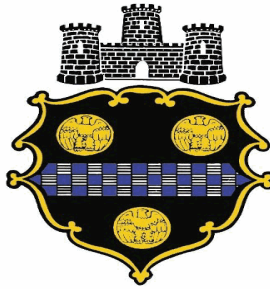


City of Pittsburgh

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



Meeting Minutes

Tuesday, November 28, 2017

10:00 AM

Council Chambers

City Council

ONE-HUNDRED

THIRTY-NINTH COUNCIL

Bruce A. Kraus, President of Council

***Council Members: Rev. Ricky V. Burgess, Dan Gilman, Deborah L. Gross, Darlene M. Harris,
R. Daniel Lavelle, Corey O'Connor, Natalia Rudiak, Theresa Kail-Smith***

Brenda F. Pree, City Clerk - Kimberly Clark-Baskin, Deputy City Clerk

ROLL CALL

Present 8 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Ms. Rudiak, and Mrs. Kail-Smith

Absent 1 - Mr. O'Connor

PLEDGE OF ALLEGIANCE**PROCLAMATIONS**

[2017-2164](#)

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby acknowledges Lenny Orbovich and Pittsburgh Action Against Rape for establishing the Coaching Boys Into Men program at Carrick HS, and for effectively spreading awareness of respectful relationships, consent, harassment and sexual assault, appropriate use of technology and social media, and anger management through the program; and

BE IT FURTHER RESOLVED, that the Council hereby declares Tuesday, November 28, 2017, "Coaching Boys Into Men Day- Carrick HS" in the City of Pittsburgh.

SPONSOR /S: MS. RUDIAK AND ALL MEMBERS

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

[2017-2165](#)

NOW, THEREFORE BE IT RESOLVED, the City of the City of Pittsburgh does hereby commend and celebrate all those who work tirelessly to make the changes we wish to see in our community; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Friday, December 1st to be "**World AIDS Day**" in the City of Pittsburgh.

SPONSOR /S: MR. KRAUS AND ALL MEMBERS

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

[2017-2166](#)

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby acknowledges the Brookline Block Watch for 25 years of efforts to make Brookline a safe place to live and work; and

BE IT FURTHER RESOLVED, that the Council hereby declares Tuesday, November 28, 2017, “Brookline Block Watch Day” in the City of Pittsburgh.

SPONSOR /S: MS. RUDIAK AND ALL MEMBERS

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

PUBLIC COMMENTS

PRESENTATION OF PAPERS

COUNCILMAN DAN GILMAN PRESENTS:

[2017-2159](#)

Resolution further amending and supplementing Resolution No. 855 of 2011, entitled “adopting and approving the 2012 capital budget” so as to close defunct projects, and move the remaining funds into District 8 Public Works projects.

SPONSOR /S: MR. GILMAN

Read and referred to the Committee on Finance and Law

[2017-2160](#)

Resolution further amending Resolution No. 365, effective June 13, 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 District 8 Neighborhood Needs Program and providing for the payment of the costs thereof”, so as to close defunct projects, and move the remaining funds into District 8 Public Works projects. Total cost of all projects is not to exceed \$134,924.55.

SPONSOR /S: MR. GILMAN

Read and referred to the Committee on Finance and Law

COUNCILMAN BRUCE A. KRAUS PRESENTS:

[2017-2161](#)

Resolution informing City Council of the appointment of Zeba Ahmed as a member of the Board of License and Inspection Review with a term to expire November 30, 2020.

A motion was made that this matter be Held, Pending Interview to the Committee on Hearings . The motion carried.

[2017-2162](#) Resolution informing City Council of the appointment of David Breingan as a member of the Board of License and Inspection Review with a term to expire November 30, 2020.

A motion was made that this matter be Held, Pending Interview to the Committee on Hearings . The motion carried.

UNFINISHED BUSINESS

REPORTS OF COMMITTEE - FINAL ACTION

COUNCILWOMAN NATALIA RUDIAK PRESENTS COMMITTEE ON FINANCE AND LAW

[2017-2154](#) Report of the Committee on Finance and Law for November 20, 2017 with an Affirmative Recommendation.

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

[2017-2075](#) Resolution authorizing the issuance of a warrant in favor of Campbell Durrant Beatty Palombo & Miller, P.C., 535 Smithfield St., Suite 700, Pittsburgh, PA 15222 for professional legal services and expert advice regarding labor matters in an amount not to exceed Three Thousand Nine Hundred Forty Dollars and Twelve Cents (\$3,940.12).
(Executive Session Held 11-16-17)

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

Aye: 8 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Ms. Rudiak, and Mrs. Kail-Smith

No: 0

Abstain: 0

Absent: 1 - Mr. O'Connor

[2017-2076](#) Resolution authorizing the issuance of a warrant in favor of Curtin & Heefner, LLP, 2005 S. Easton Road, Suite 100, Doylestown, PA 18901 for professional legal services and expert advice regarding Building Owners and Managers in an amount not to exceed Five Thousand Four Hundred Four Dollars and Seventy-Two Cents (\$5,404.72).
(Executive Session Held 11-16-17)

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

Aye: 8 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Ms. Rudiak, and Mrs. Kail-Smith

No: 0

Abstain: 0

Absent: 1 - Mr. O'Connor

[2017-2077](#) Resolution authorizing the issuance of a warrant in favor of Pepper Hamilton LLP, Suite 5000, 500 Grant St., Pittsburgh, PA 15219 for professional consulting and legal services in relation to False Claims Act litigation in an amount not to exceed Sixty Nine Thousand Nine Hundred Twenty Four Dollars and Forty Three Cents (\$69,924.43).
(Executive Session Held 11-16-17)

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

Aye: 8 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Ms. Rudiak, and Mrs. Kail-Smith

No: 0

Abstain: 0

Absent: 1 - Mr. O'Connor

[2017-2078](#) Resolution authorizing the issuance of a warrant in favor of Michael E. Zobrak, Labor Arbitrator, 1217 Pleasant Street, Aliquippa, PA 15001-9425 for arbitration fees for a two day hearing related to Grievance 15-024 in an amount not to exceed Three Thousand Fifty Two Dollars and Forty-Five Cents (\$3,052.45).
(Executive Session Held 11-16-17)

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

Aye: 8 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Ms. Rudiak, and Mrs. Kail-Smith

No: 0

Abstain: 0

Absent: 1 - Mr. O'Connor

[2017-2079](#) Resolution authorizing the issuance of a warrant in favor of Heckman Enterprises, 116 Claremont Drive, Lower Burrell, PA 15068, in an amount not to exceed Four Thousand Five Hundred Dollars and 00/100 Cents (\$4,500.00) for consultation services in connection with trial appearance and related expenses File No. 12-0289. *(Executive Session Held 11-16-17)*

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

Aye: 8 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Ms. Rudiak, and Mrs. Kail-Smith

No: 0

Abstain: 0

Absent: 1 - Mr. O'Connor

[2017-2080](#) Resolution authorizing the issuance of a warrant in favor of Micklow Consulting, 4017 Washington Road, PMB 1300, McMurry, PA 15317, in the amount not to exceed Twenty-Two Thousand one Hundred Thirty-Four Dollars and 25/100 Cents (\$22,1324.25) for consultation services in connection with trial appearance and related expenses File No. 12-0289. *(Executive Session Held 11-16-17)*

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

Aye: 8 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Ms. Rudiak, and Mrs. Kail-Smith

No: 0

Abstain: 0

Absent: 1 - Mr. O'Connor

[2017-2104](#) Resolution authorizing the Director of Finance to conduct an appraisal of the 28 acres site of the former Civic Arena in the Lower Hill District.

SPONSOR /S: MR. LAVELLE

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

Aye: 6 - Rev. Burgess, Ms. Gross, Mrs. Harris, Mr. Kraus, Mr. Lavelle, and Ms. Rudiak

No: 2 - Mr. Gilman, and Mrs. Kail-Smith

Abstain: 0

Absent: 1 - Mr. O'Connor

[2017-2105](#) Resolution authorizing, pursuant to Ch. 210 (“Acceptance of Gifts to City”) of the City Code, the Mayor and the Director of the Department of Public Safety to accept a donation from PNC Bank, National Association of fully depreciated office cubicle systems and free-standing office furniture totaling an estimated Twenty-Eight Thousand Dollars (\$28,000), which shall be used for the purpose of furnishing the Bureau of Police Zone 2 substation at the Lantern Building in downtown Pittsburgh.

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

Aye: 8 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Ms. Rudiak, and Mrs. Kail-Smith

No: 0

Abstain: 0

Absent: 1 - Mr. O'Connor

[2017-2114](#) Resolution Authorizing the City of Pittsburgh to participate in applicable cooperative purchasing agreements for goods, materials, equipment, supplies, services, or construction, as authorized by the Commonwealth Procurement Code and the Pennsylvania Intergovernmental Cooperation Law for the 2018 Fiscal Year.

SPONSOR /S: MS. RUDIAK

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

Aye: 7 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mr. Kraus, Mr. Lavelle, Ms. Rudiak, and Mrs. Kail-Smith

No: 0

Abstain: 1 - Mrs. Harris

Absent: 1 - Mr. O'Connor

[2017-2115](#) Resolution providing for the letting of contracts and for the use of existing contracts for the purchase of materials, supplies and equipment for City Departments, and the maintenance, repair, rental and/or leasing, rehabilitation, renovation, inspection or servicing of City buildings and facilities, and for any miscellaneous services in and for any City Departments, and providing for the payment of the costs thereof for the 2018 Fiscal Year.

SPONSOR /S: MS. RUDIAK

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

Aye: 7 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mr. Kraus, Mr. Lavelle, Ms. Rudiak, and Mrs. Kail-Smith

No: 0

Abstain: 1 - Mrs. Harris

Absent: 1 - Mr. O'Connor

[2017-2116](#) Resolution authorizing City Council to approve intra-departmental transfers throughout the 2018 Fiscal Year

SPONSOR /S: MS. RUDIAK

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

Aye: 8 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Ms. Rudiak, and Mrs. Kail-Smith

No: 0

Abstain: 0

Absent: 1 - Mr. O'Connor

COUNCILMAN R. DANIEL LAVELLE PRESENTS COMMITTEE ON PUBLIC SAFETY SERVICES

[2017-2155](#) Report of the Committee on Public Safety Services for November 20, 2017 with an Affirmative Recommendation.

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

[2017-2127](#) An Ordinance supplementing the Pittsburgh Code, Title Six, Conduct, Article VII: - Disruptive Properties, Chapter 670: - Disruptive Property Abatement, Section 670.02 - Disruptive Property Defined, by requiring a minimum of three of, but not limiting to, three (3) separate occasions, citations, summons, and/or arrests for disruptive activities within any twelve-month period.

SPONSOR /S: MRS. HARRIS

CO-SPONSOR /S: Mr. Kraus

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

Aye: 8 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Ms. Rudiak, and Mrs. Kail-Smith

No: 0

Abstain: 0

Absent: 1 - Mr. O'Connor

COUNCILWOMAN DARLENE M. HARRIS PRESENTS COMMITTEE ON HUMAN RESOURCES

[2017-2157](#) Report of the Committee on Human Resources for November 20, 2017 with an Affirmative Recommendation.

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

[2017-2099](#)

Resolution amending Resolution No. 24 of 2014, as further amended by Resolution 781, effective December 1, 2014, Resolution No. 592, effective September 25, 2015 and Resolution No. 483, effective August 3, 2016 providing that the City of Pittsburgh enter into a Professional Service Agreement(s) and/or Contract(s) with UPMC Mercy for professional services in connection with the administration and evaluation of medical examinations and related tests and procedures for current and prospective employees and promotion by increasing the total cost from \$1,140,000.00 to \$1,460,000.00 an increase of \$320,000.00.

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

Aye: 8 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Ms. Rudiak, and Mrs. Kail-Smith

No: 0

Abstain: 0

Absent: 1 - Mr. O'Connor

[2017-2100](#)

Resolution authorizing the Mayor and the Director of the Department of Personnel and Civil Service Commission to enter into an Agreement or Agreements with P&A Group for services relating to the administration of the City of Pittsburgh's Consolidated Omnibus Budget Reconciliation Act (COBRA) program for a sum not to exceed Sixty Thousand Dollars (\$60,000.00) over four years and for the payment of the costs thereof.

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

Aye: 8 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Ms. Rudiak, and Mrs. Kail-Smith

No: 0

Abstain: 0

Absent: 1 - Mr. O'Connor

[2017-2101](#) Resolution authorizing the Mayor and the Director of the Department of Personnel and Civil Service Commission to enter into an Agreement or Agreements with Highmark, Inc. for services relating to the administration of the City of Pittsburgh's Flexible Spending Account and Dependent Care Account program for a sum not to exceed Nineteen Thousand Nine Hundred Eighty-Eight Dollars (\$19,988.00) over two years and for the payment of the costs thereof.

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

Aye: 8 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Ms. Rudiak, and Mrs. Kail-Smith

No: 0

Abstain: 0

Absent: 1 - Mr. O'Connor

COUNCILWOMAN DEBORAH L. GROSS PRESENTS COMMITTEE ON LAND USE & ECONOMIC DEVELOPMENT

[2017-2156](#) Report of the Committee on Land Use and Economic Development for November 20, 2017 with an Affirmative Recommendation.

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

[2017-1945](#) Ordinance amending the Pittsburgh Code, Title Nine, Zoning Code, Article I, Section 902.03 Zoning Map; Article IV, Chapter 908, Public Realm Districts; Chapter 914, Parking Loading and Access, and Chapter 915, Environmental Performance Standards to establish the Uptown Public Realm Zoning District, and an associated Performance Points density bonus system.

(Public Hearing Held 11-16-17)

A motion was made that this matter be RECOMMENDED to the Committee on Land Use and Economic Development. The motion carried.

[2017-2098](#) Resolution granting unto Paul Lagrotteria, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, an ADA compliant ramp with handrail and landing at 804 East Warrington Avenue, 18th Ward, Council District 3 of the City of Pittsburgh, USA.

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

Aye: 8 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Ms. Rudiak, and Mrs. Kail-Smith

No: 0

Abstain: 0

Absent: 1 - Mr. O'Connor

COUNCILMAN COREY O'CONNOR PRESENTS COMMITTEE ON URBAN RECREATION

[2017-2158](#) Report of the Committee on Urban Recreation for November 20, 2017 with an Affirmative Recommendation.

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

[2017-2130](#) Resolution amending Resolution No. 476, effective August 11, 2017, authorizing the Director of the Department of Parks and Recreation, and/or the Director of the Department of Public Safety and Director of the Office and Management and Budget to enter into agreements in individual amounts of Ten Thousand Dollars (\$10,000.00) or less with performers, instructors, artists, referees, and persons with specialized skills in connection with the Departments' recreational and instructional programs and special events services.

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

Aye: 7 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mr. Kraus, Mr. Lavelle, Ms. Rudiak, and Mrs. Kail-Smith

No: 0

Abstain: 1 - Mrs. Harris

Absent: 1 - Mr. O'Connor

COUNCILMAN DAN GILMAN PRESENTS COMMITTEE ON INTERGOVERNMENTAL AFFAIRS

[2017-2163](#) Report of the Committee on Intergovernmental Affairs for November 20, 2017 with an Affirmative Recommendation.

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

[2017-2096](#) Ordinance amending Resolution No. 838 of 2015, authorizing the City of Pittsburgh (“City”) to enter into an Intergovernmental Cooperation Agreement with the Borough of Ingram (“Borough”) with regard to the City providing fire protection services to the Borough pursuant to the General Local Government Code, 53 Pa. C.S. §§2301 *et seq.*

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

Aye: 8 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Ms. Rudiak, and Mrs. Kail-Smith

No: 0

Abstain: 0

Absent: 1 - Mr. O'Connor

MOTIONS AND RESOLUTIONS

EXCUSE ABSENT MEMBERS - MR. O'CONNOR

APPROVAL OF MINUTES

ADJOURNMENT

LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER