

# City of Pittsburgh



## City Council

### Regular Meeting Agenda

**Tuesday, September 6, 2011**

**1:30 PM**

**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****PLEDGE OF ALLEGIANCE****PROCLAMATIONS****PUBLIC COMMENTS****PRESENTATION OF PAPERS****COUNCILMAN BRUCE A. KRAUS PRESENTS:**

Bill No. Resolution Further amending Resolution No. 121 of 2003, effective March 14, 2003  
[2011-2036](#) entitled, "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 City Council's 2003 Community Needs Program; and providing for the payment of the costs thereof," by adding "Allentown Community Development Corporation" \$250 and by reducing "Mount Washington Community Development Corporation" by the same amount in Council District 3 Neighborhood Needs.

**SPONSOR(S): BRUCE A. KRAUS**

Bill No. Resolution amending and supplementing Resolution No. 891, effective January 1,  
[2011-2037](#) 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 adjusting various line items in conformance with City Council's 2003 Capital Budget amendments" by adding "Allentown Community Development Corporation" \$250 and by reducing "Mount Washington Community Development Corporation" by the same amount in Council District 3 Neighborhood Needs.

**SPONSOR(S): BRUCE A. KRAUS**

**COUNCILMAN R. DANIEL LAVELLE PRESENTS:**

Bill No. Resolution authorizing the Mayor and the Director of the Department of Parks and  
[2011-2035](#) Recreation to enter into a License and Intellectual Property Agreement with Industrial Arts Collective, LLC, to set forth the parties' mutual understanding of responsibilities and obligations regarding site preparation and installation of artwork along the South Side trail as well as the intellectual property rights in the artwork.

**COUNCILMAN WILLIAM PEDUTO PRESENTS:**

Bill No. Ordinance amending the Pittsburgh Code, Title Five - Traffic, Article VII - Parking,  
[2011-2040](#) Chapter 543 - Parking Meters, Section 543.01 - Parking Meter Zones and Rates, Subsection (b), so as to suspend nighttime enforcement of parking meters until January 1, 2012.

**SPONSOR(S): WILLIAM PEDUTO, DARLENE HARRIS, BRUCE A. KRAUS,  
NATALIA RUDIAK AND DOUGLAS SHIELDS**

Bill No. Resolution authorizing the Mayor and the Director of Finance to transfer up to  
[2011-2041](#) \$1,300,000 additional funds from the City's 2011 budgeted General Fund Balance, only if necessary, for execution of the 2011 budget and in accordance with Ordinance 44 of 2010.

**SPONSOR(S): WILLIAM PEDUTO, DARLENE HARRIS, BRUCE A. KRAUS,  
NATALIA RUDIAK AND DOUGLAS SHIELDS**

Bill No. Resolution authorizing the Director of Finance and the Mayor to transfer \$13,376,000  
[2011-2042](#) Dollars from the City's general fund account , (Parking Tax revenue) to the Comprehensive Municipal Pension Trust Fund in accordance with Ordinance 44 of 2010 and PA State Act 44 of 2008.

**SPONSOR(S): WILLIAM PEDUTO, DARLENE HARRIS, BRUCE A. KRAUS,  
NATALIA RUDIAK AND DOUGLAS SHIELDS**

### **COUNCIL PRESIDENT DARLENE M. HARRIS PRESENTS:**

Bill No. Resolution informing City Council of the appointment of Don Linzer, 1208 Murrayhill  
[2011-2038](#) Avenue, Pittsburgh, PA 15217 , as a member of the Allegheny Regional Asset District with a term to expire December 31, 2013. Mr. Linzer is replacing Rob Jones.

Bill No. Resolution authorizing the appointment of the following individuals to the newly  
[2011-2039](#) constituted Propel Pittsburgh Commission for terms expiring on August 31, 2014.

Justin Victor of 604 Pressley Street (Harris)  
Rick Moody Jr. of 1103 Idlewood Avenue (Kail-Smith)  
Thomas Donahue of 2501 Larkins Way  
Zachary Malone of 117 South 17th Street  
Caitlin McCarthy of 1827 Wharton Street  
Jennifer Askey of 2408 Beaufort Avenue (Rudiak)  
Lauren Stoner of 3569 Beechwood Boulevard (Shields)  
DaVonna Graham of 2043 Wylie Avenue (Lavelle)  
Chelsea Prior of 130 7th Street  
Kento Ohmori of 211 56th Street (Dowd)  
Robert Rakow of 435 Cedarville Street  
Zachary Walters of 4223 Dunkeld Way  
Anthony Bellino of 5435 Howe Street  
Colin White of 2202 Sarah Street (Kraus)  
Eric Hulsey of 737 South Braddock Avenue (Peduto)

### **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 August 31, 2011 with an Affirmative  
[2011-2031](#) Recommendation.

Bill No. [2011-1956](#) Resolution further amending Resolution No. 121 of 2003, effective March 14, 2003 entitled, "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 City Council's 2003 Community Needs Program; and providing for the payment of the costs thereof," by adding "UMOJA African Arts in the Park" \$2,000 in Council District 6 Neighborhood Needs.

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

**Legislative History**

7/26/11	City Council	Read and referred	
8/31/11	Standing Committee	Affirmatively Recommended	Passed

**COUNCILWOMAN SMITH PRESENTS COMMITTEE ON PUBLIC SAFETY SERVICES**

Bill No. [2011-2032](#) Report of the Committee on Public Safety Services for August 31, 2011 with an Affirmative Recommendation.

Bill No. [2011-1994](#) Resolution authorizing the City to enter into a Grant Agreement with the U.S. Department of Transportation, Federal Motor Carrier Safety Administration in the amount of \$239,991.48.

**Legislative History**

8/30/11	City Council	Waived under Rule 8	Passed
8/30/11	City Council	Read and referred	
8/31/11	Standing Committee	Affirmatively Recommended	Passed

**COUNCILMAN KRAUS PRESENTS COMMITTEE ON PUBLIC WORKS**

Bill No. [2011-2033](#) Report of the Committee on Public Works for August 31, 2011 with an Affirmative Recommendation.

Bill No. [2011-1966](#) Resolution granting unto Children's Hospital of Pittsburgh UPMC ("Children's"), its successors or assigns, upon the application of Children's for an encroachment on City of Pittsburgh property and Children's required permits, the right and privilege to construct, maintain and use, at its own expense, a pedestrian bridge over and across Forty-Fourth Street between the Administrative Office Building and the Clinical Services Building (Hospital) with an address of 4401 Penn Avenue in the 9th Ward, 7th Council District of the City of Pittsburgh.

**Legislative History**

7/26/11	City Council	Read and referred	
8/31/11	Standing Committee	Affirmatively Recommended	Passed

**COUNCILMAN SHIELDS PRESENTS COMMITTEE ON LAND USE & ECONOMIC DEVELOPMENT**

Bill No. Report of the Committee on Land Use and Economic Development for August 31,  
[2011-2034](#) 2011 with an Affirmative Recommendation.

Bill No. Resolution amending Resolution No. 428 effective July 1, 2011, entitled: Resolution  
[2011-1948](#) 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 2004 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 City Council from: "HBCCO" (-\$2,500.00); and "Salvation Army" (-\$3,000.00); and "Tomorrow's Future" (-\$5,000.00); and transfer these funds to the "Poise Foundation - Hope Fund" (+\$10,500.00).

**SPONSOR(S): REVEREND RICKY V. BURGESS**

Legislative History

7/26/11	City Council	Read and referred	
8/31/11	Standing Committee	Affirmatively Recommended	Passed

Bill No. Resolution amending Resolution No. 429, effective July 1, 2011, entitled: Providing  
[2011-1949](#) for an Agreement or Agreements with various community organizations for operational/administrative expenses, maintenance, purchase of equipment and/or rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh and further, authorizing various departments to enter into contract or contracts or use existing contract or contracts for street paving and other related costs the purchase of equipment and/or furniture at a cost not to exceed \$972,000.00; so as to reprogram funds in City Council from: "HBCCO" (-\$2,500.00); and "Salvation Army" (-\$3,000.00); and "Tomorrow's Future" (-\$5,000.00); and transfer these funds to the "Poise Foundation - Hope Fund" (+\$10,500.00).

**SPONSOR(S): REVEREND RICKY V. BURGESS**

Legislative History

7/26/11	City Council	Read and referred	
8/31/11	Standing Committee	Affirmatively Recommended	Passed

Bill No. Resolution amending Resolution No. 430, effective July 1, 2011, entitled: Resolution  
[2011-1950](#) 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 2005 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 City Council from the "Allegheny County Midget Football League" (- \$3,000.00); "Concrete Playgrounds" (-\$5,000.00); District 9 Equipment (-\$2,500.00) and Tomorrow's Future" (-\$2,000.00) and transfer these funds to "Poise Foundation - Hope Fund" (+\$12,500.00).

**SPONSOR(S): REVEREND RICKY V. BURGESS****Legislative History**

7/26/11	City Council	Read and referred	
8/31/11	Standing Committee	Affirmatively Recommended	Passed

Bill No.

**2011-1951**

Resolution amending Resolution No. 431 effective July 1, 2011 entitled: The Mayor and the Director of the Department of City Planning of the City of Pittsburgh are hereby authorized to enter into an Agreement or Agreements, in a form approved by the City Solicitor, with the following various community organizations, for operational/administrative expenses, maintenance, purchase of equipment and/or rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh and further, authorizing various departments to enter into contract(s) or use existing contract(s) for street paving and other related costs, for the purchase of equipment and/or furniture and installation thereof, at a cost not to exceed \$1,000,000.00, so as to reprogram funds in City Council from the "Allegheny County Midget Football League" (- \$3,000.00); "Concrete Playgrounds" (-\$5,000.00); District 9 Equipment (-\$2,500.00) and Tomorrow's Future" (-\$2,000.00) and transfer these funds to "Poise Foundation - Hope Fund" (+\$12,500.00).

**SPONSOR(S): REVEREND RICKY V. BURGESS****Legislative History**

7/26/11	City Council	Read and referred	
8/31/11	Standing Committee	Affirmatively Recommended	Passed

Bill No.

**2011-1952**

Resolution amending Resolution No. 432 effective July 1, 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 2006 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 from City Council from: "Omega Men"(-\$2,500.00); "Carnegie Library-East Liberty Branch" (-\$2,500.00); and "Carnegie Library-Homewood Branch" (-\$2,500.00), and transfer these funds to "Poise Foundation - Hope Fund" (+\$7,500.00).

**SPONSOR(S): REVEREND RICKY V. BURGESS****Legislative History**

7/26/11	City Council	Read and referred	
8/31/11	Standing Committee	Affirmatively Recommended	Passed

Bill No.

**2011-1953**

Resolution amending Resolution No. 433, effective July 1, 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 contract 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

\$948,400.00” so as to reprogram funds from City Council from: “Omega Men”(-\$2,500.00); “Carnegie Library-East Liberty Branch” (-\$2,500.00); and “Carnegie Library-Homewood Branch” (-\$2,500.00), and transfer these funds to “Poise Foundation - Hope Fund” (+\$7,500.00).

**SPONSOR(S): REVEREND RICKY V. BURGESS**

**Legislative History**

7/26/11	City Council	Read and referred	
8/31/11	Standing Committee	Affirmatively Recommended	Passed

Bill No.

[2011-1954](#)

Resolution amending Resolution No. 434, effective July 1, 2011, entitled: by 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 2007 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 City Council from: “HBCCO Arts & Culture Committee/New Africa Project” (-\$8,000.00); “Homewood Brushton/The Informer (newspaper)” (-\$3,000.00); and transfer these funds to “Poise Foundation - Hope Fund” (+\$11,000.00).

**SPONSOR(S): REVEREND RICKY V. BURGESS**

**Legislative History**

7/26/11	City Council	Read and referred	
8/31/11	Standing Committee	Affirmatively Recommended	Passed

Bill No.

[2011-1955](#)

Resolution amending Resolution No. 435 effective July 1, 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 for the benefit of residents of the City of Pittsburgh; and further, authorizing various City departments to enter into a contract or contracts or use existing contracts for street paving, the purchase of equipment and/or furniture and other related costs, at a cost not to exceed \$800,000.00, so as to reprogram funds in City Council from: “HBCCO Arts & Culture Committee/New Africa Project” (-\$8,000.00); “Homewood Brushton/The Informer (newspaper)” (-\$3,000.00); and transfer these funds to “Poise Foundation - Hope Fund” (+\$11,000.00).

**SPONSOR(S): REVEREND RICKY V. BURGESS**

**Legislative History**

7/26/11	City Council	Read and referred	
8/31/11	Standing Committee	Affirmatively Recommended	Passed

Bill No.

[2011-1957](#)

Resolution amending and supplementing 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 adjusting various line items in conformance with City Council's 2003 Capital Budget amendments” by adding “UMOJA African

Arts in the Park” \$2,000 and by adjusting various other projects in Council District 6 Neighborhood Needs.

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

**Legislative History**

7/26/11	City Council	Read and referred	
8/31/11	Standing Committee	Affirmatively Recommended	Passed

Bill No.

**2011-1958**

Resolution amending Resolution No. 438, effective July 1, 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 2010 Community Development block Grant Program; providing for the executive 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 transfer funds in City Council from “District 6 Projects” (- \$6,000.00); “Windgap-Chartiers Athletic Association” (-\$2,000.00); and transfer these funds to “Community Empowerment Association” (+\$1,000.00); “Emanuel Christian Preschool” (+\$2,000.00); and “Moving Lives of Kids Arts Center” (+\$5,000.00).

**SPONSOR(S): R. DANIEL LAVELLE AND THERESA SMITH**

**Legislative History**

7/26/11	City Council	Read and referred	
8/31/11	Standing Committee	Affirmatively Recommended	Passed

Bill No.

**2011-1959**

Resolution amending Resolution No. 439, effective July 1, 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 transfer funds in City Council from "District 6 Projects" (- \$6,000.00); "Windgap-Chartiers Athletic Association" (-\$2,000.00); and transfer these funds to "Community Empowerment Association" (+\$1,000.00); "Emanuel Christian Preschool" (+\$2,000.00); and "Moving Lives of Kids Arts Center" (+\$5,000.00).

**SPONSOR(S): R. DANIEL LAVELLE AND THERESA SMITH**

**Legislative History**

7/26/11	City Council	Read and referred	
8/31/11	Standing Committee	Affirmatively Recommended	Passed

Bill No.

**2011-1968**

Ordinance amending Pittsburgh City Code, Section 416.03 to allow for elimination of fees to allow for businesses which cater to the public to eliminate one step from their entrances to make them accessible to the physically disabled and compliant with the Americans with Disabilities Act.

**Legislative History**

7/26/11	City Council	Read and referred	
---------	--------------	-------------------	--



8/31/11

Standing Committee

Affirmatively  
Recommended

Passed

**MOTIONS AND RESOLUTIONS**

**EXCUSE ABSENT MEMBERS**

**APPROVAL OF MINUTES**

**ADJOURNMENT**

**LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER**