

DRAFT

City of Pittsburgh

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



MEETING MINUTES

Proceedings of the Council of the City of Pittsburgh

Thursday, November 4, 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: 8 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Peduto, Ms. Rudiak, Mr. Shields and Mrs. Smith
Absent: 1 - Mr. Lavelle

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Bill No. [2010-1086](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend Superintendent Mark Roosevelt for all of his accomplishments during his tenure; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Thursday, November 4, 2010, to be "Mark Roosevelt 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. [2010-1087](#) NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the ToonSeum, Pittsburgh Museum of Cartoon Art, for its efforts to promote and recognize the art of cartooning in Pittsburgh; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare November 6, 2010, "ToonSeum 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. [2010-1088](#) NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh recognizes the Western Pennsylvania Humane Society for finding homes for literally hundreds of animals in the Pittsburgh area annually and for the special projects they become involved with for the health and welfare of animals;

AND BE IT FURTHER RESOLVED that the Council recognizes the strength and resolve of Brock Kitterman and his love for animals that brought him to Grand Marshall 2 Million Dogs 2 Miles and also the diligent work of Luke Robinson and the 2 Million Dogs program for setting up the 2 Million Dogs Puppy Up Walk For Cancer - every penny raised may one day find medications that will cure both canine and human cancers.

SPONSOR(S): DARLENE HARRIS AND ALL MEMBERS

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

Bill No. [2010-1089](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the Metropolitan Baptist Church for their 160 years of service to the City of Pittsburgh;

BE IT FURTHER RESOLVED, that the City of Pittsburgh does hereby declare November 4, 2010 to be “Metropolitan Baptist Church Day” in the City of Pittsburgh.

SPONSOR(S): R. DANIEL LAVELLE AND ALL MEMBERS

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

Bill No.

[2010-1090](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby welcome the Ringling Brothers and Barnum & Bailey Circus to Pittsburgh, PA ; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare November 3-7, 2010, to be “RINGLING BROTHERS AND BARNUM & BAILEY CIRCUS WEEK” in the City of Pittsburgh.

SPONSOR(S): DOUGLAS SHIELDS AND ALL MEMBERS

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

Bill No.

[2010-1091](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize that the good health and well being of the residents of Pittsburgh are enhanced as a direct result of increased awareness about pancreatic cancer and research in early detection, causes and treatments ; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare the month of November, 2010 to be “PANCREATIC CANCER AWARENESS MONTH” in the City of Pittsburgh.

SPONSOR(S): DOUGLAS SHIELDS AND ALL MEMBERS

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

PUBLIC COMMENTS

PRESENTATION OF PAPERS

COUNCILMAN WILLIAM PEDUTO PRESENTS:

Bill No.

[2010-1077](#)

RESOLUTION TO AUTHORIZE AND DIRECT THE INCURRING OF NON-ELECTORAL DEBT THROUGH THE ISSUANCE OF GENERAL OBLIGATION BONDS OF THE CITY OF PITTSBURGH, PENNSYLVANIA .

Read and referred to Finance and Law Committee

Bill No.

[2010-1078](#)

Resolution Authorizing the invitation to tender and purchase of a portion of the city of Pittsburgh (Commonwealth of Pennsylvania) taxable general obligation bonds, series C of 1998; authorizing the use of funds available in a restricted account to purchase bonds; authorizing Boenning & Scattergood, Inc. to act as dealer manager, Bondholder Communications Group, LLC to act as information and tender agent, and Pepper Hamilton LLP to act as tender counsel; authorizing the director of finance to determine which bonds to purchase;

Read and referred to Finance and Law Committee

Bill No. Resolution Designating Banks and Lending Institutions to act as Depositories for the year 2011 in accordance with the Pittsburgh Code, Title Two, Fiscal, Article III, Depositories.

[2010-1079](#)

Read and referred to Finance and Law Committee

Bill No. Resolution providing that the City of Pittsburgh enter into a professional services agreement with a vendor or vendors, for professional services in connection with Phase II of the historical restoration of the Council Chambers, and providing for the payment of the cost thereof, not to exceed \$25,000.

[2010-1082](#)

SPONSOR(S): WILLIAM PEDUTO

Read and referred to Finance and Law Committee

COUNCILMAN DOUGLAS SHIELDS PRESENTS:

Bill No. Resolution authorizing the Mayor and Director of City Planning to receive grant funding to support the City of Pittsburgh's Urban Design Component of the Comprehensive Plan and further providing for an agreement and expenditures not to exceed fifty thousand (\$50,000) dollars.

[2010-1080](#)

Read and referred to Land Use and Economic Development Committee

Bill No. Resolution approving a Conditional Use under the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 911, Section 911.04.A.64 to Pittsburgh Public Schools Facilities Division for authorization to construct two extensions to Northview Pre K-8 Accelerated Learning Academy located at 310 Mt. Pleasant Rd. on property zoned R1D-L, Residential Single-Unit Detached, Low Density District, 26th Ward, Council District No. 1.

[2010-1081](#)

Read and referred to Land Use and Economic Development Committee

COUNCILWOMAN THERESA KAIL-SMITH PRESENTS:

Bill No. Resolution amending Resolution No. 368, effective June 4, 2010, entitled "providing for an Agreement or Agreements with various community organizations for operational/administrative expenses, maintenance, purchase of equipment: and/or rehabilitation of neighborhood facilities; and for administrative/operational costs, maintenance, purchase of equipment, and/or rehabilitation of neighborhood facilities of various departmental programs/projects for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$800,000, so as to reallocate funds in City Council from "District 2 Public Safety (Beat Cop)" (-1,000) and transfer these funds to "Sheraden United Methodist Church" (+1,000).

[2010-1083](#)

SPONSOR(S): THERESA SMITH

Read and referred to Finance and Law Committee

Bill No. Resolution amending Resolution No. 346, effective June 4, 2010, entitled: 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 2009 Community Development Block Grant Program; providing for the execution of grant contracts and for the filing of other data providing for required

[2010-1084](#)

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 reallocate funds in the City Council from "District 2 Public Safety (Beat Cop)" (-1,000) and transfer these funds to "Sheraden United Methodist Church" (+1,000)

SPONSOR(S): THERESA SMITH

Read and referred to Land Use and Economic Development Committee

Bill No.

[2010-1085](#)

Resolution authorizing the Mayor and the Director of Finance to enter into negotiations to lease parking assets owned or operated by the City and/or the Public Parking Authority of Pittsburgh in exchange for substantial up-front consideration.

SPONSOR(S): THERESA SMITH, REVEREND RICKY V. BURGESS AND R. DANIEL LAVELLE

Read and referred to Finance and Law Committee

UNFINISHED BUSINESS

REPORTS OF COMMITTEE - FINAL ACTION

COUNCILMAN PEDUTO PRESENTS COMMITTEE ON FINANCE AND LAW

Bill No.

[2010-1073](#)

Report of the Committee on Finance and Law for October 27, 2010 with an Affirmative Recommendation.

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

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.

This Matter was Passed Finally on the Consent Agenda.

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.

This Matter was Passed Finally on the Consent Agenda.

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.

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

Noes: 0

Abstentions: 0

Absent: 1 - Mr. Lavelle

COUNCILMAN KRAUS PRESENTS COMMITTEE ON PUBLIC WORKS

Bill No. [2010-1074](#) Report of the Committee on Public Works for October 27, 2010 with an Affirmative Recommendation.

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

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.

This Matter was Passed Finally on the Consent Agenda.

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.

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

Noes: 0

Abstentions: 0

Absent: 1 - Mr. Lavelle

COUNCILMAN REV. BURGESS PRESENTS COMMITTEE ON HUMAN RESOURCES

Bill No. Report of the Committee on Human Resources for October 27, 2010 with an
[2010-1075](#) Affirmative Recommendation.

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

Bill No. Resolution providing for a professional service agreement or agreements with Ceridian
[2010-1049](#) 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.

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

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

COUNCILMAN SHIELDS PRESENTS COMMITTEE ON LAND USE & ECONOMIC DEVELOPMENT

Bill No. Report of the Committee on Land Use and Economic Development for October 27,
[2010-1076](#) 2010 with an Affirmative Recommendation.

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

Bill No. Resolution providing for the designation and transfer of certain public properties
[2010-0927](#) within the Perry North neighborhood to become permanent, public, passive open space under the Greenways for Pittsburgh program.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution amending Resolution No.371, effective June 4, 2010, entitled: Resolution
[2010-1050](#) 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).

This Matter was Passed Finally on the Consent Agenda.

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).

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

MOTIONS AND RESOLUTIONS**EXCUSE ABSENT MEMBERS****APPROVAL OF MINUTES****ADJOURNMENT****LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER**