

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 28, 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. [2010-0963](#) NOW, THEREFORE, BE IT RESOLVED, that Council of the City of Pittsburgh does hereby recognize and commend its adopted son, Bill Cardille, for providing more than five decades of entertainment to the Pittsburgh region; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby declares September 28, 2010, "Bill Cardille 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. [2010-0964](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes Robert R. Lavelle and his grandson Pittsburgh City Councilman R. Daniel Lavelle for their unending devotion to the community and the City of Pittsburgh; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, September 28, 2010, Robert R. and R. Daniel Lavelle Day in the City of Pittsburgh.

SPONSOR(S): PATRICK DOWD AND ALL MEMBERS

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

Bill No. [2010-0965](#) THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh, commends IRETA for all they do to provide information, technical assistance and educational resources to policy makers, providers, educators, consumers and their families.

NOW THEREFORE BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does, hereby, declare September to be National Alcohol and Drug Addiction Recovery Month in the City of Pittsburgh and encourages all citizens to support this year's theme Join the Voices for Recovery: Now More than Ever throughout the rest of the year and beyond.

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

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

Bill No. [2010-0966](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh, does hereby congratulate the CityFit Black team on its third consecutive Championship and does, hereby, support the CityFit Wellness at Work program in their efforts to promote wellness and camaraderie among the employees of 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.

[2010-0967](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby declare September 27th, 2010 to October 3rd, 2010 as Pittsburgh Fashion Week 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.

[2010-0968](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby proclaim October 7, 2010, to be "Off the Record Day" 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.

[2010-0969](#)

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby thank Gateway to the Arts and Don Marinelli for their efforts to promote arts education in the Pittsburgh region; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare September 30, 2010, "Tap Into Art 2010 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.

[2010-0970](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize and commend George L. Miles Jr. for his dedication in bringing quality programming, both educational and entertaining, to the Pittsburgh region; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare September 29, 2010 to be "George L. Miles, Jr. 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.

[2010-0971](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby declare October 1, 2010 to be "Reverend Thomas Emory Smith Day" in the City of Pittsburgh and commends the reverend for his professional accomplishments and dedicated service to the residents and community of Pittsburgh.

SPONSOR(S): R. DANIEL LAVELLE, REVEREND RICKY V. BURGESS AND ALL MEMBERS

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

Bill No.

[2010-0972](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby declare September 28, 2010 to be "Manford and Ann Sales Day" in the City of Pittsburgh and congratulates the couple on their 70th year anniversary, wishing

them many more years to come.

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

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

Bill No.

[2010-0973](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend and congratulate Meg Cheever, David May - Stein and the Jewish Community Center of Greater Pittsburgh for being recognized and honored as the Squirrel Hill Urban Coalition's Citizens of the Year ; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Thursday, October 14, 2010, to be "SQUIRREL HILL URBAN COALITION CITIZENS OF THE YEAR DAY" in the City of Pittsburgh.

SPONSOR(S): DOUGLAS SHIELDS AND ALL MEMBERS

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

Bill No.

[2010-0974](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize and commend Steven Dieckmann for his leadership, maturity, organizational skills and hard work and congratulates Steven on earning the highest Boy Scout honor, the Eagle Scout Award.

SPONSOR(S): DOUGLAS SHIELDS AND ALL MEMBERS

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

Bill No.

[2010-0975](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize and commend Scott Winterbauer for his leadership and hard work and congratulates Scott on earning the highest Boy Scout honor, the Eagle Scout Award.

SPONSOR(S): DOUGLAS SHIELDS 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.

[2010-0955](#)

Ordinance extending the term of existence of the Public Parking Authority of Pittsburgh until such date which is fifty years after the effective date of this Ordinance, pursuant to the provisions of the Parking Authority Law, Act of 1967, P.L. 458, as amended.

Read and referred to Intergovernmental Affairs Committee

Bill No.

[2010-0956](#)

Resolution authorizing the City of Pittsburgh to enter into concession arrangements with LAZ Parking and J. P. Morgan IFF Acquisitions LLC, operating as Pittsburgh Parking Partners, LLC with respect to on street metered parking and the garages and lots owned by the City and the Public Parking Authority of Pittsburgh (the "Authority") pursuant to the Pittsburgh Metered Parking System Concession and

Services Agreement and the Pittsburgh Public Parking Facilities System Concession and Lease Agreement, and to authorize certain actions and ancillary agreements contemplated by the Metered System Concession Agreement and the Facilities Concession Agreement including the conveyance of Mellon Square garage and five (5) surface parking lots to the Authority as required by the Facilities Concession Agreement and the conveyance of parking meters and other items of equipment to the Concessionaire as required by the Metered System Concession Agreement.

Read and referred to Intergovernmental Affairs Committee

COUNCILMAN BRUCE A. KRAUS PRESENTS:

Bill No. Ordinance amending the Pittsburgh Code, Title Seven, Business Licensing, Chapter
[2010-0953](#) 719 Vendors and Peddlers, Section 710.10, Lists of Sites Approved by Council, by adding permanent street and sidewalk vending sites for 2010 Licensure Years.

Read and referred to Public Works Committee

Bill No. Ordinance amending the Pittsburgh Code, Title Seven, Business Licensing, Chapter
[2010-0954](#) 719 Vendors and Peddlers, Section 710.10, Lists of Sites Approved by Council, by deleting the permanent street and sidewalk vending sites for 2010 Licensure Years.

Read and referred to Public Works Committee

Bill No. Resolution Further amending Resolution No. 121 of 2003, effective March 14, 2003
[2010-0957](#) entitled, "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 2003 Community Needs Program; and providing for the payment of the costs thereof," by adjusting various projects and funding Mt. Washington Community Development Corporation, \$250 and South Side Slopes Neighborhood Association, \$500 in Council District 3 Neighborhood Needs.

SPONSOR(S): BRUCE A. KRAUS

Read and referred to Finance and Law Committee

Bill No. Resolution amending and supplementing Resolution No. 891, effective January 1,
[2010-0958](#) 2003, as amended, entitled: "Adopting and approving the 2003 Capital Budget and the 2003 Community Development Block Grant Program; and approving the 2003 through 2008 Capital Improvement Program by adjusting various line items in conformance with City Council's 2003 Capital Budget amendments" by funding Mt. Washington Community Development Corporation, \$250 and South Side Slopes Neighborhood Association, \$500 in Council District 3 Neighborhood Needs.

SPONSOR(S): BRUCE A. KRAUS

Read and referred to Land Use and Economic Development Committee

COUNCILMAN R. DANIEL LAVELLE PRESENTS:

Bill No. Resolution further amending Resolution No. 403, as amended, entitled, "Providing for
[2010-0959](#) 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 Neighborhood

Needs Program in Council District 6; and providing for the payment of the costs thereof," by adding Downtown Neighborhood Association, \$2,500. Total cost of all projects not to exceed \$1,000,000.

SPONSOR(S): R. DANIEL LAVELLE

Read and referred to Finance and Law Committee

Bill No.

[2010-0960](#)

Resolution amending and supplementing Resolution No. 861, effective January 1, 2000, as amended, entitled: "Adopting and approving the 2000 Capital Budget and the 2000 Community Development Block Grant Program; and approving the 2000 through 2005 Capital Improvement Program, by adjusting various line items in conformance with City Council's 2000 Capital Budget amendments," by adding Downtown Neighborhood Association, \$2,500 in District 6.

SPONSOR(S): R. DANIEL LAVELLE

Read and referred to Land Use and Economic Development Committee

COUNCILMAN WILLIAM PEDUTO PRESENTS:

Bill No.

[2010-0951](#)

Ordinance supplementing the Pittsburgh Code, Title Four - Public Places and Property, Article VII - City Realty, Chapter 451- Leases, Section 451.01 - Authority, Term and Assignment, to specifically authorize indemnification and assignment provisions of Pittsburgh Public Parking Facilities System Concession and Lease Agreement. (Parking Assets Lease)

Read and referred to Finance and Law Committee

Bill No.

[2010-0952](#)

Ordinance amending and supplementing the Pittsburgh Code, Title Five - Traffic, Article VII - Parking, Chapter 543 - Parking Meters, Section 543.01 - Parking Meter Zones and Rates, so as to conform metered parking zones, rates and hours of operation to those set forth in the Pittsburgh Metered Parking System Concession and Services Agreement .

Read and referred to Finance and Law Committee

Bill No.

[2010-0962](#)

Ordinance supplementing the Pittsburgh Code, by adding Title Twelve entitled Lighting Code, to create uniformity and guidelines for lighting standards throughout the City.

SPONSOR(S): WILLIAM PEDUTO

Read and referred to Public Works Committee

COUNCIL PRESIDENT DARLENE M. HARRIS PRESENTS:

Bill No.

[2010-0961](#)

Communication from City Controller Michael Lamb, submitting the Performance Audit of Citiparks, Recreation, Aquatic and Senior Divisions, dated September 2010.

Read, Received and Filed

UNFINISHED BUSINESS

REPORTS OF COMMITTEE - FINAL ACTION

COUNCILMAN PEDUTO PRESENTS COMMITTEE ON FINANCE AND LAW

Bill No. [2010-0949](#) Report of the Committee on Finance and Law for September 22, 2010 with an Affirmative Recommendation.

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

Bill No. [2010-0925](#) 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 J.
A: 2834 Murray; B: 3727 Merle; C: 525 Jacksonia; D: 23 & 25 Greeley;
E: 425 Sweetbriar(DELETED); F: 6718 Simonton; G: 6724 Simonton; H: 2112 Lappe(DELETED); I: 1617 Rockford; J: 5147 Holmes.

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

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

Votes: Ayes: 9 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. Peduto, Ms. Rudiak, Mr. Shields and Mrs. Smith

Noes: 0

Abstentions: 0

Bill No. [2010-0922](#) 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.

This Matter was Passed Finally on the Consent Agenda.

Bill No. [2010-0923](#) 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.

This Matter was Passed Finally on the Consent Agenda.

Bill No. [2010-0924](#) 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.
ITEM A.
A: 6726, 6728 & 6730 Simonton.

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 SHIELDS PRESENTS COMMITTEE ON LAND USE & ECONOMIC DEVELOPMENT

Bill No. [2010-0950](#) Report of the Committee on Finance and Law for September 22, 2010 with an Affirmative Recommendation.

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

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

A motion was made that this matter be RECOMMENDED to the Land Use and Economic Development Committee. The motion carried.

MOTIONS AND RESOLUTIONS

APPROVAL OF MINUTES

ADJOURNMENT

LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER