

# **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, April 3, 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

*Councilman O'Connor was available by telephone.*

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.

[2012-0269](#)

THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh commends the Carrick Tree Tenders for their tireless work beautifying the Carrick community; and

THEREFORE BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare Tuesday, April 3, 2012 to be Carrick Tree Tenders Day in the City of Pittsburgh.

**SPONSOR(S): NATALIA RUDIAK**

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

Bill No.

[2012-0270](#)

THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh commends the 2012 Carlow University Women of Spirit® Award winners for their service to the community and excellence in their professional endeavors.

THEREFORE BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare Wednesday, April 11, 2012 to be Carlow University Women of Spirit® 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.

[2012-0271](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend Chief McCaughan for his commitment and years of service he gave to the City of Pittsburgh; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, April 3, 2012, to be "Chief Robert J. McCaughan Day" in the City of Pittsburgh.

**SPONSOR(S): THERESA SMITH, DARLENE HARRIS AND ALL MEMBERS**

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

Bill No.

[2012-0272](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend; President Cynthia Butler- McIntyre regarded as "A Leader with a servants heart" for her service to her community; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby

declare March 31, 2012, to be "President Cynthia M. A. Butler-McIntyre Day" 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. Resolution providing for the issuance of a warrant in favor of Diversified Municipal Services, Inc in the amount of \$29,880.00 as payment for costs associated with property assessment appeal services rendered to residential homeowner in the City of Pittsburgh further authorized by Resolution 30 effective February 17, 2012.

[2012-0243](#)

**Read and referred to Finance and Law Committee**

### **COUNCILMAN PATRICK DOWD PRESENTS:**

Bill No. Resolution amending Resolution No. 45, effective February 21, 2012, entitled: "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 the benefit of residents of the City of Pittsburgh; and further, authorizing various City Departments to enter into contract or contracts or use existing contract or contracts for street paving, the purchase of equipment and/or furniture and other related costs at a costs not to exceed \$948,400.00" so as to transfer funds in City Council from: "Bloomfield Citizens Council" (-\$15,000.00); and transfer these funds to "Traffic Improvements" (+\$15,000.00).

[2012-0252](#)

**SPONSOR(S): PATRICK DOWD**

**Read and referred to Finance and Law Committee**

Bill No. Resolution amending Resolution No. 46, effective February 21, 2012, entitled: "Resolution 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 2006 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 transfer funds in City Council from: "Bloomfield Citizens Council"(-\$15,000.00); and transfer these funds to "Traffic Improvements" (+\$15,000.00).

[2012-0253](#)

**SPONSOR(S): PATRICK DOWD**

**Read and referred to Land Use and Economic Development Committee**

**COUNCILMAN BRUCE A. KRAUS PRESENTS:**

Bill No. Resolution granting unto the Carnegie Library of Pittsburgh, 4400 Forbes Avenue, Pittsburgh, PA 15213, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense a book drop, waste/recycling containers and a business identification sign on the sidewalk area at 2205 East Carson Street in the 16th Ward, 3rd Council District of the City of Pittsburgh.

[2012-0240](#)

**Read and referred to Public Works Committee**

Bill No. Resolution granting to Greenfield Organization a Maintenance Agreement for a traffic island, City of Pittsburgh, in the 15th Ward.

[2012-0241](#)

**Read and referred to Public Works Committee**

Bill No. Resolution vacating Dilworth Way and Flag Way at Cowan Street in the 19th Ward, 2nd Council District of the City of Pittsburgh.

[2012-0242](#)

**Read and referred to Public Works Committee**

**COUNCILMAN R. DANIEL LAVELLE PRESENTS:**

Bill No. Resolution authorizing a Cooperative Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh and the Sports & Exhibition Authority of Pittsburgh and Allegheny County providing for the assignment of parking tax revenues from interim parking on the footprint of the Civic Arena for the purpose of Hill Redevelopment.

[2012-0244](#)

**SPONSOR(S): R. DANIEL LAVELLE**

**Read and referred to Finance and Law Committee**

**COUNCILMAN COREY O'CONNOR PRESENTS:**

Bill No. Ordinance supplementing the Pittsburgh Code, Title 1, Article IX, Boards, Commissions & Authorities, by adding Chapter 179C, Pittsburgh HIV/AIDS Commission.

[2012-0245](#)

**SPONSOR(S): COREY O'CONNOR**

**Read and referred to Finance and Law Committee**

Bill No. Resolution amending Resolution No 149 of 2012 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 City Council Neighborhood Needs Program; and providing for the payment of the costs thereof" by reducing Council District 5 Neighborhood Needs by \$15,000 and transferring that amount to the Greenfield Portal Project. Total cost of all projects is not to exceed \$198,980.27

[2012-0267](#)

**SPONSOR(S): COREY O'CONNOR**

**Read and referred to Finance and Law Committee**

Bill No. Resolution further amending and supplementing Resolution No. 855 of 2011, entitled  
[2012-0268](#) “adopting and approving the 2012 Capital Budget and the 2012-2017 Capital Improvement Program” by reducing Council District 5 Neighborhood Needs by \$15,000 and transferring that amount to the Greenfield Portal Project.

**SPONSOR(S): COREY O'CONNOR**

**Read and referred to Land Use and Economic Development Committee**

**COUNCIL PRESIDENT DARLENE M. HARRIS PRESENTS:**

Bill No. Resolution amending Resolution No. 526, effective October 8, 2011, entitled:  
[2012-0254](#) “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 incorporate JDE's JOB numbers on active projects and to reprogram funds within City Council from: “District 1 Community Initiative” (-\$1,250.00) and transfer these funds to “Coalition for Fair Housing” (+\$1,250.00).

**SPONSOR(S): DARLENE HARRIS**

**Read and referred to Finance and Law Committee**

Bill No. Resolution amending Resolution No. 713, effective October 17, 2011, entitled:  
[2012-0255](#) 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 incorporate JDE's JOB numbers on active projects and to reprogram funds within City Council from: “District 1 Community Initiative” (-\$1,250.00) and transfer these funds to “Coalition for Fair Housing” (+\$1,250.00).

**SPONSOR(S): DARLENE HARRIS**

**Read and referred to Land Use and Economic Development Committee**

Bill No. Resolution Amending Resolution No. 44, effective February 21, 2012, entitled:  
[2012-0256](#) “providing for an Agreement or Agreements with various community organizations for operational/administrative expenses, maintenance, purchase of equipment and/or rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh; and further, authorizing various City departments to enter into a contract or contracts or use existing contracts for street paving, the purchase of equipment and/or furniture and other related costs, at a cost not to exceed \$800,000.00, so as to reprogram funds in City Council from: “District 1 Equipment” (-\$1,000.00); and transfer these funds to “Coalition for Fair Housing” (+\$1,000.00).

**SPONSOR(S): DARLENE HARRIS**

**Read and referred to Finance and Law Committee**

Bill No.

[2012-0257](#)

Resolution amending Resolution No. 43, effective February 21, 2012, entitled: by 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 2007 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 1 Equipment" (-\$1,000.00); and transfer these funds to "Coalition for Fair Housing" (+\$1,000.00).

**SPONSOR(S): DARLENE HARRIS****Read and referred to Land Use and Economic Development Committee**

Bill No.

[2012-0258](#)

Resolution Amending Resolution No. 505, effective July 27, 2011, 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; so as to add JDE's Job #'s to active projects and to reprogram funds within the Mayor's Office from: "My Brothers Keeper" (-\$5,000.00) and transfer these funds to "Isaiah Project" (+\$5,000.00).

**SPONSOR(S): DARLENE HARRIS****Read and referred to Finance and Law Committee**

Bill No.

[2012-0259](#)

Resolution amending Resolution No. 66, effective February 29, 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 benefit of residents of the City of Pittsburgh, at a cost not to exceed \$800,000, so as to reprogram funds in City Council from: "District 1 Equipment" (-\$1,250.00); and transfer these funds to the "Coalition for Fair Housing" (+\$1,250.00).

**SPONSOR(S): DARLENE HARRIS****Read and referred to Finance and Law Committee**

Bill No.

[2012-0260](#)

Resolution amending Resolution No. 65, effective February 29, 2012, 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 reprogram funds in City Council from: "District 1 Equipment" (-\$1,250.00); and transfer these funds to the "Coalition for Fair Housing" (+\$1,250.00).

**SPONSOR(S): DARLENE HARRIS**

**Read and referred to Land Use and Economic Development Committee**

Bill No.

[2012-0261](#)

Resolution amending Resolution No. 68, effective February 29, 2011, entitled: 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 benefit of residents of the City of Pittsburgh, at a cost not to exceed \$918,650.00; so as to reprogram funds in City Council from: "Tri-Valley Athletic Association" (- \$2,000.00); and transfer these funds to "Coalition for Fair Housing" (+\$2,000.00).

**SPONSOR(S): DARLENE HARRIS**

**Read and referred to Finance and Law Committee**

Bill No.

[2012-0262](#)

Resolution Amending Resolution No. 67, effective February 29, 2012, 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 2010 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: "Tri-Valley Athletic Association" (- \$2,000.00); and transfer these funds to "Coalition for Fair Housing" (+\$2,000.00).

**SPONSOR(S): DARLENE HARRIS**

**Read and referred to Land Use and Economic Development Committee**

Bill No.

[2012-0263](#)

Resolution amending Resolution No. 70, effective February 29, 2012, entitled: 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 benefit of residents of the City of Pittsburgh, at a cost not to exceed \$1,357,500.00; so as to reprogram funds in City Council from: "Tri-Valley Athletic Association" (- \$2,000.00); and transfer these funds to "Coalition for Fair Housing" (+\$2,000.00).

**SPONSOR(S): DARLENE HARRIS**

**Read and referred to Finance and Law Committee**



Bill No.

[2012-0264](#)

Resolution Amending Resolution No. 69, effective February 29, 2012, 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 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, so as to reprogram funds in City Council and the Mayor's Office from: "Tri-Valley Athletic Association" (- \$2,000.00); " My Brothers Keeper" (-\$5,000.00); and transfer these funds to "Coalition for Fair Housing" (+\$2,000.00) and "Isaiah Project" (+\$5,000.00).

**SPONSOR(S): DARLENE HARRIS**

**Read and referred to Land Use and Economic Development Committee**

Bill No.

[2012-0265](#)

Resolution amending Resolution No. 64, effective February 29, 2012, entitled "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 the benefit of residents of the City of Pittsburgh; and further, authorizing various City Departments to enter into contact or contracts or use existing contract or contracts for street paving, the purchase of equipment and/or furniture and other related costs at a costs not to exceed 800,000.00", so as to reprogram funds in City Council from: "Bloomfield Citizens Council" (-\$6,000.00) and "District 1 Equipment" (-\$1,500.00); and transfer these funds to the "Coalition for Fair Housing" (+ \$1,500.00) and "Traffic Improvements" (+\$6,000.00).

**SPONSOR(S): DARLENE HARRIS AND PATRICK DOWD**

**Read and referred to Finance and Law Committee**

Bill No.

[2012-0266](#)

Resolution amending Resolution No. 63, effective February 29, 2012, entitled: Resolution 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 2008 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: "Bloomfield Citizens Council" (-\$6,000.00) and "District 1 Equipment" (-\$1,500.00); and transfer these funds to the "Coalition for Fair Housing" (+ \$1,500.00) and "Traffic Improvements" (+\$6,000.00).

**SPONSOR(S): DARLENE HARRIS AND PATRICK DOWD**

**Read and referred to Land Use and Economic Development Committee**



Bill No. Resolution authorizing the appointment of Mike Huss as a member of the Equipment  
[2012-0246](#) Leasing Authority for a term to expire on June 15, 2016.

**Held, Pending Interview to Hearings Committee**

Bill No. Resolution authorizing the reappointment of Ralph Norman, 281 Oakville Drive,  
[2012-0247](#) Pittsburgh, PA 15220 as a member of the Citizen Police Review Board for a term to  
expire on October 31, 2015.

**Held, Pending Interview to Hearings Committee**

Bill No. Resolution authorizing the appointment of Thomas Kolano of 1728 Wharton Street,  
[2012-0248](#) Pittsburgh, PA 15203 as a member of the Citizen Police Review Board for a term to  
expire on October 31, 2013.

**Held, Pending Interview to Hearings Committee**

Bill No. Resolution authorizing the appointment of Emma Lucas-Darby of 566 Soho Street,  
[2012-0249](#) Pittsburgh, PA 15219 as a member of the Citizen Police Review Board for a term to  
expire on October 31, 2015.

**Held, Pending Interview to Hearings Committee**

Bill No. Resolution authorizing the appointment of Thomas Waters of 5900 Jackson Street,  
[2012-0250](#) Pittsburgh, PA 15206 as a member of the Citizen Police Review Board for a term to  
expire on October 31, 2015.

**Held, Pending Interview to Hearings Committee**

Bill No. Resolution informing Council of the appointment by Councilman William Peduto of  
[2012-0251](#) James Isler, 5432 Howe Street, Pittsburgh, PA, 15232, as a Member of the Pittsburgh  
Cable Communications Advisory Committee representing District 8, for a term to  
expire December 31, 2013.

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

## UNFINISHED BUSINESS

Bill No. Resolution authorizing the appointment of Richard G. Talarico, 5547 Fair Oaks Street,  
[2012-0140](#) Pittsburgh, PA 15217, as a member of the Ethics Hearing Board for a term to expire  
on August 1, 2013.

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

Bill No. Resolution authorizing the reappointment of John C. Welch, 611 Wilksburg Avenue,  
[2012-0141](#) Pittsburgh, PA 15221, as a member of the Ethics Hearing Board for a term to expire  
on August 1, 2012.

**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. [2012-0236](#) Report of the Committee on Finance and Law for March 28, 2012 with an Affirmative Recommendation.

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

Bill No. [2012-0205](#) Resolution authorizing the issuance of a warrant in favor of Langholz Wilson Ellis, Inc., 606 Liberty Avenue, Suite 300, Pittsburgh, PA 15222-2721, in an amount not to exceed Five Thousand Five Hundred Dollars (\$5,500.00) for professional services rendered in connection with real estate tax assessment matters for the 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. [2012-0207](#) Resolution providing for an agreement/s, or use of existing agreements and/or a contract/s, or use of existing contracts, and for the purchase of materials, supplies, equipment, and/or services for City Council Neighborhood Needs Program and providing for the payment of the costs thereof by transferring \$10,000 from District 1 Neighborhood Needs Projects to Spring Hill Civic League. Total cost of all projects is not to exceed \$437,779.53.

**SPONSOR(S): DARLENE HARRIS**

**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

### COUNCILWOMAN SMITH PRESENTS COMMITTEE ON PUBLIC SAFETY SERVICES

Bill No. [2012-0237](#) Report of the Committee on Public Safety Services for March 28, 2012 with an Affirmative Recommendation.

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

Bill No.

[2012-0206](#)

Resolution authorizing the Mayor and the Chief of Emergency Medical Services (EMS) to enter into a grant agreement with the Federal Emergency Management Agency (FEMA) and the Department of Homeland Security (DHS) to receive grant funds through the Port Security Grant Program for two investment justifications for a River Rescue Boathouse security system with electrical service upgrades and an underwater remote operated vehicle (ROV). Said agreement or agreements, contract or contracts or expenditures shall not exceed \$130,000.00.

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

Bill No.

[2012-0238](#)

Report of the Committee on Land Use and Economic Development for March 28, 2012 with an Affirmative Recommendation.

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

Bill No.

[2012-0208](#)

Resolution further amending and supplementing Resolution No. 855 of 2011, entitled "adopting and approving the 2012 capital budget and the 2012-2017 Capital Improvement Program" by transferring \$10,000 from District 1 Neighborhood Needs Projects to Spring Hill Civic League.

**SPONSOR(S): DARLENE HARRIS**

**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 O'CONNOR PRESENTS COMMITTEE ON URBAN RECREATION**

Bill No.

[2012-0239](#)

Report of the Committee on Urban Recreation for March 28, 2012 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 the Department of Parks and Recreation to enter into a License Agreement with the Parking Authority for the use of property on 18th & East Carson Streets for the 2012 Farmers' Market.

[2012-0098](#)

**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

Bill No. Whereas, on February 14, 2012, the State Legislature enacted Act 13, legislation that is to the detriment of local government and to those who reside in Pennsylvania's 2,661 municipalities; and,

[2012-0273](#)

Whereas, Act 13 allows for oil and gas development activities as a permitted use in every zoning district; it infringes upon the rights of affected local governments throughout the Commonwealth to protect the health, safety, and welfare of its citizens, as the City of Pittsburgh did by enacting a ban on drilling; and,

Whereas, any local ordinance that may impact the Oil & Gas industry must receive approval from the Pennsylvania Public Utility Commission, a non-elected body, and the Commission has the authority to, among other things, bring lawsuits against local governments on behalf of private parties, and in doing so renders moot the ability of affected local governments throughout the Commonwealth to implement and effectuate local community-wide comprehensive planning and zoning codes; and,

Whereas, this legislation strips away all local zoning and planning authority from affected local governments, as it would apply only to the Oil & Gas industry. All others, be they corporate, institutional or governmental must still abide by local zoning and planning ordinances; and,

Whereas, despite the profound changes in the character of Pennsylvania's municipal landscape, economy and its government is experiencing, little was done to address these changes in Act 13. There were no meaningful transparent discussions between state and local government; and,

Whereas, the Oil & Gas industry is engaged in a drilling campaign in Pennsylvania and has unduly influenced state elected officials enabling them to provide and legislate for the path of least resistance to the riches that lie beneath the Commonwealth; and,

**SPONSOR(S): DARLENE HARRIS**

**A motion was made that this matter be Adopted. 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

## **EXCUSE ABSENT MEMBERS**

*Councilman Peduto*

## **APPROVAL OF MINUTES**

## **ADJOURNMENT**

## **LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER**