

City of Pittsburgh



City Council

Regular Meeting Agenda

Thursday, December 27, 2012

10:00 AM

**ONE-HUNDRED
THIRTY-SEVENTH COUNCIL**

Darlene M. Harris, President

**Council Members: Rev. Ricky V. Burgess, Patrick Dowd, Bruce A. Kraus, R. Daniel Lavelle,
Corey O'Connor, William Peduto, Natalia Rudiak, Theresa Kail-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 PATRICK DOWD PRESENTS:**

Bill No. Resolution adopting the Lower Strip District Tax Increment Financing Plan presented by the Urban Redevelopment Authority of Pittsburgh and making certain findings. (Council District 6)

[2012-0440](#)

Legislative History

5/29/12	City Council	Withdrawn
6/12/12	City Council	Withdrawn
6/19/12	City Council	Withdrawn
6/26/12	City Council	Withdrawn
7/10/12	City Council	Withdrawn
7/17/12	City Council	Withdrawn
7/24/12	City Council	Withdrawn
7/31/12	City Council	Withdrawn
8/31/12	City Council	Withdrawn
9/4/12	City Council	Withdrawn
9/11/12	City Council	Withdrawn
9/18/12	City Council	Withdrawn
9/24/12	City Council	Withdrawn
10/2/12	City Council	Withdrawn
10/9/12	City Council	Withdrawn
10/16/12	City Council	Withdrawn
10/23/12	City Council	Withdrawn
10/31/12	City Council	Withdrawn
11/5/12	City Council	Withdrawn
11/13/12	City Council	Withdrawn
11/19/12	City Council	Withdrawn
11/27/12	City Council	Withdrawn
12/4/12	City Council	Withdrawn
12/11/12	City Council	Withdrawn
12/17/12	City Council	Withdrawn

Bill No. Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh, the County of Allegheny and the School District of Pittsburgh providing for the financing, monitoring, implementation and termination of the Lower Strip District Tax Increment Financing District. (Council District 6).

[2012-0441](#)

Legislative History

5/29/12	City Council	Withdrawn
6/12/12	City Council	Withdrawn
6/19/12	City Council	Withdrawn
6/26/12	City Council	Withdrawn
7/10/12	City Council	Withdrawn
7/17/12	City Council	Withdrawn
7/24/12	City Council	Withdrawn
7/31/12	City Council	Withdrawn
8/31/12	City Council	Withdrawn
9/4/12	City Council	Withdrawn
9/11/12	City Council	Withdrawn
9/18/12	City Council	Withdrawn
9/24/12	City Council	Withdrawn
10/2/12	City Council	Withdrawn
10/9/12	City Council	Withdrawn
10/16/12	City Council	Withdrawn
10/23/12	City Council	Withdrawn
10/31/12	City Council	Withdrawn
11/5/12	City Council	Withdrawn
11/13/12	City Council	Withdrawn
11/19/12	City Council	Withdrawn
11/27/12	City Council	Withdrawn
12/4/12	City Council	Withdrawn
12/11/12	City Council	Withdrawn
12/17/12	City Council	Withdrawn

Bill No.

[2012-0442](#)

Resolution authorizing the execution of a cooperation agreement or agreements with the Urban Redevelopment Authority of Pittsburgh in which URA will make a grant not to exceed \$250,000 to the City to pay for engineering and design costs of the Smallman Street reconstruction project. (Council District 6)

Legislative History

5/29/12	City Council	Withdrawn
6/12/12	City Council	Withdrawn
6/19/12	City Council	Withdrawn
6/26/12	City Council	Withdrawn
7/10/12	City Council	Withdrawn
7/17/12	City Council	Withdrawn
7/24/12	City Council	Withdrawn
7/31/12	City Council	Withdrawn
8/31/12	City Council	Withdrawn
9/4/12	City Council	Withdrawn
9/11/12	City Council	Withdrawn
9/18/12	City Council	Withdrawn
9/24/12	City Council	Withdrawn
10/2/12	City Council	Withdrawn
10/9/12	City Council	Withdrawn
10/16/12	City Council	Withdrawn
10/23/12	City Council	Withdrawn

10/31/12	City Council	Withdrawn
11/5/12	City Council	Withdrawn
11/13/12	City Council	Withdrawn
11/19/12	City Council	Withdrawn
11/27/12	City Council	Withdrawn
12/4/12	City Council	Withdrawn
12/11/12	City Council	Withdrawn
12/17/12	City Council	Withdrawn

Bill No. [2012-1046](#) Requesting the approval of an inter-municipal transfer of restaurant liquor license, License No. R-9623, from GM Lutsko, Inc. - 1212 Crawford Avenue, Duquesne, PA. 15227 to Applicant The Cure Restaurant, LLC - 5536 Butler Street, Pittsburgh, PA 15201 (Lawrenceville) into the premises to be known as The Cure Restaurant, LLC pursuant to amended Pennsylvania Liquor Code, §4-461.

COUNCILMAN BRUCE A. KRAUS PRESENTS:

Bill No. [2012-0626](#) Resolution accepting the grant of a street, sidewalk, and utility right of way and permanent easement to the City of Pittsburgh by The Buncher Company over, upon, across, in and through property that runs along 13th Street, a public right of way in the Strip District.

Legislative History

7/24/12	City Council	Withdrawn
7/31/12	City Council	Withdrawn
8/31/12	City Council	Withdrawn
9/4/12	City Council	Withdrawn
9/11/12	City Council	Withdrawn
9/18/12	City Council	Withdrawn
9/24/12	City Council	Withdrawn
10/2/12	City Council	Withdrawn
10/9/12	City Council	Withdrawn
10/16/12	City Council	Withdrawn
10/23/12	City Council	Withdrawn
10/31/12	City Council	Withdrawn
11/5/12	City Council	Withdrawn
11/13/12	City Council	Withdrawn
11/19/12	City Council	Withdrawn
11/27/12	City Council	Withdrawn
12/4/12	City Council	Withdrawn
12/11/12	City Council	Withdrawn
12/17/12	City Council	Withdrawn

COUNCIL PRESIDENT DARLENE M. HARRIS PRESENTS:

Bill No. [2012-1047](#) Communication from Michael Lamb, City Controller, submitting a Performance Audit for the Department of Public Safety and the Bureau of Fire.

UNFINISHED BUSINESS

REPORTS OF COMMITTEE - FINAL ACTION

COUNCILMAN REV. RICKY V. BURGESS PRESENTS COMMITTEE ON FINANCE AND LAW

Bill No. [2012-1042](#) Report of the Committee on Finance and Law for December 18, 2012 with an Affirmative Recommendation.

Bill No. [2012-0994](#) Ordinance amending the Pittsburgh Code, Title Five - Traffic, Article VII - Parking, Chapter 543 - Parking Meters, Section 543.01 - Parking Meter Zones and Rates, Subsection (b), by changing the effective date of nighttime parking enforcement from January 1, 2013 to July 1, 2013.

SPONSOR(S): WILLIAM PEDUTO

Legislative History

12/4/12	City Council	Read and referred	
12/12/12	Standing Committee	Held in Committee	Passed
12/18/12	Standing Committee	AMENDED	Passed
12/18/12	Standing Committee	AMENDED	FAILED
12/18/12	Standing Committee	Affirmatively Recommended as Amended	Passed

Bill No. [2012-1007](#) Resolution providing for the issuance of a warrant in favor of Highway Equipment Co., in the amount of \$25,000.00, for the emergency rental of a Track Hoe for the removal of loose hazardous dirt and debris on Noblestown Road, and providing for the payment thereof.

Legislative History

12/11/12	City Council	Read and referred	
12/18/12	Standing Committee	Affirmatively Recommended	Passed

Bill No. [2012-1008](#) Resolution providing for the issuance of a warrant in favor of Graciano Corporation, in the amount of \$400,000.00, for emergency work for the protection of pedestrians and vehicles at the perimeter of the City County Building and providing for temporary repairs to the parapet and cornice, and providing for the payment thereof.

Legislative History

12/11/12	City Council	Read and referred	
12/18/12	Standing Committee	Affirmatively Recommended	Passed

Bill No. [2012-1027](#) Ordinance amending the Pittsburgh Code, Title Two, Fiscal; Article VII, Business Related Taxes; Chapter 245, Earned Income Tax; Section 245.03, Declaration and Payment of Tax; subsection (e), Interest for 2012, by fixing the rate of interest on delinquent Earned Income Tax for the year 2013.

Legislative History

12/17/12	City Council	Waived under Rule 8	Passed
12/17/12	City Council	Read and referred	
12/18/12	Standing Committee	Affirmatively Recommended	Passed

Bill No. Ordinance amending the Pittsburgh Code, Title Two, Fiscal; Article VII, Business
[2012-1028](#) Related Taxes; Chapter 246, Home Rule Tax; Section 246.03, Declaration and Payment of Tax; subsection (e), Interest for 2012, by fixing the rate of interest on delinquent Home Rule Tax for the year 2013.

Legislative History

12/17/12	City Council	Waived under Rule 8	Passed
12/17/12	City Council	Read and referred	
12/18/12	Standing Committee	Affirmatively Recommended	Passed

Bill No. Resolution realigning a total of \$1,045,000 between various accounts within the 2012
[2012-1029](#) Operating Budget. This transfer is necessary for the 2012 close in order to meet expenditures for the remainder of the fiscal year.

Legislative History

12/17/12	City Council	Waived under Rule 8	Passed
12/17/12	City Council	Read and referred	
12/18/12	Standing Committee	Affirmatively Recommended	Passed

Bill No. Resolution designating Banks and Lending Institutions to act as Depositories for the
[2012-1030](#) year 2013 in accordance with the Pittsburgh Code, Title Two, Fiscal, Article III, Depositories.

Legislative History

12/17/12	City Council	Waived under Rule 8	Passed
12/17/12	City Council	Read and referred	
12/18/12	Standing Committee	Affirmatively Recommended	Passed

COUNCILMAN BRUCE A. KRAUS PRESENTS COMMITTEE ON PUBLIC WORKS

Bill No. Report of the Committee on Public Works for December 18, 2012 with an Affirmative
[2012-1043](#) Recommendation.

Bill No. Resolution granting unto the Sports & Exhibition Authority 171 10th Street, 2nd Floor,
[2012-1031](#) Pittsburgh, PA 15222, their own cost and expense a subsurface encroachment to support a retaining wall ramp on Our Way in the 3rd Ward, 6th Council District of the City of Pittsburgh.

Legislative History

12/17/12	City Council	Waived under Rule 8	Passed
12/17/12	City Council	Read and referred	
12/18/12	Standing Committee	Affirmatively Recommended	Passed

Bill No. Resolution granting unto Historical Society of Western PA; Heinz History Center,
[2012-1032](#) 1212 Smallman Street Pittsburgh, PA 15222, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a pedestrian bridge over the right-of-way at Mulberry Way in the 2nd Ward, 6th Council District of the City of Pittsburgh.

Legislative History

12/17/12	City Council	Waived under Rule 8	Passed
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12/17/12	City Council	Read and referred	
12/18/12	Standing Committee	Affirmatively Recommended	Passed

Bill No. Resolution vacating portions of Magee and Colwell Streets in the 3rd Ward, 6th Council District of the City of Pittsburgh.

[2012-1033](#)

Legislative History

12/17/12	City Council	Waived under Rule 8	Passed
12/17/12	City Council	Read and referred	
12/18/12	Standing Committee	Affirmatively Recommended	Passed

COUNCILMAN WILLIAM PEDUTO PRESENTS COMMITTEE ON HUMAN RESOURCES

Bill No. Report of the Committee on Human Resources for December 18, 2012 with an Affirmative Recommendation.

[2012-1044](#)

Bill No. Resolution providing that the City of Pittsburgh enter into a Professional Services Agreement(s) and/or Contracts with O'Brien, Rulis and Bochicchio, for the purpose of providing professional legal services in connection with the defense of certain workers' compensation matters and claims brought against the City under the Workers' Compensation Act; and providing for payment of the cost thereof not to exceed \$1,200,000.00.

[2012-1009](#)

Legislative History

12/11/12	City Council	Read and referred	
12/18/12	Standing Committee	Affirmatively Recommended	Passed

Bill No. Resolution providing that the City of Pittsburgh enter into a Professional Services Agreement(s) and/or Contracts with consultants and/or service providers for professional services in connection with Civil Service and MPOETC required assessment and evaluation of Public Safety candidates, and providing for payment of the cost thereof not to exceed \$50,490.00.

[2012-1010](#)

Legislative History

12/11/12	City Council	Read and referred	
12/18/12	Standing Committee	Affirmatively Recommended	Passed

Bill No. Resolution providing for Professional Services Agreement(s) and/or Contract(s) with CERIDIAN Corporation for the purpose of on-going payroll processing services, payroll tax filing services, application outsourcing services and related support services. Cost not to exceed Three Hundred Fifty Thousand Dollars (\$350,000.00).

[2012-1011](#)

Legislative History

12/11/12	City Council	Read and referred	
12/18/12	Standing Committee	Affirmatively Recommended	Passed

Bill No. Resolution providing that the City of Pittsburgh enter into a Professional Services Agreement(s) and/or Contract(s) with UPMC Benefits Management Services, Inc. D/B/A Work Partners for the purpose of ensuring that on-going medical care and case

[2012-1012](#)

management is provided to City of Pittsburgh employees who require treatment for service related injuries and/or illness pursuant to the Pennsylvania Workers' Compensation Act toward a goal of returning employees to work as soon as they are medically able to return and providing for the payment of the cost thereof not to exceed \$1,859,650.00.

Legislative History

12/11/12	City Council	Read and referred	
12/18/12	Standing Committee	Affirmatively Recommended	Passed

COUNCILMAN R. DANIEL LAVELLE PRESENTS COMMITTEE ON LAND USE & ECONOMIC DEVELOPMENT

Bill No. [2012-1045](#) Report of the Committee on Land Use and Economic Development for December 18, 2012 with an Affirmative Recommendation.

Bill No. [2012-0591](#) Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article I, Section 902.03 Zoning Map, by changing from UNC Urban Neighborhood Commercial District, property bounded by South Aiken Ave., the existing EMI district boundary line, and Block & Lot No. 51-R-150; from UNC Urban Neighborhood Commercial District property bounded by Centre Ave., Morewood Ave., Baum Blvd. and the East Busway; from UI Urban Industrial District property bounded by the East Busway, South Millvale Ave., Gross St., Block & Lot No. 51-E-236, Asia Way, Lima Way, and the existing UNC boundary line; and from UNC property bounded by Baum Blvd., the East Busway, the existing UI boundary line, Cypress St., Block No. 51-K, lots 172 & 211, Woodworth St., Block No. 51-K, lot 245, and Woodworth St.; all to EMI, Educational/Medical Institution District; 7th & 8th Wards.

Legislative History

7/10/12	City Council	Read and referred	
7/18/12	Standing Committee	Held for Public Hearing	Passed
10/9/12	Hearings Committee	Public Hearing Held	Passed
12/12/12	Standing Committee	Held in Committee	Passed
12/18/12	Standing Committee	Affirmatively Recommended	Passed

Bill No. [2012-0592](#) Resolution approving an Institutional Master Plan under the Pittsburgh Code, Title Nine, Zoning, Article II, Chapter 905, Section 905.03.D and Article VII, Chapter 922, Section 922.12 for UPMC Shadyside Hospital entitled "Project Area Master Plan" on property zoned EMI, Educational/Medical Institution District, 7th and 8th Wards.

Legislative History

7/10/12	City Council	Read and referred	
7/18/12	Standing Committee	Held for Public Hearing	Passed
10/10/12	Hearings Committee	Public Hearing Held	Passed
12/12/12	Standing Committee	Held in Committee	Passed
12/18/12	Standing Committee	AMENDED	Passed
12/18/12	Standing Committee	Affirmatively Recommended as Amended	Passed

Bill No. Resolution amending Resolution No. 801 approved November 21, 2011, providing for
[2012-1013](#) the implementation of a Residential Parking Permit Program (RPPP) Area “BB”, in the
Bloomfield/Friendship area (Council District #8 and #9) to expand the district to
include additional streets pursuant to Pittsburgh Code Chapter 549.

Legislative History

12/11/12	City Council	Read and referred	
12/18/12	Standing Committee	Affirmatively Recommended	Passed

MOTIONS AND RESOLUTIONS

EXCUSE ABSENT MEMBERS

APPROVAL OF MINUTES

ADJOURNMENT

LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER