

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, March 19, 2013

10:00 AM

Council Chambers

City Council

**ONE-HUNDRED
THIRTY-SEVENTH COUNCIL**

Darlene M. Harris, President

**Council Members: Rev. Ricky V. Burgess, Patrick Dowd, Bruce A. Kraus, R. Daniel Lavelle,
Corey O'Connor, William Peduto, Natalia Rudiak, Theresa Kail-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. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Bill No.

[2013-1313](#)

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby join with the colleagues, friends and family of Mike Radley to commend, recognize and congratulate him for 35 years of a job well done. The City of Pittsburgh is a better and more livable city for his having spent his outstanding career here; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, March 19, 2013, to be "MIKE RADLEY DAY" in the City of Pittsburgh.

SPONSOR(S): COREY O'CONNOR AND ALL MEMBERS

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

Bill No.

[2013-1314](#)

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize and thank Carol Peterson for her tireless dedication to Pittsburgh's history, which she actively illuminates through her varied efforts as a local historian, author, community organizer, and proud Lawrenceville resident; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, March 19th 2013 "Carol Peterson Day" in the City of Pittsburgh.

SPONSOR(S): PATRICK DOWD, DARLENE HARRIS AND ALL MEMBERS

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

Bill No.

[2013-1315](#)

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby recognize and honor Officer Forest Hodges' important work and does hereby declare Tuesday, March 19, 2013, to be "Forrest Hodges Day" in the City of Pittsburgh.

SPONSOR(S): DARLENE HARRIS AND ALL MEMBERS

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

Bill No.

[2013-1316](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby declare March 17, 2013 be "Mother Florence Nelson Harper Day" in the City of Pittsburgh.

SPONSOR(S): R. DANIEL LAVELLE

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

Bill No.

[2013-1317](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh celebrates the 63,000 women business owners in the Pittsburgh region and recognizes the importance of the National Association of Women Business Owners, Pittsburgh

Chapter; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Friday, March 22, 2013, to be “NAWBO DAY” in the City of Pittsburgh.

SPONSOR(S): THERESA SMITH AND ALL MEMBERS

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

Bill No.

[2013-1318](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend Ryan Praskovich for carrying on a family tradition and excelling in his efforts; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Saturday, March 23, 2013, to be “Ryan Praskovich Day” in the City of Pittsburgh.

SPONSOR(S): THERESA SMITH 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.

[2013-1301](#)

Resolution authorizing the issuance of a warrant in the total sum of \$100,000 to Jeff Collins and Timothy P. O'Brien, Esq., 1705 Allegheny Building, 429 Forbes Ave., Pittsburgh, PA 15219, releasing and discharging the City of Pittsburgh and all employees from any liability in the civil action filed at 2:10-cv-00702 in the United States District Court for the Western District of Pennsylvania, and arising from an alleged violation of Constitutional Rights in connection to an alleged incident on September 21, 2006, in the City of Pittsburgh.

Read and referred to Finance and Law Committee

Bill No.

[2013-1302](#)

Resolution authorizing issuance of a warrant in the sum of \$3,583.26, in favor of George F. Babcoke, c/o 600 Grant Street, Suite 6100, Pittsburgh, PA 15219, in settlement of a claim for sidewalk damage from City tree roots at 5302 Westminster Place, Pittsburgh, PA 15232.

Read and referred to Finance and Law Committee

Bill No.

[2013-1303](#)

Resolution authorizing issuance of a warrant in the sum of \$4,230.58, in favor of Harold Goldwasser, 2800 Beechwood Boulevard, Pittsburgh, PA 15217, in settlement of a claim for sidewalk damage from City tree roots.

Read and referred to Finance and Law Committee

COUNCILMAN BRUCE A. KRAUS PRESENTS:

Bill No.

[2013-1304](#)

Resolution granting the City, in furtherance of the City's Project Partnership Agreement between the Department of the Army and ALCOSAN for Design and

Construction of the Sheraden Park Sewer and Chartiers Creek Section 206 Project (the “Design PPA”), leave to enter into a Cooperation Agreement with ALCOSAN to serve as non-federal sponsors for this project. In this Cooperation Agreement, the City and ALCOSAN will establish their respective rights and obligations as Non-Federal Sponsors under the Design PPA.

Read and referred to Public Works Committee

Bill No.

[2013-1305](#)

Resolution further amending Resolution No.772, effective, January 1, 2013, as amended, entitled “Adopting and approving the 2013 Capital Budget and the 2013 Community Development Block Grant Program; and approving the 2013 through 2017 Capital Improvement Program,” by creating the “Pittsburgh Bike Share” line item “in the amount of \$3,000,000.00 (\$1,600,000 BOND/\$400,000 Foundation/\$1,000,000 Corporate).

Read and referred to Public Works Committee

Bill No.

[2013-1306](#)

Resolution authorizing the Mayor and/or the Director of the Department of Finance and/or the Director of the Department of Public Works, on behalf of the City of Pittsburgh, to enter into a grant agreement with the Commonwealth of Pennsylvania Department of Transportation for the purpose of receiving grant funds that will be used for implementation and procurement of materials to establish the “Bike Share Program” and to thereafter enter into an Agreement or Agreements with various for-profit corporations and non-profit agencies to accept any grant funds offered to the City for this program and further providing for legitimate expenditures for payments and agreement or agreements, or contract or contracts for any services required in connection with the expenditure of said grant funds per the original intent of the grant award. Said agreement or agreements, contract or contracts or expenditures shall not exceed \$3,000,000.00.

Read and referred to Public Works Committee

COUNCILMAN DANIEL LAVELLE PRESENTS:

Bill No.

[2013-1307](#)

Resolution adopting official sewage facilities plan for the Lower Hill Redevelopment, (Sports and Exhibition Authority).

SPONSOR(S): R. DANIEL LAVELLE

Read and referred to Intergovernmental Affairs Committee

COUNCIL PRESIDENT DARLENE M. HARRIS PRESENTS:

Bill No.

[2013-1312](#)

Resolution naming the former horse trail located at Riverview Park as the Moses Carper Trail and erecting a standard trail sign along Riverview Drive.

SPONSOR(S): DARLENE HARRIS

Read and referred to Urban Recreation Committee

Bill No.

[2013-1308](#)

Resolution informing City Council of the appointment of Paul McKrell, 4356 Stanton Avenue, Pittsburgh, PA 15201, as a member of the Sports and Exhibition Authority (SEA) for a term to expire on December 31, 2015.

A motion was made that this matter be Held, Pending Interview to the Hearings Committee. The motion carried.

A motion was made that this matter be Read, Received and Filed. The motion carried by the following vote:

Votes: Ayes: 8 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0
Out of Room: 1 - Mr. Kraus

Bill No.

[2013-1309](#)

Resolution informing City Council of the appointment of Anthony Ross, 1235 Benington Avenue, Pittsburgh, PA 15217, as a member of the Sports and Exhibition Authority (SEA) for a term to expire on December 31, 2015.

A motion was made that this matter be Held, Pending Interview to the Hearings Committee. The motion carried by the following vote:

Votes: Ayes: 7 - Mr. Dowd, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Noes: 1 - Rev. Burgess
Abstentions: 0
Out of Room: 1 - Mr. Kraus

A motion was made that this matter be Read, Received and Filed. The motion carried by the following vote:

Votes: Ayes: 8 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0
Out of Room: 1 - Mr. Kraus

Bill No.

[2013-1310](#)

Resolution informng City Council of the appointment of James Kunz, 3333 Fleming Avenue, Pittsburgh, PA 15212, as a member of the Urban Redevelopment Authority (URA) for a term to expire on December 2, 2015.

A motion was made that this matter be Held, Pending Interview to the Hearings Committee. The motion carried by the following vote:

Votes: Ayes: 7 - Mr. Dowd, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Noes: 1 - Rev. Burgess
Abstentions: 0
Out of Room: 1 - Mr. Kraus

A motion was made that this matter be Read, Received and Filed. The motion carried by the following vote:

Votes: Ayes: 8 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0
Out of Room: 1 - Mr. Kraus

Bill No.

[2013-1311](#)

Resolution informing City Council of the Appointment of Yarone Zober, 726 N. Beatty Street, Pittsburgh PA 15206, as a member of the Urban Redevelopment Authority (URA) for a term to expire on December 2, 2016.

A motion was made that this matter be Held, Pending Interview to the Hearings Committee. The motion carried by the following vote:

Votes: Ayes: 7 - Mr. Dowd, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Noes: 1 - Rev. Burgess
Abstentions: 0
Out of Room: 1 - Mr. Kraus

A motion was made that this matter be Read, Received and Filed. The motion carried by the following vote:

Votes: Ayes: 8 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0
Out of Room: 1 - Mr. Kraus

UNFINISHED BUSINESS

REPORTS OF COMMITTEE - FINAL ACTION

COUNCILMAN REV. RICKY V. BURGESS PRESENTS COMMITTEE ON FINANCE AND LAW

Bill No.

[2013-1297](#)

Report of the Committee on Finance and Law for March 13, 2013 with an Affirmative Recommendation.

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

Bill No.

[2013-1249](#)

Resolution authorizing the issuance of a Warrant in the sum of \$9,000.00 in favor of Tracy Gray and Joseph H. Chivers, Esquire, her attorney, at 100 First Avenue, Suite 1010 Pittsburgh, PA 15222; in full and final settlement of a Complaint filed at EEOC No. 846-2011-19533, and arising from an alleged violation of Title VII of the Civil Rights Act of 1964, as amended.

A motion was made that this matter be RECOMMITTED to the Finance and Law Committee. The motion carried by the following vote:

Votes: Ayes: 7 - Mr. Dowd, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith

Noes: 2 - Rev. Burgess and Mrs. Harris

Abstentions: 0

Bill No.

[2013-1250](#)

Resolution authorizing the issuance of a Warrant in the sum of \$6,000.00 in favor of Celena Celender and Joseph H. Chivers, Esquire, her attorney, 100 First Avenue, Suite 1010 Pittsburgh, PA 15222; in full and final settlement of a Complaint filed at EEOC No. 533-2011-00393, and arising from an alleged violation of Title VII of the Civil Rights Act of 1964, as amended.

A motion was made that this matter be RECOMMITTED to the Finance and Law Committee. The motion carried by the following vote:

Votes: Ayes: 7 - Mr. Dowd, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith

Noes: 2 - Rev. Burgess and Mrs. Harris

Abstentions: 0

Bill No.

[2013-1257](#)

Resolution authorizing and directing the Controller of the City of Pittsburgh to perform a City-Wide Cash Management Study of all departments.

SPONSOR(S): DARLENE HARRIS

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. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith

Noes: 0

Abstentions: 0

Bill No.

[2013-1258](#)

Resolution authorizing the City Clerk to enter into an agreement or agreements or contract or contracts with a consultant or consultants for the purpose of developing a Citywide Cash Management Policy. The cost to the City shall not exceed \$20,000.00

SPONSOR(S): DARLENE HARRIS

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. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith

Noes: 0

Abstentions: 0

COUNCILMAN COREY O'CONNOR PRESENTS COMMITTEE ON URBAN RECREATION

Bill No.

[2013-1298](#)

Report of the Committee on Urban Recreation for March 13, 2013 with an Affirmative Recommendation.

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

Bill No.

[2013-1209](#)

Ordinance supplementing the Pittsburgh Code of Ordinances, Title IV: Public Places and Property, Article XI: Parks and Playgrounds, Chapter 473: Use Regulations, § 473.05 - Behavior; by adding new language designating parks and playgrounds as "Tobacco-Free".

**SPONSOR(S): REVEREND RICKY V. BURGESS, COREY O'CONNOR AND
BRUCE A. KRAUS**

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. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0

COUNCILWOMAN NATALIA RUDIAK PRESENTS COMMITTEE ON PERFORMANCE AND ASSET MANAGEMENT

Bill No.

[2013-1299](#)

Report of the Committee on Performance and Asset Management for March 13, 2013 with an Affirmative Recommendation.

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

Bill No.

[2013-1283](#)

Resolution authorizing the extension of the PCTV agreement dated January 20th 2011 so as to extend the agreement until June 30th, 2013

SPONSOR(S): DARLENE HARRIS AND NATALIA RUDIAK

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. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0

COUNCILMAN PATRICK DOWD PRESENTS COMMITTEE ON INTERGOVERNMENTAL AFFAIRS

Bill No.

[2013-1300](#)

Report of the Committee on Intergovernmental Affairs for March 13, 2013 with an Affirmative Recommendation.

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

Bill No.

[2013-1237](#)

Resolution amending Resolution No. 846, effective December 16, 2011, entitled "Authorizing a cooperation agreement with the Urban Redevelopment Authority of Pittsburgh designating URA as the City's agent in connection with a \$3,000,000 Penn Works grant for the LTV Hazelwood site owned by Almono, LP" by adding account numbers. (Council Districts 3 & 5)

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. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0

Bill No.

[2013-1238](#)

Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to dissolve the Schenley Center tax increment financing district within the North Oakland Redevelopment Area (Council District 6).

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. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0

Bill No.

[2013-1239](#)

Resolution further amending Resolution No. 415, effective July 16, 2009, as further amended by Res. 326 of 2010, entitled "Authorizing the execution of a cooperation agreement or agreements with the Urban Redevelopment Authority of Pittsburgh in which URA will transfer up to \$5,300,000 to the City for the East Liberty Infrastructure Project" by increasing the amount to \$5,500,000 and changing account numbers. (Council Districts 8 and 9)

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. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0

Bill No.

[2013-1252](#)

Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to pursue a tax increment financing proposal for certified redevelopment areas within the Hazelwood Neighborhood for the Hazelwood-Almono project. (Council District 5).

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. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0

MOTIONS AND RESOLUTIONS

Bill No.

[2013-1319](#)

NOW, THEREFORE, BE IT RESOLVED that the City Council of Pittsburgh strongly opposes the passage of Senate Bill 4 and House Bill 724 and decries any attempt to restrict the ability of local governments to hold mega-charities accountable for their impact on communities.

AND BE IT FURTHER RESOLVED that a copy of this resolution be sent to the Governor of Pennsylvania, the leadership of both chambers of the Legislature, and the Pittsburgh delegation to the Pennsylvania Legislature.

SPONSOR(S): NATALIA RUDIAK, DARLENE HARRIS AND ALL MEMBERS

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

APPROVAL OF MINUTES

ADJOURNMENT

LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER