

City of Pittsburgh

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



MEETING MINUTES

Proceedings of the Council of the City of Pittsburgh

Wednesday, October 31, 2012

10:00 AM

Council Chambers

City Council

**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

Present: 8 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, Mr. Peduto and Mrs. Smith
Absent: 1 - Ms. Rudiak

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

PUBLIC COMMENTS

PRESENTATION OF PAPERS

COUNCILMAN REVEREND RICKY V. BURGESS PRESENTS:

Bill No. [2012-0887](#) Resolution authorizing the issuance of a warrant in the total sum of Twenty Thousand Dollars (\$20,000.00) to Sarah J. Talarico, Administratrix of the Estate of Vincent A. Talarico and Cercone Erlain & Associates c/o Anthony J. Erlain, Esq., 1100 Manor Complex, 564 Forbes Ave, Pittsburgh, PA 15219, releasing and discharging the City of Pittsburgh and supervisory employees from direct liability in the civil action filed at GD 08-0371 in the Common Pleas Court of Allegheny County, and arising from an alleged incident on August 4, 2006 in the City of Pittsburgh.

Read and referred to Finance and Law Committee

Bill No. [2012-0888](#) Resolution providing for an Agreement(s) and Contract(s) with the Minority Education Labor Agency to provide pre-apprentice training in the construction trades to individuals from under represented ethnic groups to assist in improving entry level positions in the labor unions. The cost thereof is not to exceed \$50,000.00.

Read and referred to Finance and Law Committee

Bill No. [2012-0890](#) Resolution further amending Resolution No. 855, effective January 1, 2012, as amended, 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 changing the funding sources for the Neighborhood Business and Economic Development and the Homewood/Brushton Redevelopment projects within the URA.

Read and referred to Finance and Law Committee

Bill No. [2012-0894](#) Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article I, Section 902.03 Zoning Map, by changing from R1A-M, Residential Single-Unit Attached, Moderate Density and LNC, Local Neighborhood Commercial Districts to UNC, Urban Neighborhood Commercial District certain property roughly bounded by Hamilton Avenue, Finance Street, North Homewood Ave and Zenith Way; changing from R1A-M, Residential Single-Unit Attached, Moderate Density District to R1A-VH, Residential Single-Unit Attached, Very High Density District certain property roughly bounded by Zenith Way, Hamilton Avenue, North Braddock Avenue, North Richland Street and Finance Street; and changing from UI, Urban Industrial

District to R1A-VH, Residential Single-Unit Attached, Very High Density District certain property roughly bounded by Alsace Way, Brushton Avenue, Rosedale Street and Susquehanna Street; all in the Allegheny County Block and Lot System, 13th Ward.

SPONSOR(S): REVEREND RICKY V. BURGESS

Read and referred to Land Use and Economic Development Committee

Bill No.

[2012-0895](#)

Resolution authorizing and directing the Mayor, the Director of Finance and the City Solicitor to establish the Pittsburgh LandBank and Advisory Committee to promote and further the optimal use of vacant and tax-delinquent properties in the City of Pittsburgh.

SPONSOR(S): REVEREND RICKY V. BURGESS

Read and referred to Finance and Law Committee

COUNCILMAN R. DANIEL LAVELLE PRESENTS:

Bill No.

[2012-0889](#)

Resolution providing for the implementation of the Residential Parking Permit Program (RPPP) Area "CC" in the Southside Flats community (Council District #3) pursuant to Pittsburgh Code Chapter 549. (Presented by Mr. Lavelle and Mr. Kraus)

Read and referred to Land Use and Economic Development Committee

COUNCILMAN COREY O'CONNOR PRESENTS:

Bill No.

[2012-0893](#)

Resolution authorizing and directing the Department of Public Safety to establish an emergency text message, phone call and email notification system for the purpose of providing timely information to City residents in the event of an emergency.

SPONSOR(S): COREY O'CONNOR AND THERESA SMITH

Read and referred to Public Safety Services Committee

COUNCIL PRESIDENT DARLENE M. HARRIS PRESENTS:

Bill No.

[2012-0891](#)

Communication from Michael Lamb, City Controller, submitting a Fiscal Audit of the Auto Theft Trust Fund dated October 2012

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

Bill No.

[2012-0892](#)

Communication from Michael Lamb, City Controller, submitting a Performance Audit of City Car Rental Rates and Usage dated October 2012

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

UNFINISHED BUSINESS

Bill No.

[2012-0823](#)

Resolution authorizing the appointment of Erin Conley, 510 Suismon Street, Pittsburgh, PA 15212 as a member of the Equal Opportunity Review Commission for a term to expire on May 31, 2016.

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

Bill No. Resolution authorizing the appointment of Troy A. Cox, 4730 Centre Avenue,
[2012-0826](#) Pittsburgh, PA 15214, as a member of the Propel Pittsburgh Commission for a term to
expire on August 31, 2014. Mr. Cox is replacing Caitlin McCarthy.

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

Bill No. Resolution authorizing the appointment of Samantha Malone, 702 Bellefonte Street,
[2012-0827](#) Pittsburgh, PA 15232, as a member of the Propel Pittsburgh Commission for a term to
expire on August 31, 2014. Ms. Malone is replacing Ximena Marinero.

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

Bill No. Resolution authorizing the appointment of Benjamin T. Verney of 2635 East Carson
[2012-0828](#) Street (Dist. 3) to the Propel Pittsburgh Commission to replace the seat vacated by
Colin White, which is to be held for the remainder of the term expiring on August 31,
2014.

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

REPORTS OF COMMITTEE - FINAL ACTION

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

Bill No. Report of the Committee on Finance and Law for October 24, 2012 with an
[2012-0885](#) Affirmative Recommendation.

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

Bill No. Resolution further amending and supplementing Resolution No. 855, effective January
[2012-0848](#) 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 transferring \$500,000 of bond funds from the
Riverview Community Center project and adding \$500,000 to Portman Slope
Remediation.

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

Votes: Ayes: 8 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr.
O'Connor, Mr. Peduto and Mrs. Smith
Noes: 0
Abstentions: 0
Absent: 1 - Ms. Rudiak

COUNCILMAN PATRICK DOWD PRESENTS COMMITTEE ON INTERGOVERNMENTAL AFFAIRS

Bill No. Report of the Committee on Intergovernment Affairs for October 24, 2012 with an
[2012-0886](#) Affirmative Recommendation.

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

Bill No. Resolution requesting the approval of an inter-municipal transfer of restaurant liquor
[2012-0739](#) license, License No. R-12937, from Nelson O. Lynch - 110 Congress, McKeesport, Pittsburgh, PA 15131 to Applicant 2031 Tortilla LLC - 2031 Penn Ave. Basement, Pittsburgh, PA 15222 into the premises to be known as Reyna's Tortilla Factory, pursuant to amended Pennsylvania Liquor Code, §4-461.
(PUBLIC HEARING HELD OCTOBER 24, 2012)

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

Votes: Ayes: 8 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, Mr. Peduto and Mrs. Smith
Noes: 0
Abstentions: 0
Absent: 1 - Ms. Rudiak

Bill No. Resolution amending Resolution No. 568, effective September 28, 2012, entitled
[2012-0874](#) "Providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the administration of certain projects and programs, and providing for the payment of the cost thereof, not to exceed \$3,535,000" by increasing the Neighborhood Business and Economic Development line item by \$200,000 for a total of \$700,000. The total cost of all projects will not exceed \$3,735,000. (Council Districts: All).

SPONSOR(S): REVEREND RICKY V. BURGESS

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

Votes: Ayes: 8 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, Mr. Peduto and Mrs. Smith
Noes: 0
Abstentions: 0
Absent: 1 - Ms. Rudiak

Bill No. Resolution amending Resolution No. 569, effective September 28, 2012, entitled
[2012-0875](#) "Providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the performance of certain work in connection with the 2012-2013 Community Development Block Grant Program, and providing for the payment of the cost thereof, not to exceed \$3,400,000" by decreasing the Neighborhood Business and Economic Development line item by \$200,000.00 and transferring it to the Homewood/Brushton Redevelopment line item for a total of \$350,000.00. The total for all projects will not exceed \$3,550,000.00. (Council Districts: All).

SPONSOR(S): REVEREND RICKY V. BURGESS

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

Votes: Ayes: 8 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, Mr. Peduto and Mrs. Smith
Noes: 0
Abstentions: 0
Absent: 1 - Ms. Rudiak

MOTIONS AND RESOLUTIONS

EXCUSE ABSENT MEMBER - Ms. Rudiak

APPROVAL OF MINUTES

ADJOURNMENT

LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER