

City of Pittsburgh

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



MEETING MINUTES

Proceedings of the Council of the City of Pittsburgh

Tuesday, September 21, 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

Councilman Kraus and Councilman Peduto were available via telephone.

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Bill No. [2010-0943](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize and celebrate the life and successes of our young and charitable citizen, Mr. Zach Mulvey, and wish him and his family future health and wellness; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare September 21, 2010 to be “Zach Mulvey Day” in the City of Pittsburgh.

SPONSOR(S): NATALIA RUDIAK AND ALL MEMBERS

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

Bill No. [2010-0944](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend and congratulate Citiparks and Citiparks Director Mike Radley for the outstanding effort in making the Great Race a world class event and to Jeanne, David and Gregg Caliguiri for their ongoing support and dedication to the Race that honors the memory of their beloved husband and father, Mayor Richard S. Caliguiri; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Sunday, September 26, 2010, to be “RICHARD S. CALIGUIRI CITY OF PITTSBURGH GREAT RACE 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. [2010-0945](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby declare September 21, 2010 to be “Schenley Heights Community Development Program Day” in the City of Pittsburgh and commends the SHCDP for its 15 years of dedicated service and support to the community.

SPONSOR(S): R. DANIEL LAVELLE AND ALL MEMBERS

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

Bill No. [2010-0946](#) NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize and commend Mr. Jean-Pierre Collet for his service to France and congratulates him for receiving that nation's high honor; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declares September 27, 2010, “Jean-Pierre Collet 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.

[2010-0947](#)

NOW, THEREFORE, BE IT RESOLVED that, the Council of the City of Pittsburgh does hereby recognize the International Day of Peace and thanks its local organizers; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare of September 21, 2010 as “International Peace 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.

[2010-0948](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh celebrates the 63,000 women business owners in the Pittsburgh region and recognizes the important National Association of Women Business Owners, Pittsburgh Chapter; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Friday, September 17, 2010, to be “NAWBO 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.

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

Bill No.

[2010-0939](#)

Resolution granting unto YMCA of Greater Pittsburgh, 420 Fort Duquesne Blvd., Suite 625, Pittsburgh, PA 15222, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, subsurface tieback anchors on Hemans Street for a retaining wall for the Thelma Lovette YMCA in the 5th Ward, 6th Council District of the City of Pittsburgh.

Read and referred to Public Works Committee

Bill No.

[2010-0940](#)

Resolution granting unto, United States General Services Administration, Mid-Atlantic Region, 20 North 8th Street, Philadelphia, PA 19107, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, bollards on the sidewalk areas on Grant Street and Seventh Avenue for security purposes for the U.S. Post Office and the Federal Courthouse in the 2nd Ward, 6th Council District of the City of Pittsburgh.

Read and referred to Public Works Committee

COUNCILWOMAN THERESA SMITH PRESENTS:

Bill No. [2010-0938](#) Communication from Dan D. Regan, Acting Mayor, requesting permission for Lauren Byrne, member of the Lawrenceville Weed and Seed Steering Committee and Liz Kanche, member of the West Pittsburgh Communities Weed and Seed Steering Committee to travel to Cleveland, Ohio on October 12, 2010 to attend the Reclaiming Vacant Properties Conference. The Conference will be held on October 13 -15, 2010. It will provide training related to learning about the policies, tools, and strategies to catalyze long-term, sustainable revitalization.

Read and referred to Public Safety Services Committee

COUNCIL PRESIDENT DARLENE M. HARRIS PRESENTS:

Bill No. [2010-0941](#) Resolution further amending and supplementing Resolution No. 258, effective April 26, 2000, as amended, 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 \$1,682 to Troy Hill Citizens Inc., in Council District 1. The total amount of all projects is not to exceed \$1,000,000.

SPONSOR(S): DARLENE HARRIS

Read and referred to Finance and Law Committee

Bill No. [2010-0942](#) Resolution amending and supplementing Resolution No. 861, effective January 1, 2000, as amended, entitled: "Adopting and approving the 2000 Capital; and approving the 2000 through 2005 Capital Improvement Program in conformance with City Council's 2000 Capital Budget amendments," by adding \$1,682 to Troy Hill Citizens Inc., and by adjusting various other projects in Council District 1 Neighborhood Needs.

SPONSOR(S): DARLENE HARRIS

Read and referred to Land Use and Economic Development Committee

UNFINISHED BUSINESS

REPORTS OF COMMITTEE - FINAL ACTION

COUNCILMAN PEDUTO PRESENTS COMMITTEE ON FINANCE AND LAW

Bill No. [2010-0934](#) Report of the Committee on Finance and Law for September 15, 2010 with an Affirmative Recommendation.

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

Bill No. [2010-0910](#) Resolution transferring the amount of \$1,900 from Account 511000, Sub-Class 010 Salaries, Fund 1000, Organization 101100, Budget Year 2010, City Council, to Account 526125, Sub-Class 150 Miscellaneous Services, Fund 1000, Organization 101280, Budget Year 2010, City Clerk's Office. (Council District #8)

SPONSOR(S): WILLIAM PEDUTO

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 KRAUS PRESENTS COMMITTEE ON PUBLIC WORKS

Bill No. Report of the Committee on Public Works for September 15, 2010 with an
[2010-0935](#) Affirmative Recommendation.

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

Bill No. Resolution repealing Resolution No. 51, effective February 22, 2010, entitled
[2010-0892](#) "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," by repealing it in its entirety.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution amending Resolution No. 56, effective February 17, 2010 entitled,
[2010-0893](#) "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, at a cost not to exceed \$100,000.00, by decreasing the project allocation by \$50,000.00 from \$100,000.00 to \$50,000.00

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution amending Resolution No. 53, effective February 17, 2010, entitled
[2010-0894](#) "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 at a cost not to exceed \$375,000.00 by increasing the project allocation by \$150,000.00 from \$375,000.00 to \$525,000.00."

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution further amending Resolution No.768, effective December 31, 2009, as
[2010-0895](#) amended, entitled "Adopting and approving the 2010 Capital Budget and the 2010 Community Development Block Grant Program; and approving the 2010 through 2014 Capital Improvement Program," by transferring \$100,000.00 from the "Pool Rehabilitation" line item and \$50,000 from the "Play Area Improvements" line item to

the "Building Maintenance" line item in the amount of \$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

COUNCILMAN SHIELDS PRESENTS COMMITTEE ON LAND USE & ECONOMIC DEVELOPMENT

Bill No. [2010-0936](#) Report of the Committee on Land Use and Economic Development for September 15, 2010 with an Affirmative Recommendation.

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

Bill No. [2010-0552](#) Ordinance amending Ord. No. 13, effective August 19, 2008 entitled, "Amending the Pittsburgh Code, Title Nine, Zoning, Article I, Section 902.03 Zoning Map, by changing from Oakland Public Realm Subdistrict B and RM-VH, Residential Multi-Unit Very High Density District to SP-7, Oakland Area Planned Development District, certain property bounded by North Dithridge St.; Centre Avenue; North Craig St 4th Ward" by extending the enactment date from two years to three years.

SPONSOR(S): WILLIAM PEDUTO

This Matter was Passed Finally on the Consent Agenda.

Bill No. [2010-0896](#) Resolution authorizing the Mayor or the Director of City Planning, to apply for and enter into a Reimbursement Agreement with the Commonwealth of Pennsylvania, Department of Transportation to receive \$280,000.00 in reimbursement funding. Additional project funding is being provided in the amount of \$70,000.00 from the Department of City Planning Capital Budget. The funds will be used for a land use and transportation sustainability model to forecast roadway and revitalization improvements in the Strip District neighborhood of the City of Pittsburgh. Resolution providing for an Agreement or Agreements or Contract or Contracts, or for use of existing Agreements or Contracts, with a Consultant or Consultants, or Vendor or Vendors, for the purpose of preparing the "Strip District Transportation and Land Use Sustainability Model" and related activities in support of such plan, at a cost not to exceed \$280,000.00.

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

COUNCILMAN DOWD PRESENTS COMMITTEE ON INTERGOVERNMENTAL AFFAIRS

Bill No. Report of the Committee on Intergovernmental Affairs for September 15, 2010 with an Affirmative Recommendation.
[2010-0937](#)

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

Bill No. Resolution approving execution of a Contract for Disposition by Sale of Land by and between the Urban Redevelopment Authority of Pittsburgh and Bloomfield-Garfield Corporation, or an entity to be formed, in connection with the sale of Block 50-L, Lot 73, in the 10th Ward of the City of Pittsburgh Council District No. 9 - 5139 Kincaid Street.
[2010-0897](#)

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution approving execution of a Contract for Disposition by Sale of Land by and between the Urban Redevelopment Authority of Pittsburgh and Central Real Estate Holdings, LLC for the sale of Block 48-S, Lots 212, 213, 213-1, 216, and 217 in the 6th Ward of the City of Pittsburgh, 3403-3411 Butler Street -- Council District No. 7 (residential construction).
[2010-0898](#)

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution approving execution of a Contract for Disposition by Sale of Land by and between the Urban Redevelopment Authority of Pittsburgh and PNC Financial Services Group, Inc., or an entity to be formed, for the sale of Block 1-D, Lot 181 in the 2nd Ward of the City of Pittsburgh, 600 Liberty Avenue -- Council District No. 6 (Commercial Rehabilitation).
[2010-0899](#)

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution approving Execution of a Deed by and between the Urban Redevelopment Authority of Pittsburgh and the City of Pittsburgh for the Sale of Block 128-N, Lots 97 and part of 108, in the 14th Ward of the City of Pittsburgh - Council District No. 5 - Fernwald Road and Anita Avenue (Greenway)
[2010-0900](#)

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution approving execution of a Deed by and between the Urban Redevelopment Authority of Pittsburgh and the City of Pittsburgh for the sale of Block 45-J, Lot 280, in the 27th Ward of the City of Pittsburgh, in the Marshall Shadeland Neighborhood - Superior Avenue - Council District No. 1 (Washburn Square Park).
[2010-0901](#)

This Matter was Passed Finally on the Consent Agenda.

Bill No.
[2010-0902](#) Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 13th Ward of the City of Pittsburgh owned by the Estate of Hattie Bean and designated as Block 174-N, Lot 198, in the Deed Registry Office of Allegheny, under the Residential Land Reserve Fund (Council District No. 9 - 570 North Homewood Avenue).

This Matter was Passed Finally on the Consent Agenda.

Bill No.
[2010-0903](#) Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's Right, Title and Interest, if any, in and to the following Publicly-Owned properties in the 25th Ward of the City of Pittsburgh (California-Kirkbride) - Council District No. 6 - Site Assemblage for Development.

This Matter was Passed Finally on the Consent Agenda.

Bill No.
[2010-0904](#) Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's Right, Title and Interest, if any, in and to the following Publicly-Owned properties in the 3rd Ward of the City of Pittsburgh (South Crawford) -- Council District No. 6 - Site Assemblage for Residential Development):

This Matter was Passed Finally on the Consent Agenda.

Bill No.
[2010-0905](#) Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the following publicly-owned properties known as Block 11-A, Lots 187 and 201 in the 3rd Ward of the City of Pittsburgh (262 and 273 Dinwiddie Street) - Council District No. 6 - Site Assemblage

This Matter was Passed Finally on the Consent Agenda.

Bill No.
[2010-0906](#) Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to pursue a tax increment financing proposal for portions of the Lower Strip District Redevelopment Area (pending certification). (Council District 6).

This Matter was Passed Finally on the Consent Agenda.

Bill No.
[2010-0907](#) Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to pursue a tax increment financing proposal for portions of the Summerset at Frick Park Redevelopment Area (pending certification). (Council District 5).

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

ADJOURNMENT

LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER