

COUNCIL OF THE CITY OF PHILADELPHIA
STATED MEETING

Via Microsoft Teams
Philadelphia, Pennsylvania
Thursday, December 9, 2021
10:19 a.m.

PRESENT:

COUNCIL PRESIDENT DARRELL L. CLARKE
COUNCILWOMAN CINDY BASS
COUNCILWOMAN KENDRA BROOKS
COUNCILMAN ALLAN DOMB
COUNCILWOMAN JAMIE GAUTHIER
COUNCILWOMAN KATHERINE GILMORE RICHARDSON
COUNCILMAN DEREK S. GREEN
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
COUNCILMAN MARK SQUILLA
COUNCILMAN ISAIAH THOMAS

MICHAEL A. DECKER, CHIEF CLERK

- - -

1 12/9/21 - STATED - ROLL CALL

2 COUNCIL PRESIDENT CLARKE:

3 Thank you, and good morning to everyone.

4 Thank you so much for being here.

5 Before we begin the Council
6 session today, I'm just going to make a
7 couple of following announcements.

8 Due to the continuing threat to
9 public health from COVID-19 and the delta
10 variant, City Council is currently
11 meeting remotely. We are using Microsoft
12 Teams to make this remote meeting
13 possible. Instructions for how the
14 public may view the meeting and offer
15 public comment are included in the Stated
16 Meeting notice that was published in the
17 Daily News, the Inquirer, and the Legal
18 Intelligencer prior to the meeting. It
19 can also be found on PHLCouncil.com.

20 I now note that the hour has
21 come. The Clerk will please call the
22 roll to take attendance, and members that
23 are in attendance, just say a couple of
24 words to make sure that your image is
25 displayed on the screen.

1 12/9/21 - STATED - ROLL CALL

2 Mr. Decker, please call the
3 roll.

4 CHIEF CLERK: Councilwoman
5 Bass.

6 (No response.)

7 CHIEF CLERK: Councilwoman
8 Brooks.

9 COUNCILWOMAN BROOKS: Good
10 morning --

11 COUNCILWOMAN BASS: I
12 apologize.

13 COUNCIL PRESIDENT CLARKE: I
14 think Bass is here. Councilwoman Bass?

15 COUNCILWOMAN BASS: I am
16 present. I am present. Thank you. I
17 apologize. I'm having difficulties this
18 morning, technical difficulties, but I am
19 present. Thank you.

20 COUNCIL PRESIDENT CLARKE:
21 Thank you, Councilwoman.

22 CHIEF CLERK: Councilwoman
23 Brooks.

24 COUNCILWOMAN BROOKS: I'm
25 present.

1 12/9/21 - STATED - ROLL CALL

2 COUNCIL PRESIDENT CLARKE: Good
3 morning.

4 COUNCILWOMAN BROOKS: Good
5 morning.

6 CHIEF CLERK: Councilman Domb.

7 COUNCILMAN DOMB: Good morning,
8 Council President and colleagues and the
9 listening public.

10 COUNCIL PRESIDENT CLARKE: Good
11 morning.

12 CHIEF CLERK: Councilwoman
13 Gauthier.

14 COUNCILWOMAN GAUTHIER: Good
15 morning, Council President and colleagues
16 and Philadelphia. Present.

17 COUNCIL PRESIDENT CLARKE: Good
18 morning.

19 CHIEF CLERK: Councilwoman
20 Gilmore Richardson.

21 COUNCILWOMAN RICHARDSON: Good
22 morning, Council President. Good
23 morning, colleagues.

24 COUNCIL PRESIDENT CLARKE: Good
25 morning.

1 12/9/21 - STATED - ROLL CALL

2 CHIEF CLERK: Councilman Green.

3 COUNCILMAN GREEN: Good

4 morning, Council President. Good

5 morning, colleagues. Good morning to the

6 City of Brotherly Love and Sisterly

7 Effectiveness.

8 COUNCIL PRESIDENT CLARKE: Good

9 morning.

10 CHIEF CLERK: Councilwoman Gym.

11 COUNCILWOMAN GYM: Good

12 morning, Council President. Good

13 morning, colleagues. I'm present.

14 COUNCIL PRESIDENT CLARKE: Good

15 morning.

16 CHIEF CLERK: Councilman Henon.

17 COUNCILMAN HENON: Good

18 morning, Council President. Good

19 morning, colleagues. I am present.

20 COUNCIL PRESIDENT CLARKE: Good

21 morning.

22 CHIEF CLERK: Councilman

23 Johnson.

24 COUNCILMAN JOHNSON: Good

25 morning, Council President. Good

1 12/9/21 - STATED - ROLL CALL

2 morning, colleagues. Sending out prayers
3 to all families who have lost their loved
4 ones to senseless gun violence.

5 COUNCIL PRESIDENT CLARKE: Good
6 morning.

7 CHIEF CLERK: Councilman Jones.

8 COUNCILMAN JONES: Good
9 morning, President. Good morning,
10 colleagues. Good morning, Philadelphia.

11 COUNCIL PRESIDENT CLARKE: Good
12 morning.

13 CHIEF CLERK: Councilman Oh.

14 COUNCILMAN OH: Good morning,
15 Council President. Good morning,
16 colleagues. I'm present.

17 COUNCIL PRESIDENT CLARKE: Good
18 morning.

19 CHIEF CLERK: Councilman
20 O'Neill.

21 COUNCILMAN O'NEILL: Good
22 morning, everyone.

23 COUNCIL PRESIDENT CLARKE: Good
24 morning.

25 CHIEF CLERK: Councilwoman

1 12/9/21 - STATED - ROLL CALL

2 Parker.

3 COUNCILWOMAN PARKER: Good
4 morning, Mr. President and colleagues and
5 Philadelphia.

6 COUNCIL PRESIDENT CLARKE: Good
7 morning.

8 CHIEF CLERK: Councilwoman
9 Quinones-Sanchez.

10 COUNCILWOMAN SANCHEZ: Good
11 morning, Council President. Good
12 morning, colleagues. I am present.

13 COUNCIL PRESIDENT CLARKE: Good
14 morning.

15 CHIEF CLERK: Councilman
16 Squilla.

17 COUNCILMAN SQUILLA: Good
18 morning, Council President, colleagues.
19 Present.

20 COUNCIL PRESIDENT CLARKE: Good
21 morning.

22 CHIEF CLERK: Councilman
23 Thomas.

24 COUNCILMAN THOMAS: Good
25 morning, Council President. Good

1 12/9/21 - STATED - INVOCATION

2 morning, colleagues. Good morning to the
3 listening public. I'm present.

4 COUNCIL PRESIDENT CLARKE: Good
5 morning.

6 CHIEF CLERK: Council President
7 Clarke.

8 COUNCIL PRESIDENT CLARKE: And
9 good morning and present, and good
10 morning to everyone.

11 To give our invocation this
12 morning, the Chair recognizes Pastor
13 Nicholas O'Rourke of the Living Water
14 United Church of Christ. He is here
15 today as the guest of Councilwoman
16 Brooks.

17 I would ask all members and
18 guests to please bow your heads for the
19 invocation.

20 PASTOR O'ROURKE: Good morning,
21 Council President. Good morning, City
22 Council. Good morning, Philadelphia.

23 Saint Theophan the Recluse
24 reminds us that prayer is the breath of
25 the soul.

12/9/21 - STATED - INVOCATION

Let us pray.

Holy One, the words of Alfred,
Lord Tennyson in his piece Ulysses are
brought to my remembrance this morning.
Even as the light begins to twinkle from
the rocks, the long day wanes, slow moon
climbs, the deep moans round with many
voices saying, come, my friends, tis not
too late to seek a newer world.

We, like most people, mistake
the limits of our minds with the limits
of the world, more so the limits of the
world with the limits of you, God. Help
us to know the difference, even when
others don't.

When we think on it, we can see
that precisely in that difference is
where the work of these leaders is found
and nourished. Help us to overcome
whatever limiting beliefs, anxieties, or
fears they may quietly harbor, that they
might recognize that it's past time for
us to overcome our fear of freedom, that
it's high time to begin forging freedom

1 12/9/21 - STATED - INVOCATION

2 out of the time and space and resources
3 and relationships that they currently
4 have.

5 Help them, each and every one
6 of them, to see freedom, liberty, and
7 justice as the goal of their leadership
8 and their legislating, as the goal of
9 their street naming and their bridge
10 naming, and help us to hear the words of
11 Bishop Romero, who says that there are
12 many things that can only be seen through
13 the eyes of those who have cried.

14 So may all of them have the
15 grace and wisdom to act kindly, learn to
16 distinguish between what is personal and
17 what is not. May they be hospitable to
18 criticism. May they never put themselves
19 at the center of things. May they act
20 not from arrogance but out of service.

21 May they work on themselves, as
22 we all must, building up and refining the
23 ways of their mind. May those who work
24 for them, their staff, know that they are
25 seen and respected by these leaders. May

1 12/9/21 - STATED - INVOCATION

2 they learn to cultivate the art of
3 presence in order to engage with those
4 who they meet.

5 When someone fails them, as
6 will happen, or disappoints them, as is
7 sure to happen, may the graciousness with
8 which they engage be their stairway to
9 renewal and refinement.

10 May they treasure the gifts of
11 the mind through reading and creative
12 thinking so that they can continue as a
13 servant of the frontier. May the new
14 wheel draw its enrichment from the old,
15 and may they never become just a
16 functionary.

17 May they know the wisdom of
18 deep listening, the healing of wholesome
19 words, the encouragement of that
20 appreciative gaze that they gave, the
21 decorum of held dignity, the springtime
22 edge of the bleak question. May they
23 have a mind that loves frontiers so that
24 they can evoke the bright fields that lie
25 beyond the view of the regular eye.

1 12/9/21 - STATED - APPROVAL OF JOURNAL

2 May they have good friends to
3 mirror their blind spots, and may
4 leadership be for them a true adventure
5 of growth.

6 These things we pray in the
7 many names in which you are recognized,
8 Holy One, and we say amen.

9 (Amen.)

10 COUNCIL PRESIDENT CLARKE:

11 Thank you so much, Pastor. We really
12 appreciate you being here today. Thank
13 you.

14 The next segment and our next
15 order of business is the approval of the
16 Journal of the meeting of Thursday,
17 December the 2nd, 2021, and the Chair
18 recognizes Councilman Squilla.

19 COUNCILMAN SQUILLA: Thank you,
20 Mr. President. I move that the Journal
21 of the meeting on Thursday, December 2nd,
22 2021 be approved.

23 (Duly seconded.)

24 COUNCIL PRESIDENT CLARKE:

25 Thank you. It has been moved and

1 12/9/21 - STATED - LEAVES

2 properly seconded that the Journal of the
3 meeting of Thursday, December 2nd, 2021
4 stand approved.

5 All in favor indicate by saying
6 aye.

7 (Aye.)

8 COUNCIL PRESIDENT CLARKE:

9 Those opposed?

10 (No response.)

11 COUNCIL PRESIDENT CLARKE: The
12 ayes have it, and our Journal is
13 approved.

14 And our next order of business
15 is requests for leave of absence, and the
16 Chair recognizes Councilwoman Parker.

17 COUNCILWOMAN PARKER: Thank
18 you, Mr. President. On behalf of the
19 members of Council, there are no requests
20 for leaves of absence today.

21 COUNCIL PRESIDENT CLARKE:

22 Thank you. The Chair thanks the
23 Councilwoman.

24 And, again, the Chair
25 recognizes Councilwoman Parker for a

1 12/9/21 - STATED - MOTION REGARDING CALENDAR

2 motion concerning certain legislative
3 matters that may arise during the course
4 of today's session of Council and that
5 were not listed on the Calendar
6 circulated prior to today's session.

7 COUNCILWOMAN PARKER: Thank
8 you, Mr. President. I move that any of
9 the following matters, if considered
10 today, be added to the agenda for this
11 session of Council and, as required by
12 law, subsequently published on an amended
13 agenda after the consideration of those
14 matters: resolutions authorizing
15 hearings, amendments to bills on first
16 reading, the reconsideration of a bill
17 vetoed by or re-called from the Mayor,
18 resolutions taking substantive action to
19 be voted on in this session, a motion to
20 withdraw a bill or resolution that is not
21 on the Calendar, and a motion placing a
22 bill or resolution on or returning a bill
23 or resolution from the Suspension
24 Calendar that is not listed on today's
25 Calendar.

1 12/9/21 - STATED - MOTION REGARDING CALENDAR

2 The purpose of this motion is
3 to provide the public with notice
4 concerning possible actions by Council
5 that arose too late to be included on the
6 Calendar that was published prior to
7 today's session.

8 (Duly seconded.)

9 COUNCIL PRESIDENT CLARKE: Can
10 someone mute themselves. Thank you.

11 Thank you. It has been moved
12 and properly seconded that the
13 legislative matters stated by
14 Councilwoman Parker be added to the
15 agenda for today, should those matters
16 arise during the course of the session of
17 Council.

18 All in favor indicate by saying
19 aye.

20 (Aye.)

21 COUNCIL PRESIDENT CLARKE:

22 Those opposed?

23 (No response.)

24 COUNCIL PRESIDENT CLARKE: The
25 ayes have it and the motion carries.

1 12/9/21 - STATED - COMMUNICATIONS

2 And I ask --

3 COUNCILWOMAN PARKER:

4 Mr. President, I'm sorry. I just wanted
5 to note for the record that if people
6 could make sure that they are on mute.
7 The President just asked that, but
8 someone was still off of mute.

9 Thank you so much.

10 COUNCIL PRESIDENT CLARKE:

11 Thank you, Councilwoman. Thank you.

12 Our next order of business is
13 communications, and, Mr. Decker, please
14 read the messages from the Mayor and any
15 other communications that you may have in
16 your possession.

17 CHIEF CLERK: From the Mayor to
18 the President and members of the Council
19 of the City of Philadelphia, I am pleased
20 to advise you that on December 8, 2021, I
21 signed the following bills which were
22 passed by Council at its session on
23 December 2, 2021: Bill No. 210776 and
24 210900.

25 And I am transmitting for the

12/9/21 - STATED - COMMUNICATIONS

consideration of your honorable body a
resolution authorizing the Commissioner
of Public Property to execute and deliver
to the Philadelphia Redevelopment
Authority deeds conveying fee simple
title to certain City-owned lots or
pieces of ground with the buildings and
improvements thereon situate in the
Second Councilmanic District of the City
of Philadelphia and further authorizing
the Philadelphia Redevelopment Authority
to transfer to the Philadelphia Land Bank
fee simple title to such properties; and

A resolution reappointing
Bernie A. Prazenica to the Board of
Directors of the City Avenue Special
Services District of Philadelphia and
Lower Merion; and

A resolution reappointing Jay
S. Feldstein to the Board of Directors of
the City Avenue Special Services District
of Philadelphia and Lower Merion; and

A resolution confirming the
appointment of Sophia Lee as a member of

1 12/9/21 - STATED - INTRO. OF BILLS
2 the Board of the Philadelphia Energy
3 Authority, to serve in the term ending
4 January 1, 2023, all under certain terms
5 and conditions.

6 COUNCIL PRESIDENT CLARKE:

7 Thank you, Mr. Decker.

8 And our next order of business
9 is the introduction of bills and
10 resolutions. And by way of a reminder,
11 we are asking that all resolutions,
12 including privileged resolutions, be
13 placed on the Final Passage Calendar for
14 the next session of Council, unless they
15 are being referred to committee. In our
16 current remote environment, this
17 procedure will provide the appropriate
18 opportunity for public comment.

19 I want to thank you very much
20 in advance for your anticipated
21 cooperation.

22 Mr. Decker, please read the
23 titles of the legislation that is being
24 offered today by our members.

25 CHIEF CLERK: Yes,

1 12/9/21 - STATED - INTRO. OF BILLS

2 Mr. President.

3 Councilwoman Parker offers nine
4 resolutions. On behalf of Council
5 President Clarke, a resolution
6 recognizing and congratulating WHY? and
7 the News and Information Community
8 Exchange collaborative on their steadfast
9 commitment to diversify local news
10 sources, and empower local, BIPOC, and
11 underserved communities through
12 grassroots news.

13 COUNCIL PRESIDENT CLARKE: Next
14 week's Calendar.

15 CHIEF CLERK: And a resolution
16 authorizing -- also on behalf of Council
17 President Clarke, a resolution
18 authorizing the Philadelphia Land Bank to
19 dispose of 2929 North 13th Street located
20 in the 5th Councilmanic District.

21 COUNCIL PRESIDENT CLARKE: Next
22 week's Calendar.

23 CHIEF CLERK: On behalf of
24 Council President Clarke, a resolution
25 authorizing the Philadelphia

1 12/9/21 - STATED - INTRO. OF BILLS

2 Redevelopment Authority to execute and
3 deliver to the Philadelphia Land Bank
4 deeds conveying title to certain
5 properties located in the Fifth
6 Councilmanic District; and

7 On behalf of Council President
8 Clarke, a resolution authorizing the
9 Commissioner of Public Property to
10 execute and deliver to the Philadelphia
11 Redevelopment Authority deeds conveying
12 fee simple title to 1335 North 8th
13 Street, 1401 North 8th Street, and 1402
14 North 30th Street.

15 COUNCIL PRESIDENT CLARKE: Next
16 week's Calendar.

17 CHIEF CLERK: And on her own
18 behalf, Councilwoman Parker offers a
19 resolution honoring Philadelphia VIP on
20 the Special Occasion of its Fortieth
21 Anniversary.

22 COUNCIL PRESIDENT CLARKE: Next
23 week's Calendar.

24 CHIEF CLERK: And a resolution
25 honoring the Philadelphia Lawyers for

1 12/9/21 - STATED - INTRO. OF BILLS

2 Social Equity on the Special Occasion of
3 its Tenth Anniversary.

4 COUNCIL PRESIDENT CLARKE: Next
5 week's Calendar.

6 CHIEF CLERK: And a resolution
7 commending Patricia Wilson Aden on her
8 Appointment as President and CEO of the
9 Greater Philadelphia Cultural Alliance.

10 COUNCIL PRESIDENT CLARKE: Next
11 week's Calendar.

12 CHIEF CLERK: And a resolution
13 honoring the Local Initiatives Support
14 Corporation on the Special Occasion of
15 its Fortieth Anniversary.

16 COUNCIL PRESIDENT CLARKE: Next
17 week's Calendar.

18 CHIEF CLERK: And a resolution
19 commending The Black Promoters Collective
20 on their official formation as a
21 100 percent Black-owned organization.

22 COUNCIL PRESIDENT CLARKE: Next
23 week's Calendar.

24 CHIEF CLERK: Councilwoman
25 Gilmore Richardson offers, on behalf of

12/9/21 - STATED - INTRO. OF BILLS

Council President Clarke, a resolution
also naming the 1500 block of West Cabot
Street from 15th Street to 16th Street,
"Vivian VanStory Way" to honor and
commemorate the life of Vivian VanStory
and her lasting impact on her North
Philadelphia community.

COUNCIL PRESIDENT CLARKE: Next
week's Calendar.

CHIEF CLERK: Also on behalf of
Council President Clarke, a resolution
also naming the 2500 block of West
Stewart Street from 25th Street to 26th
Street, "Warren McMichael Way" to honor
and commemorate the life of Warren
McMichael and his lasting impact on the
Brewerytown-Sharswood community.

COUNCIL PRESIDENT CLARKE: Next
week's Calendar.

CHIEF CLERK: Councilman Jones
offers five resolutions, entitled a
"Resolution recognizing and honoring
Terrence Foley for fifteen years of
committed service as the President and

1 12/9/21 - STATED - INTRO. OF BILLS
2 Chief Executive Officer of the City
3 Avenue Special Services District of
4 Philadelphia in the 4th Councilmanic
5 District."

6 COUNCIL PRESIDENT CLARKE:
7 Referred to committee.

8 CHIEF CLERK: And a resolution
9 recognizing and honoring the legendary
10 sports journalist Donald Hunt on the
11 occasion of his retirement after over
12 thirty years of writing for the
13 Philadelphia Tribune.

14 COUNCIL PRESIDENT CLARKE: Next
15 week's Calendar.

16 CHIEF CLERK: And a resolution
17 recognizing and honoring Al Schmidt for
18 his 10-year tenure as a Philadelphia City
19 Commissioner, and wishing him well as he
20 begins a new chapter in his career as
21 President and Chief Executive Officer of
22 the Committee of Seventy.

23 COUNCIL PRESIDENT CLARKE: Next
24 week's Calendar.

25 CHIEF CLERK: And a resolution

1 12/9/21 - STATED - INTRO. OF BILLS
2 reappointing Jay S. Feldstein to the
3 Board of Directors of the City Avenue
4 Special Services District of
5 Philadelphia.

6 COUNCIL PRESIDENT CLARKE:
7 Referred to committee.

8 CHIEF CLERK: And a resolution
9 reappointing Bernie A. Prazenica to the
10 Board of Directors of the City Avenue
11 Special Services District of Philadelphia
12 and Lower Merion.

13 COUNCIL PRESIDENT CLARKE:
14 Referred to committee.

15 CHIEF CLERK: Councilman
16 Johnson offers three resolutions,
17 entitled a "Resolution authorizing the
18 Special Committee on Gun Violence" to
19 Prevent -- I'm sorry. "Authorizing the
20 Special Committee on Gun Violence
21 Prevention to conduct hearings to examine
22 the correlation between domestic violence
23 and gun violence."

24 COUNCIL PRESIDENT CLARKE: This
25 week's Calendar.

1 12/9/21 - STATED - INTRO. OF BILLS

2 CHIEF CLERK: And a resolution
3 calling on the General Assembly to
4 prohibit the use of deadly force to make
5 a citizen's arrest.

6 COUNCIL PRESIDENT CLARKE: Next
7 week's Calendar.

8 CHIEF CLERK: And a resolution
9 authorizing the Commissioner of Public
10 Property to execute and deliver to the
11 Philadelphia Redevelopment Authority
12 deeds conveying fee simple title to 1306,
13 1308, 1310, 1312 and 1329 South 21st
14 Street, 1303 South 23rd Street, 1306
15 South 28th Street, 1213 South Bonsall
16 Street, 1148 South Cleveland Street, and
17 2632 Ellsworth Street.

18 COUNCIL PRESIDENT CLARKE: Next
19 week's Calendar.

20 CHIEF CLERK: Councilwoman
21 Brooks offers one resolution, entitled a
22 "Resolution recognizing the work and
23 contributions of labor and grassroots
24 community activist Ronald Whitehorn,
25 whose leadership and mentorship has

1 12/9/21 - STATED - INTRO. OF BILLS

2 inspired generations of activists and

3 leaders in the City of Philadelphia."

4 COUNCIL PRESIDENT CLARKE: Next
5 week's Calendar.

6 CHIEF CLERK: Councilwoman
7 Gauthier offers one resolution, entitled
8 a "Resolution designating Tuesday
9 December 21, 2021 as National Homeless
10 Persons' Memorial Day in the City of
11 Philadelphia."

12 COUNCIL PRESIDENT CLARKE: Next
13 week's Calendar.

14 CHIEF CLERK: Councilman
15 Squilla offers one resolution, entitled a
16 "Resolution honoring, congratulating, and
17 thanking Frank DiCicco on the occasion of
18 his retirement from the Zoning Board of
19 Adjustment and his many years of service
20 to the citizens of Philadelphia."

21 COUNCIL PRESIDENT CLARKE: Next
22 week's Calendar.

23 CHIEF CLERK: Councilman Oh
24 offers one resolution, entitled a
25 "Resolution proclaiming January 13, 2022

1 12/9/21 - STATED - REPORTS

2 as Korean American Day in Philadelphia to
3 celebrate and commemorate the proud
4 heritage of Korean Americans and their
5 invaluable contributions to enhance the
6 City's culture, economy, and the founding
7 ideals of independence and democracy."

8 COUNCIL PRESIDENT CLARKE: Next
9 week's Calendar.

10 CHIEF CLERK: There are no
11 other bills or resolutions being offered
12 today by the members, Mr. President.

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

15 And our next order of business
16 is reports from committees, and the Chair
17 recognizes Councilman Johnson for a
18 report from the Committee on Rules.

19 (No response.)

20 COUNCIL PRESIDENT CLARKE:
21 Councilman Johnson?

22 COUNCILWOMAN PARKER:
23 Mr. President, on behalf --

24 COUNCILMAN JOHNSON: Thank you,
25 Council President.

1 12/9/21 - STATED - REPORTS

2 COUNCILWOMAN PARKER: Okay.

3 COUNCILMAN JOHNSON: Thank you.

4 Thank you, Madam Chair.

5 Council President, I move that
6 the rules of Council be suspended so as
7 to permit first reading of this day of
8 Bills Nos. 210899, 210922, and 210926.

9 COUNCIL PRESIDENT CLARKE:

10 Councilman, just report the bills out
11 first with a favorable recommendation.

12 COUNCILMAN JOHNSON: Thank you,
13 Council President. I move that the rules
14 of Council be suspended so as to permit
15 first reading of this Bill Nos. 210899,
16 210222, and 210926.

17 COUNCILWOMAN PARKER:

18 Mr. President and Councilmember Johnson,
19 we just report the three bills out with a
20 favorable recommendation.

21 COUNCILMAN JOHNSON: I missed
22 that. I apologize.

23 Thank you, Council President.

24 The Committee on Rules reports out three
25 bills with a favorable recommendation.

1 12/9/21 - STATED - REPORTS

2 COUNCIL PRESIDENT CLARKE:

3 Thank you.

4 Mr. Decker, please read the
5 report.

6 CHIEF CLERK: To the President
7 and members of the Council of the City of
8 Philadelphia, the Committee on Rules, to
9 which was referred Bill No. 210899,
10 entitled "An ordinance amending Chapter
11 14-1000 of The Philadelphia Code,
12 entitled 'Historic Preservation,' to
13 establish a temporary demolition
14 moratorium with respect to properties in
15 the area bounded by Henry Avenue,
16 Roxborough Avenue, Silverwood Street, and
17 Fountain Street"; and

18 Bill No. 210922, entitled "An
19 ordinance to amend the Philadelphia
20 Zoning Maps by changing the zoning
21 designations of certain areas of land
22 located within an area bounded by
23 Fountain Street, Umbria Street, Paoli
24 Avenue, Ridge Avenue, Livezey Street,
25 Valley Avenue, and Henry Avenue"; and

12/9/21 - STATED - REPORTS

Bill No. 210926, entitled "An ordinance to amend the Philadelphia Zoning Maps by changing the zoning designations of certain areas of land located within an area bounded by Crispin Street, Willits Road, Academy Road, and Frankford Avenue," respectfully reports it has considered and amended the same and returns the attached bills to Council with a favorable recommendation.

COUNCIL PRESIDENT CLARKE:

Thank you, Mr. Decker.

The Chair again recognizes Councilman Johnson.

COUNCILMAN JOHNSON: I got it right this time. Watch this.

Thank you, Mr. President. I move that the rules of Council be suspended so as to permit first reading of this day of Bills Nos. 210899, 210922, and 210926.

(Duly seconded.)

COUNCIL PRESIDENT CLARKE:

Thank you, Councilman.

1 12/9/21 - STATED - REPORTS

2 It has been moved and properly
3 seconded that the rules of Council be
4 suspended so as to permit first reading
5 this day of Bills No. 210899, 210922, and
6 210926.

7 All those in favor indicate by
8 saying aye.

9 (Aye.)

10 COUNCIL PRESIDENT CLARKE:

11 Those opposed?

12 (No response.)

13 COUNCIL PRESIDENT CLARKE: The
14 ayes have it, and these bills will be
15 placed on our First Reading Calendar
16 today.

17 The Chair now recognizes
18 Councilman Green for a report from the
19 Committee on Finance.

20 COUNCILMAN GREEN: Thank you,
21 Council President. The Committee on
22 Finance reports out three bills with a
23 favorable recommendation.

24 COUNCIL PRESIDENT CLARKE:

25 Thank you.

1 12/9/21 - STATED - REPORTS

2 Mr. Decker, please read that
3 report.

4 CHIEF CLERK: The Committee on
5 Finance, to which was referred Bill No.
6 210782, entitled "An ordinance amending
7 Bill No. 210320, entitled 'An ordinance
8 to adopt a Capital Program for the six
9 Fiscal Years 2022 through 2027
10 inclusive,' by adding, revising, and/or
11 removing certain projects, amounts and
12 sources, for the purpose of providing
13 Safe Play Zone security cameras"; and

14 Bill No. 210783, entitled "An
15 ordinance amending Bill No. 210321,
16 entitled 'An ordinance to adopt a Fiscal
17 2022 Capital Budget,' by adding,
18 revising, and/or removing certain
19 projects, amounts and sources, for the
20 purpose of providing Safe Play Zone
21 security cameras"; and

22 Bill No. 210864, entitled "An
23 ordinance amending Subsection 19-2604(6)
24 of The Philadelphia Code ('Credit for
25 Contributions to Community Development

12/9/21 - STATED - REPORTS

Corporations, Nonprofit Organizations
Engaged in Developing and Implementing
Healthy Food Initiatives and Nonprofit
Intermediaries') to clarify the number of
contribution agreements that may be
entered into," respectfully reports it
has considered the same and returns the
attached bills to Council with a
favorable recommendation.

COUNCIL PRESIDENT CLARKE:

Thank you.

The Chair again recognizes
Councilman Green.

COUNCILMAN GREEN: Thank you,
Council President. I move that the rules
of Council be suspended so as to permit
first reading this day of Bill Nos.
210782, 210783, and 210864.

(Duly seconded.)

COUNCIL PRESIDENT CLARKE:

Thank you. It has been moved and
properly seconded that the rules of
Council be suspended so as to permit
first reading this day of Bills No.

1 12/9/21 - STATED - REPORTS

2 210782, 210783, and 210864.

3 All those in favor indicate by
4 saying aye.

5 (Aye.)

6 COUNCIL PRESIDENT CLARKE:

7 Those opposed?

8 (No response.)

9 COUNCIL PRESIDENT CLARKE: The
10 ayes have it, and these bills will be
11 placed on our First Reading Calendar
12 today.

13 The Chair now recognizes
14 Councilwoman Parker for a report from the
15 Committee on Law and Government.

16 COUNCILWOMAN PARKER: Thank
17 you, Mr. President. The Committee on Law
18 and Government reports out one bill and
19 one resolution with a favorable
20 recommendation.

21 COUNCIL PRESIDENT CLARKE:

22 Thank you.

23 Mr. Decker, please read that
24 report.

25 CHIEF CLERK: The Committee on

12/9/21 - STATED - REPORTS

Law and Government, to which was referred
Bill No. 210669, entitled "An ordinance
providing for the submission to the
qualified electors of the City of
Philadelphia of the proposal set forth in
a Resolution approved by Council
proposing an amendment to the
Philadelphia Home Rule Charter to revise
the composition of the Zoning Board of
Adjustment, by increasing the number of
appointees, providing for confirmation by
Council of appointees, and specifying
qualifications that appointees must
possess; and authorizing the appropriate
officers to publish notice and to make
arrangements for the special election";
and

Resolution No. 210692, entitled
a "Resolution proposing an amendment to
the Philadelphia Home Rule Charter to
revise the composition of the Zoning
Board of Adjustment, by increasing the
number of appointees, providing for
confirmation by Council of appointees,

1 12/9/21 - STATED - REPORTS
2 and specifying qualifications that
3 appointees must possess; and providing
4 for the submission of the amendment to
5 the electors of Philadelphia,"
6 respectfully reports it has considered
7 and amended the same and returns the
8 attached bill and resolution to Council
9 with a favorable recommendation.

10 COUNCIL PRESIDENT CLARKE:

11 Thank you.

12 The Chair again recognizes
13 Councilwoman Parker.

14 COUNCILWOMAN PARKER: Thank
15 you, Mr. President. I move that the
16 rules of Council be suspended so as to
17 permit first reading this day of Bill No.
18 210669.

19 (Duly seconded.)

20 COUNCIL PRESIDENT CLARKE:

21 Thank you. It has been moved and
22 properly seconded that the rules of
23 Council be suspended so as to permit
24 first reading this day of Bill No.
25 210669.

1 12/9/21 - STATED - REPORTS

2 All those in favor indicate by
3 saying aye.

4 (Aye.)

5 COUNCIL PRESIDENT CLARKE:

6 Those opposed?

7 (No response.)

8 COUNCIL PRESIDENT CLARKE: The
9 ayes have it. This bill will be placed
10 on our First Reading Calendar for today.
11 The Resolution No. 210692 will be placed
12 on the Final Passage Calendar at our next
13 session of Council.

14 The Chair now recognizes
15 Councilman Thomas for a report from the
16 Committee on Streets and Services.

17 COUNCILMAN THOMAS: Thank you,
18 Council President. The Committee on
19 Streets and Services reports out nine
20 bills with a favorable recommendation.

21 COUNCIL PRESIDENT CLARKE:

22 Thank you, Councilman.

23 Mr. Decker, please read that
24 report.

25 CHIEF CLERK: The Committee on

1 12/9/21 - STATED - REPORTS

2 Streets and Services, to which was
3 referred Bill No. 210629, entitled "An
4 ordinance authorizing the revision of
5 lines and grades on a portion of City
6 Plan No. 120 by striking from the City
7 Plan and vacating Nicholas Street and
8 Turner Street, each from Twentieth Street
9 to Twenty-First Street"; and

10 Bill No. 210867, entitled "An
11 ordinance amending Chapter 12-2700 of The
12 Philadelphia Code, entitled 'Permit
13 Parking Districts,' by amending the
14 boundaries for Permit Parking District
15 19"; and

16 Bill No. 210918, entitled "An
17 ordinance regulating the direction of
18 movement of traffic on Camac Street
19 between Wagner Avenue and Fisher Avenue";
20 and

21 Bill No. 210919, entitled "An
22 ordinance regulating the direction of
23 movement of traffic on East Godfrey
24 Avenue between Summerdale Avenue and
25 Pratt Street"; and

1 12/9/21 - STATED - REPORTS

2 Bill No. 210921, entitled "An
3 ordinance authorizing various
4 encroachments at 3536 Calumet Street";
5 and

6 Bill No. 210929, entitled "An
7 ordinance establishing parking
8 regulations in the vicinity of: Day
9 Street and Wildey Street; Thompson Street
10 and Columbia Avenue; Oxford Street and
11 Belgrade Street; East Montgomery Street
12 and Thompson Street; Columbia Avenue and
13 Belgrade Street; Crease Street and
14 Thompson Street; Belgrade Street and
15 Oxford Street"; and

16 Bill No. 210930, entitled "An
17 ordinance amending Section 5 of an
18 ordinance (Bill No. 200423) approved
19 November 10, 2020, entitled 'An ordinance
20 authorizing Keystone Property Group to
21 construct, own, and maintain a proposed
22 exterior building ramp at 100 South
23 Independence Mall West,' by extending the
24 period for compliance with the terms and
25 conditions stated therein"; and

12/9/21 - STATED - REPORTS

Bill No. 210931, entitled "An ordinance amending Section 5 of an ordinance (Bill No. 200092) approved March 11, 2020, entitled 'An ordinance authorizing Independence Park Hotel to construct, own, and maintain a proposed exterior building ramp at 235 Chestnut Street,' by extending the period for compliance with the terms and conditions stated therein"; and

Bill No. 210932, entitled "An ordinance authorizing various encroachments on North Broad Street in the vicinity of 1344 through 1348 Arch Street," respectfully reports it has considered the same and returns the attached bills to Council with a favorable recommendation.

COUNCIL PRESIDENT CLARKE:

Thank you.

The Chair again recognizes Councilman Thomas.

COUNCILMAN THOMAS: Thank you, Mr. President. I move that the rules of

1 12/9/21 - STATED - REPORTS

2 Council be suspended so as to permit
3 first reading this day of the nine bills
4 that were just read into the record by
5 the Clerk.

6 (Duly seconded.)

7 COUNCIL PRESIDENT CLARKE:

8 Thank you. It has been moved and
9 properly seconded that the rules of
10 Council be suspended so as to permit the
11 reading of the nine bills that were just
12 read by the Clerk.

13 All those in favor indicate by
14 saying aye.

15 (Aye.)

16 COUNCIL PRESIDENT CLARKE:

17 Those opposed?

18 (No response.)

19 COUNCIL PRESIDENT CLARKE: The
20 ayes have it, and these bills will be
21 placed on our First Reading Calendar
22 today. Thank you very much.

23 The Chair now recognizes
24 Councilman Jones for a report from the
25 Committee on Public Safety.

1 12/9/21 - STATED - REPORTS

2 COUNCILMAN JONES: Thank you,
3 Mr. President. The Committee on Public
4 Safety reports one bill with a favorable
5 recommendation.

6 COUNCIL PRESIDENT CLARKE:
7 Thank you.

8 Mr. Decker, please read the
9 report.

10 CHIEF CLERK: The Committee on
11 Public Safety, to which was referred Bill
12 No. 210923, entitled "An ordinance
13 amending Title 9 of The Philadelphia
14 Code, entitled 'Regulation of Businesses,
15 Trades and Professions,' by adding a new
16 Chapter 9-5700, entitled 'Prohibition on
17 Certain Gambling Machines and Skills
18 Games,' to prohibit the operation of any
19 casino-style or skill game that accepts
20 cash payment for the chance of a cash
21 reward and is not otherwise regulated by
22 the State of Pennsylvania," respectfully
23 reports it has considered the same and
24 returns the attached bill to Council with
25 a favorable recommendation.

1 12/9/21 - STATED - REPORTS

2 COUNCIL PRESIDENT CLARKE:

3 Thank you.

4 The Chair again recognizes
5 Councilman Jones.

6 COUNCILMAN JONES: Thank
7 you again, Mr. President. I move that
8 the rules of Council be suspended as to
9 permit first reading this day of Bill No.
10 210923.

11 (Duly seconded.)

12 COUNCIL PRESIDENT CLARKE:
13 Thank you. It has been moved and
14 properly seconded that the rules of
15 Council be suspended so as to permit
16 first reading this day of Bill No.
17 210923.

18 All those in favor 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 the bill will be placed

1 12/9/21 - STATED - REPORTS

2 on our First Reading Calendar today.

3 The Chair now recognizes
4 Councilwoman Gauthier for a report from
5 the Committee on Housing, Neighborhood
6 Development and the Homeless.

7 COUNCILWOMAN GAUTHIER: Thank
8 you, Mr. President. The Committee on
9 Housing, Neighborhood Development and the
10 Homeless reports out one bill with a
11 favorable recommendation.

12 COUNCIL PRESIDENT CLARKE:
13 Thank you.

14 Mr. Decker, please read that
15 report.

16 CHIEF CLERK: The Committee on
17 Housing, Neighborhood Development and the
18 Homeless, to which was referred Bill No.
19 210920, entitled "An ordinance amending
20 Chapter 9-800 of The Philadelphia Code,
21 entitled 'Landlord and Tenant,' to
22 provide for an eviction diversion
23 program, to make associated changes
24 related to the landlord and tenant
25 relationship, and making certain

1 12/9/21 - STATED - REPORTS

2 technical changes," respectfully reports
3 it has considered and amended the same
4 and returns the attached bill to Council
5 with a favorable recommendation.

6 COUNCIL PRESIDENT CLARKE:

7 Thank you.

8 The Chair again recognizes
9 Councilwoman Gauthier.

10 COUNCILWOMAN GAUTHIER: Thank
11 you, Mr. President. I move that the
12 rules of Council be suspended so as to
13 permit first reading this day of Bill No.
14 210920.

15 (Duly seconded.)

16 COUNCIL PRESIDENT CLARKE:

17 Thank you. It has been moved and
18 properly seconded that the rules of
19 Council be suspended so as to permit
20 first reading this day of Bill No.
21 210920.

22 All those in favor indicate by
23 saying aye.

24 (Aye.)

25 COUNCIL PRESIDENT CLARKE:

1 12/9/21 - STATED - REPORTS

2 Those opposed?

3 (No response.)

4 COUNCIL PRESIDENT CLARKE: The
5 ayes have it. The bill will be placed on
6 our First Reading Calendar today.

7 That concludes our reports from
8 committee, and our next order of business
9 is consideration of the Calendar.

10 I note that the bills just
11 reported from committee with a suspension
12 of the rules have been deemed to have
13 their first reading, and these bills will
14 be placed on our Second Reading and Final
15 Passage Calendar at our next session of
16 Council.

17 As there are no additional
18 bills on the First Reading Calendar, the
19 Chair recognizes Councilwoman Parker for
20 a motion concerning the resolutions on
21 the Final Passage Calendar.

22 COUNCILWOMAN PARKER: Thank
23 you, Mr. President. I move that the
24 rules of Council be suspended to permit
25 the use of a Consent Agenda to consider

1 12/9/21-STATED-RESOLUTIONS ON CONSENT AGENDA

2 the following resolutions on the Final
3 Passage Calendar. They are Resolution
4 Nos. 210962, 210963, 210964, 210965,
5 210967, 210968, 210969, 210972, 210973,
6 210974, 210975, 210976, and 210977.

7 (Duly seconded.)

8 COUNCIL PRESIDENT CLARKE:

9 Thank you. It has been moved and
10 seconded that the rules of Council be
11 suspended so as to permit the use of a
12 Consent Agenda to consider the
13 resolutions just read by Councilwoman
14 Parker.

15 All in favor please indicate by
16 saying aye.

17 (Aye.)

18 COUNCIL PRESIDENT CLARKE:

19 Those opposed?

20 (No response.)

21 COUNCIL PRESIDENT CLARKE: The
22 ayes have it, the motion carries, and we
23 will consider the Resolution Consent
24 Agenda shortly.

25 The Chair again recognizes

1 12/9/21 - STATED - BILLS ON CONSENT AGENDA

2 Councilwoman Parker for a motion
3 concerning the bills on the Second
4 Reading and Final Passage Calendar.

5 COUNCILWOMAN PARKER: Thank
6 you, Mr. President. I move that the
7 rules of Council be suspended to permit
8 the use of a Consent Agenda to consider
9 the following bills on the Second Reading
10 and Final Passage Calendars. They are
11 Nos. 210901-A, 210686, 210744, 210771,
12 210861, 210863, 210865, 210869, 210672,
13 and 210925.

14 (Duly seconded.)

15 COUNCIL PRESIDENT CLARKE:
16 Thank you. It has been moved and
17 seconded that the rules of Council be
18 suspended to permit the use of a Consent
19 Agenda to consider the bills just read by
20 Councilwoman Parker.

21 All in favor indicate by saying
22 aye.

23 (Aye.)

24 COUNCIL PRESIDENT CLARKE:
25 Those opposed?

1 12/9/21 - STATED - BILLS ON 2ND READING

2 (No response.)

3 COUNCIL PRESIDENT CLARKE: The
4 ayes have it, the motion carries, and we
5 will consider the Consent Agenda shortly.

6 The Chair again recognizes
7 Councilwoman Parker for the purpose of
8 calling up bills and resolutions on the
9 regular Second Reading and Final Passage
10 Calendar.

11 COUNCILWOMAN PARKER: Thank
12 you, Mr. President. In addition to the
13 resolutions and bills being considered on
14 the Consent Agendas, the following
15 resolutions and bills are being called up
16 from the Second Reading and Final Passage
17 Calendars today. They are Nos. 210959,
18 210970, 210862-A, 210633, 210680, 210670,
19 210917, and 210924. Mr. President, all
20 other bills and resolutions are being
21 held.

22 COUNCIL PRESIDENT CLARKE:
23 Thank you, Councilwoman.

24 Our next segment will be our
25 public comment session, but before we

12/9/21 - STATED - PUBLIC COMMENT

proceed with the consideration of the
public comment, we will now take a brief
five- to ten-minute recess to give our
technology professionals an opportunity
to connect our speakers today.

Thank you very much. Brief
recess and we'll be right back.

- - -

(Short recess.)

- - -

COUNCIL PRESIDENT CLARKE:

Thank you. Thank you so much.

Now that everyone is connected
to the meeting and before considering the
resolutions and bills we have before us
today, we will consider our public
comment session.

So our public comment session
must concern matters on the Second
Reading and Final Passage Calendars for
possible action at a session of Council.
A speaker on any of those matters must
sign up in order to testify. You must
call 215-686-3406 by 3:00 p.m. the day

1 12/9/21 - STATED - PUBLIC COMMENT

2 before the session to sign up for public
3 comment.

4 When you call, we will take
5 your name, phone number, the number of
6 the legislative item you are commenting
7 on and whether you are in support of or
8 against the legislation, and add your
9 name to the list. We will then telephone
10 each person on the list during the
11 Council session and invite them to our
12 remote meeting.

13 Under ideal circumstances,
14 which we have today, we will give three
15 minutes to each speaker, but, however,
16 from time to time, the limit may vary
17 based on the volume of calls.

18 In order to be fair to all
19 those wishing to speak, I intend to hold
20 faithfully to the established time limit.
21 So once invited to the meeting and asked
22 to begin your testimony, a timer will be
23 started. We will monitor your remaining
24 time throughout your testimony, and when
25 there are 30 seconds remaining to your

1 12/9/21 - STATED - PUBLIC COMMENT

2 time, you will be reminded of this. Once
3 your allotted time has passed, you will
4 be asked to conclude your remarks, and
5 shortly thereafter you will be muted and
6 disconnected from the remote meeting.

7 I also reserve the right to
8 limit the number of speakers where
9 repetitious comments are being made on
10 the same subject matter, which could
11 affect callbacks for public comment at
12 any particular meeting.

13 Please be aware that this
14 public meeting is being recorded, and
15 because the meeting is public,
16 participants and viewers have no
17 reasonable expectation of privacy. So by
18 continuing to be in the meeting, you are
19 consenting to being recorded.

20 I will now ask Mr. Decker to
21 please read the first name on our list.

22 CHIEF CLERK: Leanne Harvey,
23 commenting on 210671-A.

24 COUNCIL PRESIDENT CLARKE: Good
25 morning. State your name for the record

1 12/9/21 - STATED - PUBLIC COMMENT

2 and please proceed with your testimony.

3 MS. HARVEY: Good morning. My
4 name is Leanne Harvey. I'm calling in
5 today on behalf of Green Building United
6 to express our support of Bill 210862-A
7 amending Section 17-111 of The
8 Philadelphia Code to advance municipally
9 owned building standards beyond the
10 current code.

11 The proposed amendments ensure
12 municipally owned buildings are adopting
13 and implementing more stringent energy
14 and environmental performance
15 requirements. These amendments require
16 that the City-owned new construction and
17 major renovations obtain LEED gold
18 certification, a step up from the
19 previously silver requirement.

20 By utilizing the LEED standard,
21 or Leadership in Energy and Environmental
22 Design, the City can access clear
23 guidelines to ensure projects are
24 considering not only energy but site
25 selection, water use materials, waste,

12/9/21 - STATED - PUBLIC COMMENT

health, and more.

While it offers a holistic approach to sustainable design, the standard is also verifiable, meaning that the building performance is formally certified.

Finally, LEED is an internationally recognized standard with an existing workforce of trained experts.

These amendments also transition the administration of the City's green building work from the City Planning Commission to the Office of Sustainability. This provides the City with increased technical expertise and additional tools to guide this effort. However, in order to meet the goals of this ordinance, increased staff capacity, training, and resources should be a key consideration.

Green Building United is prepared to lend support, such as education and resources, to ensure staff understand the value of an integrated

12/9/21 - STATED - PUBLIC COMMENT

design process, sustainable design
standards, and performance tracking.

It is clear that in order for
the City to achieve its goal of carbon
neutrality by 2050, we must transition
away from burning fossil fuels and move
toward electrification powered by clean
energy. While this legislation is a
small step towards this end, it is an
important step to help the City lead by
example.

The actions described in this
legislation are only the beginning. We
encourage the City to update and prepare
robust building guidelines to assist with
RFP development as well as the
coordination of architects, engineers,
builders, and more as they begin the
design process.

The City should use these
guidelines to encourage design strategies
that go even beyond meeting LEED goals
and towards net zero energy, advancing
the City's goal of carbon neutrality by

1 12/9/21 - STATED - PUBLIC COMMENT

2 2050.

3 We encourage your support of
4 these amendments given their potential to
5 improve and extend the lifespan of
6 Philadelphia's owned and managed
7 buildings by creating healthier working
8 conditions for staff, improving safety,
9 and enhancing resiliency.

10 Thank you for your time.

11 COUNCIL PRESIDENT CLARKE:

12 Thank you very much for your testimony.
13 We appreciate it.

14 CHIEF CLERK: The next speaker
15 is Mark Zachary, commenting on 210633,
16 210861, and 210865.

17 COUNCIL PRESIDENT CLARKE: Good
18 morning.

19 MR. ZACHARY: Yes. Hello.

20 COUNCIL PRESIDENT CLARKE: Just
21 state your name for the record and please
22 proceed with your testimony.

23 MR. ZACHARY: My name is Mark
24 Zachary. I'm a resident of the Seventh
25 Councilmanic District and I'm here to

1 12/9/21 - STATED - PUBLIC COMMENT

2 speak in favor of 210633. That's the
3 mixed-income overlay. This is a great
4 bill and it's a great opportunity for the
5 City to increase density and height in a
6 highly transit-accessible area.

7 My issue with this is is really
8 it's not going to go far enough. You're
9 only adding 7 feet. So in my mind, that
10 vision is kind of short. You have a
11 highly transit-accessible corridor in the
12 El at American Street with the bus
13 passing there. You could go a lot
14 higher, especially on American Street,
15 and have more density, more activity at
16 the street, more business opportunities
17 for people to open up shops, and more
18 customers for those people, meaning more
19 taxpayers. And you also with the
20 affordability requirement, you would
21 inherently gain more affordable units.
22 So in my mind, it's just kind of a small
23 vision versus the big vision that the
24 City actually needs.

25 And I think that we're scared

12/9/21 - STATED - PUBLIC COMMENT

of height in this city for some reason,
and it's honestly bizarre to me that
adding only 7 feet to an affordability
bonus is what we're doing. Much more --
that's one story, if that. So you really
should be going maybe double the height
or maybe even triple the height, and
you'd have that many more affordable
units.

I would encourage the City to
be more proactive and have more vision on
this issue. So while I applaud this
bill, it doesn't go far enough.

And that leads me to 210865,
which is the opposite of the previous
bill, in which it excludes high-density
bonuses for affordable housing. You
know, so on one end, you have
Councilmembers saying, hey, let's
increase height and density and we'll
give -- based on an affordability bonus,
and this bill is doing the exact
opposite.

So this bill is exclusionary.

12/9/21 - STATED - PUBLIC COMMENT

It harkens back to the '50s and '60s of a legacy of racial and historically exclusionary zoning throughout the country. It's completely regressive and the exact opposite of what the City needs. And it's surprising to me that the other Councilpersons who are -- who know that higher density and an affordability requirement is a net positive for the City don't speak out against this. But you know why? It's because of councilmanic prerogative and you don't want to step on somebody else's toes. Well, we need to get out of the mindset of that if we're going to move forward as a city, in my opinion. And I know I'm not the only person with that opinion.

And then that leads me to 210861, the final piece of the pie, the cream of the crop of exclusionary down-zoning in the City, and I'll finish you with this. This building could have been saved seven years ago, and we would

12/9/21 - STATED - PUBLIC COMMENT

have kept a 100-year-old stone church in
this city, five-minute walk from the
Bertel Station. But now it's going to be
torn down because of a group of a few
neighbors that were wealthy and got
together, influential, to hire a lawyer,
so then it's torn down, and now the
Councilperson is saying, no, we need to
bring this down because of the concerns
of a few rear-looking people in this
city.

It's a very sad tale, and it
should be an example of what not to do in
this city.

Thank you very much.

COUNCIL PRESIDENT CLARKE:

Thank you very much for your testimony.

CHIEF CLERK: The next speaker
is Ben Fileccia, commenting on 210670.

COUNCIL PRESIDENT CLARKE: Good
morning. State your name for the record.
Please proceed with your testimony.

MR. FILECCIA: Good morning.

My name is Ben Fileccia. I'm the

12/9/21 - STATED - PUBLIC COMMENT

Director of Operations and Strategy with the Pennsylvania Restaurant and Lodging Association. We represent more than 350 operators in Philly and nearly 4,000 members statewide.

We are extremely appreciative of Councilmember Parker's diligent and focused efforts to help create a sustainable path forward for restaurants that are trying to operate and navigate a totally new economy.

The only thing that's been predictable for restaurants the last 18 months is the constant unpredictability. That is why PRLA supports Councilmember Parker's Bill 210670, as amended, which would provide certainty for restaurants in the City at a time when they're still trying to recover and many fight to stay open and profitable as winter trickles in.

Councilmember Parker introducing this legislation has served as a breath of fresh air for many of our

12/9/21 - STATED - PUBLIC COMMENT

members who tell us this sets their path forward clearer and somewhat more predictable.

The legislation keeps in place an option for restaurants to have access to these services at the current cap, 10 percent on delivery and 5 percent on marketing services and other fees. If restaurants want to opt out of that cap and opt into a more premium service with any of these companies, they can do so and they'd be able to do so immediately.

What we've seen in other cities is that some of these third-party companies have created tier pricing models across the nation. In those cases, operators can stay at the cap rate if they want basic services, but if they'd like to expand those services to choose for premium options, they can work with a third-party app to do so.

Many restaurants operate at a 2 to 7 percent profit margin. At a time when many people have been forced to

1 12/9/21 - STATED - PUBLIC COMMENT

2 deliver and provide takeout, it's not
3 sustainable for them to partner with
4 companies that take more revenue and fees
5 than the restaurant is making in profit.
6 This legislation allows those restaurants
7 to stay at the current cap.

8 It's important that I emphasize
9 that PRLA, at the request of
10 Councilmember Parker, really tried to
11 work closely with these third-party
12 companies that operate in Philly. Some
13 have reminded us of the lawsuits on this
14 issue that are playing out in other
15 states that they have filed.

16 Nonetheless, while this
17 legislation may not be exactly what
18 everyone wanted, it is, however, a fair
19 and a reasonable path forward, not only
20 for restaurants but we believe for our
21 third-party partners as well.

22 Councilmember Parker did a
23 terrific job finding a middle ground on
24 this. This is a win for all restaurants,
25 large, small franchises, independents,

1 12/9/21 - STATED - PUBLIC COMMENT

2 and for those operations minority-owned
3 who may see significant value at a locked
4 rate. It's also a win for the many
5 restaurants out there that may want to
6 opt in for more premium contracts.

7 Lastly, it's a win for
8 third-party companies that are looking to
9 expand services and operations in
10 Philadelphia as well. We want to thank
11 Uber, DoorDash, and Grubhub for working
12 with PRLA the last couple of months, for
13 sharing their perspective on this and for
14 working with our members to establish a
15 fair proposal for everyone.

16 We also want to thank
17 Councilmember Parker for her willingness
18 to take on such a tough issue and for her
19 efforts to help save restaurants in
20 Philly at a time when they need it the
21 most.

22 Lastly, we want to thank City
23 Council in general. You have all worked
24 closely with PRLA the last couple months,
25 even years, to help our members not only

1 12/9/21 - STATED - PUBLIC COMMENT

2 survive the pandemic but to provide them
3 with some certainty as they recover
4 operations.

5 Thank you so much.

6 COUNCIL PRESIDENT CLARKE:

7 Thank you so much for your testimony. We
8 appreciate it.

9 COUNCILMAN JOHNSON: Excuse me.
10 Council President?

11 COUNCIL PRESIDENT CLARKE: The
12 Chair recognizes Councilman Johnson.

13 COUNCILMAN JOHNSON: Yeah. I
14 have to request a leave of absence and
15 want to be voted aye on all bills and
16 resolutions.

17 COUNCIL PRESIDENT CLARKE:
18 Thank you, Councilman. Leave shall be
19 granted.

20 Let the record reflect
21 Councilman is voting aye on all bills and
22 resolutions.

23 Thank you, Councilman.

24 COUNCILMAN JOHNSON: Thank you,
25 Council President.

1 12/9/21 - STATED - RESOLUTION CONSENT AGENDA

2 CHIEF CLERK: The remaining
3 speakers on the list, Mr. President, have
4 either declined to speak or could not be
5 reached.

6 COUNCIL PRESIDENT CLARKE:
7 Okay. That's unfortunate. Thank you.
8 Thank you, Mr. Decker.

9 That will conclude our public
10 comment session for today. We will now
11 move to our Calendar.

12 So now we're going to consider
13 our Resolution Consent Agenda, and I
14 would ask Mr. Decker to please read the
15 titles of all the resolutions on the
16 Consent Agenda. After each title is
17 read, any member may object to the
18 inclusion of the resolution on the
19 Resolution Consent Agenda. Upon such an
20 objection and without debate, the
21 resolution will be immediately removed
22 from the Resolution Consent Agenda and
23 placed on today's regular Final Passage
24 Calendar.

25 Mr. Decker, can you now read

1 12/9/21 - STATED - RESOLUTION CONSENT AGENDA

2 the titles of the resolutions on the
3 Resolution Consent Agenda.

4 CHIEF CLERK: Resolution No.
5 210962, entitled a "Resolution
6 authorizing the Philadelphia Land Bank to
7 dispose of 3119 North 35th located in the
8 4th Councilmanic District."

9 Resolution No. 210963, entitled
10 a "Resolution authorizing the
11 Philadelphia Land Bank to dispose of 2224
12 Wilder Street and 2715 Annin Street
13 located in the 2nd Councilmanic
14 District."

15 Resolution No. 210964, entitled
16 a "Resolution authorizing the
17 Philadelphia Land Bank to dispose of 1932
18 South Salford Street located in the 2nd
19 Councilmanic District."

20 Resolution No. 210965, entitled
21 a "Resolution honoring American Legion
22 Lincoln Post 89 for its service to the
23 veterans of South Philadelphia and the
24 broader community, and for making history
25 as the first American Legion Post in

1 12/9/21 - STATED - RESOLUTION CONSENT AGENDA

2 Philadelphia for African Americans."

3 Resolution No. 210967, entitled
4 a "Resolution authorizing hearings by the
5 Committee on Commerce and Economic
6 Development to examine diversity and
7 inclusion in contracting by the City and
8 related public sector agencies, including
9 the School District of Philadelphia, the
10 Southeastern Pennsylvania Transportation
11 Authority, and the Philadelphia
12 Industrial Development Corporation."

13 Resolution No. 210968, entitled
14 a "Resolution authorizing the
15 Philadelphia Land Bank to dispose of 167
16 East Lippincott Street; 1922, 1938, 1942,
17 1944, 1946, 1950, 1952, 1954, 1956 North
18 3rd Street; 1923, 1927, 1934, 1935 North
19 4th Street; 1925 North 5th Street; 301,
20 303, 305, 307, 309, 433, 437, 537 West
21 Berks Street; 2004, 2015 North Bodine
22 Street; 401, 405, 407 West Hewson Street;
23 1851, 1916, 1922, 1936, 1940 North
24 Leithgow Street; 313, 421 West Norris
25 Street; 1910, 1923, 1926, 1927, 1930,

1 12/9/21 - STATED - RESOLUTION CONSENT AGENDA

2 1931, 1936, 1951, 1952, 1954, 1958, and
3 1961 North Orianna Street located in the
4 7th Councilmanic District."

5 Resolution No. 210969, entitled
6 a "Resolution recognizing the Community
7 Design Collaborative on the 30th
8 Anniversary of its founding."

9 Resolution No. 210972, entitled
10 a "Resolution authorizing the
11 Philadelphia Redevelopment Authority to
12 execute and deliver to the Philadelphia
13 Land Bank deeds conveying title to
14 certain properties located in the Third
15 Councilmanic District."

16 Resolution No. 210973, entitled
17 a "Resolution honoring and congratulating
18 Champion of the Week, the Philadelphia
19 Phillies' Bryce Harper, on capturing his
20 second National League's MVP Award and
21 becoming the 6th Phillie to win
22 Baseball's most prestigious award."

23 Resolution No. 210974, entitled
24 a "Resolution authorizing the
25 Philadelphia Land Bank to dispose of

12/9/21 - STATED - RESOLUTION CONSENT AGENDA

2501, 2855, 2857 Amber Street; 2143,
2155, 2157 East Birch Street; 2134, 2172
East Cambria Street; 2103, 2107 East
Cumberland Street; 2107 East Dakota
Street; 2478, 2480 Emerald Street; 2022
East Fletcher Street; 1929, 1935, 1943,
2215 through 17 East Harold Street; 2637,
2639, 2643, 2645, 2649 Janney Street;
2536 Jasper Street; 2639, 2641, 2643,
2653 Kensington Avenue; 2068 East
Monmouth Street; 1844 East Oakdale
Street; 2140, 2151, 2153, 2156 East
Orleans Street; 2646, 2658 Ritter Street;
2089 East Somerset Street; 2106, 2133,
2135, 2250, 2252 East William Street
located in the 1st Councilmanic
District."

Resolution No. 210975, entitled
a "Resolution authorizing the
Philadelphia Land Bank to dispose of
2148, 2150, 2154, 2156 East Birch Street;
2032 East Lehigh Avenue; 2055, 2057 East
Rush Street; 2154, 2155, 2156, 2157,
2158, 2159, 2160, 2161 East Stella Street

1 12/9/21 - STATED - RESOLUTION CONSENT AGENDA

2 located in the 1st Councilmanic

3 District."

4 Resolution No. 210976, entitled

5 a "Resolution authorizing the

6 Philadelphia Land Bank to dispose of

7 1739, 2215 South 5th Street; 1919 South

8 6th Street; 2612 South 9th Street; 411,

9 418, 424, 432 through 434, 624, 626

10 Cantrell Street; 424, 426 Mercy Street

11 located in the 1st Councilmanic

12 District."

13 And Resolution No. 210977,

14 entitled a "Resolution authorizing the

15 Philadelphia Redevelopment Authority to

16 execute and deliver to the Philadelphia

17 Land Bank deeds conveying title to

18 certain properties located in the First

19 Councilmanic District, all under certain

20 terms and conditions."

21 COUNCIL PRESIDENT CLARKE:

22 Thank you. Thank you, Mr. Decker.

23 The Chair recognizes

24 Councilwoman Parker for a motion to adopt

25 each of the resolutions on the Resolution

1 12/9/21 - STATED - RESOLUTION CONSENT AGENDA

2 Consent Agenda.

3 COUNCILWOMAN PARKER: Thank
4 you, Mr. President. I move the adoption
5 of each of the resolutions on the
6 Resolution Consent Agenda.

7 (Duly seconded.)

8 COUNCIL PRESIDENT CLARKE:
9 Thank you. It has been moved and
10 seconded that each of the resolutions on
11 the Resolution Consent Agenda be adopted.

12 All in favor indicate by saying
13 aye.

14 (Aye.)

15 COUNCIL PRESIDENT CLARKE:
16 Those opposed?

17 (No response.)

18 COUNCIL PRESIDENT CLARKE: The
19 ayes have it, and each of the resolutions
20 on the Resolution Consent Agenda has been
21 adopted.

22 We will now consider today's
23 Bill Consent Agenda.

24 I will ask the Clerk to please
25 read the titles of all the bills on the

1 12/9/21 - STATED - BILL CONSENT AGENDA
2 Consent Agenda. After each title is
3 read, any member may object to the
4 inclusion of the bill on the Consent
5 Agenda. Upon such an objection and
6 without debate, the bill will be
7 immediately removed from the Consent
8 Agenda and placed on our regular Final
9 Passage Calendar.

10 Mr. Decker, please now read all
11 the titles of the bills on the Consent
12 Agenda.

13 CHIEF CLERK: One moment,
14 Mr. President.

15 COUNCIL PRESIDENT CLARKE:
16 Okay.

17 (Brief pause.)

18 CHIEF CLERK: Bill No.
19 210901-A, entitled "An ordinance
20 authorizing transfers in appropriations
21 for Fiscal Year 2022 from the General
22 Fund, certain or all City offices,
23 departments, boards and commissions, the
24 Water Fund, certain or all City offices,
25 departments, boards and commissions and

1 12/9/21 - STATED - BILL CONSENT AGENDA
2 the Grants Revenue Fund, certain or all
3 City offices, departments, boards and
4 commissions, to the General Fund, certain
5 or all City offices, departments, boards
6 and commissions and the Water Fund,
7 certain or all City offices, departments,
8 boards and commissions"; and

9 Bill No. 210686, entitled "An
10 ordinance to amend the Philadelphia
11 Zoning Maps by changing the zoning
12 designations of certain areas of land
13 located within an area bounded by Walnut
14 Street, 9th Street, Locust Street, and
15 10th Street"; and

16 Bill No. 210744, entitled "An
17 ordinance to amend the Philadelphia
18 Zoning Maps by changing the zoning
19 designations of certain areas of land
20 located within an area bounded by
21 Germania Street, Arendell Avenue,
22 Delaware Avenue, and Linden Avenue"; and

23 Bill No. 210771, entitled "An
24 ordinance authorizing the Water
25 Commissioner, on behalf of the City, to

1 12/9/21 - STATED - BILL CONSENT AGENDA
2 enter into an agreement between the City
3 and the Philadelphia Redevelopment
4 Authority for the Philadelphia
5 Redevelopment Authority to act as the
6 City's agent to include and incorporate
7 Philadelphia Water Department-identified
8 green stormwater infrastructure projects
9 in certain construction and improvement
10 projects in and around the City on
11 properties owned by the City, including,
12 with the prior written consent and
13 approval of the District Council Person
14 where the Rebuild Project is located,
15 those projects arising out of the City's
16 'Rebuilding Community Infrastructure' or
17 'Rebuild' program"; and

18 Bill No. 210861, entitled "An
19 ordinance to amend the Philadelphia
20 Zoning Maps by changing the zoning
21 designations of certain areas of land
22 located within an area bounded by Berks
23 Street, Memphis Street, Wilt Street, and
24 Tulip Street"; and

25 Bill No. 210863, "An ordinance

1 12/9/21 - STATED - BILL CONSENT AGENDA

2 to amend the Philadelphia Zoning Maps by
3 changing the zoning designations of
4 certain areas of land located within an
5 area bounded by Huntingdon Street, Howard
6 Street, Susquehanna Avenue, American
7 Street, Jefferson Street, and 6th
8 Street"; and

9 Bill No. 210865, entitled "An
10 ordinance amending Section 14-514 of The
11 Philadelphia Code, entitled '/FNE, Far
12 Northeast Overlay District,' to prohibit
13 eligibility for floor area, height, and
14 dwelling unit bonuses and to increase
15 minimum parking requirements"; and

16 Bill No. 210869, entitled "An
17 ordinance amending Section 14-525 of The
18 Philadelphia Code, entitled '/SNM, South
19 Ninth Street Market Overlay District,' to
20 clarify existing provisions"; and

21 Bill No. 210672, entitled "An
22 ordinance amending Section 9-207 of The
23 Philadelphia Code, entitled 'Motor
24 Vehicle Repairs,' to prohibit the use of
25 City streets for the sale or storage of

1 12/9/21 - STATED - BILL CONSENT AGENDA
2 motor vehicles"; and

3 Bill No. 210925, entitled "An
4 ordinance authorizing the Procurement
5 Commissioner to enter into agreements to
6 purchase electricity, natural gas and
7 motor fuel for the use by the City in
8 City facilities and vehicles, including
9 agreements that obligate payment for
10 delivery of such energy supplies in
11 future fiscal years, all under certain
12 terms and conditions."

13 COUNCIL PRESIDENT CLARKE:

14 Thank you, Mr. Decker.

15 These bills having been read on
16 two different days, the question for each
17 bill now is shall the bill pass finally.

18 Mr. Decker, please call the
19 roll, and upon being called, each
20 Councilmember shall vote aye on each of
21 the bills, nay on each of the bills, or
22 indicate those bills for which the member
23 is voting aye or those bills for which
24 the member is voting nay.

25 Mr. Decker, call the roll.

1 12/9/21 - STATED - BILL CONSENT AGENDA
2 CHIEF CLERK: Councilwoman
3 Bass.
4 COUNCILWOMAN BASS: Aye on all
5 bills.
6 CHIEF CLERK: Councilwoman
7 Brooks.
8 COUNCILWOMAN BROOKS: Aye on
9 all bills.
10 CHIEF CLERK: Councilman Domb.
11 COUNCILMAN DOMB: Aye on all
12 bills.
13 CHIEF CLERK: Councilwoman
14 Gauthier.
15 COUNCILWOMAN GAUTHIER: Aye on
16 all bills.
17 CHIEF CLERK: Councilwoman
18 Gilmore Richardson.
19 COUNCILWOMAN RICHARDSON: Aye
20 on all bills.
21 CHIEF CLERK: Councilman Green.
22 COUNCILMAN GREEN: Aye on all
23 bills.
24 CHIEF CLERK: Councilwoman Gym.
25 COUNCILWOMAN GYM: Aye on all

1 12/9/21 - STATED - BILL CONSENT AGENDA
2 bills.

3 CHIEF CLERK: Councilman Henon.

4 COUNCILMAN HENON: Aye on all
5 bills.

6 CHIEF CLERK: Councilman
7 Johnson is voting aye on all bills.

8 Councilman Jones.

9 COUNCILMAN JONES: Aye on all
10 bills.

11 CHIEF CLERK: Councilman Oh.

12 COUNCILMAN OH: Aye on all
13 bills.

14 CHIEF CLERK: Councilman
15 O'Neill.

16 COUNCILMAN O'NEILL: Aye on all
17 bills.

18 CHIEF CLERK: Councilwoman
19 Parker.

20 COUNCILWOMAN PARKER: Aye on
21 all bills.

22 CHIEF CLERK: Councilwoman
23 Quinones-Sanchez.

24 COUNCILWOMAN SANCHEZ: Aye on
25 all bills.

1 12/9/21 - STATED - 2ND READING

2 CHIEF CLERK: Councilman

3 Squilla.

4 COUNCILMAN SQUILLA: Aye on all

5 bills.

6 CHIEF CLERK: Councilman

7 Thomas.

8 COUNCILMAN THOMAS: Aye on all

9 bills.

10 CHIEF CLERK: Council President

11 Clarke.

12 COUNCIL PRESIDENT CLARKE: Aye

13 on all bills.

14 A majority of all members
15 having voted in the affirmative for each
16 of the bills, the bills on the Consent
17 Agenda are passed.

18 We will now consider the bills
19 and resolutions on the regular Second
20 Reading and Final Passage Calendar.

21 And, Mr. Decker, please read
22 the title of Resolution No. 210959.

23 CHIEF CLERK: A resolution
24 honoring and congratulating Jazmine
25 Sullivan for winning the 2021 BET Soul

1 12/9/21 - STATED - 2ND READING

2 Train Music Award for Best New Album, for
3 her critically acclaimed EP, Heaux Tales.

4 COUNCIL PRESIDENT CLARKE: The
5 Chair recognizes Councilwoman Gilmore
6 Richardson for a motion.

7 COUNCILWOMAN RICHARDSON: Thank
8 you, Mr. President. On your behalf, I
9 move the adoption of the resolution.

10 (Duly seconded.)

11 COUNCIL PRESIDENT CLARKE:

12 Thank you. It has been moved and
13 seconded that the resolution be adopted.

14 All in favor indicate by saying
15 aye.

16 (Aye.)

17 COUNCIL PRESIDENT CLARKE:

18 Those opposed?

19 (No response.)

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

23 Mr. Decker, please read the
24 title of Resolution No. 210970.

25 CHIEF CLERK: A resolution

12/9/21 - STATED - 2ND READING

calling on Mayor James F. Kenney and his
Administration of the City of
Philadelphia to establish and implement
an Academic Expert Advisory Team in its
selection and evaluation of recipients of
the Anti-Violence Community Expansion
Grant program and other anti-violence
efforts during Fiscal Year 2022 and
beyond.

COUNCIL PRESIDENT CLARKE: The
Chair recognizes Councilman Domb for an
amendment.

COUNCILMAN DOMB: Thank you,
Mr. President. I'd like to offer an
amendment to Resolution No. 210970. A
copy of the amendment has been circulated
to all members of Council. I move for
the adoption of the amendment.

(Duly seconded.)

COUNCIL PRESIDENT CLARKE: It's
been moved and properly seconded that the
amendment to Resolution No. 210970 be
adopted.

All in favor indicate by saying

1 12/9/21 - STATED - 2ND READING

2 aye.

3 (Aye.)

4 COUNCIL PRESIDENT CLARKE:

5 Those opposed?

6 Nay.

7 The ayes have it. The
8 resolution has been amended.

9 The Chair again recognizes
10 Councilman Domb for a motion on the
11 resolution.

12 COUNCILMAN DOMB: Thank you,
13 Mr. President. I move for the adoption
14 of the resolution.

15 COUNCIL PRESIDENT CLARKE:
16 Thank you. It has been moved and
17 seconded --

18 (Duly seconded.)

19 COUNCIL PRESIDENT CLARKE: --
20 that the resolution be adopted.

21 All in favor say aye.

22 (Aye.)

23 COUNCIL PRESIDENT CLARKE:

24 Those opposed?

25 (No response.)

12/9/21 - STATED - 2ND READING

COUNCIL PRESIDENT CLARKE: The
ayes have it. The resolution is adopted.

Mr. Decker, please read the
title of Bill 210862-A.

CHIEF CLERK: An ordinance
amending Section 17-111, entitled "Energy
Efficiency and Environmental Design in
Construction of Buildings," to update
requirements and make technical changes.

COUNCIL PRESIDENT CLARKE: This
bill having been read on two different
days, shall the bill pass finally.

Mr. Decker, call the roll.

CHIEF CLERK: Councilwoman
Bass.

COUNCILWOMAN BASS: Aye.

CHIEF CLERK: Councilwoman
Brooks.

COUNCILWOMAN BROOKS: Aye.

CHIEF CLERK: Councilman Domb.

COUNCILMAN DOMB: Aye.

CHIEF CLERK: Councilwoman
Gauthier.

(No response.)

1 12/9/21 - STATED - 2ND READING

2 CHIEF CLERK: Councilwoman

3 Gauthier.

4 COUNCILWOMAN GAUTHIER: Aye.

5 Sorry.

6 CHIEF CLERK: Councilwoman

7 Gilmore Richardson.

8 COUNCILWOMAN RICHARDSON: Aye.

9 CHIEF CLERK: Councilman Green.

10 COUNCILMAN GREEN: Aye.

11 CHIEF CLERK: Councilwoman Gym.

12 COUNCILWOMAN GYM: Aye.

13 CHIEF CLERK: Councilman Henon.

14 COUNCILMAN HENON: Aye.

15 CHIEF CLERK: Councilman

16 Johnson is voting aye.

17 Councilman Jones.

18 COUNCILMAN JONES: Aye.

19 CHIEF CLERK: Councilman Oh.

20 COUNCILMAN OH: Aye.

21 CHIEF CLERK: Councilman

22 O'Neill.

23 COUNCILMAN O'NEILL: Aye.

24 CHIEF CLERK: Councilwoman

25 Parker.

1 12/9/21 - STATED - 2ND READING

2 COUNCILWOMAN PARKER: Aye.

3 CHIEF CLERK: Councilwoman

4 Quinones-Sanchez.

5 COUNCILWOMAN SANCHEZ: Aye.

6 CHIEF CLERK: Councilman

7 Squilla.

8 COUNCILMAN SQUILLA: Aye.

9 CHIEF CLERK: Councilman

10 Thomas.

11 COUNCILMAN THOMAS: Aye.

12 CHIEF CLERK: Council President

13 Clarke.

14 COUNCIL PRESIDENT CLARKE: Aye.

15 Mr. Decker, did we miss one

16 Councilmember that didn't respond?

17 CHIEF CLERK: I believe I

18 called all the names, Mr. President.

19 COUNCIL PRESIDENT CLARKE:

20 Okay. I thought one member didn't

21 respond. Okay.

22 The ayes are 17; the nays are

23 zero. A majority of all members having

24 voted in the affirmative, the bill

25 passes. Thank you very much.

1 12/9/21 - STATED - 2ND READING

2 Mr. Decker, please read 210633.

3 CHIEF CLERK: An ordinance
4 amending Title 14 of The Philadelphia
5 Code, entitled "Zoning and Planning," by
6 amending certain provisions of Chapter
7 14-500, entitled "Overlay Zoning
8 Districts," by creating the "/MIH, Mixed
9 Income Neighborhood Overlay District"; by
10 revising certain provisions of Chapter
11 14-702, entitled "Floor Area, Height, and
12 Dwelling Unit Density Bonuses."

13 COUNCIL PRESIDENT CLARKE: The
14 Chair recognizes Councilwoman Gauthier
15 for an amendment to Bill No. 210633.

16 COUNCILWOMAN GAUTHIER: Thank
17 you, Mr. President. I would like to
18 offer an amendment to Bill No. 210633. A
19 copy of the amendment has been circulated
20 to all members of Council. I move for
21 the adoption of the amendment.

22 (Duly seconded.)

23 COUNCIL PRESIDENT CLARKE:
24 Thank you. All in favor of the motion
25 will signify by saying aye.

1 12/9/21 - 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 Bill No. 210633 has
8 been amended. Bill No. 210633, as
9 amended, will be placed on our Final
10 Passage Calendar at our next session of
11 Council.

12 Mr. Decker, please read the
13 title of Bill No. 210680.

14 CHIEF CLERK: An ordinance
15 amending Section 21-1203 of The
16 Philadelphia Code, entitled "Appointments
17 to Citizens Police Oversight Commission,"
18 by revising the qualifications for
19 appointment.

20 COUNCIL PRESIDENT CLARKE: This
21 bill having been read on two different
22 days, the question now is shall the bill
23 pass finally.

24 Mr. Decker, call the roll.

25 CHIEF CLERK: Councilwoman

1 12/9/21 - STATED - 2ND READING

2 Bass.

3 COUNCILWOMAN BASS: Aye.

4 CHIEF CLERK: Councilwoman

5 Brooks.

6 COUNCILWOMAN BROOKS: Nay.

7 CHIEF CLERK: Councilman Domb.

8 COUNCILMAN DOMB: Aye.

9 CHIEF CLERK: Councilwoman

10 Gauthier.

11 COUNCILWOMAN GAUTHIER: Nay.

12 CHIEF CLERK: Councilwoman

13 Gilmore Richardson.

14 COUNCILWOMAN RICHARDSON: Aye.

15 CHIEF CLERK: Councilman Green.

16 COUNCILMAN GREEN: Aye.

17 CHIEF CLERK: Councilwoman Gym.

18 COUNCILWOMAN GYM: Nay.

19 CHIEF CLERK: Councilman Henon.

20 COUNCILMAN HENON: Aye.

21 CHIEF CLERK: Councilman

22 Johnson is voting aye.

23 Councilman Jones.

24 COUNCILMAN JONES: Aye.

25 CHIEF CLERK: Councilman Oh.

12/9/21 - STATED - 2ND READING

COUNCILMAN OH: Aye.

CHIEF CLERK: Councilman

O'Neill.

COUNCILMAN O'NEILL: Aye.

CHIEF CLERK: Councilwoman

Parker.

COUNCILWOMAN PARKER: Aye.

CHIEF CLERK: Councilwoman

Quinones-Sanchez.

COUNCILWOMAN SANCHEZ: Aye.

CHIEF CLERK: Councilman

Squilla.

COUNCILMAN SQUILLA: Aye.

CHIEF CLERK: Councilman

Thomas.

COUNCILMAN THOMAS: Aye.

CHIEF CLERK: Council President

Clarke.

COUNCIL PRESIDENT CLARKE: Aye.

The ayes are 14; the nays are
three. A majority of all members having
voted in the affirmative, the bill
passes.

Mr. Decker, please read the

1 12/9/21 - STATED - 2ND READING

2 title of Bill No. 210670.

3 CHIEF CLERK: An ordinance
4 amending Chapter 9-5100 of The
5 Philadelphia Code, entitled "Food
6 Delivery Services," to modify the
7 limitation on fees charged to food
8 service establishments.

9 COUNCIL PRESIDENT CLARKE: This
10 bill having been read on two different
11 days, the question now is shall the bill
12 pass finally.

13 Mr. Decker, call the roll.

14 CHIEF CLERK: Councilwoman
15 Bass.

16 COUNCILWOMAN BASS: Aye.

17 CHIEF CLERK: Councilwoman
18 Brooks.

19 COUNCIL PRESIDENT CLARKE:
20 You're on mute, Councilwoman.

21 COUNCILWOMAN BROOKS: Aye. I'm
22 sorry.

23 COUNCIL PRESIDENT CLARKE:
24 Thank you.

25 CHIEF CLERK: Councilman Domb.

1 12/9/21 - STATED - 2ND READING
2 COUNCILMAN DOMB: Aye.
3 CHIEF CLERK: Councilwoman
4 Gauthier.
5 COUNCILWOMAN GAUTHIER: Aye.
6 CHIEF CLERK: Councilwoman
7 Gilmore Richardson.
8 COUNCILWOMAN RICHARDSON: Aye.
9 CHIEF CLERK: Councilman Green.
10 COUNCILMAN GREEN: Aye.
11 CHIEF CLERK: Councilwoman Gym.
12 COUNCILWOMAN GYM: Aye.
13 CHIEF CLERK: Councilman Henon.
14 COUNCILMAN HENON: Aye.
15 CHIEF CLERK: Councilman
16 Johnson is voting aye.
17 Councilman Jones.
18 COUNCILMAN JONES: Aye.
19 CHIEF CLERK: Councilman Oh.
20 COUNCILMAN OH: No.
21 CHIEF CLERK: Councilman
22 O'Neill.
23 COUNCILMAN O'NEILL: Aye.
24 CHIEF CLERK: Councilwoman
25 Parker.

1 12/9/21 - STATED - 2ND READING

2 COUNCILWOMAN PARKER: Aye.

3 CHIEF CLERK: Councilwoman

4 Quinones-Sanchez.

5 COUNCILWOMAN SANCHEZ: Aye.

6 CHIEF CLERK: Councilman

7 Squilla.

8 COUNCILMAN SQUILLA: Aye.

9 CHIEF CLERK: Councilman

10 Thomas.

11 COUNCILMAN THOMAS: Aye.

12 CHIEF CLERK: Council President

13 Clarke.

14 COUNCIL PRESIDENT CLARKE: Aye.

15 The ayes are 16; the nays are
16 one. A majority of all members having
17 voted in the affirmative, the bill
18 passes.

19 Mr. Decker, please read the
20 title of Bill No. 210917.

21 CHIEF CLERK: An ordinance
22 adding a new Chapter 9-5700, entitled
23 "Leasing of Commercial Property," to
24 require commercial lessors to provide
25 certain disclosures before entering lease

1 12/9/21 - STATED - 2ND READING

2 agreements and to provide related
3 protections to tenants.

4 COUNCIL PRESIDENT CLARKE: The
5 Chair recognizes Councilwoman Parker for
6 an amendment to Bill No. 210917.

7 COUNCILWOMAN PARKER: Thank
8 you, Mr. President. I would like to
9 offer an amendment to Bill No. 210917. A
10 copy of the amendment has been circulated
11 to all members of the Council. I move
12 for the adoption of the amendment.

13 (Duly seconded.)

14 COUNCIL PRESIDENT CLARKE:
15 Thank you.

16 All those in favor of the
17 motion will signify by saying aye.

18 (Aye.)

19 COUNCIL PRESIDENT CLARKE:
20 Those opposed?

21 (No response.)

22 COUNCIL PRESIDENT CLARKE: The
23 ayes have it. Bill No. 210917 has been
24 amended. Bill No. 210917, as amended,
25 will be placed on the Final Passage

1 12/9/21 - STATED - 2ND READING

2 Calendar at our next session of Council.

3 Mr. Decker, please read the
4 title of Bill No. 210924.

5 CHIEF CLERK: An ordinance
6 authorizing the Commissioner of
7 Procurement and the Chief Executive
8 Officer, Philadelphia International
9 Airport, on behalf of the City of
10 Philadelphia, to enter into a Concession
11 Agreement with Kale Info Solutions,
12 Incorporated, for the implementation and
13 operation of an Airport Cargo Community
14 System for the Philadelphia International
15 Airport.

16 COUNCIL PRESIDENT CLARKE:
17 Thank you.

18 This bill having been read on
19 two different days, the question now is
20 shall the bill pass finally.

21 Mr. Decker, call the roll.

22 CHIEF CLERK: Councilwoman
23 Bass.

24 COUNCILWOMAN BASS: Aye.

25 CHIEF CLERK: Councilwoman

1 12/9/21 - STATED - 2ND READING

2 Brooks.

3 COUNCILWOMAN BROOKS: Aye.

4 CHIEF CLERK: Councilman Domb.

5 COUNCILMAN DOMB: Aye.

6 CHIEF CLERK: Councilwoman

7 Gauthier.

8 COUNCILWOMAN GAUTHIER: Aye.

9 CHIEF CLERK: Councilwoman

10 Gilmore Richardson.

11 COUNCILWOMAN RICHARDSON: Aye.

12 CHIEF CLERK: Councilman Green.

13 COUNCILMAN GREEN: 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 is voting aye.

20 Councilman Jones.

21 COUNCILMAN JONES: Aye.

22 CHIEF CLERK: Councilman Oh.

23 COUNCILMAN OH: Aye.

24 CHIEF CLERK: Councilman

25 O'Neill.

1 12/9/21 - STATED - 2ND READING

2 COUNCILMAN O'NEILL: Aye.

3 CHIEF CLERK: Councilwoman

4 Parker.

5 COUNCILWOMAN PARKER: Aye.

6 CHIEF CLERK: Councilwoman

7 Quinones-Sanchez.

8 COUNCILWOMAN SANCHEZ: Aye.

9 CHIEF CLERK: Councilman

10 Squilla.

11 COUNCILMAN SQUILLA: Aye.

12 CHIEF CLERK: Councilman

13 Thomas.

14 COUNCILMAN THOMAS: Aye.

15 CHIEF CLERK: Council President

16 Clarke.

17 COUNCIL PRESIDENT CLARKE: Aye.

18 The ayes are 17; the nays are
19 zero. A majority of all members having
20 voted in the affirmative, the bill
21 passes.

22 Mr. Decker, do you have any
23 additional resolutions?

24 CHIEF CLERK: A resolution
25 authorizing the Special Committee on Gun

1 12/9/21 - STATED - 2ND READING

2 Violence Prevention to conduct hearings
3 to examine the correlation between
4 domestic violence and gun violence,
5 introduced by Councilman Johnson.

6 COUNCILWOMAN PARKER: Thank
7 you, Mr. President. On behalf of
8 Councilmember Johnson, I move for the
9 adoption of the resolution.

10 (Duly seconded.)

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

14 All in favor indicate by saying
15 aye.

16 (Aye.)

17 COUNCIL PRESIDENT CLARKE:
18 Those opposed?

19 (No response.)

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

23 CHIEF CLERK: Mr. President, I
24 made an error during the Consent Agenda
25 for resolutions and read Resolution No.

1 12/9/21 - STATED - 2ND READING

2 210967, which was called up correctly but
3 read the wrong title. If we could call
4 up Resolution No. 210967 and read the
5 title correctly and give the members the
6 opportunity to do a voice vote on the
7 correct resolution.

8 COUNCIL PRESIDENT CLARKE:

9 Okay. You said that was on the Consent
10 Agenda?

11 CHIEF CLERK: It was supposed
12 to be the Consent Agenda, 210967, but I
13 read the wrong title. I read the title
14 of a resolution that's been adopted for a
15 week now.

16 COUNCIL PRESIDENT CLARKE: What
17 was the title?

18 CHIEF CLERK: The title that I
19 read was authorizing hearings by the
20 Committee on Commerce and Economic
21 Development to examine diversity and
22 inclusion in contracting by the City and
23 related public sector agencies, including
24 the School District of Philadelphia, the
25 Southeastern Pennsylvania Transportation

1 12/9/21 - STATED - 2ND READING

2 Authority, and the Philadelphia
3 Industrial Development Corporation. That
4 resolution has already been adopted,
5 Mr. President.

6 COUNCIL PRESIDENT CLARKE:

7 Okay. It was on the Consent Agenda and
8 it should have been on what? I mean, I'm
9 trying to understand.

10 CHIEF CLERK: The resolution
11 was supposed to be on the Consent Agenda.

12 COUNCIL PRESIDENT CLARKE:

13 Right.

14 CHIEF CLERK: And I read the
15 correct number, but the incorrect title.

16 COUNCIL PRESIDENT CLARKE: All
17 right.

18 CHIEF CLERK: So that was the
19 incorrect title. I would like to read
20 the --

21 COUNCIL PRESIDENT CLARKE:

22 Let's do that now. Let's clear it up.

23 CHIEF CLERK: Resolution No.
24 210967, entitled a "Resolution
25 recognizing Ryan Boyer, business manager

1 12/9/21 - STATED - 2ND READING
2 of Laborers' District Council of
3 Metropolitan Philadelphia & Vicinity, for
4 making history as the first African
5 American business manager of the
6 Philadelphia Building Trades Council."

7 COUNCIL PRESIDENT CLARKE:

8 Okay. And who was the sponsor?

9 CHIEF CLERK: Councilman
10 Johnson.

11 COUNCIL PRESIDENT CLARKE:

12 Councilman, you said, Johnson?

13 CHIEF CLERK: Councilman
14 Johnson, yes, Mr. President.

15 COUNCIL PRESIDENT CLARKE:

16 Okay. So, Councilwoman Parker, let's
17 just make a motion.

18 COUNCILWOMAN PARKER: Yes. On
19 behalf of Councilmember Johnson, I move
20 for the adoption of the resolution,
21 Mr. President.

22 (Duly seconded.)

23 COUNCIL PRESIDENT CLARKE:

24 Thank you. It's been moved and properly
25 seconded.

1 12/9/21 - STATED - 2ND READING

2 All in favor of said

3 resolution?

4 (Aye.)

5 COUNCIL PRESIDENT CLARKE:

6 Those opposed?

7 (No response.)

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

11 Thank you.

12 CHIEF CLERK: I apologize for
13 the error, Mr. President.

14 COUNCIL PRESIDENT CLARKE: No
15 problem, Mr. Decker.

16 CHIEF CLERK: There are no
17 other resolutions on the --

18 COUNCIL PRESIDENT CLARKE: Any
19 mistakes you make are few and far
20 between, if any.

21 Does that conclude all our
22 resolutions, Mr. Decker?

23 CHIEF CLERK: It does,
24 Mr. President.

25 COUNCIL PRESIDENT CLARKE:

1 12/9/21 - STATED - SPEECHES

2 Thank you very much.

3 And we will now move to our
4 speeches at the conclusion of our
5 Calendar today, and prior to recognizing
6 speeches, I will note for the record at
7 this time that we will use the Chat
8 feature available in Microsoft Teams to
9 allow members to signify that they wish
10 to be recognized. In order to comply
11 with the Sunshine Act, the Chat feature
12 must only be used for this particular
13 purpose.

14 With that said, speeches on
15 behalf of the minority?

16 COUNCILWOMAN PARKER:

17 Mr. President, I'm sorry, sir. I wanted
18 to interject to let you know that because
19 I'm using audio from my phone, I cannot
20 type in the Chat area. So when it comes
21 to the majority, I would like to be
22 recognized, Mr. President.

23 COUNCIL PRESIDENT CLARKE:

24 Thank you, Councilwoman.

25 No speeches on behalf of the

1 12/9/21 - STATED - SPEECHES

2 minority?

3 (No response.)

4 COUNCIL PRESIDENT CLARKE:

5 Speeches on behalf of the majority?

6 The Chair recognizes Councilman
7 Thomas.

8 COUNCILMAN THOMAS: Thank you,
9 Council President.

10 I want to first say thank you
11 to all of the people who worked very
12 diligently on the Citizens Police
13 Oversight Committee. I did vote yes on
14 it today, but I do want to put on the
15 record some of my concerns and how I was
16 a little reluctant to vote yes.

17 I do think that we have to
18 monitor what we're doing as it relates to
19 looking at the long-term ramifications of
20 the legislation, specifically looking at
21 the fact that it's a citizens oversight
22 and we want to make sure that we always
23 keep ourself in a position where
24 constituents are the majority of the
25 people who are on there, constituents are

1 12/9/21 - STATED - SPEECHES

2 the folks in leadership and put us in a
3 position where it's true citizens
4 oversight and it's true opportunities for
5 constituents to be able to have a say-so.

6 I do commend all of the people
7 who worked very hard for this over the
8 years. This is something that did not
9 just happen overnight, from the ballot
10 initiative, to the great work that was
11 done by a lot of people behind the
12 scenes. And I do know there are a lot of
13 citizens and community-based
14 organizations who have been fighting for
15 this as well.

16 In the midst of thinking about
17 my vote, I actually was persuaded by some
18 of the words that Councilmember Bass said
19 to me when I was looking to pass driving
20 equality, and what Councilmember Bass
21 said is that I'm trusting you with this
22 one, Councilman. I'm not in 100 percent
23 agreement with everything in it, but I
24 respect the hard work you've done and I
25 trust that you're going to monitor it to

1 12/9/21 - STATED - SPEECHES

2 ensure that we get it right.

3 So in the same spirit of my
4 colleague Councilmember Bass,
5 Councilmember Jones and others, I
6 appreciate your leadership. We are
7 trusting you with this one, and we're
8 going to monitor it and work with you and
9 your entire team to make sure that we get
10 it right.

11 So I'm excited to see what this
12 Committee is going to produce as it
13 relates to who gets recommended for the
14 Oversight Committee. I did communicate
15 my concerns. I do not see those concerns
16 foreseeing themselves in the near future
17 because I am well aware of the intentions
18 of the people who are on the selection
19 committee as well as my colleagues on
20 Council as well.

21 So thank you. I just wanted to
22 take a moment to put my thoughts on the
23 record, Council President. You know, I
24 rarely do this about someone else's
25 legislation, but this is something that's

1 12/9/21 - STATED - SPEECHES

2 near and dear to my heart and I know a
3 lot of my colleagues have been doing what
4 we can to improve the relationships and
5 the trust factor between communities of
6 color, poor communities, and law
7 enforcement, because we know that that's
8 the direction that we need to go in to
9 improve our city.

10 So thank you for the
11 opportunity, Council President. Thank
12 you to the bill sponsor, and I'm looking
13 forward to working with everybody.

14 COUNCIL PRESIDENT CLARKE:
15 Thank you so much, Councilman, and thank
16 you always for your thoughtful
17 consideration of not only the work you
18 do, but your input as it relates to work
19 that others do. We really appreciate
20 your thoughtful process.

21 The Chair recognizes
22 Councilwoman Gauthier.

23 COUNCILWOMAN GAUTHIER: Thank
24 you, Council President.

25 Good morning, everyone. Today

1 12/9/21 - STATED - SPEECHES

2 I introduced a resolution designating
3 December 21st as National Homeless
4 Persons' Memorial Day in the City of
5 Philadelphia. This is a day that's
6 recognized on or around the first day of
7 winter, the longest night of the year, by
8 the National Coalition for the Homeless
9 and by more than 100 cities around the
10 United States.

11 While much progress has been
12 made to combat homelessness, this is a
13 stubborn crisis that continues to impact
14 thousands of Philadelphians on an annual
15 basis, and as long as that's the case,
16 it's imperative that we continue to speak
17 out about the struggles faced by people
18 who experience homelessness as well as
19 poverty and addiction, which all too
20 often are intersecting challenges.

21 Here in Philadelphia, Project
22 HOME, a massively impactful organization
23 that does vital work year round to lift
24 people out of homelessness and connect
25 them with medical care, employment, and

12/9/21 - STATED - SPEECHES

educational opportunities, is the
organizer for our local Memorial Day.
Each year hundreds of Philadelphians
gather to remember their homeless and
formerly homeless friends, neighbors, and
loved ones who have died and to call for
an end to homelessness and poverty in our
city and in our country.

On December 21st, please join
us to remember the hundreds of
Philadelphians who experience
homelessness and died in 2021, and please
join us to recommit to building a world
in which everyone is safely housed.

Project HOME is working to
gather the names of Philadelphians who
experienced homelessness who we lost in
2021. If you have a name to submit,
please e-mail memorial@projecthome.org by
Monday, December 13th. For more
information, visit Homeless Memorial
Philly on Facebook and Instagram or HMD
Philly on Twitter.

Thank you so much.

1 12/9/21 - STATED - SPEECHES

2 COUNCIL PRESIDENT CLARKE:

3 Thank you, Councilwoman. Thank you for
4 your hard work on that very important
5 issue.

6 The Chair recognizes
7 Councilwoman Parker.

8 COUNCILWOMAN PARKER: Thank
9 you, Mr. President.

10 Mr. President, I first want to
11 start with commending our Whip, Curtis
12 Jones, his staff, Samantha and all
13 members of the team, for the very hard
14 work that they did on the Citizens Police
15 Oversight Committee.

16 I also want to commend
17 Councilmember Thomas for sharing very
18 publicly his concerns about how we
19 amended the legislation and then him
20 referencing Councilmember Bass, because
21 what he just did was affirm very publicly
22 the hashing out, the debate, the critical
23 thinking that we do behind the scenes,
24 challenging each other and questioning
25 the work and trying to make sure that we

1 12/9/21 - STATED - SPEECHES

2 do the best, the very best, that we can
3 in the interest of the people in the City
4 of Philadelphia. And so I want to say
5 thank you to each of them.

6 Now, Mr. President, I want to
7 give some comments on Bill No. 210670,
8 which is the third-party delivery bill.

9 For members of the viewing
10 public, I want you to know that this
11 bill, in essence, builds on legislation
12 that this City Council passed during the
13 COVID-19 pandemic that limited the
14 maximum fee that third-party food
15 delivery companies, like Grubhub,
16 DoorDash, Uber Eats, that they could
17 charge to their partner restaurants.

18 Now, for people who are
19 watching, you may recall that when the
20 pandemic first hit in 2020, many
21 restaurants were suddenly like subject to
22 delivery fees that went as high as like
23 30, even 40 percent, and Councilmember
24 Jones had a restaurant that was in the
25 Fourth District and Councilmember Squilla

1 12/9/21 - STATED - SPEECHES

2 had a restaurant in his district who
3 spoke about how these high fees almost
4 made it impossible for them to do their
5 work. They burdened restaurants, and
6 they were already struggling for business
7 due to lockdown orders and they needed to
8 establish an online presence, in essence,
9 to remain successful.

10 So the legislation that I
11 spearheaded last year, what it did was it
12 capped the fees to 10 percent for
13 delivery and 5 percent for other fees,
14 like marketing, so for a total of
15 15 percent per order and for the duration
16 of the declared public health emergency
17 and then 90 days thereafter.

18 Now, while we are obviously
19 still in a public health emergency,
20 especially with the new variant breathing
21 down our necks, I wanted to introduce new
22 legislation that would speak to what
23 should happen as we move out of the
24 pandemic.

25 Now, yes, it's true other

12/9/21 - STATED - SPEECHES

cities have already done legislation similar to what we voted on today, with several of them implementing permanent fee caps and some allowing for a tiered structure. When crafting this legislation, and I have to note this for the record, I was also hyperaware that as the restaurants climb out of the pandemic, it is not as if they will be fully recovered on the day that the public health emergency ends. So in reality, it may take years for the restaurant industry as well as the entire hospitality industry to recover from this pandemic.

Bill No. 210670 as introduced and amended would have made a 15 percent total fee cap permanent. It also maintains a clause from the original legislation clarifying that it is unlawful, unlawful for third-party food delivery services to reduce the compensation rates paid to the service delivery drivers, like some of us know

12/9/21 - STATED - SPEECHES

them as Dashers, or garnish their gratuities as a result of the fee cap. So this can't be passed on to the workers who are using this opportunity to work for these third-party companies to make ends meet.

In other cities where fee caps have been made permanent, such as New York City and San Francisco, some of the third-party food delivery services, they then -- they sued the cities, and these lawsuits, they are still playing out.

So what we tried to do with this legislation, Mr. President, in working with our Law Department -- have to thank our Solicitor and every member of the Law Department staff. I want to be clear that we want to avoid that kind of lawsuit here in Philadelphia. And so after introduction of the bill, and I thank Ben from PRLA for mentioning it, along with Andrew Zalenski, they met with the various third-party delivery companies, and my instruction was to try

1 12/9/21 - STATED - SPEECHES

2 to find a compromise. Mr. President,
3 Harrisburg kicked in. You know, can't do
4 it without talking to people, and they
5 sat down and they did it.

6 Amendments to Bill No. 210670,
7 they were reached after extensive
8 conversations with the restaurant
9 industry and these third-party delivery
10 companies, and they met in October and
11 November, and the legislation, which was
12 amended in committee and also today, it
13 will maintain a 15 percent total fee cap
14 for restaurants that choose it. But,
15 listen, it will also allow restaurants to
16 like opt out of that, opt out of that cap
17 and actually go into a higher fee tier in
18 return for additional services beyond
19 basic delivery and marketing.

20 Now, some of the third-party
21 delivery companies, they're still not
22 totally happy with where this bill ended
23 up, and as Councilmember Squilla often
24 notes, you know, when that's the case,
25 you did something right. They are still

12/9/21 - STATED - SPEECHES

trying to frame the amended bill as a permanent fee cap, and even though we give restaurants the choice now to move up to a higher fee tier, they're still trying to couch it that way, but, Philly, you know, I'm not swallowing that. You know, in crafting these amendments, I wanted to avoid a situation like what happened in the past where a restaurant will be surprised and essentially forced into a higher tier. They were told something like, listen to this, based on your volume of sales and/or price points, we're now going to take 30 percent instead of the 20 percent that you signed up at. Not going to do that to Philly restaurants. We won't allow it.

With this legislation, restaurants are going to be guaranteed a 15 percent fee cap and, listen, if that is what they choose. "Choice" here is the operative word, and I do believe that some restaurants, they're going to choose to move up into the higher fee tier in

1 12/9/21 - STATED - SPEECHES

2 return for additional services that go
3 beyond the basic delivery and marketing.

4 And one final thought, you
5 know, my office and Rachel Meadows and
6 Hilary and Kyasha and the entire team,
7 along with PRLA, they negotiated with
8 third-party delivery companies. Guess
9 what? In good faith.

10 So I hope we can avoid a
11 lawsuit, but for those who have been sort
12 of kind of trying to hold that over our
13 heads, when Council passed lost and
14 stolen gun legislation here in
15 Philadelphia, although it was not
16 enforced by the District Attorney at that
17 time because they said it was preempted
18 by State law, I was in Harrisburg
19 fighting no matter what that law says.
20 So if you're going to sue, you sue, but
21 our Law Department has told us that they
22 are prepared to fight.

23 I also don't want to see that
24 bottom tier, the 15 percent tier, turned
25 into like a substandard tier where

1 12/9/21 - STATED - SPEECHES

2 restaurants essentially like feel like
3 they are being forced to choose a higher
4 tier if they just want the basic
5 services.

6 So for the record, we're going
7 to be watching the implementation of this
8 new legislation like hawks, right, like
9 white on rice, and trust me, we're going
10 to hear from the restaurants as soon as
11 something is not going right. And I
12 believe we can move forward in a way
13 that's beneficial for restaurants, but I
14 also want this to work for third-party
15 delivery companies, because I have a lot
16 of friends and family and constituents
17 who they work for these companies and
18 this is how they are earning, you know,
19 income and revenue to keep their
20 households going, but we won't let you
21 gouge our restaurant industry or our
22 people.

23 Thank you so very much,
24 Mr. President and colleagues, for your
25 leeway you've provided.

1 12/9/21 - STATED - ADJOURNMENT

2 COUNCIL PRESIDENT CLARKE:

3 Thank you, Councilwoman. We have very
4 good lawyers both on our staff and in the
5 Law Department.

6 I think that concludes our
7 speeches on behalf of the minority and
8 the majority, and with that, the Chair
9 recognizes Councilman Jones for a motion
10 to adjourn.

11 COUNCILMAN JONES: Thank you,
12 Mr. President. I move that Council stand
13 adjourned until Thursday, December 16th,
14 2021 at 10:00 a.m.

15 (Duly seconded.)

16 COUNCIL PRESIDENT CLARKE:

17 Thank you. It has been moved and
18 seconded that Council stand adjourned
19 until Thursday, December 16, 2021 at
20 10:00 a.m.

21 All in favor indicate by saying
22 aye.

23 (Aye.)

24 COUNCIL PRESIDENT CLARKE: The
25 ayes have it -- I'm sorry. Those

1 12/9/21 - STATED - ADJOURNMENT

2 opposed?

3 (No response.)

4 COUNCIL PRESIDENT CLARKE: The
5 ayes have it. The motion carries.

6 Thank you all very much. Be
7 safe. Thank you all.

8 - - -

9 (Stated Meeting adjourned at
10 11:56 p.m.)

11 - - -

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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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Dec 9, 2021 Stated Meeting
December 9, 2021

Page 1

A	26:19 35:11	69:1 70:1	32:15,23	applaud	asked 16:7	74:21,22,22	102:4
a.m 1:7	35:23	71:1 72:1,2	38:11,13	58:13	51:21 52:4	76:6	119:22,23
119:14,20	administra...	72:6,11,20	39:17 40:3	apply 121:22	asking 18:11	avoid 114:19	ayes 13:12
able 62:13	54:12 82:3	72:23 73:1	42:13 44:19	appointees	Assembly	116:9	15:25 31:14
105:5	adopt 32:8,16	73:2,5,8,12	53:7 76:10	35:12,13,14	25:3	117:10	34:10 37:9
absence	71:24	74:1 75:1	76:17,22	35:24,25	assist 55:16	award 69:20	41:20 43:25
13:15,20	adopted	76:1 77:1	84:7 87:4,6	36:3	associated	69:22 81:2	46:5 47:22
65:14	72:11,21	78:1 79:1	88:15 91:4	appointment	44:23	aware 52:13	49:4 72:19
Academic	81:13,22	80:17 98:24	amendment	17:25 21:8	Association	106:17	81:21 83:7
82:5	82:24 83:20	99:10,12	35:8,20	88:19	61:4	aye 13:6,7	84:3 86:22
Academy	84:3 98:22	100:7,11	36:4 82:13	Appointme...	attached	15:19,20	88:7 90:21
30:7	99:14 100:4	Agendas	82:16,17,19	88:16	30:10 33:9	31:8,9 34:4	93:15 94:23
accepts 42:19	102:10	49:14	82:23 87:15	appreciate	36:8 40:18	34:5 37:3,4	97:18 98:21
access 53:22	adopting	agent 75:6	87:18,19,21	12:12 56:13	42:24 45:4	41:14,15	102:9
62:6	53:12	ago 59:25	94:6,9,10	65:8 106:6	attendance	43:19,20	119:25
acclaimed	adoption	agreement	94:12	107:19	2:22,23	45:23,24	120:5
81:3	72:4 81:9	75:2 95:11	amendments	appreciative	Attorney	47:16,17	
accurately	82:19 83:13	105:23	14:15 53:11	11:20 61:7	117:16	48:22,23	B
121:5	87:21 94:12	agreements	53:15 54:11	approach	audio 103:19	65:15,21	back 50:8
achieve 55:5	98:9 101:20	33:6 77:5,9	56:4 115:6	54:4	Authority	72:13,14	59:2
act 10:15,19	advance	94:2	116:8	appropriate	17:6,12	77:20,23	ballot 105:9
75:5 103:11	18:20 53:8	air 61:25	American	18:17 35:15	18:3 20:2	78:4,8,11	Bank 17:13
action 14:18	advancing	Airport 95:9	27:2 57:12	appropriati...	20:11 25:11	78:15,19,22	19:18 20:3
50:22	55:24	95:13,15	57:14 67:21	73:20	68:11 69:11	78:25 79:4	67:6,11,17
actions 15:4	adventure	Al 23:17	67:25 76:6	approval	71:15 75:4	79:7,9,12	68:15 69:13
55:13	12:4	Album 81:2	101:5	12:1,15	75:5 100:2	79:16,20,24	69:25 70:21
activist 25:24	advise 16:20	Alfred 9:3	Americans	75:13	authorizing	80:4,8,12	71:6,17
activists 26:2	Advisory	ALLAN 1:11	27:4 68:2	approved	14:14 17:3	81:15,16	Baseball's
activity 57:15	82:5	Alliance 21:9	amounts	12:22 13:4	17:11 19:16	83:2,3,21	69:22
add 51:8	affect 52:11	allotted 52:3	32:11,19	13:13 35:7	19:18,25	83:22 84:17	based 51:17
added 14:10	affirm 110:21	allow 103:9	and/or 32:10	39:18 40:4	20:8 24:17	84:20,22	58:22
15:14	affirmative	115:15	32:18	Arch 40:15	24:19 25:9	85:4,8,10	116:13
addiction	80:15 86:24	116:18	116:14	architects	35:15 38:4	85:12,14,16	basic 62:19
108:19	90:23 93:17	allowing	121:24	55:18	39:3,20	85:18,20,23	115:19
adding 32:10	97:20	113:5	Andrew	area 29:15,22	40:6,13	86:2,5,8,11	117:3 118:4
32:17 42:15	affordability	allows 63:6	114:23	30:6 57:6	67:6,10,16	86:14 87:25	basis 108:15
57:9 58:4	57:20 58:4	Amber 70:2	Annin 67:12	74:13,20	68:4,14	88:2 89:3,8	Bass 1:10 3:5
93:22	58:22 59:10	amen 12:8,9	Anniversary	75:22 76:5	69:10,24	89:14,16,20	3:11,14,14
addition	affordable	amend 29:19	20:21 21:3	76:13 87:11	70:20 71:5	89:22,24	3:15 78:3,4
49:12	57:21 58:9	30:3 74:10	21:15 69:8	103:20	71:14 73:20	90:2,5,8,11	84:16,17
additional	58:18	74:17 75:19	announcem...	areas 29:21	74:24 77:4	90:14,17,20	89:2,3
46:17 54:17	African 68:2	76:2	2:7	30:5 74:12	95:6 97:25	91:16,21	91:15,16
97:23	101:4	amended	annual	74:19 75:21	99:19	92:2,5,8,10	95:23,24
115:18	agencies 68:8	14:12 30:9	108:14	76:4	available	92:12,14,16	105:18,20
117:2	99:23	36:7 45:3	anti-violence	Arendell	103:8	92:18,23	106:4
Aden 21:7	agenda 14:10	61:18 83:8	82:7,8	74:21	Avenue 17:17	93:2,5,8,11	110:20
adjourn	14:13 15:15	88:8,9	anticipated	arising 75:15	17:22 23:3	93:14 94:17	becoming
119:10	46:25 47:1	94:24,24	18:20	arose 15:5	24:3,10	94:18 95:24	69:21
adjourned	47:12,24	110:19	anxieties 9:21	arrangeme...	29:15,16,24	96:3,5,8,11	beginning
119:13,18	48:1,8,19	113:18	apologize	35:17	29:24,25,25	96:13,15,17	55:14
120:9	49:5 66:1	115:12	3:12,17	arrest 25:5	30:8 38:19	96:19,21,23	begins 9:6
ADJOURN...	66:13,16,19	116:2	28:22	arrogance	38:19,24,24	97:2,5,8,11	23:20
119:1 120:1	66:22 67:1	amending	102:12	10:20	39:10,12	97:14,17	behalf 13:18
Adjustment	67:3 68:1	29:10 32:6	app 62:22	art 11:2	70:11,23	98:15,16	19:4,16,23

Dec 9, 2021 Stated Meeting
December 9, 2021

Page 2

20:7,18	61:17 72:23	79:25 80:5	broad	23:15,24	caps 113:5	40:22 41:23	23:8,16,21
21:25 22:11	73:1,4,6,18	80:9,13,16	67:24	24:25 25:7	114:8	43:4 44:3	23:25 24:8
27:23 53:5	74:1,9,16	80:16,18	Brooks 1:11	25:19 26:5	capturing	45:8 46:19	24:15 25:2
74:25 81:8	74:23 75:1	BIPOC 19:10	3:8,9,23,24	26:13,22	69:19	47:25 49:6	25:8,20
95:9 98:7	75:18,25	Birch 70:3,22	4:4 8:16	27:9 31:15	carbon 55:5	65:12 71:23	26:6,14,23
101:19	76:1,9,16	Bishop 10:11	25:21 78:7	34:11 37:10	55:25	81:5 82:12	27:10 29:6
103:15,25	76:21 77:1	bizarre 58:3	78:8 84:19	37:12 41:21	care 108:25	83:9 87:14	32:4 34:25
104:5 119:7	77:3,17,17	Black 21:19	84:20 89:5	44:2 46:6,9	career 23:20	94:5 104:6	37:25 42:10
Belgrade	78:1 79:1	Black-owned	89:6 91:18	46:15,18,21	Cargo 95:13	107:21	44:16 52:22
39:11,13,14	84:5,12,13	21:21	91:21 96:2	47:3 48:4	carries 15:25	110:6 119:8	56:14 60:19
beliefs 9:21	86:24 87:15	bleak 11:22	96:3	49:10 66:11	47:22 49:4	challenges	66:2 67:4
believe 63:20	87:18 88:7	blind 12:3	Brotherly 5:6	66:24 73:9	120:5	108:20	73:13,18
86:17	88:8,13,21	block 22:3,13	brought 9:5	80:20 88:10	case 108:15	challenging	78:2,6,10
116:23	88:22 90:23	Board 17:16	Bryce 9:19	95:2 103:5	115:24	110:24	78:13,17,21
118:12	91:2,10,11	17:21 18:2	Budget,'	Calendars	cases 62:18	Champion	78:24 79:3
Ben 60:20,25	93:17,20	24:3,10	32:17	48:10 49:17	cash 42:20,20	69:18	79:6,11,14
114:22	94:6,9,23	26:18 35:10	builders	50:21	casino-style	chance 42:20	79:18,22
beneficial	94:24 95:4	35:23	55:19	call 2:1,21	42:19	changes	80:2,6,10
118:13	95:18,20	boards 73:23	building	3:1,2 4:1	celebrate	44:23 45:2	80:23 81:25
Berks 68:21	97:20	73:25 74:3	10:22 39:22	5:1 6:1 7:1	27:3	84:10	84:6,15,18
75:22	107:12	74:5,8	40:8 53:5,9	50:25 51:4	center 10:19	changing	84:21,23
Bernie 17:16	111:7,8,11	BOBBY 1:14	54:6,13,22	77:18,25	CEO 21:8	29:20 30:4	85:2,6,9,11
24:9	113:17	Bodine 68:21	55:16 59:24	84:14 88:24	certain 14:2	74:11,18	85:13,15,19
Bertel 60:4	114:21	body 17:2	101:6	91:13 95:21	17:7 18:4	75:20 76:3	85:21,24
best 81:2	115:6,22	Bonsall 25:15	109:14	99:3 109:7	20:4 29:21	chapter	86:3,6,9,12
111:2,2	116:2	bonus 58:5	buildings	callbacks	30:5 32:11	23:20 29:10	86:17 87:3
BET 80:25	bills 14:15	58:22	17:8 53:12	52:11	32:18 42:17	38:11 42:16	88:14,25
beyond 11:25	16:21 18:1	bonuses	56:7 84:9	called 49:15	44:25 69:14	44:20 87:6	89:4,7,9,12
53:9 55:23	18:9 19:1	58:18 76:14	builds 111:11	77:19 86:18	71:18,19	87:10 91:4	89:15,17,19
82:10	20:1 21:1	87:12	burdened	99:2	73:22,24	93:22	89:21,25
115:18	22:1 23:1	bottom	112:5	calling 25:3	74:2,4,7,12	charge	90:3,6,9,12
117:3	24:1 25:1	117:24	burning 55:7	49:8 53:4	74:19 75:9	111:17	90:15,18
big 57:23	26:1 27:11	boundaries	bus 57:12	82:2	75:21 76:4	charged 91:7	91:3,14,17
bill 14:16,20	28:8,10,19	38:14	business	calls 51:17	77:11 87:6	Charter 35:9	91:25 92:3
14:22,22	28:25 30:10	bounded	12:15 13:14	Calumet 39:4	87:10 93:25	35:21	92:6,9,11
16:23 28:15	30:21 31:5	29:15,22	16:12 18:8	Camac 38:18	certainty	Chat 103:7	92:13,15,19
29:9,18	31:14,22	30:6 74:13	27:15 46:8	Cambria	61:19 65:3	103:11,20	92:21,24
30:2 32:5,7	33:9,25	74:20 75:22	57:16	70:4	CERTIFIC...	CHERELLE	93:3,6,9,12
32:14,15,22	34:10 37:20	76:5	100:25	cameras	121:2	1:16	93:21 95:5
33:18 34:18	40:18 41:3	bow 8:18	101:5 112:6	32:13,21	certification	Chestnut	95:7,22,25
35:3 36:8	41:11,20	Boyer 100:25	Businesses	Cantrell	53:18	40:8	96:4,6,9,12
36:17,24	46:10,13,18	breath 8:24	42:14	71:10	121:21	Chief 1:20	96:14,16,18
37:9 38:3	48:1,3,9,19	61:25	C	cap 62:7,10	certified 54:7	3:4,7,22 4:6	96:22,24
38:10,16,21	49:1,8,13	breathing	Cabot 22:3	62:18 63:7	CERTIFY	4:12,19 5:2	97:3,6,9,12
39:2,6,16	49:15,20	112:20	Calendar	113:19	121:3	5:10,16,22	97:15,24
39:18 40:2	50:16 65:15	Breweryto...	14:1,5,21	114:3	certifying	6:7,13,19	98:23 99:11
40:4,12	65:21 72:25	22:18	14:24,25	115:13,16	121:25	6:25 7:8,15	99:18
42:4,11,24	73:11 77:15	BRIAN 1:16	15:1,6	116:3,21	Chair 8:12	7:22 8:6	100:10,14
43:9,16,25	77:21,21,22	bridge 10:9	18:13 19:14	capacity	12:17 13:16	16:17 18:25	100:18,23
44:10,18	77:23 78:5	brief 50:3,7	19:22 20:16	54:19	13:22,24	19:15,23	101:9,13
45:4,13,20	78:9,12,16	73:17	20:23 21:5	Capital 32:8	27:16 28:4	20:17,24	102:12,16
46:5 53:6	78:20,23	bright 11:24	21:11,17,23	32:17	30:14 31:17	21:6,12,18	102:23
57:4 58:14	79:2,5,7,10	bring 60:10	22:10,20	capped	33:13 34:13	21:24 22:11	choice 116:4
58:17,23,25	79:13,17,21	Broad 40:14		112:12	36:12 37:14	22:21 23:2	116:22

Dec 9, 2021 Stated Meeting
December 9, 2021

Page 3

choose 62:21 115:14 116:22,24 118:3 Christ 8:14 church 8:14 60:2 CINDY 1:10 circulated 14:6 82:17 87:19 94:10 circumstan... 51:13 cities 62:14 108:9 113:2 114:8,12 citizen's 25:5 citizens 26:20 88:17 104:12,21 105:3,13 110:14 city 1:2 2:10 5:6 8:21 16:19 17:10 17:17,22 23:2,18 24:3,10 26:3,10 29:7 35:5 38:5,6 53:22 54:13 54:15 55:5 55:11,15,21 57:5,24 58:2,11 59:6,11,17 59:23 60:3 60:12,15 61:19 64:22 68:7 73:22 73:24 74:3 74:5,7,25 75:2,10,11 76:25 77:7 77:8 82:3 95:9 99:22 107:9 108:4 109:9 111:3 111:12 114:10 City's 27:6 54:13 55:25 75:6,15	City-owned 17:7 53:16 clarify 33:5 76:20 clarifying 113:21 Clarke 1:10 2:2 3:13,20 4:2,10,17 4:24 5:8,14 5:20 6:5,11 6:17,23 7:6 7:13,20 8:4 8:7,8 12:10 12:24 13:8 13:11,21 15:9,21,24 16:10 18:6 19:5,13,17 19:21,24 20:8,15,22 21:4,10,16 21:22 22:2 22:9,12,19 23:6,14,23 24:6,13,24 25:6,18 26:4,12,21 27:8,13,20 28:9 29:2 30:12,24 31:10,13,24 33:11,21 34:6,9,21 36:10,20 37:5,8,21 40:20 41:7 41:16,19 42:6 43:2 43:12,21,24 44:12 45:6 45:16,25 46:4 47:8 47:18,21 48:15,24 49:3,22 50:12 52:24 56:11,17,20 60:17,21 65:6,11,17 66:6 71:21 72:8,15,18 73:15 77:13 80:11,12	81:4,11,17 81:20 82:11 82:21 83:4 83:15,19,23 84:2,11 86:13,14,19 87:13,23 88:3,6,20 90:19,20 91:9,19,23 93:13,14 94:4,14,19 94:22 95:16 97:16,17 98:11,17,20 99:8,16 100:6,12,16 100:21 101:7,11,15 101:23 102:5,8,14 102:18,25 103:23 104:4 107:14 110:2 119:2 119:16,24 120:4 clause 113:20 clean 55:8 clear 53:22 55:4 100:22 114:19 clearer 62:3 Clerk 1:20 2:21 3:4,7 3:22 4:6,12 4:19 5:2,10 5:16,22 6:7 6:13,19,25 7:8,15,22 8:6 16:17 18:25 19:15 19:23 20:17 20:24 21:6 21:12,18,24 22:11,21 23:8,16,25 24:8,15 25:2,8,20 26:6,14,23 27:10 29:6 32:4 34:25 37:25 41:5	41:12 42:10 44:16 52:22 56:14 60:19 66:2 67:4 72:24 73:13 73:18 78:2 78:6,10,13 78:17,21,24 79:3,6,11 79:14,18,22 80:2,6,10 80:23 81:25 84:6,15,18 84:21,23 85:2,6,9,11 85:13,15,19 85:21,24 86:3,6,9,12 86:17 87:3 88:14,25 89:4,7,9,12 89:15,17,19 89:21,25 90:3,6,9,12 90:15,18 91:3,14,17 91:25 92:3 92:6,9,11 92:13,15,19 92:21,24 93:3,6,9,12 93:21 95:5 95:22,25 96:4,6,9,12 96:14,16,18 96:22,24 97:3,6,9,12 97:15,24 98:23 99:11 99:18 100:10,14 100:18,23 101:9,13 102:12,16 102:23 Cleveland 25:16 climb 113:9 climbs 9:8 closely 63:11 64:24 Coalition 108:8 code 29:11	32:24 38:12 42:14 44:20 53:8,10 76:11,18,23 87:5 88:16 91:5 collaborative 19:8 69:7 colleague 106:4 colleagues 4:8,15,23 5:5,13,19 6:2,10,16 7:4,12,18 8:2 106:19 107:3 118:24 Collective 21:19 color 107:6 Columbia 39:10,12 combat 108:12 come 2:21 9:9 comes 103:20 commemor... 22:6,16 27:3 commend 105:6 110:16 commending 21:7,19 110:11 comment 2:15 18:18 49:25 50:1 50:3,18,19 51:1,3 52:1 52:11 53:1 54:1 55:1 56:1 57:1 58:1 59:1 60:1 61:1 62:1 63:1 64:1 65:1 66:10 commenting 51:6 52:23 56:15 60:20 comments	52:9 111:7 Commerce 68:5 99:20 commercial 93:23,24 Commission 54:14 88:17 Commissio... 17:3 20:9 23:19 25:9 74:25 77:5 95:6 commissions 73:23,25 74:4,6,8 commitment 19:9 committed 22:25 committee 18:15 23:7 23:22 24:7 24:14,18,20 27:18 28:24 29:8 31:19 31:21 32:4 34:15,17,25 37:16,18,25 41:25 42:3 42:10 44:5 44:8,16 46:8,11 68:5 97:25 99:20 104:13 106:12,14 106:19 110:15 115:12 committees 27:16 communicate 106:14 communica... 16:1,13,15 17:1 communities 19:11 107:5 107:6 community 19:7 22:8 22:18 25:24 32:25 67:24 69:6 75:16	82:7 95:13 community... 105:13 companies 62:12,16 63:4,12 64:8 111:15 114:6,25 115:10,21 117:8 118:15,17 compensati... 113:24 completely 59:5 compliance 39:24 40:10 comply 103:10 composition 35:10,22 compromise 115:2 concern 50:20 concerning 14:2 15:4 46:20 48:3 concerns 60:10 104:15 106:15,15 110:18 Concession 95:10 conclude 52:4 66:9 102:21 concludes 46:7 119:6 conclusion 103:4 conditions 18:5 39:25 40:10 56:8 71:20 77:12 conduct 24:21 98:2 confirmation 35:12,25 confirming 17:24 congratulat... 19:6 26:16	69:17 80:24 connect 50:6 108:24 connected 50:14 consent 46:25 47:1,12,23 48:1,8,18 49:5,14 66:1,13,16 66:19,22 67:1,3 68:1 69:1 70:1 71:1 72:1,2 72:6,11,20 72:23 73:1 73:2,4,7,11 74:1 75:1 75:12 76:1 77:1 78:1 79:1 80:16 98:24 99:9 99:12 100:7 100:11 consenting 52:19 consider 46:25 47:12 47:23 48:8 48:19 49:5 50:17 66:12 72:22 80:18 considerati... 14:13 17:2 46:9 50:2 54:21 107:17 considered 14:9 30:9 33:8 36:6 40:17 42:23 45:3 49:13 considering 50:15 53:24 constant 61:15 constituents 104:24,25 105:5 118:16 construct 39:21 40:7 construction 53:16 75:9
---	---	---	--	---	--	--	--

Dec 9, 2021 Stated Meeting
December 9, 2021

Page 4

84:9 contained 121:5 continue 11:12 108:16 continues 108:13 continuing 2:8 52:18 contracting 68:7 99:22 contracts 64:6 contribution 33:6 contributions 25:23 27:5 32:25 control 121:24 conversatio... 115:8 conveying 17:6 20:4 20:11 25:12 69:13 71:17 cooperation 18:21 coordination 55:18 copy 82:17 87:19 94:10 Corporation 21:14 68:12 100:3 Corporations 33:2 correct 99:7 100:15 121:8 correctly 99:2,5 correlation 24:22 98:3 corridor 57:11 couch 116:6 Council 1:2 1:10 2:2,5 2:10 3:13 3:20 4:2,8 4:10,15,17 4:22,24 5:4	5:8,12,14 5:18,20,25 6:5,11,15 6:17,23 7:6 7:11,13,18 7:20,25 8:4 8:6,8,21,22 12:10,24 13:8,11,19 13:21 14:4 14:11 15:4 15:9,17,21 15:24 16:10 16:18,22 18:6,14 19:4,13,16 19:21,24 20:7,15,22 21:4,10,16 21:22 22:2 22:9,12,19 23:6,14,23 24:6,13,24 25:6,18 26:4,12,21 27:8,13,20 27:25 28:5 28:6,9,13 28:14,23 29:2,7 30:10,12,19 30:24 31:3 31:10,13,21 31:24 33:9 33:11,16,17 33:21,24 34:6,9,21 35:7,13,25 36:8,10,16 36:20,23 37:5,8,13 37:18,21 40:18,20 41:2,7,10 41:16,19 42:6,24 43:2,8,12 43:15,21,24 44:12 45:4 45:6,12,16 45:19,25 46:4,16,24 47:8,10,18 47:21 48:7	48:15,17,24 49:3,22 50:12,22 51:11 52:24 56:11,17,20 60:17,21 64:23 65:6 65:10,11,17 65:25 66:6 71:21 72:8 72:15,18 73:15 75:13 77:13 80:10 80:12 81:4 81:11,17,20 82:11,18,21 83:4,15,19 83:23 84:2 84:11 86:12 86:14,19 87:13,20,23 88:3,6,11 88:20 90:18 90:20 91:9 91:19,23 93:12,14 94:4,11,14 94:19,22 95:2,16 97:15,17 98:11,17,20 99:8,16 100:6,12,16 100:21 101:2,6,7 101:11,15 101:23 102:5,8,14 102:18,25 103:23 104:4,9 106:20,23 107:11,14 107:24 110:2 111:12 117:13 119:2,12,16 119:18,24 120:4 Councilman 1:11,13,14 1:14,15,15 1:16,17,18	4:6,7 5:2,3 5:16,17,22 5:24 6:7,8 6:13,14,19 6:21 7:15 7:17,22,24 12:18,19 22:21 24:15 26:14,23 27:17,21,24 28:3,10,12 28:21 30:15 30:16,25 31:18,20 33:14,15 37:15,17,22 40:23,24 41:24 42:2 43:5,6 65:9 65:12,13,18 65:21,23,24 78:10,11,21 78:22 79:3 79:4,6,8,9 79:11,12,14 79:16 80:2 80:4,6,8 82:12,14 83:10,12 84:21,22 85:9,10,13 85:14,15,17 85:18,19,20 85:21,23 86:6,8,9,11 89:7,8,15 89:16,19,20 89:21,23,24 89:25 90:2 90:3,5,12 90:14,15,17 91:25 92:2 92:9,10,13 92:14,15,17 92:18,19,20 92:21,23 93:6,8,9,11 96:4,5,12 96:13,16,17 96:18,20,21 96:22,23,24 97:2,9,11 97:12,14 98:5 101:9	101:12,13 104:6,8 105:22 107:15 119:9,11 councilmanic 17:10 19:20 20:6 23:4 56:25 59:13 67:8,13,19 69:4,15 70:17 71:2 71:11,19 Councilme... 28:18 61:8 61:17,23 63:10,22 64:17 77:20 86:16 98:8 101:19 105:18,20 106:4,5 110:17,20 111:23,25 115:23 Councilme... 58:20 Councilper... 60:9 Councilper... 59:8 Councilwo... 1:10,11,12 1:12,13,16 1:17 3:4,7,9 3:11,14,15 3:21,22,24 4:4,12,14 4:19,21 5:10,11 6:25 7:3,8 7:10 8:15 13:16,17,23 13:25 14:7 15:14 16:3 16:11 19:3 20:18 21:24 25:20 26:6 27:22 28:2 28:17 34:14 34:16 36:13 36:14 44:4 44:7 45:9 45:10 46:19	46:22 47:13 48:2,5,20 49:7,11,23 71:24 72:3 78:2,4,6,8 78:13,15,17 78:19,24,25 79:18,20,22 79:24 81:5 81:7 84:15 84:17,18,20 84:23 85:2 85:4,6,8,11 85:12,24 86:2,3,5 87:14,16 88:25 89:3 89:4,6,9,11 89:12,14,17 89:18 90:6 90:8,9,11 91:14,16,17 91:20,21 92:3,5,6,8 92:11,12,24 93:2,3,5 94:5,7 95:22,24,25 96:3,6,8,9 96:11,14,15 97:3,5,6,8 98:6 101:16 101:18 103:16,24 107:22,23 110:3,7,8 119:3 country 59:5 109:9 couple 2:7,23 64:12,24 course 14:3 15:16 COVID-19 2:9 111:13 crafting 113:6 116:8 cream 59:22 Crease 39:13 create 61:9 created 62:16 creating 56:7 87:8 creative	11:11 Credit 32:24 cried 10:13 crisis 108:13 Crispin 30:6 critical 110:22 critically 81:3 criticism 10:18 crop 59:22 cultivate 11:2 Cultural 21:9 culture 27:6 Cumberland 70:5 current 18:16 53:10 62:7 63:7 currently 2:10 10:3 Curtis 1:15 110:11 customers 57:18 D D 1:17 Daily 2:17 Dakota 70:5 DARRELL 1:10 Dashers 114:2 DAVID 1:15 day 9:7 26:10 27:2 28:7 30:21 31:5 33:18,25 36:17,24 39:8 41:3 43:9,16 45:13,20 50:25 108:4 108:5,6 109:3 113:11 days 77:16 84:13 88:22 91:11 95:19 112:17 deadly 25:4 dear 107:2	debate 66:20 73:6 110:22 December 1:7 12:17 12:21 13:3 16:20,23 26:9 108:3 109:10,21 119:13,19 Decker 1:20 3:2 16:13 18:7,22 27:14 29:4 30:13 32:2 34:23 37:23 42:8 44:14 52:20 66:8 66:14,25 71:22 73:10 77:14,18,25 80:21 81:23 84:4,14 86:15 87:2 88:12,24 90:25 91:13 93:19 95:3 95:21 97:22 102:15,22 declared 112:16 declined 66:4 decorum 11:21 deeds 17:6 20:4,11 25:12 69:13 71:17 deemed 46:12 deep 9:8 11:18 Delaware 74:22 deliver 17:4 20:3,10 25:10 63:2 69:12 71:16 delivery 62:8 77:10 91:6 111:8,15,22 112:13 113:23,25 114:11,24 115:9,19,21
--	--	--	---	--	---	--	---