

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, May 1, 2012

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

Mr. Kraus & Ms. Rudiak available by telephone.

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. [2012-0362](#) NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize Claire Engel, a purveyor of the finest quality fruits and vegetables, for her dedicated commitment to her small business, to her neighborhood and to all the friends and customers she has so graciously cared for over the last 46 years.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh, does hereby declare that Monday, April 30, 2012, to be "CLAIRE ENGEL 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. [2012-0363](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby declare May 1, 2012 to be "Reverend Dr. J. Van Alfred Winsett 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. [2012-0364](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby declare May 1, 2012 to be "Pastor Jason A. Barr Jr." in the City of Pittsburgh, in recognition of a life's work dedicated to the communities in which he has served.

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

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

Bill No. [2012-0365](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the St. Mary of the Mount Alumni for 100 years of dedication to their members, to the Bishop Leonard St. Mary of the Mount Academy, and all the numerous students who have benefitted from the efforts of the alumni association; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, May 1, 2012, to be "St. Mary of the Mount Alumni 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.

[2012-0366](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize the Silk Screen Asian Arts & Culture Organization for their efforts to promote and celebrate Asian and Asian American art and artists; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare May 11, 2012 to be “Silk Screen Asian American Film Festival 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.

[2012-0367](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize the Shepherd Wellness Community for their 25 years of service to the residents of Pittsburgh and the broader region; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare May 1, 2012 to be “Shepherd Wellness Community 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.

[2012-0368](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend Howard Todd for his hard work, dedication and his service to the Mount Washington area; and.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Thursday, May 3rd, 2012, to be “Howard Todd 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.

[2012-0369](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the Washington Heights Athletic Association for their dedication to creating and maintaining a successful and influential athletic organization that not only fosters the youth within the community but equips the volunteers to make this organization a success ; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, May 1, 2012, to be “Washington Height Athletic Association 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. Resolution authorizing the issuance of a warrant in favor of Global Recovery Services, P.O. Box 105795, Atlanta, GA 30348-9864, in an amount not to exceed Fifty Thousand Dollars (\$50,000.00), said amount representing payment for deductible amounts due pursuant to policy of insurance covering the G-20 related claims presented; claims 683-296774 and 683-305328.

[2012-0346](#)

Read and referred to Finance and Law Committee

Bill No. Resolution providing for the issuance of a \$5,319.29 warrant in favor of Mark Guarino, 28 Navajo Road, Pittsburgh, PA 15241, in settlement of a claim for a damaged vehicle due to a City Fire vehicle on or about March 22, 2012.

[2012-0347](#)

Read and referred to Finance and Law Committee

COUNCILMAN BRUCE A. KRAUS PRESENTS:

Bill No. Resolution granting unto the Pennsylvania Macaroni Company Inc., 650 Mansfield Avenue, Pittsburgh, PA 15205, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense a concrete and metal deck over the sidewalk area at 2009 Penn Avenue in the 2nd Ward, 6th Council District of the City of Pittsburgh.

[2012-0348](#)

Read and referred to Public Works Committee

COUNCILMAN COREY O'CONNOR PRESENTS:

Bill No. Resolution authorizing the Director of the Department of Parks and Recreation to enter into agreements in individual amounts of Ten Thousand Dollars (\$10,000.00) or less with performers, instructors, artists and persons with specialized skills in connection with the Department's recreational and instructional programs.

[2012-0356](#)

Read and referred to Urban Recreation Committee

Bill No. Resolution authorizing the Director of the Department of Parks and Recreation to enter into agreement or agreements, contract or contracts and use of existing agreement or agreements, contract or contracts in individual amounts of Ten Thousand Dollars (\$10,000.00) or less with consultants in connection with the Department's recreational and park related services.

[2012-0357](#)

Read and referred to Urban Recreation Committee

COUNCILMAN WILLIAM PEDUTO PRESENTS:

Bill No. Resolution to amend Resolution No. 36 of 2012, "Providing for a professional service agreement or agreements for professional services in connection with the administration of the City of Pittsburgh's Flexible Spending Account program. Cost not to exceed \$17,238.00.

[2012-0350](#)

Read and referred to Human Resources Committee

Bill No.
[2012-0351](#)

Resolution providing that the City of Pittsburgh enter into a Professional Services Agreement(s) and/or Contracts with consultants and/or service providers for professional services in connection with Civil Service and MPOETC required assessment and evaluation of Public Safety candidates (Police Officer Recruits, Paramedics), and providing for payment of the cost thereof not to exceed \$35,100.00.

Read and referred to Human Resources Committee

Bill No.
[2012-0352](#)

Resolution providing that the City of Pittsburgh enter into a Professional Services Agreement(s) for the annual maintenance and support of software necessary for the processing and administration of Personnel and Civil Service applications for employment and providing for the payment of the costs thereof. Cost not to exceed \$12,218.75.

Read and referred to Human Resources Committee

Bill No.
[2012-0353](#)

Resolution providing the authorization to make all legitimate expenditures for payments and agreements or agreements with various agencies to conduct a summer youth employment program to youth residing in the City of Pittsburgh, wages and fringe benefits for supervisor/participant/administrative staff, workers' compensation, unemployment compensation, participant physicals, transportation, copier and supplies, and administrative expenditures necessary to implement the 2012 Pittsburgh Partnership Summer Youth Program; and providing the periodic transfer of funds to be used in the Pittsburgh Partnership Summer Youth Program for payment of cost thereof, cost not to exceed \$125,000.00.

Read and referred to Human Resources Committee

Bill No.
[2012-0354](#)

Resolution providing the authorization to make all legitimate expenditures for payments and agreements or agreements with various agencies to conduct a summer youth employment program to youth residing in the City of Pittsburgh, wages and fringe benefits for supervisor/participant/administrative staff, workers' compensation, unemployment compensation, participant physicals, transportation, copier and supplies, and administrative expenditures necessary to implement the 2012 Pittsburgh Partnership Summer Youth Program; and providing the periodic transfer of funds to be used in the Pittsburgh Partnership Summer Youth Program for payment of cost thereof, cost not to exceed \$120,000.00 and \$5,000.00 to support the DiverseCity 365 Living Legend Honors and Inclusion Series.

Read and referred to Human Resources Committee

Bill No.
[2012-0355](#)

Resolution providing for the acceptance of grant from the U.S. Department of Housing & Urban Development in the amount of \$64,985, resulting from the approval of a proposal for specific research and study; providing for the deposit of those funds into a specific bank account known as the HUD-FHP Trust Fund; and providing an Agreement to enter into a contract with the University of Pittsburgh Center for Metropolitan Studies to utilize funds awarded by the U.S. Department of Housing & Urban Development to assist the Commission on Human Relations in conducting said research, investigation and report involving the specific population study, at a cost not to exceed \$64,985.

Read and referred to Human Resources Committee**COUNCILWOMAN NATALIA RUDIAK PRESENTS:**

Bill No. Resolution providing for a contract or contracts or the use of existing contract or contracts; or agreement or agreements for the Overbrook TOD Development Design Study at a cost not to exceed Forty Thousand Dollars (\$40,000) and providing for the payment thereof.

[2012-0358](#)

SPONSOR(S): NATALIA RUDIAK

Read and referred to Finance and Law Committee

COUNCIL PRESIDENT DARLENE M. HARRIS PRESENTS:

Bill No. Resolution informing City Council of the appointment by Councilwoman Theresa Kail-Smith of Mike Galovich, 1042 Lessing Street, Pittsburgh, PA 15220 , as a member of the Pittsburgh Cable Communications Advisory Committee representing District 2, for a term to expire December 31, 2013. Mr. Galovich is replacing Ameenah Salaam.

[2012-0359](#)

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

Bill No. Resolution authorizing the Re-appointment of Linda M. Johnson-Wasler as City Clerk of the City of Pittsburgh, for a three year term to expire May 1, 2015.

[2012-0360](#)

A motion was made that this matter be Approved. 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. Resolution authorizing the Re-appointment of Mary Beth Doheny as Deputy City Clerk of the City of Pittsburgh, for a three year term to expire May 1, 2015.

[2012-0361](#)

A motion was made that this matter be Approved. 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

UNFINISHED BUSINESS

Bill No. Resolution authorizing the appointment of Mike Huss as a member of the Equipment Leasing Authority for a term to expire on June 15, 2016.

[2012-0246](#)

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

REPORTS OF COMMITTEE - FINAL ACTION

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

Bill No. [2012-0343](#) Report of the Committee on Finance and Law for April 25, 2012 with an Affirmative Recommendation.

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

Bill No. [2012-0296](#) Resolution 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 \$10,000 from the Center Avenue YMCA to the Thelma Lovette YMCA-Building Bridges Program and by transferring \$1,500 from District 6 Neighborhood Initiatives to the Northside Leadership Conference. Total cost of all projects is not to exceed \$130,802.79.

SPONSOR(S): R. DANIEL LAVELLE

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. [2012-0298](#) Resolution authorizing and directing the Controller of the City of Pittsburgh to perform a Fiscal and Performance Audit of employee compensation, pay practices, and outcomes for employees of the City of Pittsburgh.

SPONSOR(S): WILLIAM PEDUTO, NATALIA RUDIAK 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

COUNCILMAN KRAUS PRESENTS COMMITTEE ON PUBLIC WORKS

Bill No. [2012-0344](#) Report of the Committee on Public Works for April 25, 2012 with an Affirmative Recommendation.

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

Bill No. Resolution authorizing a License and Project Agreement between the City of
[2012-0292](#) Pittsburgh, CMD5 Enterprises, Inc. and Team Pittsburgh to perform an expansion of
the Marmaduke Park Concession Stand.

**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. Resolution authorizing the Mayor and the Director of the Department of Public Works
[2012-0293](#) and the Director of the Department of Finance to enter into a License and Maintenance
Agreement with Just Ducky Tours, Inc. for the use of property located at the
Monongahela Wharf Landing.

**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 R. DANIEL LAVELLE PRESENTS COMMITTEE ON LAND USE & ECONOMIC DEVELOPMENT

Bill No. Report of the Committee on Land Use and Economic Development for April 25, 2012
[2012-0345](#) 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 of certain public properties within the
[2012-0294](#) Squirrel Hill South neighborhood to become permanent, public, passive open space
under the Greenways for Pittsburgh program, to be known as Nine Mile Run
Greenway.

**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. Resolution providing for the designation of certain public properties within the Hill
[2012-0295](#) District and Polish Hill neighborhoods to become permanent, public, passive open
space under the Greenways for Pittsburgh program, to be known as the Bigelow
Greenway.

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.

[2012-0297](#)

Resolution further amending and supplementing Resolution Nos. 471, 722, 793 and 855 of 2011, entitled "adopting and approving the 2000, 2003, 1996 and 2012 capital budgets" respectively by transferring all active District 6 Neighborhood Needs projects from three budget years into budget year 2012 in the JDE financial system and by reducing various projects and by transferring \$10,000 from the Center Avenue YMCA to the Thelma Lovette YMCA-Building Bridges Program and by transferring \$1,500 from District 6 Neighborhood Initiatives to the Northside Leadership Conference.

SPONSOR(S): R. DANIEL LAVELLE

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.

[2012-0349](#)

THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes Troy Hill Citizens Inc. to be a civic and/or service organization within the context of the Pennsylvania Small Games of Chance Act, as amended.

SPONSOR(S): DARLENE HARRIS

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

REQUEST CABLECAST POST AGENDA:

Councilwoman Rudiak: Discussion on the status of UPMC

EXCUSE ABSENT MEMBERS

APPROVAL OF MINUTES

ADJOURNMENT

LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER