

City of Pittsburgh



City Council

Regular Meeting Agenda

Monday, August 1, 2011

10:00 AM

**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****UNFINISHED BUSINESS****REPORTS OF COMMITTEE - FINAL ACTION****COUNCILMAN PEDUTO PRESENTS COMMITTEE ON FINANCE AND LAW**

Bill No. [2011-1982](#) Report of the Committee on Finance and Law for July 27, 2011 with an Affirmative Recommendation.

Bill No. [2011-1884](#) Resolution providing for a professional services agreement or agreements for accounting, auditing and consulting services to the City related to tax collection, internal controls, financial reporting, performance, grant, and fiscal auditing, and financial systems implementation. Cost not to exceed \$200,000.00.

Legislative History

7/12/11	City Council	Read and referred	
7/20/11	Standing Committee	Affirmatively Recommended	Passed
7/26/11	City Council	RECOMMITTED	Passed
7/27/11	Standing Committee	Affirmatively Recommended	Passed

Bill No. [2011-1904](#) Resolution authorizing the Mayor and the City Solicitor to enter into a Second Supplemental Agreement with Buchanan Ingersoll & Rooney, P.C., Joseph Quinn, Esquire for expert legal consulting services in connection with labor and employment negotiations and litigation, at a cost not to exceed \$65,000.00 (Sixty-Five Thousand Dollars and No Cents).

Legislative History

7/19/11	City Council	Read and referred	
7/27/11	Standing Committee	Affirmatively Recommended	Passed

Bill No. [2011-1906](#) 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 L. A: 2009 Tustin; B: 220 Dunseith; C: 5430 Harrison; D: 513 & 515 Lincoln; E: 1386 Paulson; F: 7203 Hermitage (DELETED); G: 916 Chestnut; H: 938 Vista; I: 1416 Claim (DELETED); J: 2331 Maple; K: 3206 Rothpletz; L: 1233 Termon (DELETED).

Legislative History

7/19/11	City Council	Read and referred	
---------	--------------	-------------------	--

7/27/11	Standing Committee	AMENDED	Passed
7/27/11	Standing Committee	Affirmatively Recommended as Amended	Passed

Bill No.

[2011-1907](#)

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: 510, 510-512, 514 and 520 Wicklow; B: 511, 513, 515 and 517 Wicklow; C: 518, 520, 522, 524, 526 and 528 Fannel.

Legislative History

7/19/11	City Council	Read and referred	
7/27/11	Standing Committee	Affirmatively Recommended	Passed

Bill No.

[2011-1908](#)

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 E.
A: 2323 Fifth, B: 4516 Wertz; C: 1413 N. Murtland; D: 1409 Stedman; E: 7211 Monticello.

Legislative History

7/19/11	City Council	Read and referred	
7/27/11	Standing Committee	Affirmatively Recommended	Passed

Bill No.

[2011-1909](#)

Resolution authorizing the Mayor and the Director of the Department of Finance to enter into a Lease Agreement with the Oakland Planning and Development Corporation for use of the City's former Oakland Senior Community Center facility located on the corner of Semple and Louisa Streets in Oakland.

Legislative History

7/19/11	City Council	Read and referred	
7/27/11	Standing Committee	Affirmatively Recommended	Passed

Bill No.

[2011-1910](#)

Resolution authorizing the Mayor and the Director of the Department of Finance to enter into an Agreement with Phipps Conservatory and Botanical Gardens, Inc. ("Phipps") to convey ownership of two underground storage tanks and reimburse Phipps for the cost of cleaning the tanks for final permanent closure status.

Legislative History

7/19/11	City Council	Read and referred	
7/27/11	Standing Committee	Affirmatively Recommended	Passed

Bill No.

[2011-1922](#)

Resolution further amending Resolution No. 861 of 1999, effective January 1, 2000, as amended, entitled "Adopting and approving the 2000 Capital Budget and Community Development Block Grant Program; and approving the 2000 through 2005 Capital Improvements Program" by adjusting budget amounts to reflect actual expenditures for the following projects: Washer Extractor \$14,241.65; City-County Building Renovations \$8,766.32; Building Maintenance Program \$249,986.37; Construction

Division-Materials \$208,774.47; Architectural & Engineering Services \$520,587.91; Park Reconstruction Program \$733,774.38; Renovation of Rec. & Sr. Centers \$747,086.87; and Computerized Traffic Response \$429,564.73; in order to close these projects in budget year 2000.

SPONSOR(S): WILLIAM PEDUTO

Legislative History

7/19/11	City Council	Read and referred	
7/27/11	Standing Committee	Affirmatively Recommended	Passed

Bill No.

2011-1923

Resolution further amending Resolution No. 881 of 2000, effective January 1, 2001, as amended, entitled "Adopting and approving the 2001 Capital Budget and Community Development Block Grant Program; and approving the 2001 through 2006 Capital Improvements Program" by adjusting budget amounts to reflect actual expenditures for the following projects: Recreation Grants Matching Fund \$67,500.00 in Planning and \$372,961.99 in Engineering; Ft. Duquesne Boulevard \$0.00; Streets Run Flood Control \$0.00; Building Security Renovations \$248,224.76; Demolition of Condemned Buildings \$288,050.00; Slope Failure Remediation \$306,416.00; Architectural & Engineering Services \$398,034.91; Building Improvements \$319,757.56; Non-Salary Engineering \$93,687.28; and Building Improvements \$1,267,193.79 in order to close these projects in budget year 2001.

SPONSOR(S): WILLIAM PEDUTO

Legislative History

7/19/11	City Council	Read and referred	
7/27/11	Standing Committee	Affirmatively Recommended	Passed

Bill No.

2011-1939

Ordinance directing the Allegheny County Board of Elections to place before the qualified voters of the City of Pittsburgh a referendum question as to whether or not said voters are in favor amending the Home Rule Charter to provide to add a Community Bill of Rights which bans commercial natural gas extraction within the City, as the City Council has adopted previously.

SPONSOR(S): DOUGLAS SHIELDS AND DARLENE HARRIS

Legislative History

7/19/11	City Council	Read and referred	
7/27/11	Standing Committee	Affirmatively Recommended	Passed

Bill No.

2011-1960

Resolution providing for the issuance of a \$12,000.00 warrant in favor of Susan Uhl, of 132 Oakville Drive, Pittsburgh, PA 15220, in settlement of an action 09-0512 CV for alleged discrimination in disciplinary actions, under the terms and provisions of the American with Disability Act and Family Medical Leave Act, taken against claimant for use of sick leave, originally filed April 27, 2009.

Legislative History

7/26/11	City Council	Waived under Rule 8	Passed
7/26/11	City Council	Read and referred	
7/27/11	Standing Committee	Affirmatively Recommended	Passed

Bill No. Resolution amending Resolution No. 704, effective January 1, 2008, entitled
[2011-1961](#) “Adopting and approving the 2008 Capital Budget and the 2008 Community Development Block Grant Program; and approving the 2008 through 2012 Capital Improvement Program,” by deleting the Firearms Training Section Relocation” \$50,000 and by adding the “Police Facilities Upgrades” \$50,000 line item.

Legislative History

7/26/11	City Council	Waived under Rule 8	Passed
7/26/11	City Council	Read and referred	
7/27/11	Standing Committee	Affirmatively Recommended	Passed

Bill No. Resolution amending Resolution No.768, effective December 31, 2009, entitled
[2011-1962](#) “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 deleting the Firearms Training Section Relocation” \$125,000 and by adding the “Police Facilities Upgrades” \$125,000 line item.

Legislative History

7/26/11	City Council	Waived under Rule 8	Passed
7/26/11	City Council	Read and referred	
7/27/11	Standing Committee	Affirmatively Recommended	Passed

Bill No. Resolution further amending Resolution No. 654, effective October 25, 2001, entitled,
[2011-1972](#) “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 2001 Neighborhood Needs Supplement Program; and providing for the payment of the costs thereof,” by adding \$300 to “Allentown Community Development Corporation” and by reducing “Southside LDC” by the same amount, in Council District 3.

SPONSOR(S): BRUCE A. KRAUS

Legislative History

7/26/11	City Council	Waived under Rule 8	Passed
7/26/11	City Council	Read and referred	
7/27/11	Standing Committee	Affirmatively Recommended	Passed

COUNCILWOMAN SMITH PRESENTS COMMITTEE ON PUBLIC SAFETY SERVICES

Bill No. Report of the Committee on Public Safety Services for July 27, 2011 with an
[2011-1983](#) Affirmative Recommendation.

Bill No. Ordinance Repealing Title Six, Conduct, Article 1: Regulated Rights and Actions,
[2011-1905](#) Chapter 601: Public Order, §601.02 Distributing Handbills, Samples, and Other Materials.

Legislative History

7/19/11	City Council	Read and referred	
---------	--------------	-------------------	--

7/27/11	Standing Committee	Affirmatively Recommended	Passed
---------	--------------------	------------------------------	--------

Bill No. [2011-1911](#) Resolution authorizing the Mayor to enter into a grant agreement with the Federal Emergency Management Agency (FEMA), Department of Homeland Security, to receive a FY 2010 Assistance to Firefighters Grant and further providing for an agreement or agreements for the purchase of SCBA (self-contained breathing apparatus) and equipment in connection with the execution of said agreement.

Legislative History

7/19/11	City Council	Read and referred	
7/27/11	Standing Committee	Affirmatively Recommended	Passed

Bill No. [2011-1963](#) Resolution repealing Resolution No. 73 of 2008, effective February 20, 2008, entitled “Providing for an agreement or agreements, or use of existing agreements and/or a contract or contracts, or use of existing contracts, for the purchase of materials, supplies, equipment or services in connection with the relocation and renovation of the Firearms Training Section at the new Zone 5 on Washington Boulevard; and providing for the payment of the costs thereof. Cost not to exceed \$50,000.” by repealing it in its entirety.

Legislative History

7/26/11	City Council	Waived under Rule 8	Passed
7/26/11	City Council	Read and referred	
7/27/11	Standing Committee	Affirmatively Recommended	Passed

Bill No. [2011-1964](#) Resolution repealing Resolution No. 334 of 2010, effective June 4, 2010, entitled “Resolution providing for an agreement or agreements, or use of existing agreements and/or a contract or contracts, or use of existing contracts, for the purchase of materials, supplies, equipment or services in connection with the relocation and renovation of the Firearms Training Section at Zone 5 on Washington Boulevard; and providing for the payment of the costs thereof. Cost not to exceed \$125,000.” by repealing it in its entirety.

Legislative History

7/26/11	City Council	Waived under Rule 8	Passed
7/26/11	City Council	Read and referred	
7/27/11	Standing Committee	Affirmatively Recommended	Passed

COUNCILMAN KRAUS PRESENTS COMMITTEE ON PUBLIC WORKS

Bill No. [2011-1984](#) Report of the Committee on Public Works for July 27, 2011 with an Affirmative Recommendation.

Bill No. [2011-1912](#) Ordinance amending the Pittsburgh Code, Title Seven, Business Licensing, Chapter 719 Vendors and Peddlers, Section 710.10, Lists of Sites Approved by Council, by adding permanent street and sidewalk vending sites for 2011 Licensure Year.

Legislative History

7/19/11	City Council	Read and referred	
7/27/11	Standing Committee	Affirmatively Recommended	Passed

Bill No. [2011-1913](#) Resolution amending Resolution 404 (Bill No. 2006-0497) as previously amended by Resolution 205 (Bill No. 2007-1317) finally locating rights of ways and accepting the dedication of roadways which are part of the North Shore Roadway Improvement Phases I-V/Stadium Projects and North Shore Infrastructure HOV Modifications Project, in the 22nd Ward, 6th Council District of the City of Pittsburgh.

Legislative History

7/19/11	City Council	Read and referred	
7/27/11	Standing Committee	Affirmatively Recommended	Passed

Bill No. [2011-1914](#) Resolution providing for the letting, for and during the calendar year 2011, 2012, 2013, and 2014 of contracts and for the use of existing contracts for professional services including planning, architectural, engineering, and real estate services as well as construction administration, management and inspection services related to the assessment, design, construction, and maintenance of the city's infrastructure, buildings and lands as needed by the various Departments of the City of Pittsburgh, and for related engineering and construction services in and for any or all Departments of the City of Pittsburgh, and providing for the payment of the costs thereof.

Legislative History

7/19/11	City Council	Read and referred	
7/27/11	Standing Committee	AMENDED	Passed
7/27/11	Standing Committee	Affirmatively Recommended as Amended	Passed

Bill No. [2011-1965](#) Resolution taking, appropriating and condemning by the City of Pittsburgh, for the purpose of investigation, design, construction, and remediation of a critical wall and slope failure, certain property in the 26th Ward of the City of Pittsburgh, owned by Richard Fleming and designated 3919 Hewitt Street, authorizing the payment of just compensation and necessary and incidental acquisition costs related thereto, and designating the Urban Redevelopment Authority of Pittsburgh as the City's acquisition agent, and providing for the payment of the cost thereof. Cost for the property not to exceed \$22,000 payable from Account 600000, Fund 6100, Organization 440000, Sub-Class PGHPR, Project/Grant 2239103, Budget Year 2010. Necessary and incidental acquisition costs related to acquisition of the property may not exceed \$3,000 payable from Account 600000, Fund 6100, Organization 440000, Sub-Class PGHPR, Project/Grant 2239103, Budget Year 2010.

Legislative History

7/26/11	City Council	Waived under Rule 8	Passed
7/26/11	City Council	Read and referred	
7/27/11	Standing Committee	Affirmatively Recommended	Passed

Bill No. [2011-1973](#) Resolution vacating a portion of Sassafras Way/Alley between 29th and 30th Streets in the 6th Ward, 7th Council District of the City of Pittsburgh.

Legislative History

7/26/11	City Council	Waived under Rule 8	Passed
7/26/11	City Council	Read and referred	

7/27/11	Standing Committee	Affirmatively Recommended	Passed
---------	--------------------	------------------------------	--------

COUNCILMAN REV. BURGESS PRESENTS COMMITTEE ON HUMAN RESOURCES

Bill No. [2011-1985](#) Report of the Committee on Human Resources for July 27, 2011 with an Affirmative Recommendation.

Bill No. [2011-1915](#) Resolution providing for a Contract for consulting services for Firefighter job analysis and Firefighter Recruit examination, and providing for payment of the cost thereof, not to exceed \$50,000.00.

Legislative History

7/19/11	City Council	Read and referred	
7/27/11	Standing Committee	Affirmatively Recommended	Passed

COUNCILMAN SHIELDS PRESENTS COMMITTEE ON LAND USE & ECONOMIC DEVELOPMENT

Bill No. [2011-1986](#) Report of the Committee on Land Use and Economic Development for July 27, 2011 with an Affirmative Recommendation.

Bill No. [2011-1825](#) Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article I, Section 902.03 Zoning Map, by changing from R3-M, Residential Three-Unit, Moderate Density District, to UNC, Urban Neighborhood Commercial District, certain property having frontage on South Atlantic Avenue and identified as Block No. 51-L, Lot No. 239 in the Allegheny County Block and Lot System; 8th Ward.

Legislative History

6/21/11	City Council	Read and referred	
6/29/11	Standing Committee	Held for Public Hearing	Passed
7/27/11	Hearings Committee	Public Hearing Held	Passed
7/27/11	Standing Committee	Affirmatively Recommended	Passed

Bill No. [2011-1919](#) Resolution 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 2011-2012 Community Development Block Grant Program, and providing for the payment of the cost thereof, not to exceed \$2,750,000. (Council Districts: All).

Legislative History

7/19/11	City Council	Read and referred	
7/27/11	Standing Committee	Affirmatively Recommended	Passed

Bill No. [2011-1920](#) Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh designating URA as the City's agent for administration of the 2011 HOME Investments Partnership Program. (Council Districts: All)

Legislative History

7/19/11	City Council	Read and referred	
---------	--------------	-------------------	--

7/27/11

Standing Committee

Affirmatively
Recommended

Passed

Bill No. [2011-1926](#) Resolution amending Resolution No.437, effective July 1, 2011, entitled: 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 2009 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 reallocate funds in the City Council from “Shine Awards” (-\$1,000.00); “and transfer these funds to the “North Shore Community Alliance” (+\$1,000.00).

SPONSOR(S): DARLENE HARRIS

Legislative History

7/19/11	City Council	Read and referred	
7/27/11	Standing Committee	Affirmatively Recommended	Passed

Bill No. [2011-1927](#) Resolution amending Resolution No. 436, 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; 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 \$800,000, so as to reallocate funds in the City Council from “Shine Awards” (-\$1,000.00); “and transfer these funds to the “North Shore Community Alliance” (+\$1,000.00).

SPONSOR(S): DARLENE HARRIS

Legislative History

7/19/11	City Council	Read and referred	
7/27/11	Standing Committee	Affirmatively Recommended	Passed

Bill No. [2011-1937](#) Resolution amending Resolution No. 425, effective July 1, 2011, as 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 reprogram funds in City Council from: “District 8 Equipment” (-\$1,707.87); and transfer these funds to the “Community Empowerment” (+1,707.87).

SPONSOR(S): WILLIAM PEDUTO

Legislative History

7/19/11	City Council	Read and referred	
7/27/11	Standing Committee	Affirmatively Recommended	Passed

Bill No. [2011-1938](#) Resolution amending Resolution No. 424, effective July 1, 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 in City Council from: “District 8 Equipment” (-\$1,707.87); and transfer these funds to the “Community Empowerment” (+1,707.87).

SPONSOR(S): WILLIAM PEDUTO

Legislative History

7/19/11	City Council	Read and referred	
7/27/11	Standing Committee	Affirmatively Recommended	Passed

Bill No.

2011-1971

Resolution further Amending Resolution No. 424 of 2001, effective June 19, 2001, entitled “Further amending Resolution No. 976 effective January 1, 1996, as amended, Adopting and Approving the 1996 Capital Budget and the 1996 Community Development Block Grant by creating a new line item, City Clerk Office Modernization Project Grant # 2271000 for the purpose of augmenting neighborhood needs programs and/or the District Improvement Fund, and transferring \$1,128,888.00 from Grant/Liberty to City Clerk's Office Modernization” by adding by adding \$300 to “Allentown Community Development Corporation” and by reducing “Southside LDC” by the same amount, in Council District 3 Neighborhood Needs.

SPONSOR(S): BRUCE A. KRAUS

Legislative History

7/26/11	City Council	Waived under Rule 8	Passed
7/26/11	City Council	Read and referred	
7/27/11	Standing Committee	Affirmatively Recommended	Passed

COUNCILMAN LAVELLE PRESENTS COMMITTEE ON URBAN RECREATION

Bill No.

2011-1987

Report of the Committee on Urban Recreation for July 27, 2011 with an Affirmatiave Recommendation.

Bill No.

2011-1970

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 rehabilitation of City recreation and senior centers. Cost not to exceed \$112,500.00.

SPONSOR(S): BRUCE A. KRAUS

Legislative History

7/26/11	City Council	Waived under Rule 8	Passed
7/26/11	City Council	Read and referred	
7/27/11	Standing Committee	Affirmatively Recommended	Passed

MOTIONS AND RESOLUTIONS

EXCUSE ABSENT MEMBERS

APPROVAL OF MINUTES

ADJOURNMENT

LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER