

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, May 15, 2012

10:00 AM

Council Chambers

City Council

**ONE-HUNDRED
THIRTY-SEVENTH COUNCIL**

Darlene M. Harris, President

**Council Members: Rev. Ricky V. Burgess, Patrick Dowd, Bruce A. Kraus, R. Daniel Lavelle,
Corey O'Connor, William Peduto, Natalia Rudiak, Theresa Kail-Smith**

**Linda M. Johnson-Wasler, City Clerk
Mary Beth Doheny, Deputy City Clerk**

ROLL CALL

Present: 9 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Bill No.

[2012-0394](#)

NOW THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby recognize and honor Allegheny General Hospital, its Auxiliary organization, the Northside Leadership Conference, and our students and teachers, for their commitment to educating local youth and making their lives safer through the Stranger Awareness Program; and

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare the month of May 2012, to be "Stranger Awareness Month" in the City of Pittsburgh.

SPONSOR(S): DARLENE HARRIS AND ALL MEMBERS

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

Bill No.

[2012-0395](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the Banksville Athletic Association for its commitment to the families of the City of Pittsburgh; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, May 15, 2012, to be "Banksville Athletic Association Day" in the City of Pittsburgh.

SPONSOR(S): THERESA SMITH AND ALL MEMBERS

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

Bill No.

[2012-0396](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the Westwood Oakwood Athletic Association (WOAA) for continuous service to the children of the City of Pittsburgh and helping to improve their quality of life; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, May 15, 2012, to be "Westwood Oakwood Athletic Association Day" in the City of Pittsburgh.

SPONSOR(S): THERESA SMITH AND ALL MEMBERS

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

Bill No.

[2012-0397](#)

NOW, THEREFORE BE IT RESOLVED, that the City of Pittsburgh does hereby commend Charles and Marie Upshur on a life's work of outstanding community service to those in need, setting a noble example for others in the City of Pittsburgh to follow;

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare April 17, 2012 to be "Charles Upshur and Marie Upshur Day" in the City of Pittsburgh.

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

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

Bill No.

[2012-0398](#)

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby recognizes and commends Rick Stern for his entrepreneurial successes and for his commitment to the Squirrel Hill neighborhood and congratulates Rick and Alexa Stern on the 90th Anniversary of the Manor Theater; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, May 15, 2012, to be "MANOR THEATER DAY" in the City of Pittsburgh.

SPONSOR(S): COREY O'CONNOR AND ALL MEMBERS

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

Bill No.

[2012-0399](#)

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby commend the Jewish Sports Hall of Fame of Western Pennsylvania for its efforts to promote and recognize Jewish athletes, past and present; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare May 20, 2012, to be "JEWISH SPORTS HALL OF FAME DAY" in the City of Pittsburgh.

SPONSOR(S): COREY O'CONNOR AND ALL MEMBERS

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

Bill No.

[2012-0400](#)

THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh celebrates the Intel® International Science and Engineering Fair® and the Society for Science & the Public for their vital efforts to foster innovation in science and technology and for taking place in the City of Pittsburgh, where such innovation has always been a part of our heritage.

THEREFORE BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare May 13-18, 2012 to be Intel® International Science and Engineering Fair® Week 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.

[2012-0401](#)

THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh recognizes the valuable contributions that CTAC has made to a number of community-based organizations in our City and congratulates it on over 30 years of strengthening our neighborhoods, and therefore be it further resolved that the Council of the City of Pittsburgh does hereby declare May 15, 2012 to be CTAC Core Series

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.

[2012-0402](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize the Citizen Police Review Board for 15 years of responsible and professional service and thanks the members, staff, Executive Director, and solicitor for their commitment to a safe, just, and equitable City; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare May 15, 2012 to be "Citizen Police Review Board 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.

[2012-0403](#)

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby declare Tuesday, May 15th, 2012, to be Pat's Lunch Day in the City of Pittsburgh.

SPONSOR(S): BRUCE A. KRAUS AND ALL MEMBERS

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

Bill No.

[2012-0404](#)

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby commend Jewish Family and Children's Services of Pittsburgh on its Annual Meeting and congratulates its award winners for their dedication and commitment; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, May 15, 2012, to be "JEWISH FAMILY AND CHILDREN'S SERVICES DAY" in the City of Pittsburgh.

SPONSOR(S): COREY O'CONNOR AND ALL MEMBERS

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

Bill No.

[2012-0405](#)

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby commend Steeltown Entertainment for its contributions to the Pittsburgh region and congratulates them for honoring Ellen Weiss Kander with an award in her name;and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Saturday, May 12, 2012, to be "ELLEN WEISS KANDER DAY" in the City of Pittsburgh.

SPONSOR(S): COREY O'CONNOR AND ALL MEMBERS

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

Bill No.

[2012-0406](#)

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby recognize and congratulate Irene Louik, Esther Schwartz, Bertha Borsch,

and Selma Stein who are all 100 years old and Margaret Reich who is 102 years, Albert Schwartz who is 103 years and Rose Platt who is 104 years old.

SPONSOR(S): COREY O'CONNOR AND ALL MEMBERS

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

Bill No.

[2012-0407](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize The Midwife Center for their excellence in providing essential care to women around the region for the past 30 years; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare May 19, 2012 to be "The Midwife Center 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.

[2012-0408](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the varsity cheerleading squad of Bishop Leonard Saint Mary of the Mount Academy for all their hard work, dedication, and tremendous efforts in creating an overall outstanding season and bringing a positive light for not only the school, but for all those involved in the parish community, alumni, and residents from the surrounding community; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Saturday, May 12, 2012, to be "BLSMMA Varsity Cheerleading Squad Day" in the City of Pittsburgh.

SPONSOR(S): THERESA SMITH AND ALL MEMBERS

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

Bill No.

[2012-0409](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend all of those who gave their time and expertise to the residents of the City of Pittsburgh and to the residents for being willing to learn about the valuable work that the Pittsburgh Bureau of Police provide to this city; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Wednesday, May 16, 2012, to be "Citizen's Police Academy Class 12-01 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.

COUNCILMAN REVEREND RICKY V. BURGESS PRESENTS:

Bill No.

[2012-0386](#)

Resolution authorizing the Mayor to accept and expend on behalf of the City of Pittsburgh a grant from The Home Depot Foundation in the amount of One Hundred and Thirty Thousand Dollars (\$130,000) in Home Depot gift cards and additional monies, and authorizing the Mayor to enter into mini-grant agreements with qualified nonprofit organizations to complete block revitalization projects for the City's Love Your Block initiative.

Read and referred to Finance and Law Committee**COUNCILMAN R. DANIEL LAVELLE PRESENTS:**

Bill No. Resolution authorizing the Mayor and Director of City Planning to execute relevant
[2012-0387](#) agreements to receive grant funding to support the re-casting and reconfiguring to make ADA accessible historic bronze water fountains designed by artist Frank Vittor and further providing for an agreement and expenditures not to exceed fifty thousand (\$50,000) dollars for this stated purpose.

Read and referred to Land Use and Economic Development Committee

Bill No. Amending Resolution No. 102 approved February 11, 1992, providing for the
[2012-0388](#) implementation of Residential Parking Permit Program (RPPP) Area "S", in the North Oakland/Ewart Drive area (Council District #6) to expand the district to include an additional street pursuant to Pittsburgh Code Chapter 549.

Read and referred to Land Use and Economic Development Committee**COUNCILMAN COREY O'CONNOR PRESENTS:**

Bill No. Resolution amending Resolution No 149 of 2012 entitled "Providing for an
[2012-0390](#) 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 adding \$21,500.00 to the Squirrel Hill Urban Coalition for Minadeo School Playground Improvements and by reducing various projects in Council District 5 Neighborhood Needs.

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
[2012-0391](#) "adopting and approving the 2012 Capital Budget and the 2012-2017 Capital Improvement Program" by adding \$21,500.00 to the Squirrel Hill Urban Coalition for Minadeo School Playground Improvements and by reducing various projects in Council District 5 Neighborhood Needs.

SPONSOR(S): COREY O'CONNOR

Read and referred to Land Use and Economic Development Committee**COUNCIL PRESIDENT DARLENE M. HARRIS PRESENTS:**

Bill No. Resolution authorizing the City of Pittsburgh to enter into an agreement with the
[2012-0392](#) Pittsburgh Foundation to document a voluntary commitment from community nonprofit organizations to provide financial assistance to the City for the year 2012.

SPONSOR(S): DARLENE HARRIS

Read and referred to Finance and Law Committee

Bill No. Repealing Resolution 712 of 2009, entitled, "Resolution authorizing the Mayor, the
[2012-0393](#) Director of Finance and the City Solicitor to enter into agreement or agreements with institutions of purely public charities for the purposes of collecting payments in lieu of taxes."

SPONSOR(S): DARLENE HARRIS

Read and referred to Finance and Law Committee

Bill No. Communication from Michael Lamb, City Controller, submitting a Performance Audit
[2012-0389](#) of the City Department of Law dated May 2012

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

UNFINISHED BUSINESS

Bill No. Resolution authorizing the Appointment of John L. Tague, Jr. 4261 Frank Street,
[2012-0331](#) Pittsburgh, PA 15217, as a Member of the Commission on Human Relations, for a Term to expire on April 1, 2016.

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

Bill No. Resolution authorizing the Appointment of James Sheppard, 2620 Plainview Avenue,
[2012-0332](#) Pittsburgh, PA 15226, as a Member of the Commission on Human Relations, for a Term to expire on April 1, 2015.

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. Report of the Committee on Finance and Law for May 9, 2012 with an Affirmative
[2012-0382](#) Recommendation.

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

Bill No. Resolution authorizing the issuance of a warrant in favor of Global Recovery Services,
[2012-0346](#) P.O. Box 105795, Atlanta, GA 30348-9864, in an amount not to exceed Fifty Thousand Dollars (\$50,000.00), said amount representing payment for deductible amounts due pursuant to policy of insurance covering the G-20 related claims presented; claims 683-296774 and 683-305328.

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. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0

COUNCILMAN KRAUS PRESENTS COMMITTEE ON PUBLIC WORKS

Bill No. [2012-0383](#) Report of the Committee on Public Works for May 9, 2012 with an Affirmative Recommendation.

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

Bill No. [2012-0348](#) Resolution granting unto the Pennsylvania Macaroni Company Inc., 650 Mansfield Avenue, Pittsburgh, PA 15205, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense a concrete and metal deck over the sidewalk area at 2009 Penn Avenue in the 2nd Ward, 6th Council District of the City of Pittsburgh.

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. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0

COUNCILMAN WILLIAM PEDUTO PRESENTS COMMITTEE ON HUMAN RESOURCES

Bill No. [2012-0384](#) Report of the Committee on Human Resources for May 9, 2012 with an Affirmative Recommendation.

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

Bill No. [2012-0350](#) Resolution to amend Resolution No. 36 of 2012, "Providing for a professional service agreement or agreements for professional services in connection with the administration of the City of Pittsburgh's Flexible Spending Account program, by changing the vendor name to Highmark Inc.. Cost not to exceed \$17,238.00.

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. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0

Bill No. [2012-0351](#) Resolution providing that the City of Pittsburgh enter into a Professional Services Agreement(s) and/or Contracts with consultants and/or service providers for professional services in connection with Civil Service and MPOETC required assessment and evaluation of Public Safety candidates (Police Officer Recruits, Paramedics), and providing for payment of the cost thereof not to exceed \$35,100.00.

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. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0

Bill No.

[2012-0352](#)

Resolution providing that the City of Pittsburgh enter into a Professional Services Agreement(s) for the annual maintenance and support of software necessary for the processing and administration of Personnel and Civil Service applications for employment and providing for the payment of the costs thereof. Cost not to exceed \$12,218.75.

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. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0

Bill No.

[2012-0353](#)

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 2012 Pittsburgh Partnership Summer Youth Program; and providing the periodic transfer of funds to be used in the Pittsburgh Partnership Summer Youth Program for payment of cost thereof, cost not to exceed \$125,000.00.

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. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0

Bill No.

[2012-0354](#)

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 2012 Pittsburgh Partnership Summer Youth Program; and providing the periodic transfer of funds to be used in the Pittsburgh Partnership Summer Youth Program for payment of cost thereof, cost not to exceed \$120,000.00 and \$5,000.00 to support the DiverseCity 365 Living Legend Honors and Inclusion Series.

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. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0

Bill No. Resolution providing for the acceptance of grant from the U.S. Department of Housing & Urban Development in the amount of \$64,985, resulting from the approval of a proposal for specific research and study; providing for the deposit of those funds into a specific bank account known as the HUD-FHP Trust Fund; and providing an Agreement to enter into a contract with the University of Pittsburgh Center for Metropolitan Studies to utilize funds awarded by the U.S. Department of Housing & Urban Development to assist the Commission on Human Relations in conducting said research, investigation and report involving the specific population study, at a cost not to exceed \$64,985.

[2012-0355](#)

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. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0

COUNCILMAN O'CONNOR PRESENTS COMMITTEE ON URBAN RECREATION

Bill No. Report of the Committee on Urban Recreation for May 9, 2012 with an Affirmatiave Recommendation.

[2012-0385](#)

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

Bill No. Resolution authorizing the Director of the Department of Parks and Recreation to enter into agreements in individual amounts of Ten Thousand Dollars (\$10,000.00) or less with performers, instructors, artists and persons with specialized skills in connection with the Department's recreational and instructional programs.

[2012-0356](#)

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. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0

Bill No. Resolution authorizing the Director of the Department of Parks and Recreation to enter into agreement or agreements, contract or contracts and use of existing agreement or agreements, contract or contracts in individual amounts of Ten Thousand Dollars (\$10,000.00) or less with consultants in connection with the Department's

[2012-0357](#)

recreational and park related services.

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. O'Connor, Mr. Peduto, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 0

MOTIONS AND RESOLUTIONS

WILL OF COUNCIL

Bill No.

[2012-0410](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby express opposition to the ongoing court-ordered reassessment and ask the Court of Common Pleas to stop the process immediately to return certainty and stability to all residents, businesses, governments and school districts in Allegheny county; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh joins in the efforts of Senator Wayne D. Fontana, County Executive Rich Fitzgerald, Allegheny County Council and others to combat this unfair and inequitable reassessment process; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby call on the Pennsylvania General Assembly to support Senate Bills 1280 and 1462, sponsored by Senator Wayne D. Fontana.

SPONSOR(S): WILLIAM PEDUTO AND ALL MEMBERS

A motion was made that this matter be Held in Council for May 22, 2012. The motion carried.

MOTION FOR A CABLECAST POST AGENDA

Councilman Lavelle: PreservePgh Plan/City Planning

APPROVAL OF MINUTES

ADJOURNMENT

LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER