

# **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, February 11, 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: 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.

[2010-0145](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby wish to recognize the emerging young leaders within the City of Pittsburgh. The Council of the City of Pittsburgh recognizes and celebrates the month of February for Black History Month and the education of all individuals on the achievements, nationally and globally by people of African descent.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby join its voice with the City of Pittsburgh's Department of Urban Recreation as they celebrate Black History Month and the recognition of emerging leaders in the City of Pittsburgh.

**SPONSOR(S): R. DANIEL LAVELLE**

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

## PUBLIC COMMENTS

## PRESENTATION OF PAPERS

### MR. LAVELLE, CHAIRPERSON OF THE COMMITTEE ON URBAN RECREATION, PRESENTS

Bill No.

[2010-0142](#)

Resolution authorizing the Mayor and the Director of the Department of Personnel and Civil Service and the Department of Parks and Recreation to enter into an Intergovernmental Agreement or Agreements with the Housing Authority of the City of Pittsburgh and the City of Pittsburgh to reimburse the City for services performed including: summer employment, recreational programming and activities, and an Ammon Recreation Center score board and to receive reimbursement for pool tags.

**A motion was made that this matter be Read and referred to the Urban Recreation Committee. The motion carried.**

### MR. PEDUTO, CHAIRPERSON OF THE COMMITTEE ON FINANCE AND LAW, PRESENTS

Bill No.

[2010-0128](#)

Resolution providing for the issuance of a Seventeen Thousand, Three Hundred Thirty-five Dollars (\$17,335.00) warrant in favor of Stephen Stamy, 401 Roup Avenue, Pittsburgh, PA 15232, in settlement of actions filed in the Court of Common Pleas of Allegheny County, Pennsylvania at AR09-005926, AR09-010057, and AR09-010058 for alleged damage to his real property at 401 Roup Avenue, in the City of Pittsburgh, caused by City-owned and maintained trees.

**A motion was made that this matter be Read and referred to the Finance and Law Committee. The motion carried.**

Bill No.

[2010-0129](#)

Resolution authorizing the issuance of a warrant in favor of Cozen O'Connor in an amount not to exceed Thirty-Four Thousand Three Hundred Eighty-Six Dollars and Fifty-Five Cents (\$34,386.55) for professional legal services in connection with the Post-Secondary Education Privilege Tax.

**A motion was made that this matter be Read and referred to the Finance and Law Committee. The motion carried.**

Bill No.

[2010-0130](#)

Resolution providing for an agreement or use of existing agreements and/or a contract or contracts, or use of existing contracts, and for the purchase of materials, supplies and equipment and/or services in connection with the purchase, installation, maintenance for replacement of Security Equipment located in the City-County Building providing for the payment of the costs thereof, at a cost not to exceed \$100,000.00.

**A motion was made that this matter be Read and referred to the Finance and Law Committee. The motion carried.**

Bill No.

[2010-0131](#)

Resolution providing for an agreement or use of existing agreements and/or a contract or contracts, or use of existing contracts, and for the purchase of materials, supplies and equipment and/or services in connection with the maintenance and/or renovations of elevators located in various City buildings providing for the payment of the costs thereof, at a cost not to exceed \$100,000.00.

**A motion was made that this matter be Read and referred to the Finance and Law Committee. The motion carried.**

Bill No.

[2010-0132](#)

Resolution authorizing the City of Pittsburgh to grant the Pittsburgh Water and Sewer Authority a permanent utility easement and the privilege and license to install, use, operate, maintain, repair, renew and finally remove a 36 inch storm sewer line across City of Pittsburgh property designated as Block 10-R, Lot No. 83 located at 2325 Reed Street in the 5th Ward.

**A motion was made that this matter be Read and referred to the Finance and Law Committee. The motion carried.**

Bill No.

[2010-0133](#)

Resolution providing for the conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984; having been placed for sale to adjoining property owners in conjunction with the City of Pittsburgh/City Source Associates Sideyard Program. ITEMS A through D. A: 3603 Colmar; B: 3601 Colmar; C: 42 Pasadena; D: 1409 Rush.

**A motion was made that this matter be Read and referred to the Finance and Law Committee. The motion carried.**

Bill No.

[2010-0134](#)

Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection

Act”, effective December 11, 1984.

ITEMS A and B.

A: 511, 513 & 515 Climax; B: 3 & 5 Pride.

**A motion was made that this matter be Read and referred to the Finance and Law Committee. The motion carried.**

Bill No.

[2010-0135](#)

Resolution providing for the filing of petitions for the sale of certain properties, acquired at tax sales, in accordance with Act No.171 of 1984, “Second Class City Treasurer Sale and Collection Act”, effective December 11, 1984.

ITEMS A through M.

A: 5505 Margaretta; B: 5627 E. Liberty; C: 723 North St. Clair; D: 5624 Rural; E: 214 South St. Clair; (DELETED F-J); K: 5109 Broad; L: 5170 Broad; M: 405-11 North Evaline.

**A motion was made that this matter be Read and referred to the Finance and Law Committee. The motion carried.**

Bill No.

[2010-0136](#)

Resolution providing for the filing of petitions for the sale of certain properties, acquired at tax sales in accordance with Act No. 171 of 1984, “Second Class City Treasurer Sale and Collection Act”, effective December 11, 1984.

ITEMS A through W. A: 2926 Hartman; B: 7172 Lemington; C: 2814 Bedford;

D: 1608 Alverado; (DELETED E); F: 1408 Sheffield; G: 1427 Pennsylvania;

H: 3711 Chartiers; I: 2748 Shiras; J: 27 & 23 Natchez; K: 446 Norton;

L: 462 Natchez; M: 7714 Hamilton; N: 405 Alpine; O: 619 Collins;

P: 6951 Upland; Q: 6058 Butler; R: 6042 Butler; S: 3618 Sardis;

T: 6919 & 6925 Kelly; U: 8003 Bennett; V: 2312 Perrysville; W: 1529 Alverado.

**A motion was made that this matter be Read and referred to the Finance and Law Committee. The motion carried.**

## **MR. SHIELDS, CHAIRPERSON OF THE COMMITTEE ON LAND USE AND ECONOMIC DEVELOPMENT, PRESENTS**

Bill No.

[2010-0137](#)

Resolution authorizing the Mayor and the Director of City Planning to enter into a grant agreement with the Heinz Endowments to receive monies to support the development of a Bicycle Pedestrian Plan for the City of Pittsburgh, and further providing for legitimate expenditures for payments and agreement or agreements, or contract or contracts for any services required in connection with the execution of said grant agreement. Said agreement or agreements, contract or contracts or expenditures shall not exceed \$135,000.00.

**A motion was made that this matter be Read and referred to the Land Use and Economic Development Committee. The motion carried.**

Bill No.

[2010-0138](#)

Resolution providing for a resolution authorizing the City of Pittsburgh to enter into a Programmatic Memorandum of Agreement (PMOA) with the Pennsylvania State Historic Preservation Officer, the Advisory Council on Historic Preservation, and the United States Department of Housing and Urban Development.

**A motion was made that this matter be Read and referred to the Land Use and Economic Development Committee. The motion carried.**

Bill No. Resolution providing for the submission of a \$15,000 Certified Local Government  
[2010-0139](#) (CLG) grant application to the Pennsylvania Historical and Museum Commission (PHMC) for the development of the Cultural Heritage component to the City's Comprehensive Master Plan.

**A motion was made that this matter be Read and referred to the Land Use and Economic Development Committee. The motion carried.**

Bill No. Resolution providing for an Agreement or Agreements or Contract or Contracts, or for  
[2010-0140](#) use of existing Agreements or Contracts, with a Consultant or Consultants, or Vendor or Vendors, for the purpose of preparing a "CULTURAL HERITAGE PLAN" and related activities in support of such plan, at a cost not to exceed \$40,000.

**A motion was made that this matter be Read and referred to the Land Use and Economic Development Committee. The motion carried.**

Bill No. Resolution providing for the designation and transfer of certain public properties  
[2010-0141](#) within the Perry South neighborhood to become permanent, public, passive open space under the Greenways for Pittsburgh program.

**A motion was made that this matter be Read and referred to the Land Use and Economic Development Committee. The motion carried.**

### **MRS. HARRIS, CHAIRPERSON OF THE COMMITTEE ON HEARINGS, PRESENTS**

Bill No. Resolution authorizing the appointment of Robert Kaczorowski as a member of the  
[2010-0144](#) Equipment Leasing Authority, for a term to expire June 15, 2015.

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

### **UNFINISHED BUSINESS**

### **REPORTS OF COMMITTEE - FINAL ACTION**

#### **MR. PEDUTO PRESENTS COMMITTEE ON FINANCE AND LAW**

Bill No. Report of the Committee on Finance and Law for February 3, 2010 with an  
[2010-0122](#) 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 City Solicitor to enter into an agreement or  
[2010-0047](#) agreements for professional consulting services in connection with real estate tax assessment matters, including, but not limited to, tax assessment appeals filed by property owners and/or the City or other taxing jurisdictions in regard to commercial, industrial and residential real property in the City of Pittsburgh at a cost not to exceed \$66,000 (Sixty-Six Thousand Dollars).

**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

### **MRS. SMITH PRESENTS COMMITTEE ON PUBLIC SAFETY SERVICES**

Bill No. Report of the Committee on Public Safety Services for February 3, 2010 with an  
[2010-0123](#) Affirmative Recommendation.

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

Bill No. Resolution authorizing the City to enter into an agreement with the law firm of Kelly  
[2010-0080](#) Hayden, LLC, for the purpose of having the City's Bureau of Emergency Medical Services ("EMS") join as a named class representative in a class action to be filed against various health insurance companies to compel payment for services directly to EMS and other service providers rather than to enrollees. Cost not to exceed \$5,000.00.

**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

### **MR. KRAUS PRESENTS COMMITTEE ON PUBLIC WORKS**

Bill No. Report of the Committee on Public Works for February 3, 2010 with an Affirmative  
[2010-0124](#) Recommendation.

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

Bill No. Resolution providing for a Contract or Contracts or the use of existing Contracts;  
[2010-0048](#) providing for an Agreement or Agreements or for the use of existing Agreements; providing for repairs, maintenance, improvements, emergencies and/or the purchase of materials, equipment and supplies in connection with Ballfield Lighting Replacement; and further providing for the payment of the costs thereof. Cost not to exceed \$250,000.00.

**This Matter was Passed Finally on the Consent Agenda.**

Bill No. Resolution providing for an Agreement or Agreements or for the use of existing  
[2010-0049](#) Agreements, providing for a Contract or Contracts or for the use of existing Contracts, and providing for the purchase of materials, supplies and equipment in connection

with the rehabilitation and reconstruction of various park facilities; and further providing for the payment of the costs thereof. Cost not to exceed \$750,000.00.

**This Matter was Passed Finally on the Consent Agenda.**

Bill No.

[2010-0050](#)

Resolution providing for an Agreement or Agreements or for the use of existing Agreements, providing for a Contract or Contracts or for the use of existing Contracts, and providing for the purchase of materials, supplies and equipment in connection with the rehabilitation and reconstruction of various park facilities; and further providing for the payment of the costs thereof. Cost not to exceed \$300,000.00.

**This Matter was Passed Finally on the Consent Agenda.**

Bill No.

[2010-0051](#)

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, and providing for repairs, maintenance, improvements, emergencies and/or the purchase of equipment, materials and supplies in connection with the Rehabilitation and repairs of various swimming pools; and further providing for the payment of the costs thereof. Cost not to exceed \$100,000.00.

**This Matter was Passed Finally on the Consent Agenda.**

Bill No.

[2010-0052](#)

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 Tree Maintenance Program throughout the City of Pittsburgh, and further providing for the payment of the costs thereof. Cost not to exceed \$150,000.00.

**This Matter was Passed Finally on the Consent Agenda.**

Bill No.

[2010-0053](#)

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 \$375,000.00.

**This Matter was Passed Finally on the Consent Agenda.**

Bill No.

[2010-0054](#)

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 repairs, maintenance, improvements, emergencies and/or the purchase of materials, equipment and supplies to complete a comprehensive facilities maintenance plan to guide building improvements and maintenance expenditures and to ensure optimal space utilization, and further providing for the payment of the costs thereof. Cost not to exceed \$150,000.00.

**This Matter was Passed Finally on the Consent Agenda.**

Bill No.

[2010-0055](#)

Resolution providing for a Contract or Contracts or the use of existing Contracts; providing for an Agreement or Agreements or for the use of existing Agreements; providing for the design, repairs, maintenance, improvements, emergencies and/or the purchase of materials, equipment and supplies in connection with the design and

construction of handicap ramps and sidewalks at various city-owned locations throughout the City of Pittsburgh; and further providing for the payment of the costs thereof. Cost not to exceed \$100,000.00.

**This Matter was Passed Finally on the Consent Agenda.**

Bill No.

[2010-0056](#)

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, equipment and supplies in connection with the renovation of various play areas; and further providing for the payment of the costs thereof. Cost not to exceed \$100,000.00.

**This Matter was Passed Finally on the Consent Agenda.**

Bill No.

[2010-0057](#)

Resolution providing for an Agreement or Agreements or for the use of existing Agreements, providing for a Contract or Contracts or for the use of existing Contracts, providing for repairs, maintenance, improvements, emergencies and/or the purchase of materials, equipment and supplies in connection with the investigation, design, construction and/or remediation for critical wall and slope failures throughout the City; and providing for the payment of the costs thereof. Cost not to exceed \$500,000.00.

**This Matter was Passed Finally on the Consent Agenda.**

Bill No.

[2010-0058](#)

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, and providing for the design, repairs, maintenance, improvements, emergencies and/or the purchase of equipment, materials and supplies in connection with the on-going design, maintenance, rehabilitation and new construction of City-owned walls, steps and fences; and further providing for the payment of the costs thereof. Cost not to exceed \$50,000.00.

**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

## **REV. BURGESS PRESENTS COMMITTEE ON HUMAN RESOURCES**

Bill No.

[2010-0125](#)

Report of the Committee on Human Resources for February 3, 2010 with an Affirmative Recommendation.

**This Matter was Read, Received and Filed on the Consent Agenda.**



Bill No. Resolution amending Resolution No. 689, effective December 31, 2008 entitled  
[2010-0059](#) “Resolution providing that the City enter into a temporary professional services agreement for the purpose of providing an excess workers' compensation insurance policy, cost not to exceed \$390,893” so as to increase the amount by \$61,684 from \$390,893 to \$452,577.

**This Matter was Passed Finally on the Consent Agenda.**

Bill No. Resolution authorizing the Mayor and the Director of the Department of Personnel  
[2010-0060](#) and Civil Service Commission to enter into a professional services agreement or agreements with Benefits Management Services, Inc. D/B/A Work Partners for the purpose of ensuring that on-going medical care and case management is provided to City of Pittsburgh employees who require treatment for service related injuries and/or illness pursuant to the Pennsylvania's Worker's Compensation Act toward a goal of returning employees to work as soon as they are medically able to return, providing for the payment of the cost thereof, cost not to exceed \$5,419,650.

**This Matter was Passed Finally on the Consent Agenda.**

Bill No. Resolution authorizing the Mayor and Director of Personnel to enter into a  
[2010-0061](#) professional services agreement or agreements with Angela Hooper Gorman, a sole proprietorship organized under the law of the Commonwealth of Pennsylvania, for the provision of professional services in connection with the development of customer service training and related activities for the City of Pittsburgh. Cost not to exceed \$26,850.00.

**This Matter was Passed Finally on the Consent Agenda.**

Bill No. Resolution providing that the City of Pittsburgh enter into a professional services  
[2010-0062](#) agreement or agreements with LifeSolutions for professional services in connection with the administration and provision of mental health and counseling services for the City of Pittsburgh's Employee Assistance Program for current and prospective employees, and providing for the payment of the cost thereof. Cost not to exceed \$70,850.00.

**This Matter was Passed Finally on the Consent Agenda.**

Bill No. Resolution providing that the City of Pittsburgh enter into a professional services  
[2010-0063](#) agreement or agreements with UPMC Mercy OccuNet for professional services in connection with the administration and evaluation of medical examinations and related tests and procedures for the Civil Service Commission's medical examination program for current and prospective employees for employment and promotion, and providing for the payment of the cost thereof. Cost not to exceed \$150,000.00.

**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

## **MR. SHIELDS PRESENTS COMMITTEE ON LAND USE AND ECONOMIC DEVELOPMENT**

Bill No. [2010-0126](#) Report of the Committee on Land Use and Economic Development for February 3, 2010 with an Affirmative Recommendation.

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

Bill No. [2010-0064](#) Resolution amending Resolution No. 619, effective October 28, 2009, 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 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 Department of Public Works from "Bridge Maintenance" (-\$150,000) to "Bates Street/2nd Avenue Intersection" (+\$150,000).

**This Matter was Passed Finally on the Consent Agenda.**

Bill No. [2010-0065](#) Resolution amending Resolution No. 620, effective October 28, 2009, entitled: Resolution 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 2008 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 the Public Works Department from "Bridge Repairs" (-\$42,545), to the "Bates Street/2nd Avenue Intersection" (+\$42,545).

**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

**MR. DOWD PRESENTS COMMITTEE ON INTERGOVERNMENTAL AFFAIRS**

Bill No. [2010-0127](#) Report of the Committee on Intergovernmental Affairs for February 3, 2010 with an Affirmative Recommendation.

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

Bill No. [2010-0012](#) Resolution authorizing the University of Pittsburgh on behalf of the City of Pittsburgh and the Congress of Neighboring Communities (CONNECT) to make application through the Pennsylvania Department of Community and Economic Development - Shared Municipal Services Program.

**This Matter was Passed Finally on the Consent Agenda.**

Bill No. [2010-0034](#) Resolution Authorizing the Mayor to enter into negotiations for an agreement with the Pittsburgh Water and Sewer Authority pursuant to the 1995 Cooperation Agreement and 1995 Capital Lease Agreement granting the Authority the rights and responsibility relative to storm water management in the City of Pittsburgh.

**SPONSOR(S): PATRICK DOWD**

**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****APPROVAL OF MINUTES**

**A motion was made. The motion carried.**

**ADJOURNMENT**

**A motion was made. The motion carried.**