

# **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, November 16, 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.

[2010-1120](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby thank the Pittsburgh Downtown Partnership, its partners and its sponsors, including the Colcom Foundation, for putting on the annual celebration of Light Up Night and encourages all Pittsburghers to take part in the festivities; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare November 19 and 20, 2010, "Light Up Night Weekend" in the City of Pittsburgh.

**SPONSOR(S): WILLIAM PEDUTO, DOUGLAS SHIELDS AND ALL MEMBERS**

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

Bill No.

[2010-1121](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh wishes the LeMont continued success and commends Mr. Dunlap for his patience and hard work as he emerged to be one of the area's leading restaurateurs, and for his valued work in the community; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, November 16, 2010, to be "Ed Dunlap 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.

[2010-1122](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend Pittsburgh Public School's efforts to foster family and community engagement during the festivities for the 17th Annual National Parental Involvement Day.

**SPONSOR(S): R. DANIEL LAVELLE, DARLENE HARRIS, THERESA SMITH, PATRICK DOWD AND ALL MEMBERS**

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

Bill No.

[2010-1123](#)

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does, hereby, declare Tuesday, November 16, 2010 to be LIHEAP 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.

[2010-1124](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize and commend Olivia Lynne Allison and the students, teachers, parents and administrators of Pittsburgh Brashear High School and Pittsburgh Roosevelt Elementary School for their contributions to Operation Gratitude and all of our Armed Service Men and Women on behalf of 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.

[2010-1125](#)

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize Giovanni Poggi's La Botticella in Rome, Italy, an outpost of The Steeler Nation, and commends Giovanni Poggi for carrying on the great tradition of Pittsburgh hospitality, serving The Steeler Nation with distinction and for keeping the spirit of Pittsburgh alive in Rome, Italy; and,

BE IT FURTHER RESOLVED, The Council of the City of Pittsburgh does hereby confer upon Giovanni Poggi the title of Ambassador Plenipotentiary of The Steeler Nation and confers upon him all rights and title therein and does hereby declare November 16, 2010 to be "GIOVVANI POGGI 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.

[2010-1126](#)

Now, Therefore, be it resolved that the Council of the City of Pittsburgh does hereby recognize and commend Alpha Phi Alpha, Fraternity, Inc., Omicron Chapter for its members' passion for humanity and selfless dedication to our communities; and Be It Further Resolved that the Council of the City of Pittsburgh does hereby proclaim November 12th - 14th, 2010 as the "Alpha Phi Alpha" conference weekend 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.**

Bill No.

[2010-1127](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend The Pennsylvania Association of Alpha Chapters for the critical impact it holds on the future of our City of Pittsburgh and for hosting the "PAAC Statewide Conference" event 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.

[2010-1128](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh hereby recognizes Chester Engineers, Inc. for being a leader in presenting innovative environmental development programs and designs and being committed to the communities they serve; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Monday, November 15 2010, Chester Engineers, Inc. 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.

[2010-1129](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize Temple Sinai of Pittsburgh for honoring their 50 Jewish War Veterans at a Veteran's Day Service and for the service of these brave men and women protecting the citizens of the United States and our way of life, seeing battle, being in the background supporting those in the field, and caring for those after peace treaties were signed while also living through prejudice lodged against them while in the Service of the United States.

**SPONSOR(S): DARLENE HARRIS, WILLIAM PEDUTO, DOUGLAS SHIELDS AND ALL MEMBERS**

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

Bill No.

[2010-1130](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize and commend the efforts of Jamie and Ali McMutrie through Haitian Orphan Rescue to create a safe and nurturing environment for Haitian children to learn, grow and transition into adoptive families; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare November 16, 2010, "Haitian Orphan Rescue 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.

[2010-1131](#)

Now, therefore, be it resolved that the Council of the City of Pittsburgh does hereby recognize the critical role that the Greenfield Organization has played in the community and commends all the volunteers in Greenfield who have contributed so much time and talent to community efforts and to the betterment of their community, and

Be it further resolved that the Council of the City of Pittsburgh does hereby declare Saturday, November 20, 2010, to be "GREENFIELD 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.**

**PUBLIC COMMENTS****PRESENTATION OF PAPERS****COUNCILMAN PATRICK DOWD PRESENTS:**

Bill No.

[2010-1111](#)

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 Hill District Grocery Store project (a/k/a Centre Heldman Plaza). (Council District 6)

**Read and referred to Intergovernmental Affairs Committee**

Bill No. Resolution authorizing a Cooperation Agreement or Agreements with the Urban  
[2010-1112](#) Redevelopment Authority of Pittsburgh in connection with URA's application for a  
Redevelopment Assistance Capital Program grant of up to \$500,000 for the Hill  
District Grocery Store project (a/k/a Centre Heldman Plaza). (Council District 6)

**Read and referred to Intergovernmental Affairs Committee**

Bill No. Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an  
[2010-1113](#) Application to the Pennsylvania Office of the Budget for a Redevelopment Assistance  
Capital Program grant of up to \$250,000 for the Children's Museum Allegheny Public  
Square Park project. (Council District 6)

**Read and referred to Intergovernmental Affairs Committee**

Bill No. Resolution authorizing a Cooperation Agreement or Agreements with the Urban  
[2010-1114](#) Redevelopment Authority of Pittsburgh in connection with URA's application for a  
Redevelopment Assistance Capital Program grant of up to \$250,000 for the Children's  
Museum Allegheny Public Square Park project (Council District 6)

**Read and referred to Intergovernmental Affairs Committee**

Bill No. Resolution directing the Mayor of the City of Pittsburgh to terminate the subsidization  
[2010-1117](#) of the water rates of the Pennsylvania American Water Company.

**SPONSOR(S): PATRICK DOWD**

**Read and referred to Intergovernmental Affairs Committee**

#### **COUNCILWOMAN NATALIA RUDIAK PRESENTS:**

Bill No. Resolution authorizing the Mayor, the Director of City Information Systems, or the  
[2010-1110](#) Director of Public Safety to enter into a grant agreement with U.S. Department of  
Justice to receive the Community Oriented Policing Services (COPS) Technology  
Program Grant for professional services and the purchase of equipment, hardware, and  
software in connection with the execution of said grant agreement.

**Read and referred to Performance and Asset Management Committee**

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

Bill No. Resolution directing the Mayor of the City of Pittsburgh to renegotiate the  
[2010-1115](#) co-operation agreement between the City of Pittsburgh and the Pittsburgh Parking  
Authority so as to dedicate increases in parking meter revenue to the Pittsburgh  
Comprehensive Municipal Pension Trust Fund.

**SPONSOR(S): DARLENE HARRIS, NATALIA RUDIAK AND PATRICK  
DOWD**

**Read and referred to Intergovernmental Affairs Committee**

Bill No. Resolution directing the Controller of the City of Pittsburgh to establish a present  
[2010-1116](#) value calculation for the future revenue pledge by the City of Pittsburgh to the  
Comprehensive Municipal Pension Trust Fund.

**SPONSOR(S): DARLENE HARRIS, NATALIA RUDIAK AND PATRICK  
DOWD**

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

Bill No. Resolution transferring a total of \$60,000 from Law Department salaries to City Clerk miscellaneous services for the purpose of entering into a professional services agreement with outside counsel

[2010-1118](#)

**SPONSOR(S): DARLENE HARRIS**

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

Bill No. Resolution providing for a professional services agreement/s and/or contract/s with Behrend and Ernsberger, located at 335 5th Ave., Pittsburgh PA, 15222 to provide independent legal services to City Council in accordance with the Home Rule Charter, Section 310, at a cost not to exceed Seventy Thousand Dollars (\$70,000.00).

[2010-1119](#)

**SPONSOR(S): DARLENE HARRIS**

**Read and referred to Finance and Law 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 November 9, 2010 with an Affirmative Recommendation.

[2010-1107](#)

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

Bill No. Resolution Designating Banks and Lending Institutions to act as Depositories for the year 2011 in accordance with the Pittsburgh Code, Title Two, Fiscal, Article III, Depositories.

[2010-1079](#)

**A motion was made that this matter be RECOMMITTED to the Finance and Law Committee. 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. Resolution providing that the City of Pittsburgh enter into a professional services agreement with a vendor or vendors, for professional services in connection with Phase II of the historical restoration of the Council Chambers, and providing for the payment of the cost thereof, not to exceed \$25,000.

[2010-1082](#)

**SPONSOR(S): WILLIAM PEDUTO**

**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 SMITH PRESENTS COMMITTEE ON PUBLIC SAFETY SERVICES**

Bill No. [2010-1108](#) Report of the Committee on Public Safety Services for November 9, 2010 with an Affirmative Recommendation.

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

Bill No. [2010-0909](#) Ordinance supplementing the Pittsburgh Code, Title Six, Conduct, Article 1 Regulated Rights and actions, by adding Chapter 618 entitled Marcellus Shale Natural Gas Drilling.

**SPONSOR(S): DOUGLAS SHIELDS, DARLENE HARRIS, BRUCE A. KRAUS, WILLIAM PEDUTO AND THERESA SMITH**

**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

## **COUNCILMAN SHIELDS PRESENTS COMMITTEE ON LAND USE & ECONOMIC DEVELOPMENT**

Bill No. [2010-1109](#) Report of the Committee on Land Use and Economic Development for November 9, 2010 with an Affirmative Recommendation.

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

Bill No. [2010-1080](#) Resolution authorizing the Mayor and Director of City Planning to receive grant funding to support the City of Pittsburgh's Urban Design Component of the Comprehensive Plan and further providing for an agreement and expenditures not to exceed fifty thousand (\$50,000) dollars.

**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

Bill No. [2010-1083](#) Resolution amending Resolution No. 368, effective June 4, 2010, entitled “providing for an Agreement or Agreements with various community organizations for operational/administrative expenses, maintenance, purchase of equipment: and/or rehabilitation of neighborhood facilities; and for administrative/operational costs, maintenance, purchase of equipment, and/or rehabilitation of neighborhood facilities of various departmental programs/projects for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$800,000, so as to reallocate funds in City Council from “District 2 Public Safety (Beat Cop)” (-1,000) and transfer these funds to “Sheraden United Methodist Church” (+1,000).

**SPONSOR(S): THERESA SMITH**

**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

Bill No. [2010-1084](#) Resolution amending Resolution No. 346, effective June 4, 2010, entitled: providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 2009 Community Development Block Grant Program; providing for the execution of grant contracts and for the filing of other data providing for required assurances; providing for execution of payment vouchers on letter of credit and for certification of authorized signature; the deposit of the funds in a bank account and providing for the payment of expenses within categories, so as to reallocate funds in the City Council from “District 2 Public Safety (Beat Cop)” (-1,000) and transfer these funds to “Sheraden United Methodist Church” (+1,000)

**SPONSOR(S): THERESA SMITH**

**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

## MOTIONS AND RESOLUTIONS

Bill No. [2010-1132](#) Now, therefore, be it resolved, that the Council of the City of Pittsburgh hereby approves the location of the corner of Kirkpatrick Street & Bentley Drive for Prevention Point Pittsburgh to operate a mobile Needle Exchange Program.

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

**A motion was made that this matter be Adopted. The motion carried by the following vote:**



**Votes:** Ayes: 8 - Rev. Burgess, Mr. Dowd, Mr. Kraus, Mr. Lavelle, Mr. Peduto, Ms. Rudiak,  
Mr. Shields and Mrs. Smith

Noes: 0

Abstentions: 1 - Mrs. Harris

## **APPROVAL OF MINUTES**

## **ADJOURNMENT**

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