

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, December 28, 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. [2010-1249](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize and commend The Clarks for reaching the musical milestone of 2,000 performances and commends them for all of their achievements; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare December 29, 2010 “The Clarks Day” in the City of Pittsburgh.

SPONSOR(S): WILLIAM PEDUTO

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

Bill No. [2010-1250](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend Mr. Matthew Provolt for his volunteer efforts and pride in his community; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, December 28, 2010, to be “Matthew Provolt 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. [2010-1251](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend Mr. Joe Divack for his extensive volunteerism and for taking the initiative to make the City of Pittsburgh a cleaner place to live; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, December 28, 2010, to be “Joe Divack 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. [2010-1252](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize and commend Ms. Angelea Taylor's success and laud her for representing our fine neighborhood of Brookline and the City of Pittsburgh as a member of the 2011 GRAMMY Jazz Ensembles.

SPONSOR(S): NATALIA RUDIAK AND ALL MEMBERS

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

PUBLIC COMMENTS

PRESENTATION OF PAPERS

Bill No. [2010-1245](#) Ordinance supplementing the Pittsburgh Code of Ordinances, Title 2, Fiscal, creating a new Article XI: Dedicated Funding for the Comprehensive Municipal Pension Trust Fund, to allow for specific funding to be dedicated to the Comprehensive Municipal Pension Trust Fund with the goal of retaining local oversight immediately and into the future.

(Parking Assets and Pension)

SPONSOR(S): DARLENE HARRIS, PATRICK DOWD, BRUCE A. KRAUS, WILLIAM PEDUTO, NATALIA RUDIAK AND DOUGLAS SHIELDS

A motion was made that this matter be Waived under Rule 8. The motion carried.

Read and referred to Finance and Law Committee

Bill No. [2010-1246](#) Ordinance amending and supplementing the Pittsburgh Code, Title Five - Traffic, Article VII - Parking, Chapter 543 - Parking Meters, Section 543.01 - Parking Meter Zones and Rates, so as to set metered parking zones, rates and hours of enforcement throughout the City of Pittsburgh.

SPONSOR(S): DARLENE HARRIS, PATRICK DOWD, BRUCE A. KRAUS, WILLIAM PEDUTO, NATALIA RUDIAK AND DOUGLAS SHIELDS

A motion was made that this matter be Waived under Rule 8. The motion carried.

Read and referred to Finance and Law Committee

Bill No. [2010-1247](#) Ordinance supplementing the Pittsburgh Code of Ordinances, Title 1, Administrative, Article III Organization, Chapter 123.01: Controller Powers and Duties creating a new power for projecting annual revenue derived each year from the increase in parking meter rates.

SPONSOR(S): DARLENE HARRIS, PATRICK DOWD, BRUCE A. KRAUS, WILLIAM PEDUTO, NATALIA RUDIAK AND DOUGLAS SHIELDS

A motion was made that this matter be Waived under Rule 8. The motion carried.

Read and referred to Finance and Law Committee

Bill No. [2010-1248](#) Resolution requesting that the Intergovernmental Cooperation Authority authorize the transfer of all money in the City Restricted Debt Fund to the Comprehensive Municipal Pension Trust Fund for the new purpose of improving the cash position of the City of Pittsburgh's pension fund
(Parking Assets and Pension)

SPONSOR(S): DARLENE HARRIS, PATRICK DOWD, BRUCE A. KRAUS, WILLIAM PEDUTO, NATALIA RUDIAK AND DOUGLAS SHIELDS

A motion was made that this matter be Waived under Rule 8. The motion carried.

Read and referred to Finance and Law Committee

UNFINISHED BUSINESS

None

REPORTS OF COMMITTEE - FINAL ACTION

COUNCILMAN PEDUTO PRESENTS COMMITTEE ON FINANCE AND LAW

Bill No. [2010-1240](#) Report of the Committee on Finance and Law for December 21, 2010 with an Affirmative Recommendation.

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

Bill No. [2010-1187](#) Resolution making Appropriations to pay the expenses of conducting the Public Business of the City of Pittsburgh and for meeting the debt charges thereof for the Fiscal Year, beginning January 1, 2011.

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

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

Votes: Ayes: 8 - Rev. Burgess, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. Peduto, Ms. Rudiak, Mr. Shields and Mrs. Smith
Noes: 1 - Mr. Dowd
Abstentions: 0

Bill No. [2010-1188](#) Resolution fixing the number of officers and employees of the City of Pittsburgh, and the rate of compensation thereof, and setting minimum levels for designated positions.

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

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

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

Bill No. [2010-1189](#) Resolution adopting and approving the 2011 Capital Budget and the 2011 Community Development Block Grant Program; and approving the 2011 through 2016 Capital Improvement Program," by adjusting various line items in conformance with City

Council's 2011 Capital Budget amendments.

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

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

Votes: Ayes: 8 - Rev. Burgess, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. Peduto, Ms. Rudiak, Mr. Shields and Mrs. Smith
Noes: 1 - Mr. Dowd
Abstentions: 0

Bill No.

[2010-1210](#)

Resolution authorizing the issuance of a Warrant in the sum of \$48,758.84 in favor of Tammy Sabina and Jay Hornack, her attorney, Healy and Hornack, PC, Koppers Building, 436 7th Avenue, Suite 2901, Pittsburgh, PA 15219; in full and final settlement of an action filed in the United States District Court, Western District of Pennsylvania at Docket Number 10-cv-00550-CB, for an employment related claim.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2010-1211](#)

Resolution providing for the creation of the Other Post-Employment Benefits Trust Fund and for setting conditions for the deposit and expenditure of such funds.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2010-1237](#)

Resolution authorizing the City Clerk to enter into a professional services contract(s), or use of existing professional services contract(s) with a consultant or consultants to provide professional services to Pittsburgh City Council for the purpose of including, but not limited to financial advisory, legal, writing, research, stenography, Legistar or other services, in an amount not to exceed \$88,000.00.

SPONSOR(S): WILLIAM PEDUTO

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

COUNCILWOMAN SMITH PRESENTS COMMITTEE ON PUBLIC SAFETY SERVICES

Bill No.

[2010-1241](#)

Report of the Committee on Public Safety Services for December 21, 2010 with an Affirmative Recommendation.

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

Bill No. [2010-1212](#) Resolution authorizing the Mayor and the Chief of the Bureau of Emergency Medical Services to enter into an agreement or agreements with QuickMed claims for professional services in connection with the provision of ambulance billing services. The costs associated with performance shall be based on a flat rate of 5.45% dependent upon the amounts collected annually by QuickMed Claims.

This Matter was Passed Finally on the Consent Agenda.

Bill No. [2010-1224](#) Ordinance amending Ordinance No. 8 of 2010, as amended, entitled "An Ordinance amending the City Code at Title Seven: Chapter 780, Towing Business Licensing" by correcting a numbering sequence to change the placement in the Pittsburgh Code to Article VII, Service Businesses, Chapter 764; changing the effective date for implementation; changing the required size of posted licenses; and specifying the Director of Public Safety as the person in charge of the electronic notification system.

SPONSOR(S): DOUGLAS SHIELDS

This Matter was Passed Finally on the Consent Agenda.

Bill No. [2010-1236](#) Resolution amending Resolution No. 486 of 2010, authorizing the Mayor and the Director of the Department of Public Safety or the Chief of the Bureau of Emergency Medical Services, on behalf of the City of Pittsburgh, to enter into an Agreement or Agreements, or to supplement existing agreements, in a form approved by the City Solicitor, for the provision of medical direction services for a period of one year commencing July 1, 2010 to July 1, 2011 automatically renewing in 2012 and 2013 unless either party gives (6) month written notice with intent to terminate. The City shall pay consultant a fee not to exceed \$40,000.00 for the second half of 2010, and a fee not to exceed \$80,000.00 in calendar years 2011, 2012 not to exceed \$40,000.00 for the first half of 2013.

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. [2010-1242](#) Report of the Committee on Public Works for December 21, 2010 with an Affirmative Recommendation.

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

Bill No. Ordinance amending the Pittsburgh Code, Title Seven, Business Licensing, Chapter
[2010-1213](#) 719 Vendors and Peddlers, Section 710.10, Lists of Sites Approved by Council, by adding permanent street and sidewalk vending sites for 2011 Licensure Years.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution providing for an Intergovernmental Cooperation Agreement between the
[2010-1214](#) City of Pittsburgh (“City”) and the Borough of Wilkinsburg (“Borough”) for the collection of a portion of the Borough’s municipal waste by the City for a term of five (5) years, commencing January 1, 2011, and ending December 31, 2015.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution accepting the location of proposed right-of-way for modifications to the
[2010-1215](#) North Shore Infrastructure - Proposed Roadway, (future Chuck Noll Way) on the North Shore, 'in the 22nd Ward, 6th Council District of the City of Pittsburgh.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution accepting the dedication by Urban Redevelopment Authority of Pittsburgh
[2010-1216](#) of Parcel No. 1A (Technology Drive) in the Pittsburgh Technology Center Plan of Lots No. 2 in the 4th Ward of the City of Pittsburgh for public highway and utility purposes, accepting the grading, paving, street lighting, curbing, traffic signals, establishment of grades and fixing the width and position of roadways and sidewalks thereof. (Council District 6)

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution accepting the dedication by Pittsburgh Economic and Industrial
[2010-1217](#) Development Corporation of Parcel Nos. 1B and 11C (part of Technology Drive) in the Pittsburgh Technology Center Plan of Lots No. 2 in the 4th Ward of the City of Pittsburgh for public highway and utility purposes, accepting the grading, paving, street lighting, curbing, traffic signals, establishment of grades and fixing the width and position of roadways and sidewalks thereof. (Council District 6)

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution granting unto Gregg Caliguiri, 717 Bellefonte Street, Pittsburgh PA 15232,
[2010-1218](#) his successors and assigns, the privilege and license to construct, maintain and use at his own cost and expense private sewer laterals and waterlines at 5469 and 5471 Elmer Street in the 7th Ward, 8th Council District of the City of Pittsburgh.

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 LAVELLE PRESENTS COMMITTEE ON URBAN RECREATION

Bill No. Report of the Committee on Urban Recreation for December 21, 2010 with an
[2010-1243](#) Affirmatiave Recommendation.

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

Bill No. Resolution authorizing the Mayor and the Directors of the Departments of Public
[2010-1219](#) Works, Finance and Parks and Recreation to enter into a Lease Agreement with C R JRS CHIP, Inc. d/b/a The First Tee of Pittsburgh at the Bob O'Connor Golf Course at Schenley Park.

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 December 21, 2010 with an
[2010-1244](#) Affirmatiave Recommendation.

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

Bill No. Resolution authorizing a Cooperation Agreement or Agreements with the Urban
[2010-1220](#) Redevelopment Authority of Pittsburgh in connection with URA's application for a Redevelopment Assistance Capital Program grant of up to \$500,000 for the Weinberg Village project. (Council District 5)

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an
[2010-1221](#) Application to the Pennsylvania Office of the Budget for a Redevelopment Assistance Capital Program grant of up to \$500,000 for the Weinberg Village project. (Council District 5)

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

MOTION TO RECESS AND RECONVENE ON DECEMBER 29TH