

City of Pittsburgh

*510 City-County Building
414 Grant Street
Pittsburgh, PA 15219*



MEETING MINUTES

Proceedings of the Council of the City of Pittsburgh

Tuesday, October 19, 2010

10:00 AM

Council Chambers

City Council

**ONE-HUNDRED
THIRTY-SIXTH COUNCIL**

Darlene Harris, President

**Council Members: Reverend Ricky V. Burgess, Patrick Dowd, Bruce A. Kraus, R. Daniel
Lavelle, William Peduto, Natalia Rudiak, Douglas Shields, Theresa Smith**

**Linda M. Johnson-Wasler, City Clerk
Mary Beth Doheny, Deputy City Clerk**

ROLL CALL

Present: 9 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. Peduto, Ms. Rudiak, Mr. Shields and Mrs. Smith

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Bill No.

[2010-1054](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes Don Sand for his unending devotion to the Morningside Baseball Association and the well-being of youth in the City of Pittsburgh; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare in the City of Pittsburgh, Tuesday, October 19, 2010, Don Sand Day in the City of Pittsburgh.

SPONSOR(S): PATRICK DOWD AND ALL MEMBERS

A motion was made that this matter be Adopted. The motion carried.

Bill No.

[2010-1055](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize the Kullu Valley Bike Project for its work to improve the lives of children in India through bikes and education; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare October 19, 2010, "Kullu Valley Bike Project Day" in the City of Pittsburgh.

SPONSOR(S): WILLIAM PEDUTO AND ALL MEMBERS

A motion was made that this matter be Adopted. The motion carried.

Bill No.

[2010-1056](#)

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize the efforts of the Allegheny County Bar Association and the Mediation Council of Western PA to promote conflict resolution in the greater Pittsburgh region; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare October 21, 2010, "Conflict Resolution Day" in the City of Pittsburgh.

SPONSOR(S): WILLIAM PEDUTO AND ALL MEMBERS

A motion was made that this matter be Adopted. The motion carried.

Bill No.

[2010-1057](#)

NOW, THEREFORE, BE IT RESOLVED THAT, the Council of the City of Pittsburgh recognizes the contributions made by the CinemaTech 50 Awards honorees; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby declares October 14, 2010 "CinemaTech 50 Awards Day" in the City of Pittsburgh.

SPONSOR(S): WILLIAM PEDUTO AND ALL MEMBERS

A motion was made that this matter be Adopted. The motion carried.

Bill No.

[2010-1058](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend and congratulate the ZOA-Pittsburgh District for recognizing and honoring Dr. Cyril Wecht, Marion Taube and Harold F. Marcus for their lifetime commitment and dedication to Israel and the Jewish people ; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Wednesday, October 20, 2010, to be "ZOA-PITTSBURGH DISTRICT DAY" in the City of Pittsburgh.

SPONSOR(S): DOUGLAS SHIELDS, WILLIAM PEDUTO AND ALL MEMBERS

A motion was made that this matter be Adopted. The motion carried.

PUBLIC COMMENTS

PRESENTATION OF PAPERS

COUNCILMAN REVEREND RICKY V. BURGESS PRESENTS:

Bill No.

[2010-1048](#)

Resolution providing for a professional service agreement or agreements with Aon Consulting for the purpose of health and welfare benefits consulting and related support services. Cost not to exceed \$980,000.00 over four years.

Read and referred to Human Resources Committee

Bill No.

[2010-1049](#)

Resolution providing for a professional service agreement or agreements with Ceridian for the purpose of on-going payroll processing services, payroll tax filing services, application outsourcing services and related support services. Cost not to exceed \$1,000,000.00 over two years.

Read and referred to Human Resources Committee

COUNCILMAN BRUCE A. KRAUS PRESENTS:

Bill No.

[2010-1045](#)

Resolution providing for the issuance of a warrant in favor of A & A Consultants, in the amount of \$9,950.00, for the replacement of the main entry vestibule floor structure at the South Side Market House Senior Center, and providing for the payment thereof.

Read and referred to Finance and Law Committee

Bill No.

[2010-1046](#)

Resolution providing for a Contract or Contracts or for the use of existing Contracts, providing for an Agreement or Agreements or for the use of existing Agreements, providing for the purchase of materials and supplies in connection with the renovations and maintenance of various public buildings, and further providing for the payment of the costs thereof. Cost not to exceed \$95,509.34.

Read and referred to Public Works Committee

Bill No.

[2010-1047](#)

Resolution granting unto, The University of Pittsburgh Facilities Management Division, 3400 Forbes Avenue, Pittsburgh, PA 15213, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense,

decorative pedestrian street lights on the sidewalk area of Carillo Street in the 5th Ward, 6th Council District of the City of Pittsburgh.

Read and referred to Public Works Committee

COUNCILMAN WILLIAM PEDUTO PRESENTS:

Bill No.

[2010-1043](#)

Resolution further amending Resolution 138, effective March 28, 2008 as amended by Resolution 532, effective November 17, 2004, as amended by Resolution No. 145, effective March 17, 2000, and also as amended by Resolution No. 439, effective June 27, 2002 entitled "Providing for a lease(s) and/or sublease(s) of space located within the City of Pittsburgh's 20th Ward, from lessor, Scientific-Pittsburgh, for the purpose of establishing offices for the Department of Public Safety, Bureau of Police, Weed & Seed Task Force effective September 1, 2001 and renewable annually thereafter until November 1, 2004 at a cost not to exceed Eight Hundred and Fifteen Dollars (\$815.00) per month, Nine Thousand Seven Hundred and Eighty Dollars (\$9,780.00) per year," by extending the terms of the original lease.

Read and referred to Finance and Law Committee

Bill No.

[2010-1044](#)

Resolution amending Resolution No. 384 of 2005 to authorize forgiveness of rental payments due under an existing lease agreement between the City and The New Hazlett Theater.

Read and referred to Finance and Law Committee

COUNCILMAN DOUGLAS SHIELDS PRESENTS:

Bill No.

[2010-1050](#)

Resolution amending Resolution No.371, effective June 4, 2010, entitled: Resolution providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 2005 Community Development Block Grant Program; providing for the execution of grant contracts and for the filing of other data providing for required assurances; providing for execution of payment vouchers on letter of credit and for certification of authorized signature; the deposit of the funds in a bank account and providing for the payment of expenses within categories, so as to reprogram funds in City Council from "Allegheny County Respite Care Coalition" (-\$2,500); and from "Kuntu Repertory Theater" (-\$500); and in the Department of Public Works from "Repairs to Streets and Structures" (-40,000) and from "Railing Rehabilitation Program" (-45,650) and transfer these funds to the "Larimer Green" (+\$2,000); and to the "Life's Work of Western PA" (+\$1,000) and to the "Building Maintenance" (+85,650).

Read and referred to Land Use and Economic Development Committee

Bill No.

[2010-1051](#)

Resolution amending Resolution No. 305, effective May 24, 2010 entitled: "Resolution providing for the filing of a Community Development statement with the U.S. Department of Housing and Urban Development for a grant in connection with the 2002 CDBG Program; providing for execution of grant contracts, filing of data, execution of payment vouchers and certification of signature; the deposit of funds in a bank account and providing for payment of expenses", so as to reprogram funds in the Department of Engineer & Construction - "Railing Rehabilitation Program" (-

9,859.34) and transferring these funds to the Department of Public Works - "Building Maintenance" (+ 9,859.34).

Read and referred to Land Use and Economic Development Committee

COUNCIL PRESIDENT DARLENE M. HARRIS PRESENTS:

Bill No. Ordinance amending and supplementing the City Code, Title VII Business Licensing, by adding Article X Rental of Residential Housing, Chapter 781 Residential Housing Rental Permit Program to provide for the registration and regulation of rental housing located within the City; to allow inspections in the case of noncompliance; and to provide penalties for violation.

[2010-1053](#)

SPONSOR(S): DARLENE HARRIS

Read and referred to Public Safety Services Committee

Bill No. Petition from the residents of the City of Pittsburgh requesting a public hearing before City Council relative a request to amend the Pittsburgh Code, Title Five, Traffic, Section 525, to increase storage and impound fees for towing. (Petition is Valid)

[2010-1052](#)

Read and referred to Hearings Committee

UNFINISHED BUSINESS

REPORTS OF COMMITTEE - FINAL ACTION

COUNCILMAN PEDUTO PRESENTS COMMITTEE ON FINANCE AND LAW

Bill No. Report of the Committee on Finance and Law for October 13, 2010 with an
[2010-1037](#) **NEGATIVE RECOMMENDATION.**

A motion was made that this matter be Read, Received and Filed. The motion carried.

Bill No. Ordinance supplementing the Pittsburgh Code, Title Four - Public Places and
[2010-0951](#) Property, Article VII - City Realty, Chapter 451- Leases, Section 451.01 - Authority, Term and Assignment, to specifically authorize indemnification and assignment provisions of Pittsburgh Public Parking Facilities System Concession and Lease Agreement. (Parking Assets Lease)

A motion was made that this matter be Passed Finally. The motion failed by the following vote:

Votes: Ayes: 1 - Rev. Burgess
Noes: 7 - Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. Peduto, Ms. Rudiak and Mr. Shields
Abstentions: 1 - Mrs. Smith

Bill No. Ordinance amending and supplementing the Pittsburgh Code, Title Five - Traffic,
[2010-0952](#) Article VII - Parking, Chapter 543 - Parking Meters, Section 543.01 - Parking Meter Zones and Rates, so as to conform metered parking zones, rates and hours of operation to those set forth in the Pittsburgh Metered Parking System Concession and Services Agreement. (Parking Assets Lease)

A motion was made that this matter be Passed Finally. The motion failed by the following vote:

Votes: Ayes: 1 - Rev. Burgess

Noes: 7 - Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. Peduto, Ms. Rudiak and Mr. Shields

Abstentions: 1 - Mrs. Smith

Bill No.

Report of the Committee on Finance and Law for October 13, 2010 with an Affirmative Recommendation.

[2010-1038](#)

A motion was made that this matter be Read, Received and Filed. The motion carried.

Bill No.

Resolution providing for the conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984; having been placed for sale to adjoining property owners in conjunction with the City of Pittsburgh/City Source Associates Sideyard Program. ITEMS A through I. A: 109 Frustrum; B: 6816 Simonton; C: 117, 119, 121 & 123 Montview; D: 520 Euclid; E: 1456 Firth; F: 1612 Orchlee; G: 3112 Sacramento; H: 3453 Ligonier; I: 5459 Broad; J: 2504 Mission.

[2010-0980](#)

This Matter was Passed Finally on the Consent Agenda.

Bill No.

Resolution providing for the filing of petitions for the sale of certain properties, acquired at tax sales, in accordance with Act No.171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

ITEMS A through M.

A: 527 N. Fairmount; B: 4936 Brown; C: 4923 Kincaid; D: 5112 Kincaid; E: 5015 Kincaid; F: 5025 Kincaid; G: 4926 Kincaid; H: 5020, 5022 & 5024 Broad; I: 553 N. St. Clair; J: 601 N. St. Clair; K: 5814 Hays; L: 1600 Lowrie; M: 1320 Woodland

[2010-0981](#)

This Matter was Passed Finally on the Consent Agenda.

Bill No.

Resolution providing for the filing of petitions for the sale of certain properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

ITEMS A through G.

A: 1812 Rhine (DELETED); B: 4743 Monongahela; C: 19 Lafferty; D: 1354 Pocono; E: 6953 Lemington; F: 635 Wittman; G: 4614 Carlton.

[2010-0982](#)

This Matter was Passed Finally on the Consent Agenda.

Bill No.

Resolution Further amending and supplementing Resolution No. 229 effective April 19, 2000, entitled "Providing for an Agreement or Agreements, or use of existing Agreements and/or a Contract or Contracts, or use of existing Contracts, and for the purchase of materials, supplies, equipment, and/or services for various projects in connection with the Neighborhood Needs Program; and providing for the payment of

[2010-0993](#)

the costs thereof," by adding "14th Ward Baseball Association" \$18,325 and by reducing "Contingency" by \$6,858 and deleting the "Squirrel Hill Sewer Line" project by \$11,467 in Council District 5. Total cost of all projects is not to exceed \$1,000,000.

SPONSOR(S): DOUGLAS SHIELDS

This Matter was Passed Finally on the Consent Agenda.

Passed The Consent Agenda

A motion was made, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried by the following vote:

Votes: Ayes: 9 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. Peduto, Ms. Rudiak, Mr. Shields and Mrs. Smith
Noes: 0
Abstentions: 0

COUNCILMAN KRAUS PRESENTS COMMITTEE ON PUBLIC WORKS

Bill No. Report of the Committee on Public Works for October 13, 2010 with an Affirmative Recommendation.
[2010-1039](#)

A motion was made that this matter be Read, Received and Filed. The motion carried.

Bill No. Resolution providing for an Agreement or Agreements, or use of existing Agreements, with a Consultant or Consultants, for design services in connection with the rehabilitation or replacement of the South Highland Avenue Bridge; providing for a Reimbursement Agreement with the Commonwealth of Pennsylvania, Department of Transportation; and further providing for the payment of the costs thereof. Cost not to exceed \$451,000.00.
[2010-0983](#)

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution authorizing the Mayor and the Directors of the Department of Parks and Recreation and the Department of Public Works to enter into a Project and License Agreement with the Northside Leadership Conference to provide improvements to the Northeast Commons (Segment 1) of Allegheny Commons Park.
[2010-0984](#)

This Matter was Passed Finally on the Consent Agenda.

Passed The Consent Agenda

A motion was made, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried by the following vote:

Votes: Ayes: 9 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. Peduto, Ms. Rudiak, Mr. Shields and Mrs. Smith
Noes: 0
Abstentions: 0

**COUNCILMAN SHIELDS PRESENTS COMMITTEE ON LAND USE & ECONOMIC
DEVELOPMENT**

Bill No. Report of the Committee on Land Use and Economic Development for October 13, 2010 with an Affirmative Recommendation.
[2010-1040](#)

A motion was made that this matter be Read, Received and Filed. The motion carried.

Bill No. Resolution amending and supplementing Resolution No. 861, effective January 1, 2000, as amended, entitled: "Adopting and approving the 2000 Capital Budget and the 2000 Community Development Block Grant Program; and approving the 2000 through 2005 Capital Improvement Program, by adjusting various line items in conformance with City Council's 2000 Capital Budget amendments," by adding "14th Ward Baseball Association" \$18,325 and by reducing "Contingency" by \$6,858 and deleting the "Squirrel Hill Sewer Line" project by \$11,467 in Council District 5.
[2010-0994](#)

SPONSOR(S): DOUGLAS SHIELDS

A motion was made that this matter be Passed Finally. The motion carried by the following vote:

Votes: Ayes: 9 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. Peduto, Ms. Rudiak, Mr. Shields and Mrs. Smith
Noes: 0
Abstentions: 0

COUNCILMAN DOWD PRESENTS COMMITTEE ON INTERGOVERNMENTAL AFFAIRS

Bill No. Report of the Committee on Intergovernmental Affairs for October 13, 2010 with an
[2010-1041](#) NEGATIVE RECOMMENDATION.

A motion was made that this matter be Read, Received and Filed. The motion carried.

Bill No. Ordinance extending the term of existence of the Public Parking Authority of Pittsburgh until such date which is fifty years after the effective date of this Ordinance, pursuant to the provisions of the Parking Authority Law, Act of 1967, P.L. 458, as amended. (Parking Assets Lease)
[2010-0955](#)

A motion was made that this matter be Passed Finally. The motion failed by the following vote:

Votes: Ayes: 1 - Rev. Burgess
Noes: 7 - Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. Peduto, Ms. Rudiak and Mr. Shields
Abstentions: 1 - Mrs. Smith

Bill No. Resolution authorizing the City of Pittsburgh to enter into concession arrangements with LAZ Parking and J. P. Morgan IFF Acquisitions LLC, operating as Pittsburgh Parking Partners, LLC with respect to on street metered parking and the garages and lots owned by the City and the Public Parking Authority of Pittsburgh (the "Authority") pursuant to the Pittsburgh Metered Parking System Concession and
[2010-0956](#)

Services Agreement and the Pittsburgh Public Parking Facilities System Concession and Lease Agreement, and to authorize certain actions and ancillary agreements contemplated by the Metered System Concession Agreement and the Facilities Concession Agreement including the conveyance of Mellon Square garage and five (5) surface parking lots to the Authority as required by the Facilities Concession Agreement and the conveyance of parking meters and other items of equipment to the Concessionaire as required by the Metered System Concession Agreement. (Parking Assets Lease)

A motion was made that this matter be Passed Finally. The motion failed by the following vote:

Votes: Ayes: 1 - Rev. Burgess

Noes: 7 - Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. Peduto, Ms. Rudiak and Mr. Shields

Abstentions: 1 - Mrs. Smith

Bill No.

[2010-1042](#)

Report of the Committee on Intergovernmental Affairs Use for October 13, 2010 with an Affirmative Recommendation.

A motion was made that this matter be Read, Received and Filed. The motion carried.

Bill No.

[2010-0988](#)

Resolution authorizing the execution of an agreement or agreements with the Urban Redevelopment Authority of Pittsburgh in which URA will make a \$50,000.00 grant to the City to pay for the Grandview Avenue Street Lighting Project. (Council District 2)

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2010-0989](#)

Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an Application to the Pennsylvania Office of the Budget for a Redevelopment Assistance Capital Program grant of up to \$500,000 for the Children's Hospital project. (Council District 7)

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2010-0990](#)

Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh in connection with URA's application for a Redevelopment Assistance Capital Program grant of up to \$500,000 for the Children's Hospital project. (Council District 7)

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2010-0991](#)

Resolution authorizing the filing of an application for federal assistance with the U.S. Department of Transportation, Federal Railroad Administration for a \$5,000,000 Rail Line Relocation and Improvement Project Capital Grant for the planning, engineering and construction of rail improvements to the Allegheny Valley Railroad rail line to support passenger rail service and the establishment of the Allegheny Riverfront Green Boulevard. (Council Districts 6 and 7)

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2010-0992](#)

Resolution authorizing a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh designating URA as the City's agent for administration of a Rail Line Relocation and Improvement Project Capital Grant in the amount of \$5,000,000 from the U.S. Department of Transportation and/or the Federal Railroad Administration. (Council Districts 6 and 7)

This Matter was Passed Finally on the Consent Agenda.

Passed The Consent Agenda

A motion was made, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried by the following vote:

Votes: Ayes: 9 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. Peduto, Ms. Rudiak, Mr. Shields and Mrs. Smith

Noes: 0

Abstentions: 0

MOTIONS AND RESOLUTIONS

APPROVAL OF MINUTES

ADJOURNMENT

LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER