

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, September 14, 2010

10:00 AM

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.

[2010-0930](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize and commend Laura Miller for her charitable works and for her efforts to promote acts of kindness in the Pittsburgh region and beyond; and

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare September 14, 2010 to be "Secret Agent L Day" in the City of Pittsburgh.

SPONSOR(S): WILLIAM PEDUTO AND ALL MEMBERS

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

Bill No.

[2010-0931](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend and honor the Lebanese-American community of Our Lady of Victory Maronite Catholic Church for the length and quality of its service to the community; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Sunday, September 19, 2010, to be "Lebanese-American 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.

[2010-0932](#)

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Pittsburgh does hereby recognize, appreciate and celebrate the life and wisdom of George C. Lichauer, Jr., his love of family and friends, who proved what one man can do to honor his fellow servicemen both here and gone, for those who are gone, he kept their memories alive; for those here, he shared a bond of brotherhood, telling stories, and keeping them in good spirits.

SPONSOR(S): DARLENE HARRIS AND ALL MEMBERS

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

Bill No.

[2010-0933](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the 2010 Carlow University Women of Spirit® Award winners for their service to the community and excellence in their professional endeavors; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare September 16, 2010 to be "Women of Spirit Day" in the City of Pittsburgh.

SPONSOR(S): WILLIAM PEDUTO AND ALL MEMBERS

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

PUBLIC COMMENTS

PRESENTATION OF PAPERS

COUNCILMAN PATRICK DOWD PRESENTS:

Bill No. Resolution directing the Department of City Planning to begin the process of dedicating various parcels listed in Attachment A in the Morningside and Stanton Heights neighborhoods as a City of Pittsburgh Greenway, to be named the Allegheny Valley Greenway.

[2010-0929](#)

SPONSOR(S): PATRICK DOWD

Read and referred to Land Use and Economic Development Committee

COUNCILMAN WILLIAM PEDUTO PRESENTS:

Bill No. Resolution repealing items in Resolutions approved on various dates, authorizing the 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 N. A: 4437 Sweetbay; B: 2929 Zephyr; C: 535 Paulson; D: 523 Jefferson; E: 5034 Ampere; F: 1812 Rialto; G: 218 Caledonia; H: 425 Fairywood; I: 505 Fairywood; J: 514 Fairywood; K: 516 Fairywood; L: 312 Oregon; M: 228 Stanhope; N: 215 Tabor.

[2010-0922](#)

Read and referred to Finance and Law Committee

Bill No. 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 C. A: 1408 Faulsey; B: 24 E. Sycamore (Part); C: 184 Brook.

[2010-0923](#)

Read and referred to Finance and Law Committee

Bill No. Resolution providing for 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.

[2010-0924](#)

ITEM A.

A: 6726, 6728 & 6730 Simonton.

Read and referred to Finance and Law Committee

Bill No. 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.

[2010-0925](#)

ITEMS A through J.

A: 2834 Murray; B: 3727 Merle; C: 525 Jacksonia; D: 23 & 25 Greeley;

E: 425 Sweetbriar; F: 6718 Simonton; G: 6724 Simonton; H: 2112 Lappe; I: 1617

Rockford; J: 5147 Holmes.

Read and referred to Finance and Law Committee

COUNCILMAN DOUGLAS SHIELDS PRESENTS:

Bill No. Ordinance amending the Pittsburgh Zoning Code, Title Nine, Article One, Chapter
[2010-0926](#) 902 Section 902.03, Zoning District Map Nos. 11, 12, 16 and 17 by changing various zoning district classifications in the Westwood neighborhood in accord with Map Pittsburgh: Zoning for your Neighborhood, the city's zoning re-mapping project relative to the city's new Urban Zoning Code.

Read and referred to Land Use and Economic Development Committee

Bill No. Resolution providing for the designation and transfer of certain public properties
[2010-0927](#) within the Perry North neighborhood to become permanent, public, passive open space under the Greenways for Pittsburgh program.

Read and referred to Land Use and Economic Development Committee

COUNCIL PRESIDENT DARLENE M. HARRIS, PRESENTS:

Bill No. Resolution authorizing the Mayor to enter into a Grant Agreement with the
[2010-0928](#) Pennsylvania Energy Development Authority ("PEDA") of the Commonwealth of Pennsylvania to accept funding from PEDA for the City's Energy Efficient Streetlight Conversion Project (Phase 1).

SPONSOR(S): DARLENE HARRIS

Read and referred to Performance and Asset Management 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 September 8, 2010 with an
[2010-0916](#) Affirmative 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 the sum of \$60,000.00 to Alton
[2010-0784](#) Lawson and Verdell Dean, Esquire, his attorney, 1609 Allegheny Building, 429 Forbes Avenue, Pittsburgh, PA 15219, in full and final settlement of an action filed at USDC 2:09-cv-1538, and arising from alleged injuries as a result of alleged violation of constitutional rights.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution providing for the issuance of a \$5,000.00 warrant in favor of Jada N.
[2010-0858](#) Hayes, of 126 Henderson Street, Pittsburgh, PA 15212, in settlement of a claim for suffered injuries from an accident involving a fall into a manhole on August 28, 2007 along Bedford Avenue.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution providing for the issuance of a \$3,400.00 warrant in favor of Remington S. Sinclair, of 110 The Boulevard, Pittsburgh, PA 15210, in settlement of a claim for property damage to a vehicle from branches from a City tree that fell on the vehicle while it was parked near 110 The Boulevard on May 8, 2010.

[2010-0860](#)

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution authorizing the issuance of a Warrant in the sum of \$45,000.00 in favor of John Doe and Christine Elzar, his attorney, Stember, Feinstein, Doyle, Payne & Cordes, Riverview Place Office, 245 Fort Pitt Boulevard, Pittsburgh, PA 15219; in full and final settlement of an action filed in the United States District Court, Western District of Pennsylvania at Docket Number 10 cv 214, for an employment related claim.

[2010-0861](#)

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

COUNCILWOMAN SMITH PRESENTS COMMITTEE ON PUBLIC SAFETY SERVICES

Bill No. Report of the Committee on Public Safety Services for September 8, 2010 with an Affirmative Recommendation.

[2010-0917](#)

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

Bill No. Resolution authorizing the Mayor to accept on behalf of the City of Pittsburgh, a grant from the Department of Justice in the amount of \$157,000, and authorizing and directing the Mayor to enter into an Agreement or Agreements with qualified drug treatment programs for drug treatment services, with qualified non-profit agencies for project coordination services, with qualified organizations for community surveying, social, educational, recreational, youth development, and other related services including transfer of salaries and fringe benefits, supply purchases, equipment purchases, travel reimbursement, and other expenses in connection with the City's Operation Weed and Seed Program in the Lawrenceville neighborhood.

[2010-0862](#)

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution authorizing the Mayor to accept on behalf of the City of Pittsburgh, a grant from the Department of Justice in the amount of \$157,000, and authorizing and

[2010-0863](#)

directing the Mayor to enter into an Agreement or Agreements with qualified drug treatment programs for drug treatment services, with qualified non-profit agencies for project coordination services, with qualified organizations for community surveying, social, educational, recreational, youth development, and other related services including transfer of salaries and fringe benefits, supply purchases, equipment purchases, travel reimbursement, and other expenses in connection with the City's Operation Weed and Seed Program in the neighborhoods of Chartiers City, Crafton Heights, Elliott, Esplen, Fairywood, Sheraden, West End, and Windgap.

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 KRAUS PRESENTS COMMITTEE ON PUBLIC WORKS

Bill No. [2010-0918](#) Report of the Committee on Public Works for September 8, 2010 with an Affirmative Recommendation.

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

Bill No. [2010-0851](#) Resolution naming the t-ball field at Brookline Memorial Park "Officer Stephen J. Mayhle Memorial Park."

SPONSOR(S): NATALIA RUDIAK, REVEREND RICKY V. BURGESS, PATRICK DOWD, DARLENE HARRIS, BRUCE A. KRAUS, R. DANIEL LAVELLE, WILLIAM PEDUTO, DOUGLAS SHIELDS AND THERESA SMITH

A motion was made that this matter be 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

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. [2010-0864](#)
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 for repairs, maintenance, improvements, emergencies and/or the purchase of equipment, materials and supplies in connection with the on-going maintenance, rehabilitation and new construction of City-owned walls, steps and fences; and further providing for the payment of the costs thereof. Cost not to exceed \$50,000.00.

This Matter was Passed Finally on the Consent Agenda.

Bill No. [2010-0865](#)
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 \$757,280.00.

This Matter was Passed Finally on the Consent Agenda.

Bill No. [2010-0866](#)
Resolution authorizing the Mayor and the Directors of the Department of Parks and Recreation and Public Works to Enter into a Project and License Agreement with the Mount Washington Community Development Corporation ("MWCDC") to install leased coin-operated viewing machines ("Viewfinders") along Grandview Avenue to increase public enjoyment of Emerald View Park from specific vantage points.

This Matter was Passed Finally on the Consent Agenda.

Bill No. [2010-0867](#)
Resolution authorizing the Mayor and the Directors of the Department of Parks and Recreation and the Department of Public Works to enter into a Lease Agreement with the Pittsburgh Ballet Theater for a portion of real property located on Liberty Avenue between 29th and 30th Streets.

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. [2010-0919](#)
Report of the Committee on Human Resources for September 8, 2010 with an Affirmative Recommendation.

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

Bill No.

[2010-0869](#)

Resolution to amend Resolution No. 436 of 2010, "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 2010 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.

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

COUNCILWOMAN RUDIAK PRESENTS COMMITTEE ON PERFORMANCE AND ASSET MANAGEMENT

Bill No.

[2010-0920](#)

Report of the Committee on Performance and Asset Management for September 8, 2010 with an Affirmative Recommendation.

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

Bill No.

[2010-0743](#)

Resolution providing for an Agreement or Agreements and a Lease or Leases by and between the City of Pittsburgh ("City") and First Vehicle Services ("First Vehicle"), pursuant to which First Vehicle will furnish all work and services needed to manage and maintain the City's Vehicle Fleet.

A motion was made that this matter be 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

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

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

COUNCILMAN DOWD PRESENTS COMMITTEE ON INTERGOVERNMENTAL AFFAIRS

Bill No. [2010-0921](#) Report of the Committee on Intergovernmental Affairs for September 8, 2010 with an Affirmative Recommendation.

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

Bill No. [2010-0871](#) Resolution amending Resolution No. 692, effective November 19, 2009, entitled "Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh in connection with URA's application for a Redevelopment Assistance Capital Program grant of up to \$250,000 for the Phipps Conservatory Phase III project" by increasing the amount of the grant to \$500,000. (Council Districts 3 and 5)

This Matter was Passed Finally on the Consent Agenda.

Bill No. [2010-0872](#) Resolution amending Resolution No. 693, effective November 19, 2009, entitled "Authorizing the Urban Redevelopment Authority of Pittsburgh to submit an Application to the Pennsylvania Office of the Budget for a Redevelopment Assistance Capital Program grant of up to \$250,000 for the Phipps Conservatory Phase III project." by increasing the grant to \$500,000. (Council Districts 3 and 5)

This Matter was Passed Finally on the Consent Agenda.

Bill No. [2010-0873](#) Resolution amending Resolution No. 509, effective August 17, 2009, entitled "Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh in connection with URA's application for a Redevelopment Assistance Capital Program grant of up to \$750,000 for the Pittsburgh Ballet Theatre project" by increasing the amount of the grant to \$1,250,000. (Council District 7)

This Matter was Passed Finally on the Consent Agenda.

Bill No. [2010-0874](#) Resolution amending Resolution No. 508, effective August 17, 2009, entitled "Authorizing the Urban Redevelopment Authority of Pittsburgh to submit an Application to the Pennsylvania Office of the Budget for a Redevelopment Assistance Capital Program grant of up to \$750,000 for the Pittsburgh Ballet Theatre project" by increasing the grant to \$1,250,000. (Council District 7)

This Matter was Passed Finally on the Consent Agenda.

Bill No. [2010-0875](#) Resolution further amending Resolution No. 574, effective October 26, 2007, entitled "Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh in connection with URA's application for a

\$875,000 Redevelopment Assistance Capital Program grant for the Pittsburgh Zoo and PPG Aquarium project” by increasing the amount of the grant to \$2,000,000. (Council District 7)

This Matter was Passed Finally on the Consent Agenda.

Bill No.
[2010-0876](#) Resolution further amending Resolution No. 575, effective October 26, 2007, entitled “Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an Application to the Pennsylvania Office of the Budget for a Redevelopment Assistance Capital Program grant in the amount of \$875,000 for the Pittsburgh Zoo & PPG Aquarium project” by increasing the grant to \$2,000,000. (Council District 7)

This Matter was Passed Finally on the Consent Agenda.

Bill No.
[2010-0877](#) Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh in connection with URA's application for a Redevelopment Assistance Capital Program grant of up to \$500,000 for the Pittsburgh Parks Conservancy project. (Council Districts 3 & 6)

This Matter was Passed Finally on the Consent Agenda.

Bill No.
[2010-0878](#) Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an Application to the Pennsylvania Office of the Budget for a Redevelopment Assistance Capital Program grant of up to \$500,000 for the Pittsburgh Parks Conservancy project. (Council Districts 3 & 6)

This Matter was Passed Finally on the Consent Agenda.

Bill No.
[2010-0879](#) Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh in connection with URA's application for a Redevelopment Assistance Capital Program grant of up to \$12,000,000 for the Connelly Trade School project. (Council District 6)

This Matter was Passed Finally on the Consent Agenda.

Bill No.
[2010-0880](#) Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an Application to the Pennsylvania Office of the Budget for a Redevelopment Assistance Capital Program grant of up to \$12,000,000 for the Connelly Trade School project. (Council District 6)

This Matter was Passed Finally on the Consent Agenda.

Bill No.
[2010-0881](#) Resolution amending Resolution No. 636, effective October 24, 2006, entitled “Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh in connection with URA's application for a \$7,500,000 Redevelopment Assistance Capital Program grant for the Carnegie Library of Pittsburgh branch modernization project” by increasing the amount of the grant to \$8,500,000 and adding other projects. (Council Districts: All)

This Matter was Passed Finally on the Consent Agenda.

Bill No.
[2010-0882](#) Resolution amending Resolution No. 645, effective October 24, 2006, entitled “Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit

an Application to the Pennsylvania Office of the Budget for a Redevelopment Assistance Capital Program grant in the amount of \$7,500,000 for the Carnegie Library of Pittsburgh branch modernization project” by increasing the grant to \$8,500,000 and adding other projects. (Council Districts: All)

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

MOTIONS AND RESOLUTIONS

Councilwoman Darlene Harris motioned for a Cablecast Meeting in Council Chambers for Friday, September 24th at 2:00 p.m. so that Council's vendor, FSG, can provide a presentation in response to the Mayor's RFP selection on the leasing of parking assets.

APPROVAL OF MINUTES

ADJOURNMENT

LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER