

City of Pittsburgh



City Council

Regular Meeting Agenda

Thursday, May 20, 2010

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 REV. RICKY V. BURGESS PRESENTS:**

Bill No. [2010-0508](#) ORDINANCE AMENDING THE PITTSBURGH CITY CODE PURSUANT TO ORDINANCE NO. 16 OF 2009, ENACTED BY CITY COUNCIL ON JUNE 30, 2009, ADOPTING THE AMENDED ACT 47 FINANCIAL RECOVERY PLAN FOR THE CITY OF PITTSBURGH DATED MAY 21, 2009, PURSUANT TO THE MUNICIPALITIES FINANCIAL RECOVERY ACT, ACT OF JULY 10, 1987, P.L. 246, NO. 47., SECTION 101 et seq., AS AMENDED, 53 P.S. SECTION 11701.11 et seq.

SPONSOR(S): REVEREND RICKY V. BURGESS

COUNCILMAN BRUCE A. KRAUS PRESENTS:

Bill No. [2010-0500](#) Ordinance amending the Pittsburgh Code, Title Four, Public Places and Property, Article 1 Public Right-of-Way, Chapter 416, Obstructions by adding Sub-Section 416.14.

Bill No. [2010-0501](#) Resolution providing for a Contract or Contracts or for the use of existing Contracts, providing for an Agreement or Agreements or for the use of existing Agreements, providing for the purchase of materials and supplies in connection with the renovations and maintenance of various public buildings, and further providing for the payment of the costs thereof. Cost not to exceed \$250,000.00.

Bill No. [2010-0502](#) Resolution providing for an Agreement or Agreements or for the use of existing Agreements, providing for a Contract or Contracts, or use of existing Contracts, providing for the design, repairs, maintenance, improvements, emergencies and for the purchase of materials and supplies in connection with the installation of traffic signal hardware throughout the City; and further providing for the payment of the costs thereof. Cost not to exceed \$35,000.00.

Bill No. [2010-0503](#) Resolution providing for an Agreement or Agreements or for the use of existing Agreements, providing for a Contract or Contracts or for the use of existing Contracts, providing for repairs, maintenance, improvements, emergencies and/or the purchase of materials, equipment and supplies in connection with the investigation, design, construction and/or remediation for critical wall and slope failures throughout the City; and providing for the payment of the costs thereof. Cost not to exceed \$300,000.00.

Bill No. [2010-0504](#) Resolution providing for a Contract or Contracts or the use of existing Contracts; providing for an Agreement or Agreements or for the use of existing Agreements; providing for the design, repairs, maintenance, improvements, emergencies and/or the

purchase of materials, equipment and supplies in connection with the design and construction of handicap ramps and sidewalks at various city-owned locations throughout the City of Pittsburgh; and further providing for the payment of the costs thereof. Cost not to exceed \$100,000.00.

Bill No.

[2010-0505](#)

Resolution providing for an Agreement or Agreements or for the use of existing Agreements, providing for a Contract or Contracts, or use of existing Contracts and providing for the design, repairs, maintenance, improvements, emergencies and for the purchase of materials and supplies in connection with the installation of on-road bike markings, signage and bike trails; and further providing for the payment of the costs thereof. Cost not to exceed \$100,000.00.

Bill No.

[2010-0506](#)

Resolution granting unto Eastside Associates, LP, P.O. Box 2166, Pittsburgh, PA 15230, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a parking area on the right-of-way of 5400 Elmer Street, aka 701 South Aiken Avenue. in the 7th Ward, 8th Council District of the City of Pittsburgh.

Bill No.

[2010-0507](#)

Resolution granting unto MetroCom Management, 307 Fourth Avenue, Pittsburgh, PA 15222, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a business identification sign over the sidewalk area at 4809 Penn Avenue. in the 10th Ward, 9th Council District of the City of Pittsburgh.

Bill No.

[2010-0510](#)

Resolution providing for an Agreement or Agreements with the Carnegie Library of Pittsburgh for a grant of City capital funds for operational/administrative expenses, maintenance, purchase of equipment and/or rehabilitation of neighborhood library facilities for the benefit of residents of the City of Pittsburgh at a cost not to exceed \$640,000.00.

SPONSOR(S): BRUCE A. KRAUS, R. DANIEL LAVELLE, WILLIAM PEDUTO, NATALIA RUDIAK, DOUGLAS SHIELDS AND THERESA SMITH

Bill No.

[2010-0511](#)

Resolution further amending resolution No. 768 of 2009 entitled "Adopting and Approving the 2010 Capital Budget and the 2010 Community Development Block Grant Program and approving the 2010 through 2014 Capital Improvement Program" by reducing the funding to the Carnegie Library from \$1,000,000 to \$640,000 and adding the remaining \$360,0000 to the fund balance.

SPONSOR(S): BRUCE A. KRAUS, R. DANIEL LAVELLE, WILLIAM PEDUTO, NATALIA RUDIAK, DOUGLAS SHIELDS AND THERESA SMITH

COUNCILMAN WILLIAM PEDUTO PRESENTS:

Bill No.

[2010-0498](#)

Resolution authorizing the issuance of a warrant in the sum of \$15,000.00 to Danielle Fortunato c/o Matthew G. Mazefsky, Esquire, McGuire Woods, LLP, 625 Liberty Avenue, 23rd floor, Pittsburgh, PA 15222, in full and final settlement of an action filed at USDC 2:09-cv-159, and arising from alleged injuries as a result of alleged violation of 4th and 14th amendment rights.

Bill No. Resolution authorizing the issuance of a warrant in the sum of \$155,000.00 to Daniel
[2010-0499](#) A. Hackett, III and Timothy O'Brien, Esquire, 1705 Allegheny Building, 429 Forbes Avenue, Pittsburgh, PA 15219, in full and final settlement of an action filed at 2:09-cv-163 in the United States District Court for the Western District of Pennsylvania, and arising from alleged injuries as a result of an alleged violation of 4th and 14th Amendment rights on March 15, 2008 at Sarah and 17th Streets in the City of Pittsburgh.

COUNCILWOMAN DARLENE HARRIS, PRESIDENT OF COUNCIL, PRESENTS:

Bill No. Communication from Michael Lamb, City Controller, submitting the Comprehensive
[2010-0509](#) Annual Financial Report (CAFR) for the year ended December 31, 2009.

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 May 12, 2010 with an Affirmative
[2010-0491](#) Recommendation.

Bill No. Resolution amending Resolution No. 200, effective April 21, 2010, entitled "Providing
[2010-0405](#) for the issuance of a \$5,787.32 warrant in favor of Sacred Heart Parish, of 310 Shady Avenue, Pittsburgh, PA 15206, in settlement of a claim for sidewalk damage due to City tree roots on August 14, 2009." to change the Budget Year from 2010 to 2009.

Legislative History

5/4/10	City Council	Read and referred	
5/12/10	Standing Committee	Affirmatively Recommended	Passed

Bill No. Resolution transferring a total of \$40,000 from the Department of Finance, Payroll
[2010-0426](#) account to the Department of Finance, Bureau of Procurement, Fleet & Asset Services, Miscellaneous Services account for the purpose of the X-Car Program.

SPONSOR(S): PATRICK DOWD AND THERESA SMITH

Legislative History

5/4/10	City Council	Read and referred	
5/12/10	Standing Committee	Affirmatively Recommended	Passed

COUNCILWOMAN SMITH PRESENTS COMMITTEE ON PUBLIC SAFETY SERVICES

Bill No. Report of the Committee on Public Safety Services for May 12, 2010 with an
[2010-0492](#) Affirmative Recommendation.

Bill No. Resolution providing for an agreement or agreements, or use of existing agreements
[2010-0406](#) and/or a contract or contracts, or use of existing contracts, for the purchase of materials, supplies, equipment or services in connection with the relocation and renovation of the

Firearms Training Section at Zone 5 on Washington Boulevard; and providing for the payment of the costs thereof. Cost not to exceed \$125,000.

Legislative History

5/4/10	City Council	Read and referred	
5/12/10	Standing Committee	Affirmatively Recommended	Passed

Bill No.

2010-0407

Resolution providing for an agreement or agreements, or use of existing Agreements and/or a Contract or Contracts, or use of existing Contracts, and for the purchase of materials, supplies, equipment, software, and/or services in connection with the police station enhancements and technology and providing for the payment of the costs thereof. Cost not to exceed \$254,000.

Legislative History

5/4/10	City Council	Read and referred	
5/12/10	Standing Committee	Affirmatively Recommended	Passed

COUNCILMAN KRAUS PRESENTS COMMITTEE ON PUBLIC WORKS

Bill No.

2010-0493

Report of the Committee on Public Works for May 12, 2010 with an Affirmative Recommendation.

Bill No.

2010-0408

Providing for a Contract or Contracts, or the use of existing Contracts for Vacant lot cleanup services, beginning on or after April 1, 2010 and providing for the payment of the cost thereof, at a cost not to exceed \$400,000.00.

Legislative History

5/4/10	City Council	Read and referred	
5/12/10	Standing Committee	Held in Committee	FAILED
5/12/10	Standing Committee	Affirmatively Recommended	Passed

Bill No.

2010-0409

Resolution providing for a Contract or Contracts, or the use of existing Contracts for street resurfacing programs to include, hot mix asphalt, crack sealing, equipment purchases, sawing and sealing, asphalt milling, truck rental, brick and blockstone repairs, handicap ramps, concrete slab replacement and parks related asphalt work in CDBG areas throughout the City of Pittsburgh, and providing for the payment of the cost thereof, at a cost not to exceed \$2,318,800.00.

Legislative History

5/4/10	City Council	Read and referred	
5/12/10	Standing Committee	Affirmatively Recommended	Passed

Bill No.

2010-0465

Resolution amending Resolution No. 609, effective October 28, 2009 entitled "Providing for a Contract or Contracts, or use of existing Contracts, providing for an Agreement or Agreements, or use of existing Agreements, and providing for the repairs, maintenance, improvements, emergencies and/or the purchase of materials and supplies in connection with the McArdle Roadway Viaduct No. 1 Construction; including Construction Management Services; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the costs thereof, by decreasing the project allocation by \$6,827,038.37 from \$7,469,177.57 to \$642,139.20.

Legislative History

5/11/10	City Council	Waived under Rule 8	Passed
5/11/10	City Council	Read and referred	Passed
5/12/10	Standing Committee	Affirmatively Recommended	Passed

Bill No. [2010-0466](#) Resolution providing for an Agreement or Agreements, or for the use of existing Agreements, with a Consultant or Consultants, for design services and for project management services, in connection with the transformation of East Liberty-Penn Circle into a two-way traffic flow system; and further providing for the payment of the costs thereof; at a cost not to exceed \$1,706,759.75.

Legislative History

5/11/10	City Council	Waived under Rule 8	Passed
5/11/10	City Council	Read and referred	Passed
5/12/10	Standing Committee	Affirmatively Recommended	Passed

Bill No. [2010-0467](#) Resolution providing for an Agreement or Agreements or for the use of existing Agreements, providing for a Contract or Contracts or for the use of existing Contracts, providing for repairs, maintenance, improvements, emergencies and/or the purchase of materials, equipment and supplies in connection with the investigation, design, construction and/or remediation for critical wall and slope failures throughout the City; and providing for the payment of the costs thereof. Cost not to exceed \$400,000.00.

Legislative History

5/11/10	City Council	Waived under Rule 8	Passed
5/11/10	City Council	Read and referred	Passed
5/12/10	Standing Committee	Affirmatively Recommended	Passed

Bill No. [2010-0473](#) Resolution further amending Resolution No. 675, effective December 30, 2008, as amended, entitled "Adopting and approving the 2009 Capital Budget and the 2009 Community Development Block Grant Program; and approving the 2009 through 2013 Capital Improvement Program," by transferring \$400,000.00 CITY money from the "Slope Failure Remediation" line item and increasing the "Bates Street/2nd Avenue Intersection" line item in the amount of \$2,400,000.00 (\$400,000.00 CITY/\$2,000,000.00 FHWA).

Legislative History

5/11/10	City Council	Waived under Rule 8	Passed
5/11/10	City Council	Read and referred	Passed
5/12/10	Standing Committee	Affirmatively Recommended	Passed

COUNCILMAN REV. BURGESS PRESENTS COMMITTEE ON HUMAN RESOURCES

Bill No. [2010-0494](#) Report of the Committee on Human Resources for May 12, 2010 with an Affirmatiave Recommendation.

Bill No. [2010-0420](#) Resolution providing that the City of Pittsburgh enter into a professional services agreement or agreements with First Advantage for professional services in connection with the administration and provision of clerical examination software for the City of

Pittsburgh for testing prospective employees, and providing for the payment of the cost thereof. Cost not to exceed \$7,143.50.

Legislative History

5/4/10	City Council	Read and referred	
5/12/10	Standing Committee	Affirmatively Recommended	Passed

Bill No. Resolution providing that the City enter into a professional services agreement with an insurance broker for the purpose of securing excess workers' compensation insurance coverage, cost not to exceed \$165,000.00.

[2010-0421](#)

Legislative History

5/4/10	City Council	Read and referred	
5/12/10	Standing Committee	Affirmatively Recommended	Passed

COUNCILMAN SHIELDS PRESENTS COMMITTEE ON LAND USE & ECONOMIC DEVELOPMENT

Bill No. Report of the Committee on Land Use and Economic Development for May 12, 2010 with an Affirmative Recommendation.

[2010-0495](#)

Bill No. Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article I, Section 902.03 Zoning Map, by changing from RM-H, Residential Multi-Unit High Density District to EMI, Educational/Medical Institution District, all that certain property identified as Block Number 28 - G, Lot Number 320 in the Allegheny County Block and Lot System, 4th Ward.

[2010-0210](#)

Legislative History

3/9/10	City Council	Read and referred	
3/17/10	Standing Committee	Held for Public Hearing	Passed
5/12/10	Standing Committee	Affirmatively Recommended	Passed

Bill No. Resolution approving an Amended 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.G for the University of Pittsburgh entitled "Proposed Institutional Master Plan Update" dated January 29, 2010 on property zoned EMI, Educational/Medical Institution District, 4th Ward.

[2010-0211](#)

Legislative History

3/9/10	City Council	Read and referred	
3/17/10	Standing Committee	Held for Public Hearing	Passed
5/12/10	Standing Committee	Affirmatively Recommended	Passed

Bill No. Resolution amending Resolution No. 619, effective October 28, 2009, 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

[2010-0476](#)

in the Department of Public Works from “McArcdle Viaduct #1” (-\$130,000) and from Bates St. 2nd Ave Improvements (-\$583,655.00 and from City Council's East Carnegie Food Bank (\$-1,000) to St Andrew's (+1,000.00) and to “Penn Ave. Reconstruction (+\$135,318.75) and to Bridge Repair (+\$48,346.25) and to Slope Failure (+\$400,000.00 and to East Liberty - Penn (+\$130,000.00) and to reallocate funds in City Council from DPW Infrastructure Improvements (\$-6,000.00) to Bloomfield Garfield Corp. (+\$6,000.00) and also to change the project name in City Council from BBI Lawrenceville Demolition to Lawrenceville United.

Legislative History

5/11/10	City Council	Waived under Rule 8	Passed
5/11/10	City Council	Read and referred	
5/12/10	Standing Committee	Affirmatively Recommended	Passed

COUNCILWOMAN RUDIAK PRESENTS COMMITTEE ON PERFORMANCE AND ASSET MANAGEMENT

Bill No. [2010-0496](#) Report of the Committee on Performance and Asset Management for May 12, 2010 with an Affirmative Recommendation.

Bill No. [2010-0422](#) Resolution providing for an agreement or agreements for Information Systems Modernization to include upgrades to the City's existing information and telecommunication systems, public safety systems, and public works systems for a sum not to exceed \$400,000 and for the payment of the costs thereof.

Legislative History

5/4/10	City Council	Read and referred	
5/12/10	Standing Committee	Affirmatively Recommended	Passed

Bill No. [2010-0423](#) Resolution providing for an agreement or agreements for enhancements and upgrades to the City's Public Safety systems, mobile data computers, and Automated Police Reporting Systems for a sum not to exceed \$275,000 and for the payment of the costs thereof.

Legislative History

5/4/10	City Council	Read and referred	
5/12/10	Standing Committee	Affirmatively Recommended	Passed

Bill No. [2010-0424](#) Resolution authorizing the Mayor, the Director of City Information Systems, or the 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. Grant not to exceed \$250,000.00.

Legislative History

5/4/10	City Council	Read and referred	
5/12/10	Standing Committee	Affirmatively Recommended	Passed

COUNCILMAN DOWD PRESENTS COMMITTEE ON INTERGOVERNMENTAL AFFAIRS

Bill No. [2010-0497](#) Report of the Committee on Intergovernmental Affairs for May 12, 2010 with an Affirmative Recommendation.

Bill No. [2010-0425](#) Resolution amending Resolution No. 415, effective July 16, 2009, entitled “Authorizing the execution of a cooperation agreement or agreements with the Urban Redevelopment Authority of Pittsburgh in which URA will transfer up to \$4,500,000 to the City for the East Liberty Infrastructure Project” by increasing the amount to \$5,300,000. (Council Districts 8 and 9)

Legislative History

5/4/10	City Council	Read and referred	
5/12/10	Standing Committee	Affirmatively Recommended	Passed

MOTIONS AND RESOLUTIONS

EXCUSE ABSENT MEMBERS

APPROVAL OF MINUTES

ADJOURNMENT

LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER