: Thank you.

22 Are there any questions?

23 COUNCILWOMAN BASS: Yes.

24 COUNCILMAN SQUILLA:

25 Councilwoman Bass.

1 10/6/14 - STREETS - BILL 140379, ETC.

2 COUNCILWOMAN BASS: Thank you.

3 Good morning. I just wanted to
4 thank you, Hope, for all the work that
5 you've put into making this happen. As
6 you mentioned, Pleasant Playground is
7 getting ready to do the ribbon cutting on
8 a brand new center, and there's a lot
9 happening in that neighborhood and a lot
10 that's really coming alive, including the
11 new computer center there. I saw you at
12 Emlen Elementary. So I just really
13 wanted to thank you for all of your work,
14 because good things in communities don't
15 just happen. They really do require
16 having people like yourself out there and
17 on board. So I just wanted to say thank
18 you.

19 MS. ARNESEN: Thank you.

20 COUNCILMAN SQUILLA: Thank you.

21 Any other questions?

22 (No response.)

23 COUNCILMAN SQUILLA: Seeing

24 none, is there anyone else here to

25 testify on Bill No. 140520?

1 10/6/14 - STREETS - BILL 140379, ETC.

2 (No response.)

3 COUNCILMAN SQUILLA: Thank you.

4 Mr. McMonagle, please read the
5 title of the next bill.

6 THE CLERK: Bill No. 140634, an
7 ordinance amending Section 9-213 of The
8 Philadelphia Code, entitled "Farmers'
9 Markets," by revising provisions relating
10 to the operation of farmers' markets on
11 both sides of the 3500 block of Ryan
12 Avenue and Frankford Avenue and extending
13 156 feet northwest of the northwest line
14 of Frankford Avenue, under certain terms
15 and conditions.

16 COUNCILMAN SQUILLA: Please
17 state your name for the record and
18 proceed with your testimony.

19 MS. SWANSON: Good morning,
20 Chairman Squilla and members of the
21 Committee on Streets and Services. My
22 name is Rebecca Swanson. I am the
23 Director of Policy and Legislative
24 Affairs for the Department of Licenses
25 and Inspections. Today I'm here to

1 10/6/14 - STREETS - BILL 140379, ETC.
2 provide testimony on Bill No. 140634,
3 which, if enacted, will amend Section
4 9-213, entitled "Farmers' Markets," to
5 add the location as designated in the
6 bill to the list of permissible locations
7 where such activity may be conducted,
8 under certain terms and conditions.

9 The Department of Licenses and
10 Inspections offers no objection to the
11 enactment of this bill and is prepared to
12 enforce its provisions should it pass in
13 Council and become law.

14 Thank you for the opportunity
15 to provide the Department's testimony on
16 Bill No. 140634. I will be happy to
17 answer any questions at this time.

18 COUNCILMAN SQUILLA: Are there
19 any questions at this time?

20 (No response.)

21 COUNCILMAN SQUILLA: Seeing
22 none, is there anyone else here to
23 testify on Bill No. 140634?

24 (No response.)

25 COUNCILMAN SQUILLA: Seeing

1 10/6/14 - STREETS - BILL 140379, ETC.

2 none, thank you.

3 Mr. McMonagle, would you please
4 read the title of the next bill.

5 THE CLERK: Bill No. 140632, an
6 ordinance amending Section 9-206 of the
7 Philadelphia Code, entitled "Sidewalk
8 Vendors in Neighborhood Business
9 Districts," by creating the Woodland
10 Avenue Business District for Sidewalk
11 Vending; all under certain terms and
12 conditions.

13 COUNCILMAN SQUILLA: Thank you.
14 Please state your name for the
15 record and proceed with your testimony.

16 MS. SWANSON: Good morning,
17 Chairman Squilla and members of the
18 Committee on Streets and Services. My
19 name is Rebecca Swanson. I am the
20 Director of Policy and Legislative
21 Affairs for the Department of Licenses
22 Inspections. Today I am here to provide
23 testimony on Bill No. 140632, which, if
24 enacted, will amend Section 9-206,
25 entitled "Sidewalk Vendors in

1 10/6/14 - STREETS - BILL 140379, ETC.
2 Neighborhood Business Districts," to
3 create a new special vending district in
4 the Woodland Avenue Business District.

5 The Department of Licenses and
6 Inspections does not support the
7 enactment of this bill and cannot enforce
8 its provisions should it pass in Council
9 and become law.

10 This bill directs the
11 Department to follow the direction of a
12 non-governmental agency in enforcing
13 vendor site locations. This is not
14 legally enforceable and is contrary to
15 the operations of all other Special
16 Vending Districts in the City. In other
17 Special Vending Districts, the Department
18 holds neutral lotteries to determine
19 vendor location and then ensures that
20 vendors occupy the locations assigned by
21 the Department through the lottery. To
22 do otherwise would be to favor certain
23 groups or individuals over others, which
24 the Department believes would lead to
25 significant problems that would cost the

1 10/6/14 - STREETS - BILL 140379, ETC.
2 Department valuable inspector time to
3 address. The Department cannot engage in
4 or enforce this type of selection
5 process. Therefore, the Department
6 strongly recommends the neutral lottery
7 procedure for the Special Vending
8 District proposed in this bill.

9 The Department supported an
10 amendment to this bill that would have
11 required the Department to select vendor
12 site locations through a neutral lottery
13 with input from the non-governmental
14 agency. It is our understanding that the
15 sponsor has chosen not to proceed with
16 this amendment.

17 Furthermore, the bill allows
18 the vendors in this proposed Special
19 Vending District to leave their carts
20 and/or conveyances on the street
21 overnight after business operations for
22 the day have ceased. This is in direct
23 conflict with Section 9-203, entitled
24 "Street Vendors," which specifically
25 provides that leaving conveyances

1 10/6/14 - STREETS - BILL 140379, ETC.
2 unattended for any length of time
3 constitutes prohibited conduct. In all
4 other Special Vending Districts and in
5 areas where vending is not prohibited,
6 vendors are required to adhere to this
7 code provision and remove all conveyances
8 after business operations have ceased.
9 To allow an exception for only this
10 Special Vending District would create a
11 double standard that the Department
12 cannot enforce. Moreover, the Department
13 believes that unattended conveyances
14 create significant public safety hazards,
15 including being an obstruction to
16 emergency services personnel and first
17 responders.

18 The Department also notes that
19 this area -- that the area being proposed
20 as a Special Vending District in the bill
21 is currently an area where vending is not
22 prohibited. It is the Department's
23 understanding that there are no vendors
24 currently set up in this area despite
25 being permitted to under the code.

1 10/6/14 - STREETS - BILL 140379, ETC.

2 Thank you for the opportunity
3 to provide the Department's testimony on
4 Bill No. 140632. I will be happy to
5 answer any questions at this time.

6 COUNCILMAN SQUILLA: Before we
7 ask questions, I'd like to recognize
8 Councilwoman Blackwell.

9 COUNCILWOMAN BLACKWELL: Thank
10 you, Mr. Chairman, and good morning to
11 you and members of the Committee. This
12 request is for a new vending area or
13 vending mall on a new strip on Woodland
14 Avenue in my district. It would be a new
15 vending area.

16 This is a community group. I
17 know in reading some of the information
18 that we know vending isn't prohibited.
19 This is an area where they have decided,
20 the primary group in the area, to try to
21 create jobs for unemployed and for
22 ex-offenders. So they wanted to create a
23 venue where that could happen.

24 So it is their goal -- it is
25 not their goal not to work with the City,

1 10/6/14 - STREETS - BILL 140379, ETC.

2 but it is their goal to try to do things
3 in a creative way. They had maybe three
4 or four weeks ago, they had a vendors
5 evening where all their vendors were
6 people from the neighborhood who came and
7 vended. When the City said, Would you
8 like us to send you trucks, like us to
9 send you help, they said, No, we want to
10 do it.

11 So this is an organization and
12 area where people are trying to bring it
13 up from the bottom up, and certainly we
14 want to support them and hope that in the
15 final analysis, we can work things out.

16 There are technical amendments,
17 just typos that are there. The other
18 issues, other changes are not there,
19 because certainly it is the will of the
20 group. We respect the will of the group
21 to make their own case before the board
22 and hope that you will consider all that
23 is said.

24 Thank you.

25 COUNCILMAN SQUILLA: Thank you.

1 10/6/14 - STREETS - BILL 140379, ETC.

2 I have a question. On the, I
3 guess, the vendors there and the lottery
4 system now, you said this was the first
5 lottery that you held for the other
6 vendors, right, in eight years?

7 MS. SWANSON: For Center City.

8 COUNCILMAN SQUILLA: For Center
9 City. And how did you -- did you always
10 have lotteries for vendors in other
11 areas?

12 MS. SWANSON: If it's required,
13 if there's more vendors than there are
14 spots. In this particular location,
15 there are currently no vendors, so they
16 would be able to fill in the spots.

17 COUNCILMAN SQUILLA: Has there
18 ever been a vendor area that was
19 designated like for a certain criteria,
20 like ex-offenders or anything like that,
21 that we've had before where you have to
22 fit this criteria in order to apply for
23 that specific area?

24 MS. SWANSON: No.

25 COUNCILMAN SQUILLA: So this

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2 could be something actually new to the
3 City. You're saying in your report would
4 be that it would be not normal practice,
5 but it's something that has never been
6 done where it's just, from what I
7 understand what the Councilwoman is
8 saying, sort of a program that would be
9 specifically by requirements of either
10 ex-offenders or maybe income bracket. We
11 never had that before in the City of
12 Philadelphia.

13 MS. SWANSON: That is correct,
14 and it's something that would not be
15 enforceable by the Department.

16 COUNCILWOMAN BLACKWELL: Mr.
17 Chairman, if I may.

18 COUNCILMAN SQUILLA:
19 Councilwoman Blackwell.

20 COUNCILWOMAN BLACKWELL: We
21 have Vendors Mall, for example, we did
22 with vendors legislation we did with
23 Penn, where we some years ago, we came up
24 with 101 vending spaces, and what we did
25 and what we're also trying to do on 52nd

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2 Street is assign vendors who are there
3 who have been there longest with the
4 coveted spaces and work it out. But we
5 didn't have any lottery when we did Penn
6 lottery with the 101, nor on 52nd Street
7 we're talking about a lottery. Until
8 today, I have not heard about lottery. I
9 haven't had lottery on vending spaces in
10 my district.

11 COUNCILMAN SQUILLA: How long
12 ago was that?

13 COUNCILWOMAN BLACKWELL: Oh, I
14 guess we did Penn legislation maybe ten
15 years ago, eight or ten years ago. So
16 I'm not opposed to that, but certainly it
17 hasn't happened in my district and we
18 haven't had a need for it.

19 MS. SWANSON: Those were
20 neutral selections such as who has had
21 their vending license for the longest.
22 It was not -- and it was run by the
23 Department as a neutral assignment based
24 on who had their vending license for the
25 longest period of time. It was not --

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2 the vendors were not selected by a
3 non-governmental agency.

4 COUNCILMAN SQUILLA: But you
5 did that together with the community or
6 you just did it on your own?

7 MS. SWANSON: I believe we did
8 that together with the community. And we
9 would be happy to do that in this
10 particular location, but it would have to
11 be neutral and we would not be only
12 selecting people that would be suggested
13 by a particular non-governmental agency.
14 Based on the Department's policy and we
15 believe based on the law, we couldn't
16 only selectively assign spots to a
17 particular group as chosen by an outside
18 agency and then we would be required to
19 follow what the outside agency was
20 telling us to do.

21 COUNCILMAN SQUILLA: But you
22 could work with them in that process to
23 do that?

24 MS. SWANSON: We would be happy
25 to, but it would end up being a neutral

1 10/6/14 - STREETS - BILL 140379, ETC.
2 process. We could determine jointly type
3 of criteria such as who has had their
4 vendor license the longest, but it would
5 be something that would then be
6 determined by the Department.

7 COUNCILMAN SQUILLA: So you
8 would come up with the criteria with the
9 group at that time, and then from that
10 criteria, then you would make your
11 selections, if it would work that way? I
12 don't know how it's going to work out.

13 MS. SWANSON: We did support an
14 amendment, a proposed amendment, to this
15 bill that would have allowed the
16 Department to obviously make the decision
17 as to who would -- how these spots would
18 be distributed, with input from the
19 non-governmental agency that's mentioned
20 in the bill.

21 COUNCILMAN SQUILLA: I don't
22 think we saw that one, but I'm just
23 trying to get an idea at this time.
24 Thank you.

25 Councilman Greenlee.

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2 COUNCILMAN GREENLEE: Thank
3 you, Mr. Chairman.

4 Good morning, Ms. Swanson.

5 MS. SWANSON: Good morning.

6 COUNCILMAN GREENLEE: Just a
7 couple questions. First, as far as
8 Special Vending Districts in the City,
9 how many are there; do you know?

10 MS. SWANSON: I believe there's
11 the one in University City and there's
12 Center City. I believe there's others,
13 but I can't tell you them off the top of
14 my head.

15 COUNCILMAN GREENLEE: How about
16 9th Street; is that a Special Vending
17 District?

18 MS. SWANSON: That's separate.
19 That's a curb market, which is a
20 different section of the code, and that
21 is chosen by the group in that area. But
22 they are -- it's set up differently than
23 a vending district.

24 COUNCILMAN GREENLEE: You're
25 saying it's set up by the group.

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2 MS. SWANSON: There is an
3 organization in the Italian Market that
4 chooses the curb market participants,
5 but, again, that is not -- that's not
6 considered a Special Vending District.
7 Curb markets is a separate section of the
8 code.

9 COUNCILMAN GREENLEE: Okay.
10 All right. Well, along that, just
11 legally, I know you said the Department
12 doesn't think it's fair. That's one
13 question. The other issue is the
14 legality of it. What would -- I mean, if
15 this is set up through this bill, why
16 would it be illegal?

17 MS. SWANSON: For the
18 Department to take direction from a
19 non-governmental agency as to who could
20 be there and who could not, we believe
21 that that would present some legal issues
22 if we then refused to give a vending spot
23 to another person who came in and asked
24 to be in that location. The Department
25 would then be making -- would be

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2 forbidding someone from vending based on
3 the opinions of an outside group, which
4 the Department does not feel comfortable
5 doing.

6 COUNCILWOMAN BLACKWELL:
7 Mr. Chairman, could we have a curb market
8 then?

9 COUNCILMAN GREENLEE: That's
10 where I was going.

11 COUNCILWOMAN BLACKWELL: Thank
12 you, Councilman.

13 MS. SWANSON: That's something
14 that could be looked into, but, again,
15 that would be separate regulations than
16 the Special Vending District.

17 COUNCILWOMAN BLACKWELL: Okay.

18 COUNCILMAN GREENLEE: I'm
19 sorry, but isn't that -- I mean, in the
20 end, doesn't it kind of come down -- by
21 the way, just for the record, I love the
22 9th Street market, before I get in
23 trouble. I'm not knocking that at all.

24 But I guess how different are
25 the two things? Do you know what I'm

1 10/6/14 - STREETS - BILL 140379, ETC.
2 saying? I mean, I go down 9th Street. I
3 guess it's bigger and the tables are
4 larger. I mean, what's the big
5 difference between what is being proposed
6 here and 9th Street, for example?

7 MS. SWANSON: Well, just based
8 on what's being proposed here, it would
9 be under Special Vending District.
10 That's the issue, is that it's being
11 proposed as a Special Vending District.
12 That would have different criteria than
13 all other Special Vending Districts.

14 COUNCILMAN GREENLEE: So as
15 Councilman Neilson said, if it got
16 shifted to another part of the code
17 that's designated the same way as 9th
18 Street with the same criteria, would that
19 be legal?

20 MS. SWANSON: We would be happy
21 to work with the sponsor's office to fit
22 it into the curb market.

23 COUNCILMAN GREENLEE: But, I
24 mean, how she explained it's going to be
25 set up, if it was a curb market instead

1 10/6/14 - STREETS - BILL 140379, ETC.
2 of a vending district, would those
3 criteria be legal?

4 MS. SWANSON: I believe so.
5 Again, I'd have to -- again, we'd have to
6 kind of start from scratch as to the curb
7 market and then set it up similarly to
8 the 9th Street curb market. I think one
9 of the issues here is that it's being set
10 up contrary to how every other Special
11 Vending District is set up. So if we
12 could -- kind of we'd have to make it
13 match.

14 COUNCILMAN GREENLEE: I
15 understand.

16 MS. SWANSON: And we're happy
17 to work with the sponsor's office on
18 that.

19 COUNCILMAN GREENLEE: Okay. I
20 guess that's it.

21 COUNCILMAN SQUILLA: Councilman
22 Neilson.

23 COUNCILMAN NEILSON: So on
24 behalf of the Councilwoman, I'd like to
25 make a motion, Mr. Chairman, to hold this

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2 bill so we can further discuss and try
3 and make this a curb market. Therefore,
4 it would fit better in the criteria of
5 what the Councilwoman is trying to do.

6 COUNCILMAN SQUILLA: I'm fine
7 with that. I'll wait for the
8 Councilwoman, but I have one more
9 question before she comes back.

10 I know on those occasions with
11 the curb markets too, they would have to
12 have specific vending tables sort of that
13 move so it could be cleaned and stuff
14 like that. All that would have to be
15 worked out ahead of time.

16 MS. SWANSON: Yes.

17 COUNCILMAN SQUILLA: And all
18 that would be done between the Department
19 and the Councilwoman and the group to set
20 something like that up.

21 Councilwoman Blackwell, would
22 you be in favor of holding this?

23 COUNCILWOMAN BLACKWELL: If
24 these men -- may I ask them all to stand,
25 who have all taken off work and they've

1 10/6/14 - STREETS - BILL 140379, ETC.
2 all come here to show that they support
3 this and how much they want it. And
4 could I ask somebody to speak for the
5 whole group, if that would be okay.

6 COUNCILMAN SQUILLA: Yeah. If
7 somebody would like to come up and just
8 state your name for the record and then
9 proceed with your testimony, and then if
10 all agreed, we can hold this bill and
11 then move forward with meetings and
12 hopefully in the future come up with a
13 different type of legislation.

14 COUNCILWOMAN BLACKWELL: Thank
15 you. Thank you. Thank you, Chair and
16 all members of the Committee.

17 (Witnesses approached witness
18 table.)

19 MR. HORNE: Good morning.

20 COUNCILMAN SQUILLA: State your
21 name and then proceed.

22 MR. HORNE: Kevin Horne,
23 Vice-President for South Philadelphia
24 District Row.

25 I just wanted to say that what

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2 this Vendors Row -- the trucks -- the
3 vendors will not be out there all night
4 and they would not leave they stuff
5 overnight. And this organization will
6 comply with the City ordinance, whatever
7 it is.

8 And just for the record, just
9 say, myself, my family had been in
10 business over 80 years in Philadelphia,
11 and I own five businesses in the City and
12 I'm also a vendor that's out there, and
13 I'm one of the ones that's spearheading
14 this Vendors Row, along with the other
15 brothers that came to agreement. And we
16 work with a lot of organizations like the
17 Unity Day, the American Marching
18 Association, ODUNDE, and these
19 organizations select they vendors, and
20 the vendors who come under the
21 organization, then we'll work with L&I
22 who want to come and check and make sure
23 that if the license and everything is up
24 to date. And that's one thing before we
25 allow anybody to vend on that area there,

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2 we will also make sure their licenses is
3 up to date, so when L&I do come around
4 and check, that we won't be embarrassed.
5 That's one of the things that we
6 emphasize in this organization.

7 And another thing, that the
8 control of the organization that have on
9 Vendors Row away from L&I coming and
10 dictating what goes on in the
11 neighborhood, if you look at the bill
12 that's being passed now with the vendors
13 in Spring Garden and the vendors down in
14 University of Penn, the problem we have
15 as some of these men that's come from
16 prison and have been around a long time,
17 they can't get jobs, they can't work for
18 the City, they can't work for government
19 agency because they've been shut out. So
20 we created a job corridor for these men
21 to go to work and women, you know, just
22 to come in and say, Look, you sell things
23 honestly, we don't want no breaking
24 bottles or stealing in our neighborhood.
25 We just want you to make it honest and

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2 raise your family.

3 And another thing that's
4 noticed, if you look at all the vendors
5 right now and myself, a long-time vendor
6 with my dad and back then when Milton
7 Street and John F. Street was vending at
8 the Gallery, if you look at John
9 Wanamakers, how the Reading Terminal, if
10 you look at the history of how vendors
11 started in the City, you will see it
12 wasn't L&I pushing it. It was private
13 organizations pushing that.

14 And one of the things that goes
15 on -- and I'll let my co-partners
16 speak -- that time to get out there and
17 vend right now, you don't see no
18 Afro-American people down there at these
19 spots. If I right now -- I applied for
20 that lottery, and the notice that went
21 out for this lottery for the vendors
22 didn't come up to Southwest Philadelphia,
23 didn't come to our neighborhood. There's
24 a group that's going around and they got
25 a lot of food trucks and they the ones

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2 throwing it out. If you go yourself one
3 by one and look at all these vendors in
4 the City, you won't see nobody look like
5 these men that want to vend. They shut
6 out. They shut out, because they didn't
7 get the notice. They wasn't part of the
8 plan. It's like business as usual.

9 So we don't take angriness to
10 that and we don't have a fight to that to
11 say we want to come in. We just trying
12 to create our own. We just trying to do
13 something in our neighborhood for people
14 that want to vend and make a living and
15 clean up their neighborhood.

16 And thanks, Councilwoman, for
17 telling the story about the City trash.
18 We thought that -- that day there was a
19 lot of us, about a hundred of us in our
20 organization. We invested in brooms
21 ourselves. We didn't ask the City to give
22 us brooms and shovels. We went to Home
23 Depot and bought them, and we cleaned up
24 the area. We bagged up the trash, and we
25 all put it out. We have a list of all

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2 the businesses that's in that
3 neighborhood, and those businesses is
4 supportive of that. They was outside.
5 They was happy to see us, because it
6 helped they business make more money.

7 So I won't talk and preach to
8 you, but I just wanted to let you know
9 that we are not including anybody out.
10 Whatever nationality they are, they
11 welcome to come and vend. We don't have
12 a first-come, first-served, because I've
13 been in business for over 35 years myself
14 and my family been in business over 80
15 years. That don't mean I should be
16 first. That mean I thank the other
17 vendors for allowing me to come in. And
18 if they come across us, they welcome,
19 because that's what this spot was brought
20 in existence for, to let people in the
21 neighborhood just come in and try to make
22 an honest living for they self, without
23 L&I putting up signs saying come to us,
24 pay us \$2,000, and if you don't give us
25 the money, you can't vend. The business

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2 as usual, the way it's done in the City,
3 it shouldn't go on, because poor people
4 can't do that. With our organization,
5 it's non-profit. You come in and vend.
6 You take your taxes down to City Hall.
7 L&I will come out and check the vending
8 trucks and the stands that's there, and
9 then that's it. We had no control how
10 the City do they business, but we will
11 want to have control how we operate our
12 organization in our neighborhood and who
13 vend and who don't vend.

14 Thank you for allowing me to
15 speak.

16 COUNCILMAN SQUILLA: No
17 problem.

18 I just want to say one thing
19 too before everybody else talks. I know
20 in those things it's great when you set
21 up your organization to do that, because
22 really the organization is going to be
23 responsible for all the vendors. So when
24 L&I does come down, if there is a
25 violation, the way it works is normally

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2 the organization could get the fine.
3 Because then this way, you police
4 yourselves. You would tell the other
5 vendors, Guys, you're out of line, and
6 you are more apt to get a good response
7 from those folks than somebody like me or
8 the City coming down there.

9 MR. HORNE: Absolutely.

10 COUNCILMAN SQUILLA: And as
11 long as the organization is following
12 through and doing what they're supposed
13 to do, it's a possibility that this could
14 work. So I'm glad to hear that
15 Councilwoman is willing to hold this and
16 work with L&I to come up with maybe a
17 different scheme to make it happen, and
18 hopefully we'll be back here in a couple
19 weeks or so with an idea of how to move
20 forward with it.

21 But everybody else who wants to
22 testify -- hold on one second.

23 MS. SWANSON: Sorry. Can I --

24 COUNCILMAN SQUILLA: Go ahead.

25 MS. SWANSON: Real quick. With

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2 all due respect, I need to take exception
3 on the record to any suggestion that L&I
4 shuts anyone out of lotteries. Again,
5 they're neutral. They are done in public
6 in the basement of Municipal Services
7 Building.

8 COUNCILMAN SQUILLA: Are they
9 posted online?

10 MS. SWANSON: Yes. It's posted
11 on our website. There's notice kind of
12 given out to everyone with a vending
13 license, is made aware of our lotteries,
14 and they are done in public. There are
15 many dates where people can come in and
16 sign up for the lottery, and then the
17 lottery is pulled literally out of a
18 thing by a neutral person pulling it out.

19 COUNCILMAN SQUILLA: You said
20 they're notified.

21 MS. SWANSON: So I want to just
22 make that very, very clear, that there is
23 absolutely no favoritism or priority for
24 certain people in the L&I lotteries.

25 COUNCILMAN SQUILLA: Okay. How

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2 are the vendors notified? They get a
3 letter in the mail or they get something?
4 How are the vendors notified?

5 MS. SWANSON: There is a
6 mailing to everyone with a vending
7 license and there is also again posted on
8 our website.

9 COUNCILMAN SQUILLA: Okay. All
10 right. Thank you.

11 State your name for the record.

12 MR. JOHNSON: My name is
13 Vincent Johnson. Unfortunately, I was
14 locked up for almost 40 years for a crime
15 I didn't commit. Without this
16 organization, who knows what probably
17 happen. And my favorite Councilwoman
18 right here.

19 This opportunity is why I'm
20 testifying, because when I go for a job,
21 when I apply for a job that's based on
22 '71 to 2010, I got to justify what
23 happened. With this license, I don't
24 have to do that. All I got to do is just
25 get up, go to work, do what I need to do.

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2 Fortunately, I do have a job.

3 Fortunately. But it's a low-paying job.

4 I'm tired. I'm here because I need this
5 license.

6 I have a co-worker the same.

7 He had 35 years in. There's a lot of us
8 in the City that actually need that
9 opportunity to be business men, become a
10 business man. And she's mentioned a
11 website. Forty years? I wouldn't even
12 know computers existed when I was in the
13 street. So I know how to do it, but I
14 know a lot of other people that doesn't
15 know how to use a website. They don't
16 even know what a computer is. We've been
17 locked up for 30-something years.

18 So this is why I'm just here,
19 just to voice my opinion and hope that
20 this come to some kind of advantage for
21 this organization to get me started, get
22 me on my feet and stop kind of seeking
23 for the job that I need to do to pay my
24 taxes and pay whatever I need to do.

25 I appreciate your time.

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2 COUNCILMAN SQUILLA: Thank you.

3 Thank you for testifying.

4 MS. SWANSON: Can I add one
5 more thing, please.

6 COUNCILMAN SQUILLA: Yes. Go
7 ahead.

8 MS. SWANSON: I want to point
9 out that there is -- obviously because
10 this is not a prohibited vending area,
11 anyone can come in and vend in this area
12 currently. There is no prohibitions
13 whatsoever. You just need a vending
14 license. If you're selling food, you'd
15 need a food license. And our department
16 has made the offer that we are happy to
17 come out and do a training to let people
18 know how they get their vending license,
19 which is just a simple application to the
20 Department, how they get their food
21 license, what type of inspections would
22 be required with that. And as long as
23 they get their vending license, they can
24 go out tomorrow as long they have the
25 license and set up. The Special Vending

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2 District is not necessary for that. And,
3 again, the Department has offered to do a
4 training to let people know how the
5 vending license can be acquired.

6 COUNCILMAN SQUILLA: Well,
7 maybe, Councilwoman Blackwell, maybe at
8 this point if they wanted to start
9 something up while we're in the process
10 of legislating something, maybe that's a
11 way to get some people organized and set
12 up and start a little market there now to
13 see how it goes and how you may want to
14 set it up in the future.

15 Hopefully Councilwoman
16 Blackwell and you guys could sit down and
17 work that out with these guys and come up
18 with a compromise or even just sort of
19 like a pilot program where you would have
20 those guys -- since it's not prohibited,
21 they could go vend there right now and
22 get started until we come up with
23 something official.

24 COUNCILWOMAN BLACKWELL: Thank
25 you.

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2 COUNCILMAN SQUILLA: Thank you.

3 Please proceed.

4 MR. ROSS: Chairman Squilla and
5 the Committee, thank you for letting me
6 be here. My name is Mike Ross. I'm
7 President of Southwest Philadelphia
8 District Services, and I'd just like to
9 say that where there is no vision, the
10 people perish. We're not here to oppose
11 L&I as far as following their criteria.
12 And they put in their amendment to our
13 bill was about they would not have no
14 responsibility. If someone comes to us
15 and wants to be a vendor, we're actually
16 going to be involved in the selecting of
17 those vendors. They would still have to
18 meet all of L&I's criteria. We would
19 send them to L&I. If we said, Okay, you
20 can vend here, they would have to go to
21 L&I, get the application and file their
22 criteria. So we're not taking that power
23 from them.

24 And as far as them saying
25 vendors being allowed to leave their

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2 equipment and stuff overnight, we don't
3 want that. We're not going to allow
4 that. We're going to follow everything
5 to the law. We just want this bill to
6 pass the way we laid it out, without
7 taking any power from L&I. They have all
8 that. We just want to be able to
9 select -- be in the selection process and
10 select those vendors, as long as they can
11 meet the criteria for Licenses and
12 Inspection.

13 COUNCILMAN SQUILLA: Thank you.
14 State your name and then
15 proceed with your testimony.

16 MR. HOLT: Good morning,
17 Councilmen and Councilwomen. My name is
18 Ron Holt and I'm a member of Southwest
19 District Service. I'm also an
20 accountant. And what I would like to
21 speak to briefly about is the economic
22 impact of an area that has been somewhat
23 blighted for far too many years. Because
24 of the way the area is as it stands now,
25 vending for, say, vending row would be a

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2 plus for this area. It would bring
3 economic activity, put dollars back in
4 the community, and bring revenue to the
5 City. We all understand it's always good
6 to get more revenue for this great City
7 of Philadelphia.

8 I don't want to go on much
9 longer. I just want to say that all we
10 want to do is follow the law and help the
11 City of Philadelphia be the great city
12 that it really is.

13 Thank you.

14 COUNCILMAN SQUILLA: Thank you.
15 Thank you for your testimony.

16 Others who want to testify,
17 come up. Just state your name and then
18 proceed with your testimony.

19 MR. TIAGHA: Good morning,
20 Councilman Squilla. My name is Kahiga
21 Tiagha. I'm an attorney in Center City
22 Philadelphia. I have my own practice
23 here, but I've been supportive of
24 Southwest Philadelphia District Services
25 for the last six months or so. These

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2 gentlemen meet every single week on
3 Tuesday. In the room there are about 25
4 men.

5 It's very important to know
6 that this bill did not come before
7 Council by accident. These gentlemen
8 have been working for the last seven
9 years on the plan to revitalize their
10 community, a community that has been
11 frankly completely ignored by the City.
12 The amount of economic depression that
13 there is, the reason why this bill means
14 so much is because the gentlemen who are
15 sitting here today have been involved who
16 lived in the neighborhood and are
17 offering their support.

18 It is very important to listen
19 to the comments that Michael Ross just
20 made here. In no way is this bill trying
21 to take away responsibility or the
22 authority of the Department of License
23 and Inspections. What it is trying to do
24 is to make sure that the work that is put
25 in since April 3rd of 2007 remains under

1 10/6/14 - STREETS - BILL 140379, ETC.

2 the influence of this organization.

3 Southwest Philadelphia District Services

4 is the registered community organization

5 as well. It is acting deliberately to

6 make sure any vendor that comes and sets

7 up within those 90 spots has the

8 appropriate support of Southwest District

9 so that they could aggregate the

10 resources, not only in terms of technical

11 assistance but also in terms of

12 advocating for better services from the

13 City departments and others.

14 So just in conclusion, I think

15 there is a way -- we've been working on

16 the bill for so long that if we go back

17 again and go and analyze it, it

18 fundamentally underestimates what this

19 organization has tried to do. And what

20 it's trying to do is to motivate the

21 members of its own community to begin to

22 take responsibility of economic

23 revitalization. How they're doing that

24 is making sure that people are more

25 involved in the community by taking

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2 control of vacant lots, beautifying the
3 neighborhoods, actually actively
4 investing in community development, and
5 vending is a large way of people learning
6 how to do business, so that when they do
7 become storefront owners, they are a
8 little bit more responsible.

9 So I would recommend strongly
10 that we don't postpone this further; that
11 the bill as it has been introduced does
12 not impinge upon the rights of the
13 Department of Licenses and Inspection;
14 that as it is currently configured, it
15 can certainly go by.

16 And with that, I'll cede the
17 microphone to my colleague.

18 COUNCILMAN SQUILLA: Thank you.

19 MR. ALI: Good morning, members
20 of Council. I have some testimony I'd
21 like to read in the record, if you can
22 have somebody give you all a copy.

23 Before I begin, I just wanted
24 to start where our attorney left off when
25 he said the community has been ignored.

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2 You know, typically I know you don't
3 shoot the messenger, but I have to take
4 exception with Ms. Rebecca Swanson,
5 because prior to her -- when you asked
6 her several questions about other areas
7 and other communities, she stated she
8 believed, and that was code word for she
9 didn't know and as Councilwoman Blackwell
10 started pointing out about Penn and as
11 you pointed out about the Italian Market.

12 Also, Ms. Swanson and L&I, you
13 know, when they talked about that
14 lottery, in the testimony was that those
15 lotteries was given out and it was eight
16 years ago. So for eight years, they see
17 nothing wrong with people having
18 basically won a lottery for life. And as
19 she said, she also mentioned that they're
20 only taking -- on her earlier testimony
21 for some of those bills, she mentioned
22 that they're only redistributing licenses
23 that people weren't held. Where's the
24 people that held those licenses? Did L&I
25 contact them? But Ms. Swanson -- what's

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2 really shocking to me is that prior to
3 her engagement -- she's only been here
4 since 2013, but since 2012, she was in
5 charge of civic engagement for a
6 department in this city. When did she
7 ever come out to Southwest Philadelphia?
8 I never saw her out there and I've been
9 in Southwest Philly my entire life. One
10 of the things about this organization, we
11 go way back, we go back to when we were
12 young men. So one of the things is that
13 we've seen a lot.

14 Now, when you take somebody
15 like Ms. Swanson and she comes in here --
16 she's the messenger, but when I knew what
17 her prior position was, you know, I take
18 it a little personal for that, because we
19 have somebody in position that can't
20 relate to us. She can't relate to us as
21 black men. Now, we have to keep it real,
22 and I told you before -- I've come down
23 here before, but for the record, my name
24 is Jihad Ali. But I've come down here
25 before and I like to keep it real.

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2 Good morning, Mr. Chairman
3 Squilla and members of the Streets and
4 Services Committee. My name is Jihad
5 Ali. I'm an advisor to Southwest
6 Philadelphia District Services. I'm here
7 to testify in support of Bill 140632
8 amending Section 9-206 of The
9 Philadelphia Code by creating the
10 Woodland Avenue Business District for
11 Sidewalk Vending.

12 I join in support of the bill
13 by Councilwoman Jannie Blackwell on
14 behalf of Southwest Philadelphia District
15 Services. The Woodland Avenue Business
16 District for Sidewalk Vending is located
17 in the 19143 zip code area, which is an
18 area designated by the United States
19 Department of Treasury as a highly
20 distressed area. This designation is for
21 certain geographic areas within
22 Philadelphia that have significant
23 deficient economic conditions relative to
24 unemployment or personal income. Some of
25 the community indicators are as follows:

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2 The poverty rate is 37.4
3 percent. The median family income is
4 39.1 percent. The unemployment rate is
5 21.3 percent.

6 The above indicators are the
7 very reason SWPDS members proposed the
8 creation of the Vendors Row. Since 2007,
9 the primary goal of SWPDS has been to
10 bring about change in the community by
11 addressing the needs of the citizens of
12 Southwest Philadelphia for business
13 creation and economic development to
14 revitalize the community. This
15 organization proposed this Vendors Row as
16 a way to renew the community spirit in a
17 section of the City that City agencies
18 have not addressed in any real
19 significant way.

20 While there are many areas that
21 need help in Southwest Philadelphia, the
22 creation of a Vendors Row will help
23 engage the community residents with a
24 means to cooperate, network, and conduct
25 business among the avenue. When SWPDS

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2 held the first Woodland Avenue Vendors

3 Row event, the citizens overwhelmingly

4 turned out in support of the event.

5 There was strong community participation.

6 The resourcefulness of SWPDS

7 has proposed is requesting your support.

8 I am gravely disappointed that License

9 and Inspection has taken the position to

10 oppose the Vendors Row in the distressed

11 area of the City. What does L&I propose

12 to do in this area that has the following

13 indicators:

14 The median household income is

15 below state average. The median house

16 value, below state average. Unemployment

17 percentage, above state average. Black

18 race population percentage, significantly

19 above state average. Hispanic race

20 population percentage, below state

21 average. Median age, below state

22 average. Renting percentage, above state

23 average. Length of stay since moving in,

24 significantly above state average. House

25 age, above state average. Percentage of

1 10/6/14 - STREETS - BILL 140379, ETC.
2 population with Bachelor's degree or
3 higher, below state average. Residents
4 with income below the poverty level in
5 2011 in the zip code was 29.6 percent.
6 The whole state it was 13.8 percent.
7 Residents with income below 50 percent of
8 the poverty level in 2011, in this zip
9 code it was 17.2 percent. The whole
10 state, 7.6 percent.

11 Woefully, L&I has stated that
12 their department does not look at these
13 distress indicators. I would agree. In
14 fact, it is you, the legislators, who
15 have the responsibility to come up with
16 solutions to think outside the box, to
17 try new approaches to solve these
18 community distress points.

19 In conclusion, I would like to
20 emphasize the importance of this Vendors
21 Row initiative and its multiple benefits
22 to the City and the community of
23 Southwest Philadelphia. This will bring
24 about significant change to the avenue in
25 a densely populated area that has not

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2 been revitalized and has been seen as an
3 undesirable area to the blight
4 surrounding the area.

5 A comparable group of citizens,
6 as pointed out by the fellow
7 Councilmembers, is in South Philadelphia,
8 the proposed Vendors Row, and they had
9 complete control of the allocating
10 Vendors Row location for over 40 years,
11 and that was the Italian Market. So if
12 you reflect in your minds on that and how
13 that specific Vendors Row helped save
14 families by providing income, also
15 consider how it helped the community of
16 immigrants to find their way out of
17 poverty. Think of what it did for the
18 City as a whole.

19 I respectfully ask that you
20 favor Bill 140632 out of Streets and
21 Services. I'd like to thank you very
22 much. Thank you, Councilwoman Blackwell,
23 for enabling this honorable group of men
24 to bring about change in their community
25 and bring forth Bill 140632.

1 10/6/14 - STREETS - BILL 140379, ETC.

2 COUNCILMAN SQUILLA: Thank you.

3 Thank you.

4 Is there anyone else here to
5 testify?

6 (No response.)

7 COUNCILMAN SQUILLA: Councilman
8 Greenlee, and then I'll let you --

9 COUNCILMAN GREENLEE: Real
10 quick. Thank you, Mr. Chairman.

11 Just so I'm clear, it sounds
12 like from what they're proposing -- I
13 know we got to rework this. We all agree
14 with that. But the whole idea of a curb
15 market, what they're kind of describing
16 is -- I know the wording has to be worked
17 out, but that's kind of consistent with a
18 curb market, right?

19 MS. SWANSON: Can I say
20 something first before I answer your
21 question?

22 COUNCILMAN GREENLEE: If you're
23 not going to get us in more trouble, yes.

24 MS. SWANSON: I need to take
25 exception to any personal attacks on me,

1 10/6/14 - STREETS - BILL 140379, ETC.
2 which are both inappropriate and
3 irrelevant. My resume has nothing to do
4 with my testimony today and I need it on
5 the record that that testimony was
6 extremely inappropriate.

7 COUNCILMAN GREENLEE: You've
8 always worked very well with us and you
9 do a good job.

10 MS. SWANSON: Thank you.

11 The Department's issue here is
12 that we would have no way of enforcing
13 this. If this group decides who gets to
14 go where and then someone is in the wrong
15 spot and they call L&I to come out, what
16 are we supposed to do? Because it's
17 going to be one person saying I can be
18 here and one person saying that he can't
19 be here, and there could be interpersonal
20 conflict, whatever. The Department has
21 no way of enforcing that, which is why we
22 do it by a neutral lottery with spots
23 assigned by the Department, and that's
24 why we have said we want to work -- we
25 could work with the Councilwoman's office

1 10/6/14 - STREETS - BILL 140379, ETC.
2 to come up with a different solution such
3 as a curb market where the Department is
4 involved --

5 COUNCILMAN GREENLEE: That's
6 the whole point. I don't want to
7 interrupt you, but so we don't go back
8 and forth here, that's the whole point
9 here. That was my question.

10 MS. SWANSON: Yes.

11 COUNCILMAN GREENLEE: So if
12 working with the Councilwoman, we work
13 this to a curb market similar, maybe not
14 exactly the same, as 9th Street, that
15 could work, correct?

16 MS. SWANSON: That could work,
17 yes.

18 COUNCILMAN GREENLEE: That's
19 all I asked. Just so we don't have a
20 back and forth here.

21 COUNCILWOMAN BLACKWELL: Let me
22 note that --

23 COUNCILMAN SQUILLA:
24 Councilwoman Blackwell.

25 COUNCILWOMAN BLACKWELL: Thank

1 10/6/14 - STREETS - BILL 140379, ETC.

2 you.

3 Let me note that this isn't
4 personal. Nobody is talking about you.
5 We're talking about men who are trying to
6 save their community. And in terms of if
7 there were a fight, they're always on the
8 scene. They would make those decisions.
9 They're not asking L&I to judge any
10 irregularities or problems that could
11 come up. They're there. They would do
12 it.

13 But it certainly isn't about
14 you. Like you said -- like they said,
15 you just got here. These were men who
16 were gang war men when they were
17 children. They all grew up together and
18 got together to come back and save their
19 community. That's admirable. It
20 certainly isn't about you and it's not
21 about me. It's about saving their
22 community, improving -- Mantua was the
23 area that was blighted. I put my
24 vestment there. This is the most
25 blighted area in my district. This is

1 10/6/14 - STREETS - BILL 140379, ETC.
2 worse than Mantua was when we started,
3 and this is a core group of people who
4 are ready to change that. We got to work
5 with our community to improve it.

6 So, again, Ms. Swanson, it is
7 not about you. And they're ready to do
8 the judging or whatever they have to do.

9 Thank you again, and thank you,
10 Councilman Greenlee, for letting us know
11 that that program exists.

12 COUNCILMAN SQUILLA: Thank you.
13 Councilman Neilson.

14 COUNCILMAN NEILSON: Just first
15 I'd like to applaud you all for coming
16 here and testifying today and letting us
17 know how you feel. A little suggestion
18 as we go through these changes and we're
19 ready to try and attempt to make this
20 right and the correct approach, I would
21 ask you to entertain the neighborhood
22 participation on the legislation. What
23 we do is, we have multiple contracts
24 within the City that holds on to
25 neighborhood participation, and I think

1 10/6/14 - STREETS - BILL 140379, ETC.
2 that's important as you move forward,
3 because what I hear from all of you
4 speaking today was neighborhood,
5 community, neighborhood, community,
6 neighborhood, community. And it's about
7 making your own neighborhood strong, and
8 that's what I'm about too.

9 So if you could make it so that
10 80 percent of your vendors are right from
11 that community, that will be helpful to
12 you, and I look forward to working with
13 you and the Councilwoman on doing that,
14 because I think that's important.
15 Neighborhoods is -- we talk about
16 different neighborhoods throughout the
17 City, and we're lacking that, because
18 when we were kids, it was a little
19 different. Our neighborhoods were a
20 little different, and if we could bring
21 that back together, that would be super
22 for the whole City, and hopefully other
23 neighborhoods and communities will model
24 themselves after this step in the right
25 direction.

1 10/6/14 - STREETS - BILL 140379, ETC.

2 Thank you.

3 COUNCILMAN SQUILLA:

4 Councilwoman Bass.

5 COUNCILWOMAN BASS: Thank you,
6 Mr. Chairman.

7 I just have a quick question,
8 Rebecca. When we determined that or when
9 L&I determines that a sidewalk vending
10 license is inappropriate, do we at any
11 point give any sort of idea or suggestion
12 that maybe a curb license could be
13 something that would work better? Is
14 that something that -- because what I'm
15 thinking is that maybe we could have
16 avoided being at this sort of
17 uncomfortable point if we had advised
18 appropriately from the Department that
19 knows what the regulations are what we
20 can do and what we can't do.

21 MS. SWANSON: Well, we don't
22 oppose vending in this location, because
23 vending is not prohibited. Everyone can
24 come out and vend tomorrow if they have
25 their license. We weren't consulted in

1 10/6/14 - STREETS - BILL 140379, ETC.
2 the drafting of the legislation, so we
3 didn't see it until it was written. We
4 would have suggested some amendments or
5 some changes, because frankly we didn't
6 believe -- our Vending Unit didn't
7 believe a Special Vending District was
8 necessary in this location because there
9 aren't any vendors there now and because
10 the area where vending is not prohibited,
11 anyone can come vend there.

12 So we are happy to now work --
13 and, again, we did make the offer that we
14 could come out and do a training so that
15 everyone knew exactly what they needed to
16 get in order to vend, because you need to
17 get your vending license. If you're
18 selling food, you need a food license,
19 things like that. So, again, that offer
20 stands and the offer to work with the
21 Councilwoman's office to work something
22 out, that offer still stands. But,
23 again, just to make it clear, as long as
24 you have a vending license, people can be
25 out there today. You can go right across

1 10/6/14 - STREETS - BILL 140379, ETC.
2 the street to MSB and apply for your
3 vending license.

4 COUNCILWOMAN BASS: I
5 understand, but I guess what I'm
6 encouraging is that at whatever point you
7 are made aware of the legislation, that
8 it might have been helpful if you had
9 sort of reached across and said, you
10 know, maybe this is something that might
11 be a little more appropriate. That's all
12 I'm thinking.

13 COUNCILMAN SQUILLA: Thank you.
14 Councilman Oh.

15 COUNCILMAN OH: Thank you,
16 Mr. Chairman.

17 In summary, it sounds like
18 we're going to move forward and get this
19 done, and it doesn't sound like there's
20 any opposition to ultimately getting this
21 done. There are some technical things
22 that have to be adjusted, but I don't
23 think anybody is in opposition to having
24 this organization move forward with the
25 mission it has and seeing that there's

1 10/6/14 - STREETS - BILL 140379, ETC.
2 vending in this area.

3 COUNCILMAN SQUILLA: Thank you.

4 All right. Well, thank you all
5 for your testimony. We really appreciate
6 you coming out here today, and I'm very
7 glad to hear that L&I and Councilwoman
8 Blackwell will continue to work together
9 on coming up with a mechanism to make
10 this work, and we have agreed to hold
11 140632.

12 At this time, we conclude the
13 hearings on the Committee of Streets and
14 Services. We'll now go into a public
15 meeting.

16 The Chair would like to
17 recognize Councilman Greenlee.

18 COUNCILMAN GREENLEE: Thank
19 you, Mr. Chairman. I move that the
20 following bills be reported out of
21 Committee with a favorable recommendation
22 and that the rules of Council be
23 suspended to allow for first reading at
24 our next session of Council: Bill Nos.
25 140650, 140691, 140696, 140651, 140486,

1 10/6/14 - STREETS - BILL 140379, ETC.
2 140520, and 140634.

3 (Duly seconded.)

4 COUNCILMAN SQUILLA: All those
5 in favor?

6 (Aye.)

7 COUNCILMAN SQUILLA: Any
8 opposed?

9 (No response.)

10 COUNCILMAN SQUILLA: None. The
11 ayes have it. Seeing that all bills read
12 into the record have passed, that will
13 end our session.

14 Thank you.

15 (Committee on Streets and
16 Services concluded at 11:25 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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