

# City of Pittsburgh



## City Council

### Regular Meeting Agenda

**Tuesday, June 7, 2011**

**10:00 AM**

**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****PLEDGE OF ALLEGIANCE****PROCLAMATIONS****PUBLIC COMMENTS****PRESENTATION OF PAPERS****COUNCILMAN BRUCE A. KRAUS PRESENTS:**

Bill No. Resolution amending Resolution No. 908, effective January 1, 2011 entitled "Adopting and approving the 2011 Capital Budget and the 2011 Community Development Block Grant Program; and approving the 2011 through 2016 Capital Improvement Program," by adding \$3,000,000 to Street Resurfacing.

[2011-1776](#)

Bill No.

[2011-1784](#)

Bill No. Resolution granting unto Nicholas and Patrinos Properties, 79 South 23rd Street, Pittsburgh, PA 15203, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a steel canopy on Market Place for 430 Market Square in the 2nd Ward, 6th Council District of the City of Pittsburgh.

[2011-1777](#)

Bill No. Resolution vacating a portion of Bradley Street and Horner Street and vacating all of Eustace Way, Floree Way, Ruthledge Street, Unnamed Way and Vaughn Street in the 19th Ward, 2nd Council District of the City of Pittsburgh.

[2011-1778](#)

Bill No. Resolution vacating a portion of Neff Street in the 19th Ward, 2nd Council District of the City of Pittsburgh.

[2011-1779](#)

**COUNCILMAN DANIEL LAVELLE PRESENTS:**

Bill No. Resolution authorizing the issuance of a warrant in favor of the Sheraton Hotel Station Square in an amount not to exceed eleven thousand nine hundred dollars and thirty five cents for the Citiparks Seniors Program Volunteer Recognition Gala; and providing for the payment thereof.

[2011-1780](#)

**COUNCILMAN WILLIAM PEDUTO PRESENTS:**

Bill No. Resolution amending resolution No. 620, effective June 1, 2010, authorizing the Finance Department, to enter into an agreement with Penn Credit Corporation, in a form approved by the City Solicitor, for the purpose of performing collection of delinquent taxes, fines, penalties and interest for the City of Pittsburgh.

[2011-1774](#)

Bill No. Resolution authorizing the Mayor and the City Solicitor to enter into an agreement or agreements for the hiring of Babst, Calland, Clements & Zomnir, P.C., Blaine Lucas, Esquire, Two Gateway Center, 603 Stanwix Street, 7th Floor, Pittsburgh, PA 15222 for expert consulting services in connection with reviewing and drafting amendments to

[2011-1775](#)

sections of the City Code pertaining to adult entertainment regulations, at a cost not to exceed \$10,000.00 (Ten Thousand Dollars and No Cents).

**COUNCILMAN DOUGLAS SHIELDS PRESENTS:**

Bill No. [2011-1757](#) Resolution amending Resolution No. 770, effective November 12, 2010, as entitled, "Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of HUD for a grant in connection with the 2000 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 reprogram funds in City Council from "District 8 Equipment" (-\$2,000.00); and transfer these funds to the "Pennsylvania Resource Council" (+2,000.00).

**SPONSOR(S): WILLIAM PEDUTO**

Bill No. [2011-1758](#) Resolution amending Resolution No. 769, effective November 12, 2010, as 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 behalf of residents of the City of Pittsburgh, so as to reprogram funds in City Council from: "District 8 Equipment" (-\$2,000.00); and transfer these funds to the "Pennsylvania Resource Council" (+2,000.00).

**SPONSOR(S): WILLIAM PEDUTO**

Bill No. [2011-1759](#) Resolution amending Resolution No. 303, effective May 24, 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 2001 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 reprogram funds in City Council from "Bloomfield Preservation & Heritage Society"(-\$4,500.00); and transfer these funds to "Lawrenceville United" (+\$4,500.00).

**SPONSOR(S): PATRICK DOWD**

Bill No. [2011-1760](#) Resolution amending Resolution No. 304, effective May 24, 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 for the benefit of residents of the City of Pittsburgh and further, authorizing various departments to enter into contract or contracts or use existing contract or contracts for street paving and other related costs the purchase of equipment and/or furniture, so as to reprogram funds in City Council from "Bloomfield Preservation & Heritage Society"(-\$4,500.00); and transfer these funds to "Lawrenceville United" (+\$4,500.00).

**SPONSOR(S): PATRICK DOWD**

Bill No. Resolution amending Resolution No. 770 effective November 12, 2010, entitled:  
[2011-1761](#) Resolution 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 2004 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 reprogram funds in City Council from: "Golden Carriage Van Insurance" (-\$406.00), and transfer these funds to the "Lawrenceville United" (+\$406.00).

**SPONSOR(S): PATRICK DOWD**

Bill No. Resolution amending Resolution No. 771, effective November 12, 2010, entitled:  
[2011-1762](#) Providing for an Agreement or Agreements with various community organizations for operational/administrative expenses, maintenance, purchase of equipment and/or rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh and further, authorizing various departments to enter into contract or contracts or use existing contract or contracts for street paving and other related costs the purchase of equipment and/or furniture at a cost not to exceed \$972,000.00; so as to reprogram funds in City Council from: "Golden Carriage Van Insurance" (-\$406.00), and transfer these funds to the "Lawrenceville United" (+\$406.00).

**SPONSOR(S): PATRICK DOWD**

Bill No. Resolution amending Resolution No. 91, effective February 21, 2011, entitled:  
[2011-1763](#) Resolution 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 2005 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 reprogram funds in City Council from the "YMCA Youth Midget Football" (- \$1,000.00); District 5 Tree Planting (-\$1,000.00) and District 1 Equipment (-\$3,000.00) and transfer these funds to "Pa. SIDS Alliance" (+\$2,000.00) and "Allegheny Commons Initiative" (+ \$3,000.00).

**SPONSOR(S): DOUGLAS SHIELDS AND DARLENE HARRIS**

Bill No. Resolution amending Resolution No. 100, effective February 21, 2011 entitled: The  
[2011-1764](#) Mayor and the Director of the Department of City Planning of the City of Pittsburgh are hereby authorized to enter into an Agreement or Agreements, in a form approved by the City Solicitor, with the following various community organizations, for operational/administrative expenses, maintenance, purchase of equipment and/or rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh and further, authorizing various departments to enter into contract(s) or use existing contract(s) for street paving and other related costs, for the purchase of equipment and/or furniture and installation thereof, at a cost not to exceed

\$1,000,000.00, so as to reprogram funds in City Council from the “YMCA Youth Midget Football” (- \$1,000.00); District 5 Tree Planting (-\$1,000.00) and District 1 Equipment (-\$3,000.00) and transfer these funds to “Pa. SIDS Alliance” (+\$2,000.00) and “Allegheny Commons Initiative” (+ \$3,000.00).

**SPONSOR(S): DOUGLAS SHIELDS AND DARLENE HARRIS**

Bill No.

[2011-1765](#)

Resolution amending Resolution No. 93, effective February 21, 2011, entitled: “Resolution 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 2006 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 reprogram funds from City Council from: “Pittsburgh Action Against Rape”(-\$315.79); “YMCA, Youth Midget Football (-\$1,000.00); and transfer these funds to “Jewish Family & Children's - Career Development” (+1,315.79).

**SPONSOR(S): DOUGLAS SHIELDS**

Bill No.

[2011-1766](#)

Resolution amending Resolution No. 92, effective February 21, 2011, entitled: “Resolution 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 the benefit of residents of the City of Pittsburgh; and further, authorizing various City Departments to enter into contract or contracts or use existing contract or contracts for street paving, the purchase of equipment and/or furniture and other related costs at a costs not to exceed \$948,400.00” so as to reprogram funds from City Council from: “Pittsburgh Action Against Rape”(-\$315.79); “YMCA, Youth Midget Football (-\$1,000.00); and transfer these funds to “Jewish Family & Children's - Career Development” (+1,315.79).

**SPONSOR(S): DOUGLAS SHIELDS**

Bill No.

[2011-1767](#)

Resolution amending Resolution No. 95, effective February 21, 2011, entitled: by 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 2007 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 reprogram funds in City Council from: “Carnegie Library-Hazelwood Branch” (-\$2,500.00); “Greenfield Organization - Anti Drug Initiative” (-\$3,000.00); “Steel Valley Authority” (-\$2,000.00); “Vietnam Veterans Leadership Program” (-\$1,000.00); “YMCA, Youth Midget Football” (-\$1,500.00); “District 1 Equipment” (-\$2,000.00); “District 5 Tree Planting” (-\$500.00); and transfer these funds to “Jewish Residential Services - Long Term Housing Disabled Adults” (+\$10,000.00); “Allegheny Commons Initiative” (+\$2,000.00) and “Keystone Development Center” (+\$500.00).

**SPONSOR(S): DOUGLAS SHIELDS AND DARLENE HARRIS**

Bill No. [2011-1768](#) Resolution amending Resolution No. 94, effective February 21, 2011, 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 for the benefit of residents of the City of Pittsburgh; and further, authorizing various City departments to enter into a contract or contracts or use existing contracts for street paving, the purchase of equipment and/or furniture and other related costs, at a cost not to exceed \$800,000.00, so as to reprogram funds in City Council from: "Carnegie Library-Hazelwood Branch" (-\$2,500.00); "Greenfield Organization - Anti Drug Initiative" (-\$3,000.00); "Steel Valley Authority" (-\$2,000.00); "Vietnam Veterans Leadership Program" (-\$1,000.00); "YMCA, Youth Midget Football" (-\$1,500.00); "District 1 Equipment" (-\$2,000.00); "District 5 Tree Planting" (-\$500.00); and transfer these funds to "Jewish Residential Services - Long Term Housing Disabled Adults" (+\$10,000.00); "Allegheny Commons Initiative" (+\$2,000.00) and "Keystone Development Center" (+\$500.00).  
**SPONSOR(S): DOUGLAS SHIELDS AND DARLENE HARRIS**

Bill No. [2011-1769](#) Resolution amending Resolution No. 99, effective February 21, 2011, 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 "Contact Pittsburgh" (-\$2,000.00); "District 1 Equipment" (-\$2,000.00); "Salvation Army" (-\$2,000.00) and "Windgap Chartiers Athletic Assoc." (-\$7,176.00); and transfer these funds to the "Keystone Development Center" (+2,000.00); "Steel City Boxing" (+\$2,000.00) and "Pittsburgh Community Reinvestment Group" (+9,176.00).  
**SPONSOR(S): DOUGLAS SHIELDS, DARLENE HARRIS AND THERESA SMITH**

Bill No. [2011-1770](#) Resolution amending Resolution No. 98, effective February 21, 2011 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 the City Council from "Contact Pittsburgh" (-\$2,000.00); "District 1 Equipment" (-\$2,000.00); "Salvation Army" (-\$2,000.00) and "Windgap-Chartiers Athletic Assoc." (-\$7,176.00); and transfer these funds to the "Keystone Development Center" (+2,000.00); "Steel City Boxing" (+\$2,000.00) and "Pittsburgh Community Reinvestment Group" (+9,176.00).  
**SPONSOR(S): DOUGLAS SHIELDS, DARLENE HARRIS AND THERESA SMITH**

Bill No. [2011-1771](#) Resolution amending Resolution No. 101, effective February 21, 2011, entitled: “Resolution 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 2010 Community Development block Grant Program; providing for the executive 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 transfer funds in City Council from “District 7 - Public Safety Projects” (- \$15,000.00); “Bloomfield Citizens Council” (-\$3,000.00) and “Windgap-Chartiers Athletic Association” (-\$824.00); and transfer these funds to “Bloomfield Recreation Center Improvements” (+\$3,000.00); “Lawrenceville United” (+\$15,000.00) and “Pittsburgh Community Reinvestment Group” (+\$824.00).

**SPONSOR(S): PATRICK DOWD AND THERESA SMITH**

Bill No. [2011-1772](#) Resolution amending Resolution No. 100, effective February 21, 2011, entitled: Resolution 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 \$918,650.00; so as to transfer funds in City Council from “District 7 - Public Safety Projects” (- \$15,000.00); “Bloomfield Citizens Council” (-\$3,000.00) and “Windgap-Chartiers Athletic Association” (-\$824.00); and transfer these funds to “Bloomfield Recreation Center Improvements” (+\$3,000.00); “Lawrenceville United” (+\$15,000.00) and “Pittsburgh Community Reinvestment Group” (+\$824.00).

**SPONSOR(S): PATRICK DOWD AND THERESA SMITH**

### **COUNCILWOMAN THERESA KAIL-SMITH PRESENTS:**

Bill No. [2011-1781](#) Ordinance supplementing the Pittsburgh Code, Title Six, Conduct, Article I, Regulated Rights and Actions, by adding Chapter 625 titled Sexually Oriented Businesses

**SPONSOR(S): THERESA SMITH**

Bill No. [2011-1782](#) Ordinance supplementing the Pittsburgh Code, Title SEVEN, Business Licensing, Article IX, Amusement Businesses, by adding Chapter 781 titled Sexually Oriented Businesses

**SPONSOR(S): THERESA SMITH**

Bill No. [2011-1783](#) Ordinance amending and supplementing the Pittsburgh Code, Title Nine, Zoning Code, Article V, Use Table, Section 911.02, and Use Regulations, Section 911.04.A.1 to permit by right Adult Entertainment the UI & GI Zoning Districts and to amend the code from a Conditional Use in the GT district to Not Permitted.

**SPONSOR(S): THERESA SMITH**

### **UNFINISHED BUSINESS**

## REPORTS OF COMMITTEE - FINAL ACTION

### COUNCILMAN PEDUTO PRESENTS COMMITTEE ON FINANCE AND LAW

Bill No. [2011-1773](#) Report of the Committee on Finance and Law for June 1, 2011 with an Affirmative Recommendation.

Bill No. [2011-1701](#) Resolution providing for the issuance of a \$7,500.00 warrant in favor of Mark & Christine Machi, c/o Domenic A. Bellisario, Esquire, 310 Grant Street, Suite 1302, Pittsburgh, PA 15219, in settlement of a claim for damage to a private driveway adjacent to property located at 4042 Liberty Avenue, Pittsburgh, 15224, by snow removal crews after the February 2010 snowstorm.

**Legislative History**

5/10/11	City Council	Read and referred	
5/19/11	Standing Committee	Held in Committee	Passed
5/25/11	Standing Committee	Held in Committee	Passed
6/1/11	Standing Committee	Affirmatively Recommended	Passed

## MOTIONS AND RESOLUTIONS

### EXCUSE ABSENT MEMBERS

### APPROVAL OF MINUTES

### ADJOURNMENT

### LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER