

City of Pittsburgh

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



MEETING MINUTES

Proceedings of the Council of the City of Pittsburgh

Monday, August 6, 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, Ms. Rudiak and Mrs. Smith
Absent: 1 - Mr. Peduto

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Bill No. [2012-0674](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby declare August 6, 2012 to be "Hill Dance Academy Theater Day" in the City of Pittsburgh.

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

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

Bill No. [2012-0675](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend founder Susan Gregg Koger and the employees of ModCloth not only for their work inspiring women's fashion, but for their charity to the community; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Monday, August 6, 2012, to be "ModCloth Day" in the City of Pittsburgh.

SPONSOR(S): THERESA SMITH AND ALL MEMBERS

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

Bill No. [2012-0676](#) THEREFORE BE IT RESOLVED, that the City Council of Pittsburgh supports the right of same-sex couples to legally adopt in order to serve the needs, welfare, and best interests of their children, and hereby designates August 20 as Second-Parent Adoption 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.

PUBLIC COMMENTS

PRESENTATION OF PAPERS

COUNCILMAN REVEREND RICKY V. BURGESS PRESENTS:

Bill No. [2012-0671](#) Ordinance supplementing the Pittsburgh Code of Ordinances, Title I, Administrative, Article One, General Provisions, by adding a new Chapter, "Chapter 109: Public Accessibility to Municipal Data Sets."

SPONSOR(S): REVEREND RICKY V. BURGESS

Read and referred to Finance and Law Committee

COUNCILMAN BRUCE KRAUS PRESENTS:

Bill No. Resolution vacating a portion of Mary Street at South 33rd Street in the 16th Ward,
[2012-0673](#) 3rd Council District of the City of Pittsburgh.

Read and referred to Public Works Committee

COUNCIL PRESIDENT DARLENE M. HARRIS PRESENTS:

Bill No. Resolution informing City Council of the appointment of the following members of
[2012-0672](#) the School District Director Reapportionment Commission.

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

UNFINISHED BUSINESS**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 August 1, 2012 with an Affirmative
[2012-0667](#) Recommendation.

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

Bill No. Resolution authorizing the issuance of a warrant in favor of Ogletree, Deakins, Nash,
[2012-0650](#) Smoak & Stewart, P.C., 918 South Pleasantburg Drive (29607), P.O. Box 167, Greenville, South Carolina 29602 in an amount not to exceed Two Thousand Nine Hundred Seventy Three Dollars and Fifty Cents (\$2,973.50) for professional services rendered in connection with the matter Taylor v. City of Pittsburgh.

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, Ms. Rudiak and Mrs. Smith

Noes: 0

Abstentions: 0

Absent: 1 - Mr. Peduto

Bill No. Resolution providing for the issuance of a warrant in favor of Graciano Corporation, in
[2012-0652](#) the amount of \$500,000.00, for emergency work for the protection of pedestrians and vehicles at the perimeter of the City County Building and providing for temporary repairs to the parapet and cornice, and providing for the payment thereof.

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, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0
Absent: 1 - Mr. Peduto

COUNCILMAN BRUCE A. KRAUS PRESENTS COMMITTEE ON PUBLIC WORKS

Bill No. Report of the Committee on Public Works for August 1, 2012 with an Affirmative
[2012-0668](#) Recommendation.

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

Bill No. Resolution Authorizing the Mayor and the Department of Public Works to enter into a
[2012-0627](#) Cooperation Agreement with the Commonwealth of Pennsylvania Department of Transportation, in connection with the rehabilitation and ownership of Fancourt Street Bridge.

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, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0
Absent: 1 - Mr. Peduto

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

Bill No. Report of the Committee on Land Use and Economic Development for August 1, 2012
[2012-0669](#) with an Affirmative Recommendation.

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

Bill No. Resolution authorizing the Mayor and Director of City Planning to execute relevant
[2012-0625](#) agreements to receive grant funding to support the completion of an study of applying overlays to areas that have historic significance and that are threatened by inappropriate building modifications and demolitions, and are not City-Designated Historic Districts and further providing for an agreement and expenditures not to exceed thirty thousand (\$30,000) dollars for this stated purpose.

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

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

Bill No.

[2012-0628](#)

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 Comprehensive Plan and the Homewood/Brushton Redevelopment projects.

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, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0
Absent: 1 - Mr. Peduto

Bill No.

[2012-0653](#)

Resolution amending Resolution No. 710, effective October 17, 2011, as entitled, "Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of HUD for a grant in connection with the 2000 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 Parks & Recreation to City Planning: "Beechview Recreation & Senior Centers" (-\$84,870.00) and transfer these funds to the "Personnel - City Planning" (+\$84,870.00).

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, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0
Absent: 1 - Mr. Peduto

Bill No.

[2012-0654](#)

Resolution amending Resolution No. 712 effective October 17, 2011 entitled: "Resolution providing for the filing of a Community Development statement with the U.S. Department of Housing and Urban Development for a grant in connection with the 2002 CDBG Program; providing for execution of grant contracts, filing of data, execution of payment vouchers and certification of signature; the deposit of funds in a bank account and providing for payment of expenses within categories", so as to reprogram funds from Parks & Recreation to City Planning from; "Beechview Recreation & Senior Center" (-\$60,000.00); and transfer these funds to "Personnel -

City Planning” (+\$60,000.00).

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, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0
Absent: 1 - Mr. Peduto

Bill No.

[2012-0655](#)

Resolution amending Resolution No. 456, effective July 23, 2012, entitled: Amending the Capital Budget and 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 2012 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 Planning to Parks & Recreation from: "Personnel - City Planning" (-\$149,870.00) and "Hilltop Community Children's Center" (-\$2,000.00) and transfer (+\$147,870.00) to "Beechview Senior Center", and (+\$2,000.00 \$4,000.00) to Elder-Ado Inc.

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, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0
Absent: 1 - Mr. Peduto

Bill No.

[2012-0656](#)

Resolution amending Resolution No. 217, effective April 27, 2012, 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 behalf of residents of the City of Pittsburgh”, so as to reduce City Council's encumbrance: “BACC Beechview Share” (-\$5,000.00).

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, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0
Absent: 1 - Mr. Peduto

Bill No. [2012-0657](#) Resolution amending Resolution No. 218, effective April 27, 2012, entitled: Amending the Capital Budget and 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 2003 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 to City Planning from: "BACC Beechview Share" (-\$5,000.00) and transfer these funds to "Personnel - City Planning" (+\$5,000.00).

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, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0
Absent: 1 - Mr. Peduto

COUNCILMAN PATRICK DOWD PRESENTS COMMITTEE ON INTERGOVERNMENTAL AFFAIRS

Bill No. [2012-0670](#) Report of the Committee on Intergovernmental Affairs for July 1, 2012 with an Affirmative Recommendation.

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

Bill No. [2012-0570](#) Resolution requesting the approval of an inter-municipal transfer of restaurant liquor license, License No. R-18490, from Lotus Garden, Inc. - 3911 Saw Mill Run Boulevard, Pittsburgh PA. 15227 to Applicant Texas De Brazil (Pittsburgh) Corporation - 240 W. Station Square Drive, Suite D-1, Pittsburgh, PA 15219 into the premises to be known as the Texas De Brazil, pursuant to amended Pennsylvania Liquor Code, §4-461.

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, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0
Absent: 1 - Mr. Peduto

Bill No. [2012-0584](#) 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 Publicly-Owned Property in the 6th Ward of the City of Pittsburgh designated in the Deed Registry Office of

Allegheny County as Block 49-E, Lot 57 (Council District No.7 - residential construction - 167 38th Street).

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, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0
Absent: 1 - Mr. Peduto

MOTIONS AND RESOLUTIONS

EXCUSE ABSENT MEMBERS

APPROVAL OF MINUTES

ADJOURNMENT

LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER