

City of Pittsburgh

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



Meeting Minutes - Final

Tuesday, May 24, 2016

10:00 AM

Council Chambers

City Council

ONE-HUNDRED

THIRTY-NINTH COUNCIL

Bruce A. Kraus, President of Council

***Council Members: Rev. Ricky V. Burgess, Dan Gilman, Deborah L. Gross, Darlene M. Harris,
R. Daniel Lavelle, Corey O'Connor, Natalia Rudiak, Theresa Kail-Smith***

Mary Beth Doheny, City Clerk - Kimberly Clark-Baskin, Deputy City Clerk

A. ROLL CALL

Present 9 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, and Mrs. Kail-Smith

B. PLEDGE OF ALLEGIANCE**C. PROCLAMATIONS**

[2016-0435](#) **NOW, THEREFORE BE IT RESOLVED**, that the Council of the City of Pittsburgh does hereby commend Jessica Friss for her honor that reflects her leadership and citizenship skills and her contribution to the City of Pittsburgh; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, May 24, 2016, to be "**Jessica Friss Day**" in the City of Pittsburgh.

SPONSORS: MRS. KAIL-SMITH AND ALL MEMBERS

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

[2016-0436](#) **NOW, THEREFORE BE IT RESOLVED**, that the Council of the City of Pittsburgh does hereby recognize and value the efforts of all those associated with the *Cheers for Ears* campaign who work to increase awareness about hearing loss and communication disabilities and raise funds for the Hearing Center at the Children's Hospital of Pittsburgh; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare May 24, 2016 to be "**Cheers for Ears Day**" in the City of Pittsburgh.

SPONSORS: MR. GILMAN AND ALL MEMBERS

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

[2016-0437](#) **NOW, THEREFORE, BE IT RESOLVED**, that the Council of the City of Pittsburgh thanks all of the German immigrants for their industry, skills and good citizenship, for they have added to the richness of our area; and recognizes the accomplishment sustaining and enhancing German Choral Singing since their arrival on America's shores; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare May 28, 2016 as "**German Choral Singing Day**" in the City of Pittsburgh. *Glück auf!*

SPONSORS: MRS. HARRIS AND ALL MEMBERS

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

[2016-0438](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby call upon Rivers Casino to fulfill the promise of its Chairman and not hinder, obstruct, or otherwise impede the casino workers in their pursuit of a fair vote through the NLRB election process.

SPONSORS: MR. LAVELLE AND ALL MEMBERS

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

[2016-0439](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend Pastor Coleman for his steadfast love of the Lord, labor and commitment to his community and wish him continued abundant grace; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Sunday, May 29, 2016 to be "**Pastor Antwan D. Coleman, Sr. Day**" in the City of Pittsburgh.

SPONSORS: MRS. KAIL-SMITH AND ALL MEMBERS

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

D. PUBLIC COMMENTS

E. PRESENTATION OF PAPERS

COUNCILMAN REVEREND RICKY V. BURGESS PRESENTS:

[2016-0426](#)

Resolution authorizing the Mayor and the Chief & Director of the Department of Innovation & Performance to enter into a grant agreement with the Ash Center for Democratic Governance and Innovation at Harvard University to receive one fully funded Civic Analyst Fellow for one year.

Read and referred to the Committee on Performance and Asset Management

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

COUNCILWOMAN DEBORAH L. GROSS PRESENTS:

[2016-0427](#)

Resolution providing for the creation of the Open Space Trust Fund and setting conditions for the deposit and expenditure of such funds.

Withdrawn by Councilwoman Gross, Chair of the Land Use and Economic Development Committee.

[2016-0428](#) Resolution providing for the creation of the Stormwater Management Trust Fund and setting conditions for the deposit and expenditure of such funds.

Withdrawn by Councilwoman Gross, Chair of the Land Use and Economic Development Committee.

COUNCILMAN COREY O'CONNOR PRESENTS:

[2016-0429](#) Resolution authorizing the Mayor and the Director of Parks and Recreation to execute relevant agreements to receive grant funding to support the Park Ranger Grant from the Richard King Mellon Foundation to provide a two-year support of a collaborative effort with Student Conservation Association to add a seasonal park ranger team and further providing for an agreements and expenditures not to exceed seven hundred thousand (\$700,000) dollars over a two-year period for this stated purpose.

Read and referred to the Committee on Urban Recreation

COUNCILWOMAN NATALIA RUDIAK PRESENTS:

[2016-0430](#) Resolution providing for the issuance of a warrant in the total sum of Fifteen Thousand Eight Hundred Fifty Dollars (\$15,850.00) in favor of Stacey Carlett Diggs, and her attorneys, Cynthia M. Porta-Clark, Esquire, and Porta-Clark & Ward, LLC, 100 Fleet Street, Suite 101, Pittsburgh, Pennsylvania 15220 regarding an incident on or about January 10, 2011.

Read and referred to the Committee on Finance and Law

[2016-0431](#) Resolution authorizing the issuance of a warrant in the sum of One Hundred Twenty-Five Thousand Dollars and 00/100 (\$125,000.00), in favor of Jordan Miles and Joel Sansone, his attorney, c/o Joel Sansone, Law Offices of Joel Sansone, Three Gateway Center, Suite 1700, 401 Liberty Avenue, Pittsburgh, PA 15222, in Full and Final Settlement of an action filed in the United States District Court for the Western District of Pennsylvania filed at 2:10-cv-001135.

Read and referred to the Committee on Finance and Law

[2016-0432](#) Resolution authorizing the Mayor and the Director of the Office of Management and Budget, on behalf of the City of Pittsburgh, to enter into a Memorandum of Agreement with the Corporation for National and Community Service to maintain the City's AmeriCorps VISTA program for the 2016-2017 term. Total cost not to exceed \$23,352.00

Read and referred to the Committee on Finance and Law

COUNCILWOMAN THERESA KAIL-SMITH PRESENTS:

[2016-0433](#) Resolution authorizing the Mayor and the Director of the Department of Public Works to enter into a Project Cooperation Agreement with Tree Pittsburgh for the purpose of supporting Tree Pittsburgh's efforts to promote and advance the City of Pittsburgh's Urban Forest Master Plan.

Read and referred to the Committee on Public Works

COUNCILMAN BRUCE A. KRAUS PRESENTS:

[2016-0434](#) Communication from David Donahoe, Interim Executive Director for the Pittsburgh Water and Sewer Authority, submitting an Annual Report of Municipal Authorities and an Independent Auditor's Report for the 2015 calendar year, dated December 31, 2015.

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

F. UNFINISHED BUSINESS**G. REPORTS OF COMMITTEE - FINAL ACTION****COUNCILWOMAN NATALIA RUDIAK PRESENTS COMMITTEE ON FINANCE AND LAW**

[2016-0422](#) Report of the Committee on Finance and Law for May 18, 2016 with an Affirmative Recommendation.

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

[2016-0385](#) Resolution further amending Resolution 549, effective September 21, 2012 entitled "providing for an agreement/s, or use of existing agreements and/or a contract/s, or use of existing contracts, and for the purchase of materials, supplies, equipment, and/or services for City Council Neighborhood Needs Program and providing for the payment of the costs thereof", by transferring an additional \$5,500 to Brightwood Civic Group Surveillance Cameras within District 1 Neighborhood Needs. Total cost of all projects is not to exceed \$437,779.53.

SPONSORS: MRS. HARRIS

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

Aye: 9 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, and Mrs. Kail-Smith

No: 0

Abstain: 0

[2016-0386](#) Resolution further amending and supplementing Resolution No. 855 of 2011, entitled “adopting and approving the 2012 Capital Budget and the 2012-2017 Capital Improvement Program” by transferring an additional \$5,500 to Brightwood Civic Group Surveillance Cameras within District 1 Neighborhood Needs.

SPONSORS: MRS. HARRIS

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

Aye: 9 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, and Mrs. Kail-Smith

No: 0

Abstain: 0

[2016-0388](#) Resolution further amending Resolution No. 816 effective January 1, 2016, as amended, entitled “Adopting and approving the 2016 Capital Budget and the 2016 Community Development Block Grant Program; and approving the 2016 through 2021 Capital Improvement Program,” by reducing Information Systems Modernization (-\$150,000.00) and transferring the funding to the Capital Equipment Acquisition (+\$150,000.00) line item.

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

Aye: 9 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, and Mrs. Kail-Smith

No: 0

Abstain: 0

COUNCILMAN R. DANIEL LAVELLE PRESENTS COMMITTEE ON PUBLIC SAFETY SERVICES

[2016-0423](#) Report of the Committee on Public Safety Services for May 28, 2016 with an Affirmative Recommendation.

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

[2016-0389](#) Ordinance amending the Pittsburgh Code, Title Seven: Business Licensing, Article III: Sales Businesses, Chapter 719 Vendors and Peddlers, Section 719.05A Permitted Locations, subsection (g) to add additional streets for exemption from Mobile Food Trucks.

SPONSORS: MRS. KAIL-SMITH

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

Aye: 8 - Rev. Burgess, Ms. Gross, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, and Mrs. Kail-Smith

No: 1 - Mr. Gilman

Abstain: 0

COUNCILWOMAN THERESA KAIL-SMITH PRESENTS COMMITTEE ON PUBLIC WORKS

[2016-0424](#) Report of the Committee on Public Works for May 18, 2016 with an Affirmative Recommendation.

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

[2016-0408](#) Resolution authorizing the Mayor to enter into a Donation Agreement with Mark Cleland, a City resident, to accept a donation of \$25,000 for repairs and improvements to Gladstone Field and further authorizing the Director of the Department of Public Works to enter into a Letter Agreement with Mark Cleland accepting the funds for this purpose.

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

Aye: 9 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, and Mrs. Kail-Smith

No: 0

Abstain: 0

**COUNCILWOMAN DEBORAH L. GROSS PRESENTS COMMITTEE ON
LAND USE & ECONOMIC DEVELOPMENT**

[2016-0425](#) Report of the Committee on Land Use and Economic Development for May 18, 2016 with an Affirmative Recommendation.

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

[2016-0174](#) Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article I, Section 902.03 Zoning Map, and Article III, Overlay Zoning Districts, Chapter 907, Development Overlay Districts, Section 907.02, IPOD, Interim Planning Overlay District, by adding a new section 907.02.J to establish a new Interim Planning Overlay District for the Riverfront Zone.

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

Aye: 9 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, and Mrs. Kail-Smith

No: 0

Abstain: 0

I. MOTIONS AND RESOLUTIONS

K. EXCUSE ABSENT MEMBERS

L. APPROVAL OF MINUTES

M. ADJOURNMENT

P LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER