

City of Pittsburgh

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



MEETING MINUTES

Proceedings of the Council of the City of Pittsburgh

Wednesday, March 2, 2011

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

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Bill No.

[2011-1482](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend Cribs for Kids for their success in reducing the incidence of SIDS through their awareness campaigns and successful outreach, and Mary and District Attorney Steven Zappala, Jr. for hosting the 6th Annual Celebrate & Share Women of Achievement Awards Dinner to honor the achievements of 24 women from the Pittsburgh Region whose work embodies the spirit of Women's History Month; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare March 2, 2011 to be "CELEBRATE & SHARE DAY" in the City of Pittsburgh.

SPONSOR(S): DOUGLAS SHIELDS, NATALIA RUDIAK AND ALL MEMBERS

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

Bill No.

[2011-1483](#)

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby recognize and commend the Peace Corps for 50 years of service to the world in the name of the United States of America and congratulates the Pittsburgh Area Peace Corps Association for building bridges of understanding and assistance with other countries; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Wednesday, March 2, 2011, to be "PEACE CORPS DAY" 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.

[2011-1484](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize and honor our friend, Matt Hogue, for his remarkable commitment to the City of Pittsburgh and congratulates him for receiving the esteemed Jefferson Award for his efforts and dedication; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, February 22, 2011, to be "MATT HOGUE DAY" 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.

[2011-1485](#)

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby recognize and commend John Prendergast for his remarkable efforts to bring awareness to the world's human rights violations and for a career filled with solutions, actions and hope; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare March 2, 2011 to be "JOHN PRENDERGAST DAY" 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.

[2011-1486](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the work of Reverend Dr. James J. Robinson and Dr. Betty Robinson, whose tireless commitment to advocate for the greater good of their community and on behalf of those less fortunate is an example for all Pittsburghers to look up to and follow;

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare February 22, 2011 to be "Reverend Dr. James J. Robinson and Dr. Betty Robinson 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.

[2011-1487](#)

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does, hereby, commend Anthony "Chachi" Walker for his efforts to use his talents to benefit such a worthy cause as Make Room for Kids to provide sick children the opportunity to experience the joy that gaming has brought him through the years.

THEREFORE BE IT, FURTHER, RESOLVED that the Council of the City of Pittsburgh declares, Wednesday, March 2, 2011 to be Chachi Plays Day in the City of Pittsburgh.

SPONSOR(S): BRUCE A. KRAUS AND ALL MEMBERS

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

Bill No.

[2011-1488](#)

Now, Therefore, be it resolved that the Council of the City of Pittsburgh does hereby recognize and congratulate the Citizens Leadership Initiative Class of 2010 Fellows for completing the program and for their dedication to the welfare of our communities within the City of Pittsburgh; and

Be It Further Resolved, that the Council of the City of Pittsburgh does hereby proclaim Thursday, March 3, 2011, as "Citizens Leadership Initiative Class of 2010 Fellows Day" in the City of Pittsburgh.

SPONSOR(S): REVEREND RICKY V. BURGESS AND ALL MEMBERS

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

Bill No. [2011-1489](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the American Cancer Society's staff and selfless volunteers for their work in preventing cancer and supporting cancer patients; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Wednesday, March 2, 2011, to be "A Day with more Birthdays" 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. [2011-1490](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize the efforts of the Marilyn G. Rabb Foundation and congratulate the Foundation, its staff and Board of Directors on receiving the 2011 Peace Partner Award for Youth Serving Organization; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare February 23, 2011 "Marilyn G. Rabb 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. [2011-1491](#) NOW THEREFORE BE IT RESOLVED, that Pittsburgh City Council does honor Council President Darlene M. Harris for her outstanding achievements in the community and does hereby declare Wednesday, March 2, 2011, Darlene Harris Day in the City of Pittsburgh.

SPONSOR(S): PATRICK DOWD AND ALL MEMBERS

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

Bill No. [2011-1492](#) NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh remembers the Carnegie Free Library of Allegheny for providing 105 years of resources and services to the North Side and the city as a whole.

SPONSOR(S): DARLENE HARRIS AND ALL MEMBERS

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

PUBLIC COMMENTS

PRESENTATION OF PAPERS

COUNCILMAN R. DANIEL LAVELLE PRESENTS:

Bill No. [2011-1477](#) Resolution providing for the extension of an Agreement or Agreements by and between the City of Pittsburgh ("City") and the Pittsburgh Downtown Partnership, a not-for-profit corporation of the Commonwealth of Pennsylvania ("Partnership"), for the purpose of continuing the City's support of the Partnership's effort to construct and operate a wireless communications network in the City's central business district.

SPONSOR(S): R. DANIEL LAVELLE

Read and referred to Performance and Asset Management Committee**COUNCILMAN WILLIAM PEDUTO PRESENTS:**

Bill No. Resolution authorizing the issuance of a warrant in favor of Bondholder
[2011-1474](#) Communications Group in the amount not to exceed \$24,926.49 (twenty four thousand nine hundred and twenty six dollars and forty nine cents) for services rendered to the Department of Finance.

Read and referred to Finance and Law Committee

Bill No. Resolution authorizing the Mayor to execute a quit-claim deed to the Board of Public
[2011-1475](#) Education of the School District of the City of Pittsburgh for and in consideration of the sum of fifty thousand dollars (\$50,000) for the purpose of extinguishing the City's right of reversion in a parcel of real property located in the 3rd Ward of the City of Pittsburgh which is part of Block and Lot 9-R-194.

Read and referred to Finance and Law Committee

Bill No. Resolution authorizing and directing the Mayor to execute the attached
[2011-1479](#) Intergovernmental Cooperation Agreement to allow the City of Pittsburgh to join the County of Allegheny as a co-licensee on the County of Allegheny's existing Enterprise Resource Planning system.

SPONSOR(S): WILLIAM PEDUTO, DARLENE HARRIS AND NATALIA RUDIAK

Read and referred to Finance and Law Committee

Bill No. An Ordinance Of The City Of Pittsburgh ("The City") Authorizing The City To Enter
[2011-1480](#) Into An Intergovernmental Cooperation Agreement With The County of Allegheny ("The County") Under Which The City And The County Jointly Will Share And Implement A Financial Reporting System Known As Enterprise Resource Planning.

SPONSOR(S): WILLIAM PEDUTO, DARLENE HARRIS AND NATALIA RUDIAK

Read and referred to Finance and Law Committee**COUNCILWOMAN THERESA KAIL-SMITH PRESENTS:**

Bill No. Resolution authorizing the Mayor and the Director of Public Safety to enter into an
[2011-1476](#) agreement or agreements with Dr. John Stepusin, D/B/A Affordable Care Veterinary clinic, for professional services in connection with supplies for the euthanasia of domestic animals. Cost not to exceed \$144,000.00, calculated at the rate of \$36,000.00 per year.

Read and referred to Public Safety Services Committee**COUNCIL PRESIDENT DARLENE M. HARRIS PRESENTS:**

Bill No. Resolution authorizing and directing the Controller of the City of Pittsburgh to
[2011-1481](#) perform a Fiscal and Performance Audit of the Payroll Preparation Tax.

**SPONSOR(S): DARLENE HARRIS, BRUCE A. KRAUS, R. DANIEL
LAVELLE, NATALIA RUDIAK AND DOUGLAS SHIELDS**

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. Communication from Michael Lamb, City Controller, submitting a Performance Audit
[2011-1478](#) of the Department of City Planning, Americans with Disabilities Act Compliance Program, dated February 11, 2011.

Read, Received and Filed

UNFINISHED BUSINESS

REPORTS OF COMMITTEE - FINAL ACTION

COUNCILMAN PEDUTO PRESENTS COMMITTEE ON FINANCE AND LAW

Bill No. Report of the Committee on Finance and Law for February 23, 2011 with an
[2011-1469](#) Affirmative Recommendation.

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

Bill No. Resolution providing for the issuance of a Thirteen Thousand Dollar (\$13,000.00)
[2011-1408](#) warrant in favor of Jill Hart c/o Jonathan M. Stewart, Esquire, Stewart, Murray & Associates, 437 Grant Street, Suite 600, Pittsburgh, PA 15219, in settlement of an action filed in the Court of Common Pleas of Allegheny County, Pennsylvania at GD 07-021592 for personal injuries and damages arising from a trip and fall on or about May 10, 2006, at or near the Centre Avenue Bridge on Centre Avenue, Pittsburgh, Pennsylvania, 15219, within the City of Pittsburgh.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution authorizing the issuance of a warrant in favor of Thorp Reed & Armstrong,
[2011-1412](#) LLP in an amount not to exceed Five Thousand Nine Hundred Fifty-Five Dollars (\$5,955.00) for professional services in connection with Marcellus Shale legislation.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution further amending and supplementing Resolution No. 229 effective April
[2011-1426](#) 19, 2000, 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 Neighborhood Needs Program; and providing for the payment of the costs thereof," by adding Hazelwood Urban Gardens \$2,000 and by adjusting various other projects in Council District 5. Total cost of all projects is not to exceed \$1,000,000.

SPONSOR(S): DOUGLAS SHIELDS

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

Noes: 0

Abstentions: 0

COUNCILWOMAN SMITH PRESENTS COMMITTEE ON PUBLIC SAFETY SERVICES

Bill No. Report of the Committee on Public Safety Services for February 23, 2011 with an
[2011-1470](#) Affirmative Recommendation.

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

Bill No. Resolution authorizing the Mayor and the Chief of the Bureau of Police to enter into
[2011-1413](#) an agreement with Allegheny County (Department of Human Services) to receive monies for the City to fund a Crisis Intervention Team ("CIT") Coordinator position from April 1, 2010 through April 30, 2012.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution authorizing the Director of Public Safety and the Chief of Police to enter
[2011-1414](#) into a grant agreement with the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance (DOJ) to receive monies from the 2009 Justice Assistance Grant Program, and further authorizing legitimate expenditures by the Department of Public Safety, Bureau of Police for purchases authorized by the Grant Agreement and for the execution of agreement(s), or contract(s) for any equipment or services required in connection with the execution of said Grant Agreement. Said agreement(s) or contract(s) shall not \$309,194.00. Account 600000, fund 2445, organization code 230000, subcode 600, budget year 2011, Department of Public Safety - Bureau of Police.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution authorizing the Director of Public Safety and the Chief of Police to enter
[2011-1415](#) into a grant agreement with the United States Department of Justice, Office of Justice Programs, Bureau of Justice Assistance (DOJ) to receive monies from the 2010 Justice Assistance Grant Program, and further authorizing legitimate expenditures by the Department of Public Safety, Bureau of Police for purchases authorized by the Grant Agreement and for the execution of agreement(s), or contract(s) for any equipment or services required in connection with the execution of said Grant Agreement. Said agreement(s) or contract(s) shall not \$287,266.00. Account 600000, fund 2445, organization code 230000, subcode 600, budget year 2011, Department of Public

Safety - Bureau of Police.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2011-1416](#)

Resolution authorizing the Citizen Police Review Board to enter into an Agreement(s) or contract(s) with The Office of Hugh F. McGough, Attorney at Law, for professional services to assist in the legal representation of the Citizen Police Review Board providing for payment there of at a cost not to exceed \$45,000 (Forty-Five Thousand Dollars).

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

Noes: 0

Abstentions: 0

COUNCILMAN KRAUS PRESENTS COMMITTEE ON PUBLIC WORKS

Bill No.

[2011-1471](#)

Report of the Committee on Public Works for February 23, 2011 with an Affirmative Recommendation.

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

Bill No.

[2011-1417](#)

Resolution authorizing the Mayor and the Director of the Department Public Works to enter into an Agreement with the Commonwealth of Pennsylvania, Department of Transportation, for Winter Traffic Services, Five year agreement, for the period beginning October 15, 2011, and ending April 30, 2016.

A motion was made that this matter be RECOMMENDED to the Public Works Committee. The motion carried.

COUNCILMAN SHIELDS PRESENTS COMMITTEE ON LAND USE & ECONOMIC DEVELOPMENT

Bill No.

[2011-1472](#)

Report of the Committee on Land Use and Economic Development for February 23, 2011 with an Affirmative Recommendation.

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

Bill No.

[2011-1427](#)

Resolution amending and supplementing Resolution No. 861, effective January 1, 2000, as amended, entitled: "Adopting and approving the 2000 Capital Budget and the 2000 Community Development Block Grant Program; and approving the 2000 through 2005 Capital Improvement Program, by adjusting various line items in conformance with City Council's 2000 Capital Budget amendments," by adding

Hazelwood Urban Gardens \$2,000 and by adjusting various other projects in Council District 5 Neighborhood Needs.

SPONSOR(S): DOUGLAS SHIELDS

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. Peduto, Ms. Rudiak, Mr. Shields and Mrs. Smith

Noes: 0

Abstentions: 0

COUNCILMAN DOWD PRESENTS COMMITTEE ON INTERGOVERNMENTAL AFFAIRS

Bill No. [2011-1473](#) Report of the Committee on Intergovernmental Affairs for February 23, 2011 with an Affirmative Recommendation.

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

Bill No. [2011-1418](#) Resolution amending Resolution No. 875, effective December 29, 2010, entitled "Authorizing the Urban Redevelopment Authority of Pittsburgh to submit an Application to the Pennsylvania Office of the Budget for a Redevelopment Assistance Capital Program grant of up to \$250,000 for the Point State Park Trail System a/k/a Mon Wharf Switchback project." by increasing the amount of the grant to \$500,000. (Council Districts 2 & 3)

This Matter was Passed Finally on the Consent Agenda.

Bill No. [2011-1419](#) Resolution amending Resolution No. 870, effective December 29, 2010, entitled "Authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh in connection with URA's application for a Redevelopment Assistance Capital Program grant of up to \$250,000 for the Point State Park Trail System a/k/a Mon Wharf Switchback" project by increasing the amount of the grant to \$500,000. (Council Districts 2 & 3)

This Matter was Passed Finally on the Consent Agenda.

Bill No. [2011-1420](#) Resolution amending Resolution No. 876, effective December 29, 2010, entitled "Authorizing the Urban Redevelopment Authority of Pittsburgh to submit an Application to the Pennsylvania Office of the Budget for a Redevelopment Assistance Capital Program grant of up to \$500,000 for the Schenley Place project." by increasing the amount of the grant to \$750,000. (Council District 8)

This Matter was Passed Finally on the Consent Agenda.

Bill No. [2011-1421](#) Resolution amending Resolution No. 871, effective December 29, 2010, entitled "Authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh in connection with URA's application for a Redevelopment Assistance Capital Program grant of up to \$500,000 for the Schenley Place project" by

increasing the amount of the grant to \$750,000. (Council District 8)

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2011-1422](#)

Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an Application to the Pennsylvania Office of the Budget for a Redevelopment Assistance Capital Program grant of up to \$500,000 for the Watson Institute Friendship Academy project. (Council District 8)

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2011-1423](#)

Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh in connection with URA's application for a Redevelopment Assistance Capital Program grant of up to \$500,000 for the Watson Institute Friendship Academy project. (Council District 8)

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2011-1424](#)

Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an Application to the Pennsylvania Office of the Budget for a Redevelopment Assistance Capital Program grant of up to \$400,000 for the Manchester Bidwell Center project. (Council District 6)

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2011-1425](#)

Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh in connection with URA's application for a Redevelopment Assistance Capital Program grant of up to \$400,000 for the Manchester Bidwell Center project. (Council District 6)

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

Noes: 0

Abstentions: 0

MOTIONS AND RESOLUTIONS

Bill No.

[2011-1493](#)

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh respectfully requests the newly elected Governor of the Commonwealth of Pennsylvania, Tom Corbett, to assist the City of Pittsburgh by releasing the State funds dedicated to the sale of the Municipal Courts Building to the State in an expeditious manner.

SPONSOR(S): DARLENE HARRIS AND ALL MEMBERS

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

Bill No.

[2011-1494](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh commends and supports Congressman Edward Markey and Senator Bob Casey, who called for the release of the reports that were mentioned in the New York Times article; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh calls on the Pennsylvania Water and Sewer Authority and Penn American to immediately begin testing for the radioactive materials cited in the article, to continue tests on a regular basis as long as drilling is occurring, and for them to make their findings available to the residents of the City of Pittsburgh because Pittsburgh City residents to deserve to know what is in their drinking water. Moreover, the Council of the City of Pittsburgh requests that Governor Corbett include the funds necessary to inform the public of the condition of their drinking water in the 2011 budget.

SPONSOR(S): DOUGLAS SHIELDS AND ALL MEMBERS

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

APPROVAL OF MINUTES

ADJOURNMENT

LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER