

# City of Pittsburgh

*510 City-County Building  
414 Grant Street  
Pittsburgh, PA 15219*



## Meeting Minutes - Final

**Tuesday, April 12, 2016**

**10:00 AM**

**Council Chambers**

### **City Council**

**ONE-HUNDRED**

**THIRTY-NINTH COUNCIL**

***Bruce A. Kraus, President of Council***

***Council Members: Rev. Ricky V. Burgess, Dan Gilman, Deborah L. Gross, Darlene M. Harris,***

***R. Daniel Lavelle, Corey O'Connor, Natalia Rudiak, Theresa Kail-Smith***

***Mary Beth Doheny, City Clerk - Kimberly Clark-Baskin, Deputy City Clerk***

**A. ROLL CALL**

**Present** 8 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, and Mrs. Kail-Smith

**Absent** 1 - Ms. Rudiak

**B. PLEDGE OF ALLEGIANCE****C. PROCLAMATIONS**

[2016-0296](#)

***NOW, THEREFORE BE IT RESOLVED*** that the Council of the City of Pittsburgh does hereby recognize Principal **Melissa Frieze** and Athletic Director **Jerry Haslett** for their leadership and support of Allderdice Boys Basketball and commends and congratulates **Head Coach Buddy Valinsky**, **Assistant Coaches Andy Pakler and Jeff Cohen** and **Team Managers Rianna Graham and Colton Vazques** and the 2015-2016 Allderdice Boys Basketball Team for their historic athletic achievements.

***BE IT FURTHER RESOLVED***, that the Council of the City of Pittsburgh does hereby declare Tuesday, April 12, 2016, to be “**ALLDERDICE DRAGONS VARSITY BOYS BASKETBALL DAY**” in the City of Pittsburgh.

**SPONSORS: MR. O'CONNOR AND ALL MEMBERS**

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

[2016-0297](#)

***NOW, THEREFORE BE IT RESOLVED***, that the Council of the City of Pittsburgh does hereby commend and congratulate **Buddy Valinsky** for his personal and professional achievements, for his commitment and his belief in his students and his team and for being named the **Post-Gazette Coach of the Year**; and,

***BE IT FURTHER RESOLVED***, that the Council of the City of Pittsburgh does hereby declare Tuesday, April 12, 2016, to be “**BUDDY VALINSKY DAY**” in the City of Pittsburgh.

**SPONSORS: MR. O'CONNOR AND ALL MEMBERS**

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

[2016-0298](#)

***NOW, THEREFORE BE IT RESOLVED*** that the Council of the City of Pittsburgh does hereby recognize and commend **NA'AMAT USA, Pittsburgh Council** for their tireless work in Israel and congratulates them on the occasion of their 90th Anniversary; and,

***BE IT FURTHER RESOLVED***, that the Council of the City of Pittsburgh does hereby declare Tuesday, April 12, 2016, to be "**NA'AMAT USA DAY**" in the City of Pittsburgh.

**SPONSORS: MR. O'CONNOR AND ALL MEMBERS**

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

[2016-0299](#)

***NOW, THEREFORE BE IT RESOLVED***, that the Council of the City of Pittsburgh does hereby recognize the 10th anniversary of Tree Pittsburgh and the organization's staff and volunteers for their vital role in restoring the city's urban forest, and making Pittsburgh an overall greener, better place to live; and,

***BE IT FURTHER RESOLVED***, that the Council of the City of Pittsburgh does hereby declare April 12, 2016 to be "**Tree Pittsburgh Day**" in the City of Pittsburgh.

**SPONSORS: MR. GILMAN, MR. KRAUS AND ALL MEMBERS**

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

[2016-0300](#)

***NOW, THEREFORE BE IT RESOLVED***, that the Council of the City of Pittsburgh does hereby recognize Family Resources for its commitment to Pittsburgh's children and families and dedication to preventing, intervening, and treating cases of child abuse and neglect and saving lives; and,

***BE IT FURTHER RESOLVED***, that the Council of the City of Pittsburgh does hereby declare April 12, 2016 to be "**Family Resources Day**" in the City of Pittsburgh.

**SPONSORS: MR. GILMAN AND ALL MEMBERS**

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

[2016-0301](#)

***NOW, THEREFORE, BE IT RESOLVED***, that the Council of the City of Pittsburgh does hereby recognize and commend the important work and contributions that **Pittsburgh Action Against Rape** provides on a daily basis, and does hereby declare April 16, 2016 to be “**PAAR Day**” in the City of Pittsburgh.

**SPONSORS: MR. KRAUS AND ALL MEMBERS**

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

[2016-0302](#)

***NOW, THEREFORE, BE IT RESOLVED***, that it is the will of the Council of the City of Pittsburgh that the Federal Senate should perform its constitutional duty to provide advice and consent on the President’s Supreme Court nominee by -

(1) Promptly scheduling a hearing in the Senate Judiciary Committee for Judge Merrick Garland, so that the his nomination can be considered on his own merits in an open and transparent manner;

(2) Holding a confirmation vote on the Senate floor, with opportunity for debate on Judge Merrick Garland’s nomination; and

(3) Working on behalf of the people of the United States to ensure that the vacancy on the Supreme Court is filled without undue and unnecessary delay so that the Supreme Court can effectively serve its essential constitutional function as the final arbiter of the law.

**SPONSORS: MR. KRAUS, MR. O'CONNOR AND ALL MEMBERS**

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

[2016-0303](#)

***NOW THEREFORE BE IT RESOLVED***, the Council of the City of Pittsburgh thanks Prevention Point Pittsburgh and all those who have served their mission for their work during the last 20 years, and;

***BE IT FURTHER RESOLVED***, the Council of the City of Pittsburgh does hereby declare April 16, 2016 to be “**Prevention Point Pittsburgh Day**” in the City of Pittsburgh.

**SPONSORS: MS. RUDIAK, MR. GILMAN, REV. BURGESS, MS. GROSS, MRS. KAIL-SMITH, MR. KRAUS, MR. LAVELLE AND MR. O'CONNOR**

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

[2016-0304](#)

**NOW, THEREFORE BE IT RESOLVED**, that it is the hope of the citizens of Pittsburgh that Allegheny County decriminalizes the possession of small amounts of marijuana.

**SPONSORS: MR. LAVELLE, MRS. KAIL-SMITH, REV. BURGESS,  
MR. GILMAN, MS. GROSS, MR. KRAUS, MR.  
O'CONNOR AND MS. RUDIAK**

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

**Aye:** 7 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, and Mrs. Kail-Smith

**No:** 1 - Mrs. Harris

**Abstain:** 0

**Absent:** 1 - Ms. Rudiak

**2016-0305**

**NOW, THEREFORE BE IT RESOLVED**, that it is the hope of the citizens of Pittsburgh that the Pennsylvania state government will change the law to fully decriminalize and tax and regulate cannabis, so as to eliminate costs and problems caused by prohibition, open access to cannabis treatment for patients for whom their physician deems access a wise necessity, keep cannabis off of the streets and away from children, and raise tax revenues for vital public services.

**SPONSORS: MR. LAVELLE, MRS. KAIL-SMITH, REV. BURGESS,  
MR. GILMAN, MS. GROSS, MR. KRAUS, MR.  
O'CONNOR AND MS. RUDIAK**

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

**Aye:** 7 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, and Mrs. Kail-Smith

**No:** 1 - Mrs. Harris

**Abstain:** 0

**Absent:** 1 - Ms. Rudiak

**2016-0306**      **NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Council of the City of Pittsburgh hereby recognizes Polish Hill Civic Association to be a civic and/or service organization within the context of the Pennsylvania Small Games of Chance Act, as amended.

**SPONSORS: MS. GROSS**

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

#### **D. PUBLIC COMMENTS**

#### **E. PRESENTATION OF PAPERS**

#### **COUNCILWOMAN THERESA KAIL-SMITH FOR COUNCILWOMAN**

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

[2016-0291](#)      Resolution amending Resolution 715 of 2015 authorizing the Mayor and the City Solicitor to enter into a Professional Services Agreement with Burns White LLC, for professional legal services and expert advice regarding construction litigation by increasing the total cost from Twenty Four Thousand Six Hundred Eighty-Five Dollars and No Cents (\$24,685.00) to Ninety Nine Six Hundred Eighty-Five Dollars and No Cents (\$99,685.00).

#### **Read and referred to the Committee on Finance and Law**

[2016-0292](#)      Resolution providing for a Professional Services Agreement with Curtin & Heefner, LLP, for professional legal services and expert advice regarding Building Owners and Managers litigation. The total cost of the professional service agreement or agreements entered into between the City of Pittsburgh and Curtin & Heefner, LLP shall not exceed Ten Thousand Dollars and No Cents (\$10,000.00),

#### **Read and referred to the Committee on Finance and Law**

[2016-0293](#)      Resolution amending Resolution 525 of 2015 authorizing the Mayor and the City Solicitor to enter into a Professional Services Agreement with Campbell, Durrant, Beatty, Palombo and Miller, P.C. for professional legal services and expert advice for collective bargaining and/or interest arbitration, as well as expert legal services with regard to separate collective bargaining matters involving other City unions by increasing the total cost from One Hundred Seventy-Two Thousand Dollars and No Cents (\$172,000.00) to Two Hundred Forty-Seven Dollars and No Cents (\$247,000.00).

#### **Read and referred to the Committee on Finance and Law**

**COUNCILWOMAN THERESA KAIL-SMITH PRESENTS:**

[2016-0294](#) Resolution vacating a portion of Chesney Way at Centre Avenue southerly in the 4th Ward. 8th Council District of the City of Pittsburgh.

**Read and referred to the Committee on Public Works**

**A motion was made that this matter be Waived under Rule 8. The motion carried.**

**F. UNFINISHED BUSINESS****G. REPORTS OF COMMITTEE - FINAL ACTION****COUNCILWOMAN THERESA KAIL-SMITH FOR COUNCILWOMAN NATALIA RUDIAK PRESENTS COMMITTEE ON FINANCE AND LAW**

[2016-0287](#) Report of the Committee on Finance and Law for April 6, 2016 with an Affirmative Recommendation.

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

[2016-0250](#) 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 \$5,500 to Observatory Hill- Surveillance Cameras, ~~and~~ \$5,000 to Neu Kirche Contemporary Art Center, \$5,500 to Delta Foundation, and \$1,150 to Riverview Park within District 1 Neighborhood Needs.

**SPONSORS: MRS. HARRIS**

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

**Aye:** 8 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, and Mrs. Kail-Smith

**No:** 0

**Abstain:** 0

**Absent:** 1 - Ms. Rudiak

[2016-0251](#) Resolution further amending Resolution 549, effective September 21, 2012 entitled "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 \$5,500 to Observatory Hill-Surveillance Cameras, ~~and~~ \$5,000 to Neu Kirche Contemporary Art Center, \$5,500 to Delta Foundation, and \$1,150 to Riverview Park within District 1 Neighborhood Needs. Total cost of all projects is not to exceed \$437,779.53.

**SPONSORS: MRS. HARRIS**

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

**Aye:** 8 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, and Mrs. Kail-Smith

**No:** 0

**Abstain:** 0

**Absent:** 1 - Ms. Rudiak

[2016-0256](#) Resolution transferring a total of \$30,000 within the 2016 Operating Budget from Fuel to Parks & Recreation

**SPONSORS: MRS. KAIL-SMITH**

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

**Aye:** 8 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, and Mrs. Kail-Smith

**No:** 0

**Abstain:** 0

**Absent:** 1 - Ms. Rudiak

## **COUNCILMAN R. DANIEL LAVELLE PRESENTS COMMITTEE ON PUBLIC SAFETY SERVICES**



[2016-0288](#) Report of the Committee on Public Safety Services for April 6, 2016 with an Affirmative Recommendation.

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

[2016-0252](#) Resolution authorizing the Mayor and the Bureau of Police on behalf of the City of Pittsburgh to enter into a Professional Services Agreement or Agreements with WhatsaMather Consulting, LLC to provide leadership training and related consulting services. The overall cost of said agreement(s) shall not exceed the sum of One-Hundred Fifty Thousand Dollars and No Cents (\$150,000.00), which is to be funded from a Heinz Foundation grant in the amount of \$100,000 (as authorized by Resolution No. 103 of 2016) and a JAG grant in the amount of \$50,000 (as authorized by Resolution No. 524 of 2015).

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

**Aye:** 8 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, and Mrs. Kail-Smith

**No:** 0

**Abstain:** 0

**Absent:** 1 - Ms. Rudiak

[2016-0253](#) Resolution authorizing the Mayor and Chief of Police to execute relevant agreements to receive grant funding from the Pennsylvania Moose Association (PMA) for the purchase of body armor, body worn cameras and other equipment for the Police Bureau and further providing for an agreement and expenditures not to exceed ten thousand (\$10,000) dollars for this stated purpose.

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

**Aye:** 8 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, and Mrs. Kail-Smith

**No:** 0

**Abstain:** 0

**Absent:** 1 - Ms. Rudiak

**COUNCILWOMAN THERESA KAIL-SMITH PRESENTS COMMITTEE ON PUBLIC WORKS**

[2016-0289](#) Report of the Committee on Public Works for April 6, 2016 with an Affirmative Recommendation.

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

[2016-0161](#) Ordinance amending the Pittsburgh Code, Title 4 - Public Places and Property, Article I - Public Rights of Way Chapter 416: Obstructions, by repealing Chapter 416 in its entirety and replacing it with new language.

**SPONSORS: MRS. HARRIS**

**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:**

**Aye:** 8 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, and Mrs. Kail-Smith

**No:** 0

**Abstain:** 0

**Absent:** 1 - Ms. Rudiak

**I. MOTIONS AND RESOLUTIONS**

**K. EXCUSE ABSENT MEMBERS - MS. RUDIAK**

**L. APPROVAL OF MINUTES**

**M. ADJOURNMENT**

**P LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER**