

# City of Pittsburgh

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



## Meeting Minutes - Final

**Tuesday, October 18, 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. Lavelle, Mr. O'Connor, Ms. Rudiak, and Mrs. Kail-Smith

**Absent** 1 - Mr. Kraus

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

[2016-0879](#)

**NOW, THEREFORE, BE IT RESOLVED**, that as the Brightwood Pumpkinfest celebrates its **twenty-fifth anniversary**, the Council of the City of Pittsburgh wishes to recognize and thank all who work to make it such a meaningful event for Brightwood and the Northside of Pittsburgh each and every year; and,

**BE FURTHER RESOLVED**, that the Council of the City of Pittsburgh does hereby declare Saturday, October 22nd to be **“Brightwood Pumpkinfest Day”** in the City of Pittsburgh.

**SPONSORS: MRS. HARRIS AND ALL MEMBERS**

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

[2016-0880](#)

**NOW, THEREFORE, BE IT RESOLVED**, that the Council of the City of Pittsburgh does hereby recognize and commend the **Young Preservationists Association of Pittsburgh** for preserving our region’s unique history and providing a platform for young people to participate in historic preservation; and,

**BE IT FURTHER RESOLVED**, that the Council of the City of Pittsburgh does hereby declare **Thursday, October 20th, 2016** to be **“Young Preservationists Association of Pittsburgh Day”** in the City of Pittsburgh.

**SPONSORS: MRS. HARRIS AND ALL MEMBERS**

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

[2016-0881](#)

***NOW, THEREFORE BE IT RESOLVED***, that the Council of the City of Pittsburgh does hereby commend Classic Events! for their 2nd Annual Salute to Legal Excellence; and,

***BE IT FURTHER RESOLVED***, that the Council of the City of Pittsburgh does hereby declare Saturday October 22, 2016 to be “***Classic Events! Salute to Legal Excellence Day***” in the City of Pittsburgh.

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

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

[2016-0882](#)

**BE IT FURTHER RESOLVED**, that the Council of the City of Pittsburgh urges the Pennsylvania legislature to pass legislation reflective of best practice approaching to addressing the opioid epidemic, inclusive of high standards for recovery homes; and,

**BE IT FURTHER RESOLVED**, that the Council of the City of Pittsburgh commends the bipartisan approach of the Pennsylvania State Legislature and urges that this legislation passes as soon as possible so as not to lose one more Pennsylvanian to this crisis.

**SPONSORS: MS. RUDIAK AND ALL MEMBERS**

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

[2016-0883](#)

**NOW, THEREFORE BE IT RESOLVED**, that the Council of the City of Pittsburgh does hereby recognize The Pierians for celebrating and supporting the contributions of African-American artists and welcomes the group to Pittsburgh for its 18th National Assembly; and,

**BE IT FURTHER RESOLVED**, that the Council of the City of Pittsburgh does hereby declare the week of October 20-23, 2016 to be “**The Pierians National Assembly Week**” in the City of Pittsburgh.

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

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

[2016-0884](#)

***NOW, THEREFORE BE IT RESOLVED***, that the Council of the City of Pittsburgh does hereby recognize the value of volunteers and the extraordinary impact community service has on the fabric of a community and congratulates **Nahbi Christian Ministries** for honoring leaders in our community for their achievements, value and impact on children and families ; and,

***BE IT FURTHER RESOLVED***, that the Council of the City of Pittsburgh does hereby declare Friday, November 4, 2016, to be **“NAHBI CHRISTIAN MINISTRIES 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.**

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

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

#### **COUNCILMAN REVEREND RICKY V. BURGESS PRESENTS:**

[2016-0866](#)

Resolution amending Resolution 404/2015, entitled, “Resolution authorizing the approval of an inter-municipal transfer of restaurant liquor license, License No. R-12467, LID-60311 from Damon’s International, Inc., 4070-4072 William Penn Hwy., Monroeville, PA 15146-2685 to the Applicant, Mixtape, LLC. 4907 Penn Avenue, Pittsburgh, PA 15224 for the premises located at 4907 Penn Avenue, Pittsburgh, PA 15224, restaurant known as “Mixtape” pursuant to amended Pennsylvania Liquor Code, §4-461,” so as to amend Section 5. Memorandum of Understanding between Mixtape LLC and the Bloomfield Garfield Corporation to extend the hours of operation.

**Read and referred to the Committee on Intergovernmental Affairs**

#### **COUNCILMAN DAN GILMAN PRESENTS:**

[2016-0878](#)

Resolution calling upon the Pittsburgh Water and Sewer Authority and its board to investigate the implementation of an early detection system.

**SPONSORS: MR. GILMAN**

**Read and referred to the Committee on Intergovernmental Affairs**

#### **COUNCILWOMAN DEBORAH L. GROSS PRESENTS:**

[2016-0867](#) Resolution amending resolution No. 673 of 2014 for the Residential Parking Permit Program area "X" in the Shadyside community (Council District 8) by adding addresses pursuant to Pittsburgh Code Chapter 549.

**Read and referred to the Committee on Land Use and Economic Development**

[2016-0868](#) Resolution amending resolution No. 189 of 2011 for the Residential Parking Permit Program area "H" in the Bloomfield community (Council District 7) by adding addresses pursuant to Pittsburgh Code Chapter 549.

**Read and referred to the Committee on Land Use and Economic Development**

**COUNCILMAN R. DANIEL LAVELLE PRESENTS:**

[2016-0869](#) Resolution adopting the Allegheny County Hazard Mitigation plan as the official hazard mitigation plan of the City of Pittsburgh.

**Read and referred to the Committee on Public Safety Services**

**COUNCILWOMAN NATALIA RUDIAK PRESENTS:**

[2016-0870](#) Resolution authorizing the issuance of a warrant in the sum of Ten Thousand Dollars and 00/100 (\$10,000.00), in favor of Robyn M. Kitt, c/o George R. Farneth, Farneth Tomosovich, LLC, 437 Grant Street, Suite 1000, Pittsburgh, PA 15219, in Full and Final Settlement of an action filed in the United States District Court for the Western District of Pennsylvania filed at 2:15-cv-00225.

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

[2016-0871](#) The Mayor and City Controller are authorized to issue a payment for in the amount of Three Thousand Dollars (\$3,000.00) to Tucker Independent Medical Experts, 1082 Bower Hill Road, Suite 100, Pittsburgh, PA 15243 for a video deposition for use at trial of Alan H. Tissenbaum, M.D.

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

[2016-0872](#) Resolution authorizing the issuance of a warrant in favor of William J. Miller, Jr. Esquire, 106 Rampart Lane, Ligonier, PA 15658, in an amount not to exceed Sixty-One Thousand Seven Hundred Seventy Dollars and Twelve Cents (\$61,770.12) for arbitration services rendered in connection with the City of Pittsburgh and FOP Act 111 Interest Arbitration Award.

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

[2016-0873](#) Resolution amending Resolutions 172 of 2015 and 266 of 2016 authorizing the Mayor and the City Solicitor to enter into a Professional Services Agreement with Pepper Hamilton, LLP, for professional consulting and legal services in relation to False Claims Act litigation by increasing the total cost from Eight Hundred Ninety Thousand Dollars and No Cents (\$890,000.00) to Nine Hundred Ninety Thousand Dollars and No Cents (\$990,000.00).

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

**COUNCILWOMAN THERESA KAIL-SMITH PRESENTS:**

[2016-0874](#) Resolution authorizing the City of Pittsburgh's Department of Public Works to assume responsibility for the year round maintenance, repair, and future alterations constructed by the Pennsylvania Department of Transportation as part of the SR 0065 (Ohio River Boulevard), SR 0019 (Ohio River Boulevard), SR 4084 (Western Avenue), SR 9101 (Western Avenue), and SR 3919 (Chateau Street) Improvement Project.

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

[2016-0875](#) Resolution authorizing the City of Pittsburgh's Department of Public Works to assume responsibility for the year round maintenance, repair, and future alterations constructed by the Pennsylvania Department of Transportation as part of the East Ohio Street Improvement Project.

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

**COUNCILMAN BRUCE A. KRAUS PRESENTS:**

[2016-0876](#) Resolution amending the Rules of Council, to reflect current processes, to reorganize existing rules into a more cogent format, and to make other changes  
**SPONSORS: MR. KRAUS, MR. O'CONNOR, MS. RUDIAK AND MRS. KAIL-SMITH**

**A motion was made that this matter be Withdrawn by President Pro Tem Kail-Smith. The motion carried.**

[2016-0877](#) Communication from City Controller Michael Lamb submitting a Performance Audit of the Residential Parking Permit Program, dated September 2016.

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

## **F. UNFINISHED BUSINESS**

## **G. REPORTS OF COMMITTEE - FINAL ACTION**

### **COUNCILWOMAN NATALIA RUDIAK PRESENTS COMMITTEE ON FINANCE AND LAW**

[2016-0860](#) Report of the Committee on Finance and Law for October 11, 2016 with an Affirmative Recommendation.

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

[2016-0811](#) Resolution authorizing the issuance of a warrant in favor of Leech Tishman Fuscaldo & Lampl, 535 William Penn Place, 28th Floor, Pittsburgh, PA 15219, in an amount not to exceed Two Thousand Three Hundred Thirty-Four Dollars and Fifty Cents (\$2,334.50) for mediation services in connection with an action filed in United States District at 2:15-cv-00555.

**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. Lavelle, Mr. O'Connor, Ms. Rudiak, and Mrs. Kail-Smith

**No:** 0

**Abstain:** 0

**Absent:** 1 - Mr. Kraus

[2016-0833](#) Resolution further amending Resolution 631 of 2015 authorizing the Mayor, City Solicitor and the Director of the Office of Management and Budget to enter into a Professional Services Agreement with Campbell, Durrant, Beatty, Palombo and Miller, P.C. to provide legal services and expert advice relating to litigation by increasing the total cost from One Hundred Thousand Dollars (\$100,000.00) to One Hundred Eight Thousand One Hundred Seventy Five Dollars and Sixty Nine Cents (\$108,175.69).

**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. Lavelle, Mr. O'Connor, Ms. Rudiak, and Mrs. Kail-Smith

**No:** 0

**Abstain:** 0

**Absent:** 1 - Mr. Kraus

[2016-0834](#) 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 Side Yard Program.

ITEMS A through T: A: 7322 Lemington, B: 542 Rosedale, C: 7800, & 7802 Kelly, D: 7417 Monticello, E: 7428 Monticello, F: 7321 Race, G: 441 Saline, ~~H: 760 Greenfield~~, I: 3909 Lydia, J: 15 Moose, K: 4716 Monongahela, L: 413 Mountain & 716 Ormsby, M: 2350 Saranac, N: 227 Sagamore, O: 3242 & 3234 Adena, P: 1440 Hamlin, ~~Q: 1137 Itin~~, R: 1416 Dehaven, S: 1522 Arch, T: 228 Mayfield

**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. Lavelle, Mr. O'Connor, Ms. Rudiak, and Mrs. Kail-Smith

**No:** 0

**Abstain:** 0

**Absent:** 1 - Mr. Kraus



[2016-0835](#) 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 U: A: 3438 Frazier, B: 222 Robinson, C: 701 Webster Terrace, D: 712 Webster Terrace, E: Rear of Sunnyland, F: 8002 & 8004 Frankstown, G: 7513 Tioga, H: 307 Saline, I: 112 Alluvian, J: 114-116 Alluvian, ~~K: 811 Peralta~~, ~~L: 823 Suismon~~, ~~M: 825 Lovitt~~, ~~N: 853 Tripoli~~, ~~O: 1122 Spring Garden~~, P: 1234 Spring Garden, Q: 1300 04 Voskamp, ~~R: 1054 Spring Garden~~, ~~S: 1131 Spring Garden~~, T: 534 Jefferson, ~~U: 149 Henderson~~

**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. Lavelle, Mr. O'Connor, Ms. Rudiak, and Mrs. Kail-Smith

**No:** 0

**Abstain:** 0

**Absent:** 1 - Mr. Kraus

[2016-0836](#) 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: 5632 Second

**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. Lavelle, Mr. O'Connor, Ms. Rudiak, and Mrs. Kail-Smith

**No:** 0

**Abstain:** 0

**Absent:** 1 - Mr. Kraus

## **COUNCILWOMAN DARLENE M. HARRIS PRESENTS COMMITTEE ON HUMAN RESOURCES**

[2016-0861](#) Report of the Committee on Human Resources for October 11, 2016 with an Affirmative Recommendation.

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

[2016-0810](#) Resolution amending Resolution No. 67 of 2016 providing that the City of Pittsburgh enter into a professional services agreement for consulting services in connection with Civil Service and MPOETC required assessment and evaluation of Public Safety candidates, and providing for payment of the cost thereof by increasing the total cost from \$80,000 to not exceed \$130,000, an increase of \$50,000.

**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. Lavelle, Mr. O'Connor, Ms. Rudiak, and Mrs. Kail-Smith

**No:** 0

**Abstain:** 0

**Absent:** 1 - Mr. Kraus

### **COUNCILWOMAN DEBORAH L. GROSS PRESENTS COMMITTEE ON LAND USE & ECONOMIC DEVELOPMENT**

[2016-0862](#) Report of the Committee on Land Use and Economic Development for October 11, 2016 with an Affirmative Recommendation.

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

[2016-0832](#) Resolution providing for an Agreement or Agreements with Contractor(s) and/or vendors for operational expenses, and to provide programs or services provided by the City requested by members of the disability community at a cost not to exceed \$40,000.

**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. Lavelle, Mr. O'Connor, Ms. Rudiak, and Mrs. Kail-Smith

**No:** 0

**Abstain:** 0

**Absent:** 1 - Mr. Kraus

### **COUNCILMAN COREY O'CONNOR PRESENTS COMMITTEE ON URBAN RECREATION**

[2016-0863](#) Report of the Committee on Urban Recreation for October 11, 2016 with an Affirmative Recommendation.

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

[2016-0721](#) Resolution submitting the recommendation of the Commission on Naming Public Properties to City Council to rename the trail names of South Side Park, located in the City of Pittsburgh, to Bandi Schaum Trail, Sterling Connector Trail, Marengo Connector Trail, Julia Connector Trail, Quarry Trail, Tombstone Trail, ~~Serpentine Steps~~, and Salisbury Connector Trail.

**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. Lavelle, Mr. O'Connor, Ms. Rudiak, and Mrs. Kail-Smith

**No:** 0

**Abstain:** 0

**Absent:** 1 - Mr. Kraus

## **COUNCILMAN REV. RICKY V. BURGESS PRESENTS COMMITTEE ON PERFORMANCE AND ASSET MANAGEMENT**

[2016-0864](#) Report of the Committee on Performance and Asset Management for October 11, 2016 with an Affirmative Recommendation.

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

[2016-0827](#) Resolution providing for an Agreement or Agreements and a Lease or Leases by and between the City of Pittsburgh ("City") and First Vehicle Services ("First Vehicle"), pursuant to which First Vehicle will furnish all work and services needed to manage and maintain the City's Vehicle Fleet, cost shall not exceed \$46,307,505 over a 5 year period.

**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. Lavelle, Mr. O'Connor, Ms. Rudiak, and Mrs. Kail-Smith

**No:** 0

**Abstain:** 0

**Absent:** 1 - Mr. Kraus

[2016-0828](#) Resolution further amending Resolution 652 of 2010, as amended, entitled "Providing for an Agreement or Agreements and a Lease or Leases by and between the City of Pittsburgh ("City") and First Vehicle Services ("First Vehicle"), pursuant to which First Vehicle will furnish all work and services needed to manage and maintain the City's Vehicle Fleet," by extending the contract for one (1) month and authorizing funding for said extension period, not to exceed \$632,772. This extension will allow the contract to fall within the city fiscal/calendar year.

**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. Lavelle, Mr. O'Connor, Ms. Rudiak, and Mrs. Kail-Smith

**No:** 0

**Abstain:** 0

**Absent:** 1 - Mr. Kraus

[2016-0829](#) Ordinance supplementing the Pittsburgh Code of Ordinances, Title VI, Conduct, by adding a new Article and Chapter, "Article II : Sustainability, Chapter 626 : Building Benchmarking"

**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. Lavelle, Mr. O'Connor, Ms. Rudiak, and Mrs. Kail-Smith

**No:** 0

**Abstain:** 0

**Absent:** 1 - Mr. Kraus

## **COUNCILMAN DAN GILMAN PRESENTS COMMITTEE ON INTERGOVERNMENTAL AFFAIRS**

[2016-0865](#) Report of the Committee on Intergovernmental Affairs for October 11, 2016 with an Affirmative Recommendation.

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

[2016-0830](#) Resolution adopting Plan Revision to the City of Pittsburgh's Official Sewage Facilities Plan for the Riverfront West Office Building, 2545 Railroad Street, Pittsburgh, PA 15222.

**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. Lavelle, Mr. O'Connor, Ms. Rudiak, and Mrs. Kail-Smith

**No:** 0

**Abstain:** 0

**Absent:** 1 - Mr. Kraus

[2016-0831](#)

Resolution adopting Plan Revision to the City of Pittsburgh's Official Sewage Facilities Plan for Lot One Parking Facility Public Restrooms in the Stadium Authority parking garage presently under construction at the northwest corner of Lot One, near the intersection of Art Rooney Avenue and Reedsdale Street. The main building address will be 792 West General Robinson Street, Pittsburgh, PA 15212.

**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. Lavelle, Mr. O'Connor, Ms. Rudiak, and Mrs. Kail-Smith

**No:** 0

**Abstain:** 0

**Absent:** 1 - Mr. Kraus

## **I. MOTIONS AND RESOLUTIONS**

### **K. EXCUSE ABSENT MEMBERS - MR. KRAUS**

### **L. APPROVAL OF MINUTES**

### **M. ADJOURNMENT**

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