

City of Pittsburgh

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



Meeting Minutes - Final

Tuesday, May 17, 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**

[2016-0414](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize and commend the dedication and commitment of the Emergency Medical Teams to the residents of the City of Pittsburgh; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh declares May 16 through May 22 as “**Emergency Medical Services Week**” in the City of Pittsburgh.

SPONSORS: MR. LAVELLE AND ALL MEMBERS

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

[2016-0415](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the **Jewish Sports Hall of Fame of Western Pennsylvania** for its efforts to promote and recognize Jewish athletes, past and present; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Sunday, May 22, 2016, to be “**JEWISH SPORTS HALL OF FAME DAY**” in the City of Pittsburgh.

SPONSORS: MR. O'CONNOR AND ALL MEMBERS

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

[2016-0416](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby acknowledge and congratulate the Central Catholic Forensic Society on its latest state debate championship and its unparalleled contributions in support of civil public discourse; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, May 17, 2016, to be “***Central Catholic Forensic Society Day***” in the City of Pittsburgh.

SPONSORS: REV. BURGESS, MR. O'CONNOR AND ALL MEMBERS

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

[2016-0417](#)

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend and celebrate **POWER**, and does hereby declare Wednesday, May 18, 2016 to be “**POWER Day**” in the City of Pittsburgh.

SPONSORS: MR. KRAUS AND ALL MEMBERS

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

[2016-0418](#)

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby recognize the Northside Leadership Conference, and all of the participants in the 2016 **Northside Sandwich Week** for making such a unique and enjoyable event possible; and,

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare May 19 to May 29, 2016, to be “**Northside Sandwich Week**” in the City of Pittsburgh.

SPONSORS: MRS. HARRIS AND ALL MEMBERS

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

[2016-0419](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the **Jewish Family and Children's Service of Pittsburgh** on its impact and imprint in the Pittsburgh region and congratulates **Matthew Keller** for receiving the Dr. Howard A. Mermelstein Award for his leadership and dedication to the agency; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Thursday, May 19, 2016 to be "***JEWISH FAMILY AND CHILDREN'S SERVICES DAY***" in the City of Pittsburgh.

SPONSORS: MR. O'CONNOR AND ALL MEMBERS

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

[2016-0420](#)

NOW, THEREFORE BE IT RESOLVED, that the City of Pittsburgh will communicate with Fannie Mae, Freddie Mac, HUD and the Federal Housing Finance Agency (FHFA - which oversees Fannie Mae and Freddie Mac) and ask them to:

1) Continually notify the City of the number of mortgages that are 90+ days delinquent that they hold in our city and the state as a whole; and

2) Meet with us to discuss the potential of selling their severely delinquent mortgages to one or more nonprofits; and

3) Commit to not sell off any mortgages in our city, and the state as a whole, to Wall Street speculators until we have worked together to attempt the sale of these precious housing assets to mission-driven nonprofits.

SPONSORS: MR. LAVELLE, MRS. KAIL-SMITH AND ALL MEMBERS

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

[2016-0421](#)

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize the Alliance of Germanic Societies of Pittsburgh as a civic and/or service organization within the context of the Pennsylvania Small Games of Chance Act, as amended.

SPONSORS: MRS. HARRIS

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

D. PUBLIC COMMENTS

E. PRESENTATION OF PAPERS**COUNCILMAN DAN GILMAN PRESENTS:**

[2016-0404](#) Resolution adopting Plan Revision to the City of Pittsburgh's Official Sewage Facilities Plan for 1030 Fifth Avenue, Pittsburgh, PA 15219.

Read and referred to the Committee on Intergovernmental Affairs

[2016-0405](#) Resolution adopting Plan Revision to the City of Pittsburgh's Official Sewage Facilities Plan for Flats on Fifth, 1655 Fifth Avenue, Pittsburgh, PA 15219.

Read and referred to the Committee on Intergovernmental Affairs

[2016-0413](#) Ordinance amending the Pittsburgh City Code, Title Seven Business Licensing, Article I Administration, Chapter 701 General Provisions by clarifying the term of any license issued by the Department of Permits, Licenses, and Inspections.

SPONSORS: MR. GILMAN

Read and referred to the Committee on Land Use and Economic Development

COUNCILWOMAN DEBORAH L. GROSS PRESENTS:

[2016-0406](#) Resolution approving a Conditional Use Application under the Pittsburgh Code, Title Nine, Zoning, Article V Chapter 911 Section 911.04.A.64 to The Neighborhood Academy, property owners, for authorization to operate a Secondary School (General) use at 709 N. Aiken Ave., zoned "R1D-L" Residential Single-Unit Detached, Low Density, 10th Ward, Council District No. 9

Read and referred to the Committee on Land Use and Economic Development

[2016-0407](#) Resolution approving a Conditional Use Application under the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 911, Section 911.04.A.5 to Stephen Choder, property owner, for authorization to operate a Public Assembly (Limited) use at 7665 Lock Way West, zoned "P" Parks, 11th Ward, Council District No. 7

Read and referred to the Committee on Land Use and Economic Development

COUNCILWOMAN THERESA KAIL-SMITH PRESENTS:

[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.

Read and referred to the Committee on Public Works

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

[2016-0409](#) Resolution authorizing the Mayor and the Director of the Department of Public Works to enter into a Sidewalk and Streetscape Easement and Maintenance Agreement with Vitmore Baum L.P. Corporation construct new sidewalks and landscaping improvements in the Street public right-of-way situated in the 8th Ward of the City of Pittsburgh (CITY) as defined in Exhibit A.

Read and referred to the Committee on Public Works

[2016-0410](#) Resolution authorizing the Mayor and the Director of the Department of Public Works, on behalf of the City of Pittsburgh, to enter into an Agreement or Agreements, or the use of existing Agreements, with a Consultant or Consultants, for Design, Construction and Inspection Services in connection with various projects; and providing for the payment of the costs thereof, not to exceed \$200,000.00.

Read and referred to the Committee on Public Works

COUNCILMAN BRUCE A. KRAUS PRESENTS:

[2016-0411](#) Communication from Michael Lamb, City Controller, submitting the Comprehensive Annual Financial Report (CAFR) for the year ended December 31, 2015.

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

[2016-0412](#) Communication from Sam Ashbaugh, Director of the Office of Management and Budget, submitting a Quarterly Financial and Performance Report for the period ending March 31, 2016, in accordance with Ordinance 19 of 2014.

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

[2016-0399](#) Report of the Committee on Finance and Law for May 11, 2016 with an Affirmative Recommendation.

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

[2016-0364](#) Resolution authorizing the Mayor and the Director of the Office of Management & Budget to enter into a Contract or Agreement with MAYA Design for graphic design, branding, and application support for the City's Smart City Challenge grant for a sum not to exceed Twenty Five Thousand and Five Hundred Dollars (\$25,500.00) and for the payment of the costs thereof.

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

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

No: 0

Abstain: 1 - Ms. Gross

[2016-0365](#) Resolution authorizing issuance of a warrant in the amount of \$7,530.40, in favor of Duquesne Light Company, c/o Carolyn K. Cingel, Claims Specialist, 411 Seventh Avenue, Mail Drop 16-1, Pittsburgh, PA 15219 in settlement of a claim for a damaged wood light pole by a City of Pittsburgh, Public Works truck on June 16, 2015 on Baldwin Road in the Hays area of the City.

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

[2016-0366](#) Resolution amending Resolution #779 of 2013 entitled, “providing for a professional services agreement or agreements with Maher Duessel for the performance of the City’s Financial Statement including Single Audit for the years ending 2013, 2014 and 2015,” to exercise the optional two year extension as stipulated in the original contract payable from the Department of Finance Auditing & Accounting Services, for Budget Years 2017 and 2018, at a cost not to exceed Three Hundred and Thirty Five Thousand, Nine Hundred and Twenty Dollars (\$335,920.00) over two years. All other provisions remain unchanged.

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 THERESA KAIL-SMITH PRESENTS COMMITTEE ON PUBLIC WORKS

[2016-0400](#) Report of the Committee on Public Works for May 11, 2016 with an Affirmative Recommendation.

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

[2016-0367](#) 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 decreasing the “Penn Dot Local Shares (TIP)” line item” by the amount of \$20,933.20 (from \$143,000.00 BOND to \$122,066.80 BOND) and creating the “Reconstruction of Forbes Avenue” line item in the amount of \$104,666.00 (\$20,933.20 BOND/ \$83,732.80 FHWA).

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

[2016-0368](#) Resolution providing for an Agreement or Agreements, or for the use of existing Agreements, providing for a Contract or Contracts, or use of existing Contracts, and providing for the purchase of materials and supplies in connection with the Reconstruction of Forbes Avenue, Wood Street to Smithfield Street; including Construction Management Services, 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 \$104,666.00.

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 DARLENE M. HARRIS PRESENTS COMMITTEE ON HUMAN RESOURCES

[2016-0401](#) Report of the Committee on Human Resources for May 11, 2016 with an Affirmative Recommendation.

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

[2016-0362](#) Resolution providing that the City of Pittsburgh enter into a Professional Services Agreement(s) and/or Contract(s) with Community College of Allegheny County (CCAC) for the purpose of providing customized applicant preparation training for Public Safety position applicants and services associated with Civil Service exam preparation and training; providing for the payment of the costs thereof not to exceed \$17,000.00.

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

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

No: 0

Abstain: 1 - Rev. Burgess

[2016-0363](#) Resolution amending Resolution No. 66 of 2016 providing that the City of Pittsburgh enter into a Professional Services Agreement(s) and/or Contract(s) with NEOGOV for the upgrade of workforce management software for HR management, applicant tracking, and Civil Service testing and for the setup, annual maintenance, and support of a software suite necessary to measure and assess software and office skills for Civil Service testing and other assessments and providing for the payment of the costs thereof by increasing the total cost from \$41,056.75 to \$48,963.75, a \$7,907.00 increase.

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

[2016-0402](#) Report of the Committee on Land Use and Economic Development for May 11, 2016 with an Affirmative Recommendation.

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

[2016-0353](#) Resolution granting unto Atlas Development Company, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a handicap ramp with handrail and landing at 1601 Broadway Avenue in the 19th Ward, Council District 4 of the City of Pittsburgh, USA.

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 DAN GILMAN PRESENTS COMMITTEE ON INTERGOVERNMENTAL AFFAIRS

[2016-0403](#) Report of the Committee on Intergovernmental Affairs for May 11, 2016 with an Affirmative Recommendation.

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

[2016-0352](#) Resolution adopting Plan Revision to the City of Pittsburgh's Official Sewage Facilities Plan for the Arsenal Terminal Development at 3939 Butler Street, Pittsburgh, PA 15201.

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 - Councilwoman Kail-Smith called for a Cablecast Post Agenda relative to the Pittsburgh Bureau of Police.

K. EXCUSE ABSENT MEMBERS

L. APPROVAL OF MINUTES

M. ADJOURNMENT

P LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER