

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, July 30, 2013

10:00 AM

Council Chambers

City Council

**ONE-HUNDRED
THIRTY-SEVENTH COUNCIL**

Darlene M. Harris, President

**Council Members: Rev. Ricky V. Burgess, 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

Present: 8 - Rev. Burgess, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Bill No.

[2013-1780](#)

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby commend Brent Rogers for his extraordinary skills and congratulates Brent for his achievements and unselfish nature , having brought distinction and pride to the Central Catholic Golf Program; and,

BE IT FURTHER RESOLVED, , that the Council of the City of Pittsburgh does hereby declare Tuesday , July 30, 2013, to be “ BRENT ROGERS DAY ” in the City of Pittsburgh.

SPONSOR(S): COREY O'CONNOR

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

Bill No.

[2013-1781](#)

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby commend Allegheny CleanWays and its dedicated DumpBusters volunteers for leading the fight against illegal dumping, and making our city and region a more beautiful place to live; and

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare Tuesday, July 30, 2013 to be “Allegheny CleanWays Day” in the City of Pittsburgh.

SPONSOR(S): DARLENE HARRIS

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

Bill No.

[2013-1782](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend Ms. Karlee Ralston for her dedication to her education and to the City of Pittsburgh and congratulates Karlee for her recognition as an Executive Scholar of The Pittsburgh Promise; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, July 30, 2013, to be “Karlee Ralston Day” in the City of Pittsburgh.

SPONSOR(S): THERESA SMITH

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

Bill No.

[2013-1783](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby celebrate and congratulate the Harambee Ujima Black Arts and Culture Festival; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby

declare Tuesday, July 23, 2013, to be “Harambee Ujama Black Arts and Culture Festival Day” in the City of Pittsburgh.

SPONSOR(S): REVEREND RICKY V. BURGESS

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

Bill No.

[2013-1784](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize the Spectroscopy Society of Pittsburgh for their dedication to providing education and support to Pittsburgh's scientific community; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare July 30th, 2013 to be “Spectroscopy Society of Pittsburgh Day” in the City of Pittsburgh.

SPONSOR(S): WILLIAM PEDUTO

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

Bill No.

[2013-1785](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the Pittsburgh Mini Maker Faire for supporting Pittsburgh innovation and joins with them in celebrating the City's burgeoning creative culture; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare July 30 to be “Pittsburgh Mini Maker Faire Day” in the City of Pittsburgh.

SPONSOR(S): WILLIAM PEDUTO

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

Bill No.

[2013-1786](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the Shyne Awards for recognizing the noteworthy achievements of our youth and adults; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Saturday, August 3, 2013, to be “Shyne Honorees Day” in the City of Pittsburgh.

SPONSOR(S): THERESA SMITH

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

Bill No.

[2013-1787](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend all local and national members of NOBLE for their combined and continued efforts to make a positive difference within their respective communities; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Saturday-Wednesday, August 3-7, 2013, to be “NOBLE Days” in the City of Pittsburgh.

SPONSOR(S): THERESA SMITH

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

PUBLIC COMMENTS

PRESENTATION OF PAPERS

COUNCILMAN REV. RICKY V. BURGESS PRESENTS:

Bill No. [2013-1774](#) Resolution further amending Resolution No. 74, effective February 29, 2012 entitled "Providing for an Agreement or Agreements, or use of existing Agreements and/or a Contract or Contracts, or use of existing Contracts, and for the purchase of materials, supplies, equipment, and/or services for various projects in connection with the City Council Neighborhood Needs Program; and providing for the payment of the costs thereof", by transferring \$30,000 from District 9 Neighborhood Needs and by adding that amount to the Poise Foundation Community Outreach. Total of all projects is not to exceed \$264,758.42.

SPONSOR(S): REVEREND RICKY V. BURGESS

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. [2013-1775](#) Resoluiton 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 \$30,000 from District 9 Neighborhood Needs and by adding that amount to the Poise Foundation Community Outreach.

SPONSOR(S): REVEREND RICKY V. BURGESS

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

Read and referred to Land Use and Economic Development Committee

COUNCILMAN BRUCE A. KRAUS PRESENTS:

Bill No. [2013-1772](#) Ordinance amending the Pittsburgh Code, Title One, Administrative, Article XI: Personnel, Chapter 186: Domestic Partnership and Common Law Spouse Benefits, by adding language in Section 186.04: Requirements for Mutual Commitment Registry.

SPONSOR(S): BRUCE A. KRAUS

Read and referred to Human Resources Committee

Bill No. [2013-1773](#) Ordinance Amending the Pittsburgh City Code, Title Six: Conduct, Article I: Regulated Rights and Actions; Chapter 601: Public Order, by adding Section 601.19, Social Host Liability

SPONSOR(S): BRUCE A. KRAUS

Read and referred to Public Safety Services Committee

COUNCILMAN R. DANIEL LAVELLE PRESENTS:

Bill No. [2013-1778](#) Resolution further amending Resolution No. 493, effective August 6, 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 \$3,000 from District 6 Neighborhood Initiative to the Prime Stage Theatre in Council District 6 Neighborhood Needs. 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 Waived under Rule 8. The motion carried.

Read and referred to Finance and Law Committee

Bill No. [2013-1779](#) 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 \$3,000 from District 6 Neighborhood Initiative to the Prime Stage Theatre in Council District 6 Neighborhood Needs.

SPONSOR(S): R. DANIEL LAVELLE

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

Read and referred to Land Use and Economic Development Committee

COUNCIL PRESIDENT DARLENE M. HARRIS PRESENTS:

Bill No. [2013-1776](#) Resolution authorizing a cooperation agreement with the Urban Redevelopment Authority of Pittsburgh designating URA as the City's agent in connection with a \$882,990 Penn Works grant for the the Lawrenceville Technology Center site owned by RIDC Southwestern Pennsylvania Growth Fund (Council District 7)

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

Read and referred to Intergovernmental Affairs Committee

Bill No. [2013-1777](#) Resolution authorizing the filing of an application with the Pennsylvania Department of Community and Economic Development for a \$882,990 Penn Works grant for the Lawrenceville Technology Center site owned by RIDC Southwestern Pennsylvania Growth Fund. (Council District 7)

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

Read and referred to Intergovernmental Affairs Committee

UNFINISHED BUSINESS

REPORTS OF COMMITTEE - FINAL ACTION

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

Bill No. Report of the Committee on Finance and Law for July 24, 2013 with an Affirmative
[2013-1768](#) Recommendation.

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

Bill No. Resolution authorizing the issuance of a warrant in the total sum of Three Hundred
[2013-1708](#) Seventy-Five Thousand Dollars (\$375,000.00), in favor of Heidi Spangler, c/o Balzarini & Watson, releasing and discharging the City of Pittsburgh from liability in the civil action filed at GD 11-003220 in the Common Pleas Court of Allegheny County, and arising from an alleged incident on June 16, 2011 in the City of Pittsburgh.

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

Votes: Ayes: 8 - Rev. Burgess, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0

Bill No. Resolution further amending Resolution No. 149 of 2012 entitled "Providing for an
[2013-1722](#) Agreement or Agreements, or use of existing Agreements and/or a Contract or Contracts, or use of existing Contracts, and for the purchase of materials, supplies, equipment, and/or services for various projects in connection with the City Council Neighborhood Needs Program; and providing for the payment of the costs thereof" by providing \$5,000 to the Greenfield Baseball Association for the purchase of a scoreboard for Bud Hammer Field from Council District 5 Neighborhood Needs. Total cost of all projects is not to exceed \$198,980.27.

SPONSOR(S): COREY O'CONNOR

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

Votes: Ayes: 8 - Rev. Burgess, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0

COUNCILMAN BRUCE A. KRAUS PRESENTS COMMITTEE ON PUBLIC WORKS

Bill No. Report of the Committee on Public Works for July 24, 2013 with an Affirmative
[2013-1771](#) Recommendation.

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

Bill No. Resolution granting unto Dennis Matuszak, Matuszak Brothers, 11 Terence Drive,
[2013-1709](#) Pittsburgh, PA 15236, their successor and assign, the privilege and license to construct, maintain and use at their own cost and expense, an underground electrical

transformer vault under the sidewalk area at S. 9th Street for 811 E. Carson Street in the 17th Ward, 3rd Council District of the City of Pittsburgh.

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

Votes: Ayes: 8 - Rev. Burgess, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0

Bill No.

[2013-1710](#)

Resolution vacating Nuzum Avenue between East Woodford Avenue and Duffland Street in the 29th Ward, 4th Council District of the City of Pittsburgh.

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

Votes: Ayes: 8 - Rev. Burgess, 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.

[2013-1769](#)

Report of the Committee on Land Use and Economic Development for July 24, 2013 with an Affirmative Recommendation.

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

Bill No.

[2013-1411](#)

Resolution approving an Institutional Master Plan under the Pittsburgh Code, Title Nine, Zoning, Article II, Chapter 905, Section 905.03.D and Article VII, Chapter 922, Section 922.12 for Children's Hospital of Pittsburgh of UPMC entitled "Project Area Master Plan" and dated November 1, 2012 on property zoned EMI, Educational/Medical Institution District, 9th Ward.

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

Votes: Ayes: 8 - Rev. Burgess, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0

Bill No.

[2013-1711](#)

Resolution amending Resolution No. 86 approved February 28, 2012, providing for the implementation of a Residential Parking Permit Program (RPPP) Area "L", in the Central Northside community (Council District #1) to decrease the district to remove addresses pursuant to Pittsburgh Code Chapter 549.

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

Votes: Ayes: 8 - Rev. Burgess, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0

Bill No.

[2013-1713](#)

Resolution amending Resolution No. 810 approved December 4, 2001, providing for the implementation of the Residential Parking Permit Program (RPPP) Area "N" in the Mount Washington community (Council Districts #2) to expand the district to include additional addresses pursuant to Pittsburgh Code Chapter 549.

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

Votes: Ayes: 8 - Rev. Burgess, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0

Bill No.

[2013-1723](#)

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 providing \$5,000 to the Greenfield Baseball Association for the purchase of a scoreboard for Bud Hammer Field from Council District 5 Neighborhood Needs.

SPONSOR(S): COREY O'CONNOR

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

Votes: Ayes: 8 - Rev. Burgess, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0

COUNCIL PRESIDENT DARLENE M. HARRIS PRESENTS COMMITTEE ON INTERGOVERNMENTAL AFFAIRS

Bill No.

[2013-1770](#)

Report of the Committee on Intergovernmental Affairs for July 24, 2013 with an Affirmative Recommendation.

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

Bill No.

[2013-1564](#)

Resoluion adopting the Summerset at Frick Park Tax Increment Financing Plan presented by the Urban Redevelopment Authority of Pittsburgh and making certain findings. (Council District 5)

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

Votes: Ayes: 8 - Rev. Burgess, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0

Bill No.

[2013-1565](#)

Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh, the County of Allegheny and the School District of Pittsburgh providing for the financing, monitoring, implementation and termination of the Summerset at Frick Park Tax Increment Financing District. (Council District 5)

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

Votes: Ayes: 8 - Rev. Burgess, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0

Bill No.

[2013-1644](#)

Resolution requesting the approval of an inter-municipal transfer of restaurant liquor license, License No. R- 18309 from Ristorante Napoli Da Valentino, Inc., 3600 Saw Mill Run Blvd, Pittsburgh, PA 15227, to Applicant, Altius Modern Bistro, LP for the premises located at 1230 Grandview Avenue, Pittsburgh, PA 15211 pursuant to amended Pennsylvania Liquor Code, §4-461.

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

Votes: Ayes: 8 - Rev. Burgess, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0

Bill No.

[2013-1714](#)

Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's Right, Title and Interest, if any, in and to the Publicly-Owned Property in the 12th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block 124-N, Lot 203 (Council District No. 9 - Site Assemblage - 151 Carver Street).

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

Votes: Ayes: 8 - Rev. Burgess, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0

Bill No.

[2013-1715](#)

Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's Right, Title and Interest, if any, in and to the Publicly-Owned Property in the 13th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block 174-N, Lot 194 (Council District No. 9 - Site Assemblage

for Future Development - North Homewood Avenue).

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

Votes: Ayes: 8 - Rev. Burgess, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0

Bill No.

[2013-1716](#)

Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's Right, Title and Interest, if any, in and to the Publicly-Owned Properties in the 13th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block 175-B, Lots 156, 169, 170, 171 and 172, under the Industrial Land Reserve Fund - 7615 Cassina Way and 7611, 7609, 7607 and 7605 Susquehanna Street - (Parking - Council District No. 9).

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

Votes: Ayes: 8 - Rev. Burgess, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0

Bill No.

[2013-1717](#)

Resolution approving execution of a Contract for Disposition by Sale of Land by and between the Urban Redevelopment Authority of Pittsburgh and Stephanie Durrett for the sale of Block 175-B, Lots 156, 169, 170, 171, and 172, in the 13th Ward of the City of Pittsburgh - Council District No. 9 - 7615 Cassina Way and 7611, 7609, 7607 and 7605 Susquehanna Street (Parking).

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

Votes: Ayes: 8 - Rev. Burgess, 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.

[2013-1788](#)

NOW THEREFORE, BE IT RESOLVED THAT The Steel Valley Enterprise Zone Corporation is designated as the agency to prepare appropriate applications to the Pennsylvania Department of Community and Economic Development for Enterprise Zone Designation and Basic Grant Funding on behalf of the cooperating municipalities.

BE IT FURTHER RESOLVED THAT the Council of the City of Pittsburgh does hereby endorse the application of the Corporation to the Pennsylvania Department of Community and Economic Development for continued Enterprise Zone Designation and Basic Grant Funding and engage the Steel Valley Enterprise Zone Corporation to

act for and on behalf of the parties in handling all aspects of the Enterprise Zone Program for activities to be funded in the amount of \$50,000 by the Pennsylvania Department of Community and Economic Development.

SPONSOR(S): COREY O'CONNOR

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

Bill No.

[2013-1789](#)

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes the inalienable right of all Pennsylvanians to be protected from discrimination regardless of race, color, familial status, religious creed, ancestry, age, sex, national origin, handicap or disability, sexual orientation, or gender identity or expression;

AND BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh applauds the bipartisan movement of our state legislators to ensure protections that benefit all Pennsylvanians and urges citizens of the Commonwealth to push their local representatives to support this expansion of protections that lies at the heart of what America is about: fairness, liberty, and equality.

SPONSOR(S): NATALIA RUDIAK AND BRUCE A. KRAUS

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

Bill No.

[2013-1790](#)

NOW THEREFORE BE IT RESOLVED, that it is the will of the Council of the City of Pittsburgh that all American employees be judged by their qualifications and work performance rather than their sexual orientation or gender identity;

AND, BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh urges our federal legislators to pass S. 815, The Employment Non-Discrimination Act of 2013, to protect all American employees from sexual-orientation and gender identity-based discrimination;

SPONSOR(S): BRUCE A. KRAUS AND NATALIA RUDIAK

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

EXCUSE ABSENT MEMBERS - NONE

APPROVAL OF MINUTES

ADJOURNMENT