

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, July 5, 2011

1:30 PM

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

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Bill No.

[2011-1878](#)

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby commend and congratulate Dr. Judy Johnston for a life time of commitment to education and for a career spent teaching others to be better teachers, administrators and leaders; and,
BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Friday, August 8, 2011, to be "JUDY JOHNSTON 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.

[2011-1879](#)

Now, therefore be it resolved that the Council of the City of Pittsburgh does hereby recognize and honor the Pittsburgh Parks Conservancy for its 15 years of considerable achievements; and

Be it further resolved, that the Council of the City of Pittsburgh does hereby declare Saturday, July 10, 2011 Pittsburgh Parks Conservancy Day in the City of Pittsburgh.

SPONSOR(S): PATRICK DOWD AND ALL MEMBERS

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

Bill No.

[2011-1880](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize and commend the Wesley & Emily Jackson Family for their efforts to maintain the fabric of their family and community; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh, does hereby proclaim July 10, 2011, as "Wesley & Emily Jackson Family and Friends Reunion" in the City of Pittsburgh.

SPONSOR(S): REVEREND RICKY V. BURGESS 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.

[2011-1854](#)

Resolution providing the authorization to make all legitimate expenditures for payments and agreements or agreements with various agencies to conduct a summer youth employment program to youth residing in the City of Pittsburgh, wages and

fringe benefits for supervisor/participant/administrative staff, workers' compensation, unemployment compensation, participant physicals, transportation, copier and supplies, and administrative expenditures necessary to implement the 2011 Pittsburgh Partnership Summer Youth Program; and providing the periodic transfer of funds to be used in the Pittsburgh Partnership Youth Program for payment of cost thereof, cost not to exceed \$600,000.00.

Read and referred to Human Resources Committee

Bill No.

[2011-1855](#)

Resolution providing the authorization to make all legitimate expenditures for payments and agreements or agreements with various agencies to provide job development and employment services, wages and fringe benefits for supervisor, staff, workers' compensation, unemployment compensation, vocational skills training and on-the-job training, outreach, recruitment costs and administrative expenditure necessary to implement the 2011 Pittsburgh Partnership Employment Program; and providing the periodic transfer of funds to be used in the Pittsburgh Partnership Employment Program, and for payment of cost thereof, cost not to exceed \$100,000.00

Read and referred to Human Resources Committee

Bill No.

[2011-1856](#)

Resolution providing for the authorization to make all legitimate expenditures for payments and agreements or agreements with various agencies for job development and employment services necessary to implement the 2011 Neighborhood Employment Program, and providing the periodic transfer of funds to be used in the Neighborhood Employment Program for payment of cost thereof, cost not to exceed \$100,000.00.

Read and referred to Human Resources Committee

COUNCILMAN BRUCE A. KRAUS PRESENTS:

Bill No.

[2011-1852](#)

Resolution granting unto CE - 5876 Forbes, LP, Pittsburgh, P.O. Box 453, Carnegie PA 15106, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a steel awning over the sidewalk area of 5876 Forbes Avenue, Pittsburgh, PA 15217 in the 14th Ward, 5th Council District of the City of Pittsburgh.

Read and referred to Public Works Committee

Bill No.

[2011-1853](#)

Resolution providing for an Agreement or Agreements or for the use of existing Agreements, providing for a Contract or Contracts or for the use of existing Contracts, and providing for the purchase of materials, supplies and equipment in connection with the rehabilitation and reconstruction of various park facilities; and further providing for the payment of the costs thereof. Cost not to exceed \$780,000.00.

Read and referred to Public Works Committee

COUNCILMAN R. DANIEL LAVELLE PRESENTS:

Bill No.

[2011-1851](#)

Resolution authorizing the issuance of a warrant in favor Deutsch, Inc. in an amount not to exceed ten thousand nine hundred and ninety nine dollars (\$10,999.00), for the purchase of a new inflatable air screen for the Riverview Cinemas in the Park; and

providing for the payment thereof.

Read and referred to Finance and Law Committee

Bill No.

[2011-1869](#)

Resolution providing for a contract or contracts, agreements or agreements, lease or leases, or the use of existing contracts, leases or agreements and other approved expenditures for the payment of supplies, equipment, materials, salaries, rentals, and other services required to provide center services for the HACP Senior Community Program in an amount not to exceed \$700,000.00 for the Department of Parks and Recreation.

Read and referred to Urban Recreation Committee

Bill No.

[2011-1870](#)

Resolution authorizing the Department of Parks and Recreation to enter into a contract or contracts, agreement or agreements, or the use of existing contracts or agreements and other approved expenditures for the maintenance of City swimming pools in the Department of Parks and Recreation. Cost not to exceed \$50,000.00.

Read and referred to Urban Recreation Committee

Bill No.

[2011-1871](#)

Resolution authorizing the Department of Parks and Recreation to enter into a contract or contracts, agreement or agreements, or the use of existing contracts or agreements and other approved expenditures for the maintenance and enhancement of City recreation and senior centers. Cost not to exceed \$50,000.00.

Read and referred to Urban Recreation Committee

Bill No.

[2011-1872](#)

Resolution authorizing the Department of Parks and Recreation to enter into a contract or contracts, agreement or agreements, or the use of existing contracts or agreements and other approved expenditures for the construction of Splash Zones, aquatic playground facilities. Cost not to exceed \$100,000.00.

Read and referred to Urban Recreation Committee

COUNCILMAN DOUGLAS SHIELDS PRESENTS:

Bill No.

[2011-1873](#)

Resolution 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 services in support of land-use planning, multimodal transportation system planning and development, innovative and intelligent transportation systems technologies, bicycle/pedestrian planning, transit system and transit oriented development, urban design, public art, architecture and landscape architecture. Cost not to exceed \$50,000.

A motion was made that this matter be Waived under Rule 8. The motion carried.

Read and referred to Land Use and Economic Development Committee

Bill No.

[2011-1874](#)

Resolution 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 services in support of land-use planning, multimodal transportation system planning and development, innovative and intelligent transportation systems technologies, bicycle/pedestrian planning, transit system and transit oriented development, urban design, public art, architecture and landscape architecture. Cost

not to exceed \$50,000.

A motion was made that this matter be Waived under Rule 8. The motion carried.

Read and referred to Land Use and Economic Development Committee

Bill No.

[2011-1875](#)

Resolution 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 services in support of land-use planning, multimodal transportation system planning and development, innovative and intelligent transportation systems technologies, bicycle/pedestrian planning, transit system and transit oriented development, urban design, public art, architecture and landscape architecture. Cost not to exceed \$50,000.

A motion was made that this matter be Waived under Rule 8. The motion carried.

Read and referred to Land Use and Economic Development Committee

Bill No.

[2011-1876](#)

Resolution 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 services in support of land-use planning, multimodal transportation system planning and development, innovative and intelligent transportation systems technologies, bicycle/pedestrian planning, transit system and transit oriented development, urban design, public art, architecture and landscape architecture. Cost not to exceed \$50,000.

A motion was made that this matter be Waived under Rule 8. The motion carried.

Read and referred to Land Use and Economic Development Committee

Bill No.

[2011-1877](#)

Resolution 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 services in support of land-use planning, multimodal transportation system planning and development, and planning and/or implementation cost of the Trail Development Project and related costs. Cost not to exceed \$75,000.

A motion was made that this matter be Waived under Rule 8. The motion carried.

Read and referred to Land Use and Economic Development Committee

Bill No.

[2011-1857](#)

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 behalf of residents of the City of Pittsburgh, at a cost not to exceed \$1,357,500.00.

Read and referred to Land Use and Economic Development Committee

Bill No.
[2011-1858](#)

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 behalf of residents of the City of Pittsburgh, at a cost not to exceed \$800,000.00.

Read and referred to Land Use and Economic Development Committee

Bill No.
[2011-1859](#)

Resolution providing for an Agreement(s) and Contract(s) with Consultant(s) and Vendor(s) to assist the City in its Comprehensive Planning process and provide for the payment at a cost thereof, at a cost not to exceed \$150,000.00.

Read and referred to Land Use and Economic Development Committee

Bill No.
[2011-1860](#)

Resolution providing for an Agreement or Agreements, or Contract or Contracts, or use of existing Agreements or Contracts, with a Consultant or Consultants, or Vendor or Vendors, for the purpose of conducting planning and management studies, and related activities in support of such studies including the purchase of data and data analysis equipment at a cost not to exceed \$75,000.00.

Read and referred to Land Use and Economic Development Committee

Bill No.
[2011-1861](#)

Resolution providing for an Agreement(s) and Contract(s), or use of existing Agreement(s) and Contract(s), with Consultant(s), or Vendor(s), for the purpose of preparing the Consolidated Plan, Performance Report, Impediment Study and/or Financial Management Systems and related activities in support of the CDBG and Stimulus Programs and provide for the payment at a cost thereof, at a cost not to exceed \$50,000.00.

Read and referred to Land Use and Economic Development Committee

Bill No.
[2011-1862](#)

Resolution providing for an Agreement(s) and Contract(s) with Consultant(s) and Vendor(s), or for use of existing Agreement(s) and Contract(s) with Consultant(s) and Vendor(s), for the purpose of preparing a "Cultural Heritage Plan" and related activities in support of such plan at a cost not to exceed \$30,000.00.

Read and referred to Land Use and Economic Development Committee

Bill No.
[2011-1863](#)

Resolution providing for an Agreement or Agreements with the Urban League of Pittsburgh, for the implementation/administration of the Housing Counseling Program, and related costs, in the amount not to exceed \$100,000.00.

Read and referred to Land Use and Economic Development Committee

Bill No.
[2011-1864](#)

Resolution providing for an Agreement(s) and Contract(s) with Community Based Organizations for community and economic development planning assistance in various neighborhoods in the City and providing operating support for these groups and provide for the payment at a cost thereof, at a cost not to exceed \$500,000.00.

Read and referred to Land Use and Economic Development Committee

Bill No.
[2011-1865](#)

Resolution providing for an Agreement(s) and Contract(s) with Consultant(s) and Vendor(s) to assist the City in improving its Citizens Participation Process and provide for the payment at a cost thereof, at a cost not to exceed \$200,000.00.

Read and referred to Land Use and Economic Development Committee

Bill No. Resolution providing for an Agreement or Agreement(s) and to provide
[2011-1866](#) administrative/operating expenses, including but not limited to, rehabilitation, maintenance, operation, insurance, utilities, furnishings, homeless prevention and essential services and other miscellaneous expenses associated with the Emergency Shelter Grant funds, at a cost not to exceed \$730,816.00.

Read and referred to Land Use and Economic Development Committee

Bill No. Resolution providing for an Agreement or Agreements with the Jewish Healthcare
[2011-1867](#) Foundation to provide administration and operating expenses, housing and housing related supportive services to persons with HIV/AIDS and their families, at a total cost not to exceed \$729,568.00.

Read and referred to Land Use and Economic Development Committee

Bill No. Resolution amending Resolution # 908, effective January 1, 2011 by providing for the
[2011-1868](#) 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 2011 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.

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. Report of the Committee on Finance and Law for June 29, 2011 with an NEGATIVE
[2011-1846](#) RECOMMENDATION.

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

Bill No. Resolution supplementing the Rules of Council, Rule XVII by adding language.

[2010-0192](#)

SPONSOR(S): REVEREND RICKY V. BURGESS

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

Votes: Ayes: 2 - Rev. Burgess and Mr. Lavelle
Noes: 7 - Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Peduto, Ms. Rudiak, Mr. Shields and Mrs. Smith
Abstentions: 0

Bill No. Ordinance supplementing the Pittsburgh Code, Title One, Administrative, Chapter
[2010-0595](#) 152, Regular and Special Meetings, by adding Chapter 152.02, Special Meetings with Registered Community Groups to present needs pursuant to the Capital Improvement Plan and the Capital Budget.

SPONSOR(S): REVEREND RICKY V. BURGESS

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

Votes: Ayes: 2 - Rev. Burgess and Mr. Lavelle
Noes: 7 - Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Peduto, Ms. Rudiak, Mr. Shields and Mrs. Smith
Abstentions: 0

Bill No. Ordinance supplementing the Pittsburgh Code, Title One, Administrative, Article VII,
[2010-0193](#) Procedures, by adding language in Section 161.27 Reports on City Council Grants.

SPONSOR(S): REVEREND RICKY V. BURGESS

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

Votes: Ayes: 2 - Rev. Burgess and Mr. Lavelle
Noes: 7 - Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Peduto, Ms. Rudiak, Mr. Shields and Mrs. Smith
Abstentions: 0

Bill No. Report of the Committee on Finance and Law for June 29, 2011 with an Affirmative
[2011-1847](#) Recommendation.

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

Bill No. Resolution providing for conveyance by the City of Pittsburgh of certain property,
[2011-1820](#) under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984. ITEMS A through E.

A: 1824 Webster; B: 5402 Second (DELETED); C: 418 Industry ; D: 117 and 119-121 Dilworth; E: 237 Reifert.

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

A motion was made that this matter be Passed Finally, As Amended. 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

Bill No. Resolution repealing items in Resolutions approved on various dates, authorizing the
[2011-1819](#) sale of properties in various wards of the City of Pittsburgh, in accordance with Act

No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984. Items A through C. A: 7172 Lemington; B: 1442 Loraine; C: 2622 Norwood;

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2011-1821](#)

Resolution providing for the conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984; having been placed for sale to adjoining property owners in conjunction with the City of Pittsburgh/City Source Associates Sideyard Program. ITEMS A through I A: 621 McLain St, B: 617 McLain St; C: 535 Harker St; D: 1424 Stedman St; E: 75 & Perrysville Ave; F: 101 Daisy St; G: 713 Spice St; H: 3042 Frederick St; I: 30 & 32 Grape St.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2011-1822](#)

Resolution providing for the filing of petitions for the sale of certain properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984. ITEMS A through C. A: 1520 Arlington; B: 1824 Brahm; C: 1453 & 1455 Firth and 1454 & 1456 High. (DELETED)

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2011-1823](#)

Resolution providing for the filing of petitions for the sale of certain properties, acquired at tax sales, in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984. ITEMS A through H. A: 1670 Perrysville; B: 1666 Perrysville; C: 1664 Perrysville; D: 1632 Perrysville; E: 1801 Perrysville; F: 1803 Federal; G: 1807 Federal; H: 3244 Brighton.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2011-1828](#)

Resolution further amending and supplementing Resolution No. 258, effective April 26, 2000, as amended, entitled "Providing for an Agreement or use of existing Agreements and/or a Contract or use of existing Contracts, and for the purchase of materials, supplies, equipment, and/or services for various projects in connection with Neighborhood Needs; and providing for the payment of the costs thereof by adding \$12,000 to Northside Leadership Conference in Council District 1. The total amount of all projects is not to exceed \$1,000,000.

SPONSOR(S): DARLENE HARRIS

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 REV. BURGESS PRESENTS COMMITTEE ON HUMAN RESOURCES

Bill No. Report of the Committee on Human Relations for June 29, 2011 with an Affirmative Recommendation.
[2011-1848](#)

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

Bill No. Resolution providing authorization for the City of Pittsburgh to receive reimbursement from The Department of Health and Human Services through the Early Retiree Reinsurance Program in the amount of \$1,660,337.22, and authorizing the Director of Personnel to make expenses and in accordance with the Department of Health and Human Services Early Retiree Reinsurance Program.
[2011-1824](#)

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 SHIELDS PRESENTS COMMITTEE ON LAND USE & ECONOMIC DEVELOPMENT

Bill No. Report of the Committee on Land Use and Economic Development for June 29, 2011 with an Affirmative Recommendation.
[2011-1849](#)

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

Bill No. Resolution approving a Conditional Use under the Pittsburgh Code, Title Nine, Zoning, Article IV, Chapter 911 Section 911.04.A.64 to Schoolhouse Finance, LLC, owner, for authorization to install two accessory modular classroom buildings for one year to the rear of the Environmental Charter School at Frick Park located at 829 Milton Street on property zoned R1D-M, Residential One-Unit Medium Density District, 14th Ward. Council District No. 5
[2011-1703](#)

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

Bill No. [2011-1827](#) 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 \$12,000 to Northside Leadership Conference and by adjusting other projects in Council District 1 Neighborhood Needs.

SPONSOR(S): DARLENE HARRIS

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

MOTIONS AND RESOLUTIONS

APPROVAL OF MINUTES

ADJOURNMENT

LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER