

City of Pittsburgh



City Council

Regular Meeting Agenda

**Tuesday, February 7, 2012
10:00 AM**

**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**PLEDGE OF ALLEGIANCE****PROCLAMATIONS****PUBLIC COMMENTS****PRESENTATION OF PAPERS****COUNCILMAN REVEREND RICKY V. BURGESS PRESENTS:**

Bill No. Resolution authorizing the issuance of a warrant in the total sum of \$75,000 to J. Kerrington Lewis, Esq., 1040 Fifth Ave., Pittsburgh, PA 15219 and Timothy P. O'Brien, Esq., 1705 Allegheny Building, 429 Forbes Ave., Pittsburgh, PA 15219, releasing and discharging the City of Pittsburgh and supervisory employees from direct liability in the civil action filed at 2:10-cv-01335 in the United States District Court for the Western District of Pennsylvania, and arising from an alleged violation of Constitutional Rights in connection to an alleged incident on January 11, 2010 in the City of Pittsburgh.

[2012-0054](#)

Legislative History

2/7/12 City Council Read and referred

Bill No. Resolution providing for a professional services agreement or agreements or existing agreements for consulting services, but not limited to auditing, accounting, and technical services for the City Controller's Office at a cost not to exceed \$50,000.00

[2012-0055](#)

Legislative History

2/7/12 City Council Read and referred

Bill No. Resolution amending and supplementing Resolution Nos. 855, 722 and 793 of 2011 and Resolution No. 415 of 2008, entitled "adopting and approving the 2012, 2003, 1996 and 2000 capital budgets, respectively" by transferring all active District 9 Neighborhood Needs projects from three budget years into budget year 2012 in the JDE financial system and by changing the title of "North Point Breeze Community Development Corporation" to "Point Breeze North Community Development Corporation".

[2012-0076](#)

SPONSOR(S): REVEREND RICKY V. BURGESS

Legislative History

2/7/12 City Council Read and referred

Bill No. Resolution 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 in Council District 9; and providing for the payment of the costs thereof by adding "Point Breeze North Community Development Corporation", \$10,000. Total of all projects is not to exceed \$264,758.42.

[2012-0077](#)

SPONSOR(S): REVEREND RICKY V. BURGESS

Legislative History

2/7/12

City Council

Reconsidered

COUNCILMAN BRUCE KRAUS PRESENTS:

Bill No.

Resolution vacating of a portion of North Atlantic Avenue (cul-de-sac) in the 10th Ward, 9 Council District of the City of Pittsburgh.

[2012-0078](#)

Legislative History

2/7/12

City Council

Read and referred

COUNCILWOMAN THERESA KAIL-SMITH PRESENTS:

Bill No. Resolution authorizing the Citizen Police Review Board to enter into an Agreement(s) or Contract(s) with Robert J. Ridge, Partner and Lourdes Sanchez Ridge, Senior Counsel of Thorp Reed & Armstrong, LLP, for professional services to assist in the legal representation of the Citizen Police Review Board. Said Agreement(s) or Contract(s) shall not exceed Forty-Five Thousand Dollars (\$45,000).

[2012-0036](#)

Legislative History

2/7/12 City Council Read and referred

Bill No. Resolution amending Resolution No. 675, effective September 27, 2011, 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 add the JDE Job Numbers to active line items and also to reprogram funds in City Council from: "West End Elliott Citizens Council" (-\$6,000.00) and "Ream Recreation Center" (-\$3,000.00); and transfer these funds to the "Mount Washington Community Development Corp." (+ \$6,000.00) and "Allegheny Cleanways" (+\$3,000.00).

[2012-0056](#)

SPONSOR(S): THERESA SMITH

Legislative History

2/7/12 City Council Read and referred

Bill No. Resolution amending Resolution No. 674, effective October 6, 2011, entitled "Resolution 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 the benefit of residents of the City of Pittsburgh; and further, authorizing various City Departments to enter into contact or contracts or use existing contract or contracts for street paving, the purchase of equipment and/or furniture and other related costs at a costs not to exceed 800,000.00", so as to add the JDE Job Numbers to active line items and also to reprogram funds in City Council from: "West End Elliott Citizens Council" (-\$6,000.00) and "Ream Recreation Center" (-\$3,000.00); and transfer these funds to the "Mount Washington Community Development Corp." (+ \$6,000.00) and "Allegheny Cleanways" (+\$3,000.00).

[2012-0057](#)

SPONSOR(S): THERESA SMITH

Legislative History

2/7/12 City Council Read and referred

Bill No. Resolution amending Resolution No. 676, effective October 6, 2011, 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

[2012-0058](#)

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 add the JDE Job Numbers to active line items and also to reprogram funds in City Council from: “District 2 Public Safety Beat Cop” (-\$18,000.00) and “My Brothers Keeper” (-3,000.00); West End Elliott Citizens Council (-5,000.00) and transfer these funds to the “Community Design Center of Pittsburgh” (+ \$10,000.00), “Sheraden Community Council (+\$8,000.00), Mount Washington CDC -Shiloh Street Planning (+5,000.00) and “Isaiah Project” (+\$3,000.00).

SPONSOR(S): BRUCE A. KRAUS AND THERESA SMITH

Legislative History

2/7/12 City Council Read and referred

Bill No.

[2012-0059](#)

Resolution amending Resolution No. 677, effective October 6, 2011, 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 add the JDE Job Numbers to active line items and also to reprogram funds in City Council from: “District 2 Public Safety Beat Cop” (-\$18,000.00) and “My Brothers Keeper” (-\$3,000.00), West End Elliott Citizens Council (-5,000.00) and transfer these funds to the “Community Design Center of Pittsburgh” (+ \$10,000.00), “Sheraden Community Council (+\$8,000.00), Mount Washington CDC -Shiloh Street Planning (+5,000.00) and “Isaiah Project” (+\$3,000.00).

SPONSOR(S): BRUCE A. KRAUS AND THERESA SMITH

Legislative History

2/7/12 City Council Read and referred

Bill No.

[2012-0060](#)

Resolution amending Resolution No.678, effective October 6, 2011, 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 2010 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 add the JDE Job Numbers to active line items and also to reprogram funds in City Council from: “My Brothers Keeper” (- \$3,000.00); “Ream Recreation Center” (-\$2,000.00) and “Windgap-Chartiers Athletic Association” (-\$5,176.00) and transfer these funds to “Allegheny Cleanways” (+\$2,000.00); “Isaiah Project” (+\$3,000.00) and “Sheraden United Methodist Church” (+\$5,176.00).

SPONSOR(S): BRUCE A. KRAUS AND THERESA SMITH

Legislative History

2/7/12 City Council Read and referred

Bill No. [2012-0061](#) Resolution amending Resolution No. 679, effective October 6, 2011, entitled: Resolution 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 \$918,650.00; so as to add the JDE Job Numbers to active line items and also to reprogram funds in City Council from: "My Brothers Keeper" (- \$3,000.00); "Ream Recreation Center" (-\$2,000.00) and "Windgap-Chartiers Athletic Association" (-\$5,176.00) and transfer these funds to "Allegheny Cleanways" (+\$2,000.00); "Isaiah Project" (+\$3,000.00) and "Sheraden United Methodist Church" (+\$5,176.00).

SPONSOR(S): BRUCE A. KRAUS AND THERESA SMITH

Legislative History

2/7/12 City Council Read and referred

Bill No. [2012-0062](#) Resolution amending Resolution No. 506, effective July 27, 2011, 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 2011 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 add the JDE Job Numbers to active line items and also to reprogram funds in City Council from: "My Brothers Keeper" (- \$2,000.00) and "District 2 BBI" (-\$44,000.00); "District 2 Beat COP" (-\$24,889.00) and transfer these funds to "Mount Washington Community Development Corp. - West End Alliance" (+\$68,889.00) and "Isaiah Project" (+\$2,000.00).

SPONSOR(S): THERESA SMITH AND BRUCE A. KRAUS

Legislative History

2/7/12 City Council Read and referred

Bill No. [2012-0063](#) Resolution amending Resolution No. 504, effective July 27, 2011, entitled: Resolution 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 \$918,650.00; so as to add the JDE Job Numbers to active line items and also to reprogram funds in City Council from: "My Brothers Keeper" (- \$2,000.00) and "District 2 BBI" (-\$44,000.00); "District 2 Beat COP" (-\$24,889.00) and transfer these funds to "Mount Washington Community Development Corp. - West End Alliance" (+\$68,889.00) and "Isaiah Project" (+\$2,000.00).

SPONSOR(S): THERESA SMITH AND BRUCE A. KRAUS

Legislative History

2/7/12 City Council Read and referred

Bill No.

[2012-0074](#)

Resolution further amending and supplementing Resolution Nos. 253, 722, 793 and 855 of 2011, entitled “adopting and approving the 2000, 2003, 1996 and 2012 capital budgets” respectively by transferring all active District 2 Neighborhood Needs projects from three budget years into budget year 2012 in the JDE financial system and by deleting the “Police Chaplain Program” \$6,700 and adding that amount to “West Pittsburgh Partnership for Regional Development” for a vet memorial.

SPONSOR(S): THERESA SMITH**Legislative History**

2/7/12 City Council Read and referred

Bill No.

[2012-0075](#)

Resolution 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 in Council District 2; and providing for the payment of the costs thereof by deleting the “Police Chaplain Program” \$6,700 and adding that amount to “West Pittsburgh Partnership for Regional Development” for a vet memorial. Total of all projects is not to exceed \$15,964.53

SPONSOR(S): THERESA SMITH**Legislative History**

2/7/12 City Council Read and referred

COUNCIL PRESIDENT DARLENE M. HARRIS PRESENTS:

Bill No. <u>2012-0064</u>	Resolution authorizing the appointment of Darlene Yanakos, 120 South 15th Street, Pittsburgh, PA 15203, as a Member of the Pittsburgh Water and Sewer Authority, for a term to expire December 31, 2016. <u>Legislative History</u> 2/7/12 City Council Held, Pending Interview Passed
Bill No. <u>2012-0065</u>	Resolution authorizing the appointment of Robert Wilson, 533 Arthur Street, Pittsburgh, PA 15219 as a Member of the Housing Authority, for a term to expire april 30, 2015. <u>Legislative History</u> 2/7/12 City Council Held, Pending Interview Passed
Bill No. <u>2012-0066</u>	Resolution authorizing the appointment of Janet Evans, 135 Roselle Court, Pittsburgh, PA 15207 of as a Member of the Housing Authority, for a term to expire April 30, 2014. <u>Legislative History</u> 2/7/12 City Council Held, Pending Interview Passed
Bill No. <u>2012-0067</u>	Resolution authorizing the appointment of Patrick Connelly, 5922 Howe Street, Pittsburgh, PA 15232, to the Ethics Hearing Board, for a term to expire August 1, 2014. <u>Legislative History</u> 2/7/12 City Council Held, Pending Interview Passed
Bill No. <u>2012-0068</u>	Resolution authorizing the appointment of Joseph L. White, 861 Grand Avenue, Pittsburgh, PA 15212, as a Member of Allegheny County Sanitary Authority ALCOSAN, for a term to expire December 31, 2014. <u>Legislative History</u> 2/7/12 City Council Held, Pending Interview Passed
Bill No. <u>2012-0069</u>	Resolution authorizing the appointment of Kristin Baginski, 3608 Brighton Road, Pittsburgh, PA 15212, as a Member of Allegheny County Sanitary Authority ALCOSAN, for a term to expire December 31, 2015. <u>Legislative History</u> 2/7/12 City Council Held, Pending Interview Passed
Bill No. <u>2012-0070</u>	Resolution informing City Council of the appointment of Corey O'Connor, 229 Whipple Street, Pittsburgh, PA 15218, as a member of the Stadium Authority, for a term to expire October 31, 2013. (Mr. O'Connor is replacing Mrs. Darlene M. Harris) <u>Legislative History</u> 2/7/12 City Council Read, Received and Filed Passed
Bill No. <u>2012-0071</u>	Resolution informing City Council of the appointment of Jim Malanos, 1432 Termon Avenue, Pittsburgh, PA 15212 as a member of the Stadium Authority, for a term to expire December 31, 2015. <u>Legislative History</u> 2/7/12 City Council Held, Pending Interview Passed

Bill No. Resolution informing City Council of the appointment of Gabe Mazefsky, 121
[2012-0072](#) Grandview Avenue, Pittsburgh, PA 15211, as a member of the Pittsburgh Parking
Authority, for a term to expire April 30, 2012.(Mr. Mazefsky is replacing Scott Kunka)
Legislative History
2/7/12 City Council Held, Pending Interview Passed

Bill No. Resolution informing City Council of the appointment of Fauna Soloman, 1942
[2012-0073](#) Broadway Avenue, Pittsburgh, PA 15216, as a member of the Pittsburgh Parking
Authority, for a term to expire April 30, 2013.
Legislative History
2/7/12 City Council Held, Pending Interview Passed

UNFINISHED BUSINESS

REPORTS OF COMMITTEE - FINAL ACTION

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

Bill No. [2012-0052](#) Report of the Committee on Finance and Law for February 1, 2012 with an Affirmative Recommendation.

Legislative History

2/7/12	City Council	Read, Received and Filed	Passed
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Bill No. [2012-0006](#) Resolution providing for the issuance of a Forty-Five Thousand Dollar (\$45,000.00) warrant in favor of Douglas Blair, c/o Maurice A. Nernberg, Esquire, Maurice A. Nernberg & Associates, 301 Smithfield Street, Pittsburgh, PA 15222, in settlement of actions filed in the Court of Common Pleas of Allegheny County, Pennsylvania at GD 05-0003418 and GD 05-011635 for the destruction of the property located at 627 Corfu Street, Pittsburgh, Pennsylvania, 15220, in the City of Pittsburgh, and to provide for the payment of professional engineering and attorney services rendered in the amount of Two Thousand Five Hundred Dollars (\$2,500.00), from the proceeds of the settlement.

Legislative History

1/10/12	City Council	Read and referred	
1/18/12	Standing Committee	Held in Committee	Passed
2/1/12	Standing Committee	Affirmatively Recommended	Passed
2/7/12	City Council	Passed Finally	Passed

Bill No. [2012-0033](#) Ordinance amending the Pittsburgh Code, Title Two, Fiscal; Article IX, Property Taxes; Chapter 263, Real Property Tax and Exemption, Section 263.01, Levy and Rate on Lands and Buildings, by fixing the rate of taxation.

Legislative History

1/31/12	City Council	Waived under Rule 8	Passed
1/31/12	City Council	Read and referred	
2/1/12	Standing Committee	Affirmatively Recommended	Passed
2/7/12	City Council	Passed Finally	Passed

Bill No. [2012-0034](#) Ordinance amending the Pittsburgh Code, Title Two, Fiscal; Article IX, Property Taxes; Chapter 263, Real Property Tax and Exemption; Section 263.02, Payment Options, Discount and Delinquency Penalty, paragraph (a), Discount in advance, paragraph (c), Interest for late payments, and paragraph (d), Due dates for tax year 2005 only, to reflect the payment, discount and delinquent dates for the year 2012.

Legislative History

1/31/12	City Council	Waived under Rule 8	Passed
1/31/12	City Council	Read and referred	
2/1/12	Standing Committee	Affirmatively Recommended	Passed
2/7/12	City Council	Passed Finally	Passed

Bill No. [2012-0045](#) Resolution authorizing and directing the City Controller and the Department of Finance to establish a program for the purpose of offering assessment appeal services to

residential home owners in the City of Pittsburgh on their primary residence whose property value is \$150,000 dollars or less in 2011, and/or is 65 years or older, and those services shall include but not be limited to, one-on-one consultation, free legal services, free assistance with appeals filing, and reduced-fee appraisal assistance and/or a reduced-free comparables analysis at a cost not to exceed \$150, 00.00.

SPONSOR(S): COREY O'CONNOR, WILLIAM PEDUTO, DARLENE HARRIS AND PATRICK DOWD

Legislative History

1/31/12	City Council	Waived under Rule 8	Passed
1/31/12	City Council	Read and referred	
2/1/12	Standing Committee	AMENDED	Passed
2/1/12	Standing Committee	Affirmatively Recommended as Amended	Passed
2/7/12	City Council	AMENDED	Passed
2/7/12	City Council	Passed Finally, As Amended	Passed

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

Bill No. [2012-0053](#) Report of the Committee on Land Use and Economic Development for February 1, 2012 with an Affirmative Recommendation.

Legislative History

2/7/12	City Council	Read, Received and Filed	Passed
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Bill No. [2012-0022](#) Resolution amending Resolution No. 855, effective January 1, 2012 entitled “Adopting and approving the 2012 Capital Budget and the 2012 Community Development Block Grant Program; and approving the 2012 through 2017 Capital Improvement Program,” by allocating the \$675,000 of the Mayor's Unspecified Local Option (ULO) to various community organizations.

Legislative History

1/24/12	City Council	Read and referred	
2/1/12	Standing Committee	Affirmatively Recommended	Passed
2/7/12	City Council	Passed Finally	Passed

Bill No. [2012-0023](#) Resolution amending Resolution No. 855, effective January 1, 2012 entitled “Adopting and approving the 2012 Capital Budget and the 2012 Community Development Block Grant Program; and approving the 2012 through 2017 Capital Improvement Program,” by decreasing the CDBG portion for Street Resurfacing by \$34,643.00, thereby decreasing the total CDBG funding from \$13,061,838 to \$13,196,481, and by increasing the HOME funding by \$14,762 from \$1,934,666 to \$1,949,428. This change is necessary in order to match the anticipated 2012 CDBG and HOME entitlement funds to the City's Capital Budget.

Legislative History

1/24/12	City Council	Read and referred	
2/1/12	Standing Committee	AMENDED BY SUBSTITUTE	Passed

2/1/12	Standing Committee	Affirmatively Recommended as Amended	Passed
2/7/12	City Council	Passed Finally	Passed

Bill No.

[2012-0025](#)

Resolution further amending Resolution No. 891, effective January 1, 2003, as amended, entitled "Adopting and approving the 2003 Capital Budget and the 2003 Community Development Block Grant Program; and approving the 2003 through 2008 Capital Improvement Program," by deleting Lincoln Place Recreation Center project and by transferring \$100,000 to two new projects; "Park Renovations in Lincoln Place" \$75,000, and "31st Ward Community Action Group" \$25,000.

SPONSOR(S): COREY O'CONNOR

Legislative History

1/24/12	City Council	Read and referred	
2/1/12	Standing Committee	Affirmatively Recommended	Passed
2/7/12	City Council	Passed Finally	Passed

MOTIONS AND RESOLUTIONS

EXCUSE ABSENT MEMBER, Rev. Burgess

APPROVAL OF MINUTES

ADJOURNMENT

LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER