

City of Pittsburgh



City Council

Regular Meeting Agenda

Tuesday, July 27, 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 PATRICK DOWD PRESENTS:**

Bill No. Resolution authorizing the filing of an application for federal assistance with the U.S. Department of Transportation for a \$30,000,000 TIGER II Discretionary Grant for the Pittsburgh Eastern Corridor Multi-Modal Improvements project. (Council Districts 7, 8, and 9)
[2010-0792](#)

Bill No. Resolution authorizing a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh designating URA as the City's agent for administration of a TIGER II Discretionary Grant in the amount of \$30,000,000 from the U.S. Department of Transportation for the Pittsburgh Eastern Corridor Multi-Modal Improvements project. (Council Districts 7, 8 and 9)
[2010-0793](#)

COUNCILMAN BRUCE A. KRAUS PRESENTS:

Bill No. Resolution amending resolution 337-10, effective June 4, 2010, regarding the 2010 CDBG Street Resurfacing Program, by increasing the total by \$381,200.00, from \$2,318,800.00, to \$2,700,000.00.
[2010-0785](#)

COUNCILMAN R. 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 twelve thousand one hundred forty eight dollars and forty cents (\$12,148.40), for the Citiparks Seniors Program Volunteer Recognition Gala; and providing for the payment thereof. (Presented by Mr. Lavelle)
[2010-0786](#)

Bill No. Resolution authorizing the Department of Parks and Recreation to enter into a contract or contracts, agreement or agreements, or the use of existing contracts or agreements and other approved expenditures for the construction of Splash Zones, aquatic playground facilities. Cost not to exceed \$200,000.00.
[2010-0787](#)

Bill No. Resolution authorizing the Department of Parks and Recreation to enter into a contract or contracts, agreement or agreements, or the use of existing contracts or agreements and other approved expenditures for the maintenance of City swimming pools. Cost not to exceed \$50,000.00.
[2010-0788](#)

Bill No. Resolution providing for a contract or contracts, agreements or agreements, lease or leases, or the use of existing contracts, leases or agreements and other approved expenditures for the payment of supplies, equipment, materials, salaries, rentals, and other services required to provide center services for the HACP Senior Community Program in an amount not to exceed \$700,000.00 for the Department of Parks and
[2010-0789](#)

Recreation.

Bill No. Resolution authorizing the Department of Parks and Recreation to enter into a contract
[2010-0790](#) or contracts, agreement or agreements, or the use of existing contracts or agreements and other approved expenditures for the maintenance and enhancement of City recreation and senior centers. Cost not to exceed \$50,000.00.

Bill No. Resolution providing for the acceptance by the City of Pittsburgh from Geary Caliguiri
[2010-0791](#) for property in the 19th Ward for addition to the Duquesne Heights Greenway; Martin S. Berger for property in the 19th Ward for addition to Mount Washington Park; both for public purposes at no cost to the City of Pittsburgh.

COUNCILMAN WILLIAM PEDUTO PRESENTS:

Bill No. Resolution authorizing the issuance of a warrant in the sum of \$60,000.00 to Alton
[2010-0784](#) Lawson and Verdell Dean, Esquire, his attorney, 1609 Allegheny Building, 429 Forbes Avenue, Pittsburgh, PA 15219, in full and final settlement of an action filed at USDC 2:09-cv-1538, and arising from alleged injuries as a result of alleged violation of constitutional rights.

Bill No. Resolution Further amending Resolution No. 654, effective October 25, 2001, entitled,
[2010-0794](#) "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, and/or services for various projects in connection with City Council's 2001 Neighborhood Needs Supplement Program; and providing for the payment of the costs thereof," by adding \$1,476.90 to District 8 Various Projects and adjusting other projects in Council District 8.

SPONSOR(S): WILLIAM PEDUTO

Bill No. Resolution Further Amending Resolution No. 424 of 2001, effective June 19, 2001,
[2010-0795](#) entitled "Further amending Resolution No. 976 effective January 1, 1996, as amended, Adopting and Approving the 1996 Capital Budget and the 1996 Community Development Block Grant by creating a new line item, City Clerk Office Modernization Project Grant # 2271000 for the purpose of augmenting neighborhood needs programs and/or the District Improvement Fund, and transferring \$1,128,888.00 from Grant/Liberty to City Clerk's Office Modernization" by adding \$1,476.90 to District 8 Various Projects and adjusting other projects in Council District 8.

SPONSOR(S): WILLIAM PEDUTO

Bill No. Resolution Further amending Resolution No. 121 of 2003, effective March 14, 2003
[2010-0796](#) entitled, "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, and/or services for various projects in connection with City Council's 2003 Community Needs Program; and providing for the payment of the costs thereof," by adjusting various projects and funding Dunseith Playground \$22,451 in Council District 8 Neighborhood Needs.

SPONSOR(S): WILLIAM PEDUTO

Bill No. Resolution amending and supplementing Resolution No. 891, effective January 1,
[2010-0797](#) 2003, as amended, entitled: "Adopting and approving the 2003 Capital Budget and the

2003 Community Development Block Grant Program; and approving the 2003 through 2008 Capital Improvement Program by adjusting various line items in conformance with City Council's 2003 Capital Budget amendments" by adjusting District 8 projects and funding Dunseith Playground \$22,451 in Council Neighborhood Needs.

SPONSOR(S): WILLIAM PEDUTO

Bill No.

[2010-0798](#)

Resolution further amending Resolution No. 231, effective April 19, 2000, entitled "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, and/or services for projects in connection with the Neighborhood Needs Program in Council District 8; and providing for the payment of the costs thereof," by adding \$14,902.04 to District 8 Community Initiatives and by reducing various other projects in Council District 8. Total cost of all projects not to exceed \$1,000,000.

SPONSOR(S): WILLIAM PEDUTO

Bill No.

[2010-0799](#)

Resolution amending and supplementing Resolution No. 861, effective January 1, 2000, as amended, entitled: "Adopting and approving the 2000 Capital Budget and the 2000 Community Development Block Grant Program; and approving the 2000 through 2005 Capital Improvement Program, by adjusting various line items in conformance with City Council's 2000 Capital Budget amendments" by adding \$14,902.04 to District 8 Community Initiatives and by adjusting various other projects in Council District 8.

SPONSOR(S): WILLIAM PEDUTO

UNFINISHED BUSINESS

Bill No.

[2010-0638](#)

Resolution authorizing the reappointment of Richard Carrington, 321 Michigan Street, Pittsburgh, PA 15210 as a member of the Citizen Police Review Board for a term to expire on October 31, 2011.

Legislative History

6/22/10	City Council	Held, Pending Interview	Passed
6/30/10	Standing Committee	Interview Held	
7/6/10	City Council	Held in Council	Passed

Bill No.

[2010-0639](#)

Resolution authorizing the reappointment of Deborah Walker, 856 Lillian Street, Pittsburgh, PA 15210 as a member of the Citizen Police Review Board for a term to expire on October 31, 2013.

Legislative History

6/22/10	City Council	Held, Pending Interview	Passed
6/30/10	Standing Committee	Interview Held	
7/6/10	City Council	Held in Council	Passed

Bill No.

[2010-0640](#)

Resolution authorizing the appointment of Diana O'Brien Martini, 2389 Rose Garden Road, Pittsburgh, PA 15220 as a member of the Citizen Police Review Board for a term to expire on October 31, 2011.

Legislative History

6/22/10	City Council	Held, Pending Interview	Passed
6/30/10	Standing Committee	Interview Held	

	7/6/10	City Council	Held in Council	Passed
Bill No. 2010-0641	Resolution authorizing the appointment of Donna Kramer as a member of the Citizen Police Review Board for a term to expire on October 31, 2011.			
	<u>Legislative History</u>			
	6/22/10	City Council	Held, Pending Interview	Passed
	7/7/10	Standing Committee	Interview Held	
	7/13/10	City Council	Held in Council	Passed
Bill No. 2010-0642	Resolution authorizing the appointment of Leshonda Roberts, 2927 Sacramento Avenue, Pittsburgh, PA 15204, as a member of the Citizen Police Review Board for a term to expire on October 31, 2013.			
	<u>Legislative History</u>			
	6/22/10	City Council	Held, Pending Interview	Passed
	7/14/10	Standing Committee	Interview Held	
	7/20/10	City Council	Held in Council	Passed
Bill No. 2010-0643	Resolution authorizing the appointment of Eugene Downing, Jr., 5120 5th Avenue, Pittsburgh, PA 15232, as a member of the Citizen Police Review Board for a term to expire on October 31, 2013.			
	<u>Legislative History</u>			
	6/22/10	City Council	Held, Pending Interview	Passed
	6/30/10	Standing Committee	Interview Held	
	7/6/10	City Council	Held in Council	Passed

REPORTS OF COMMITTEE - FINAL ACTION

COUNCILMAN PEDUTO PRESENTS COMMITTEE ON FINANCE AND LAW

Bill No. 2010-0779	Report of the Committee on Finance and Law for July 21, 2010 with an Affirmative Recommendation.			
Bill No. 2010-0168	Ordinance supplementing the Pittsburgh Code, Title Four - Public Places and Property, by adding a new Article XIV- Public Buildings, Chapter 490 - Energy Sustainability.			
	SPONSOR(S): WILLIAM PEDUTO			
	<u>Legislative History</u>			
	3/2/10	City Council	Read and referred	
	3/10/10	Standing Committee	Held in Committee	Passed
	3/29/10	Standing Committee	Held in Committee	Passed
	4/21/10	Standing Committee	Held in Committee	Passed
	5/12/10	Standing Committee	Held for Post Agenda	Passed
	7/21/10	Standing Committee	AMENDED BY SUBSTITUTE	Passed
	7/21/10	Standing Committee	Affirmatively Recommended as Amended	Passed
Bill No. 2010-0596	Ordinance, entitled, "The Neighborhood First Capital Budget Reform Act" amending the Pittsburgh City Code to bring the City of Pittsburgh into compliance with the			

recommendations of the amended Act 47 Financial Recover Plan relating to the Capital Budget, 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.

SPONSOR(S): REVEREND RICKY V. BURGESS

Legislative History

6/8/10	City Council	Read and referred	Passed
6/16/10	Standing Committee	Held in Committee	Passed
6/23/10	Standing Committee	Held in Committee	Passed
7/14/10	Standing Committee	Held in Committee	Passed
7/21/10	Standing Committee	AMENDED BY SUBSTITUTE	Passed
7/21/10	Standing Committee	Affirmatively Recommended as Amended	Passed

Bill No. [2010-0716](#) Resolution authorizing the Mayor to accept on behalf of the City of Pittsburgh a grant from the Fund for Cities of Service, Inc. in the amount of \$200,000 to fund a Chief Service Officer who will develop and implement a citywide plan to increase volunteerism and target volunteers to address the City of Pittsburgh's greatest needs.

Legislative History

7/13/10	City Council	Read and referred	
7/21/10	Standing Committee	Affirmatively Recommended	Passed

Bill No. [2010-0717](#) Resolution authorizing the Mayor and the Director of the Department of Finance to enter into an agreement with the School District of Pittsburgh and Franklin Street Development, LLC ("Franklin"), to assign, transfer, sell and convey to Franklin City and School District tax liens on a parcel of real property located in the 21st Ward of the City of Pittsburgh at 1836 Oxline Street.

Legislative History

7/13/10	City Council	Read and referred	
7/21/10	Standing Committee	Affirmatively Recommended	Passed

COUNCILWOMAN SMITH PRESENTS COMMITTEE ON PUBLIC SAFETY SERVICES

Bill No. [2010-0780](#) Report of the Committee on Public Safety Services for July 21, 2010 with an Affirmative Recommendation.

Bill No. [2010-0107](#) Ordinance amending the City Code at Title Six: Conduct, Article VIII: Privacy Policy for Public Security Camera Systems, by adding Chapter 652: Police Recording Devices.

SPONSOR(S): REVEREND RICKY V. BURGESS AND THERESA SMITH

Legislative History

2/2/10	City Council	Read and referred	
2/11/10	Public Safety Services Committee	Held for Post Agenda	Passed

2/11/10	Public Safety Services Committee	Held for Public Hearing	Passed
3/10/10	Hearings Committee	Public Hearing Held	Passed
4/14/10	Standing Committee	Held in Committee	Passed
5/5/10	Standing Committee	Held in Committee	Passed
7/7/10	Standing Committee	AMENDED	Passed
7/7/10	Standing Committee	Held in Committee	Passed
7/14/10	Standing Committee	AMENDED	Passed
7/14/10	Standing Committee	Held in Committee	Passed
7/21/10	Standing Committee	AMENDED BY SUBSTITUTE	Passed
7/21/10	Standing Committee	Affirmatively Recommended as Amended	Passed

Bill No.

[2010-0108](#)

Resolution supporting the Bureau of Police's progress in attaining PLEAC accreditation and requesting quarterly updates until said accreditation is achieved.

SPONSOR(S): REVEREND RICKY V. BURGESS AND R. DANIEL LAVELLE

Legislative History

2/2/10	City Council	Read and referred	
2/11/10	Public Safety Services Committee	Held for Post Agenda	Passed
2/11/10	Public Safety Services Committee	Held for Public Hearing	Passed
3/10/10	Hearings Committee	Public Hearing Held	Passed
4/14/10	Standing Committee	Held in Committee	Passed
5/5/10	Standing Committee	Held in Committee	Passed
7/7/10	Standing Committee	Held in Committee	Passed
7/14/10	Standing Committee	AMENDED BY SUBSTITUTE	Passed
7/14/10	Standing Committee	Held in Committee	Passed
7/21/10	Standing Committee	AMENDED	Passed
7/21/10	Standing Committee	Affirmatively Recommended as Amended	Passed

Bill No.

[2010-0109](#)

Ordinance amending the Pittsburgh City Code, Title I, Administrative, Article VII: Procedures, Chapter 160, Investigations of Police Conduct, by adding Section 160.02, Applicable Incidents Requiring Paid Administrative Leave.

SPONSOR(S): REVEREND RICKY V. BURGESS

Legislative History

2/2/10	City Council	Read and referred	
2/2/10	City Council	Passed Finally	Passed
2/11/10	Public Safety Services Committee	Held for Post Agenda	Passed
2/11/10	Public Safety Services Committee	Held for Public Hearing	Passed
3/10/10	Hearings Committee	Public Hearing Held	Passed
4/14/10	Standing Committee	Held in Committee	Passed
5/5/10	Standing Committee	Held in Committee	Passed
7/7/10	Standing Committee	AMENDED	Passed

7/7/10	Standing Committee	Held in Committee	Passed
7/14/10	Standing Committee	Held in Committee	Passed
7/21/10	Standing Committee	AMENDED BY SUBSTITUTE	Passed
7/21/10	Standing Committee	Affirmatively Recommended as Amended	Passed

Bill No. Ordinance amending the Pittsburgh City Code, Title Six: Conduct, Article VI: Citizen
[2010-0711](#) Police Review Board at Chapter 662, Citizen Police Review Board.

SPONSOR(S): R. DANIEL LAVELLE AND PATRICK DOWD

Legislative History

7/6/10	City Council	Read and referred	
7/14/10	Standing Committee	Held in Committee	Passed
7/19/10	Hearings Committee	Public Hearing Held	Passed
7/21/10	Standing Committee	AMENDED BY SUBSTITUTE	Passed
7/21/10	Standing Committee	Affirmatively Recommended as Amended	Passed

COUNCILMAN KRAUS PRESENTS COMMITTEE ON PUBLIC WORKS

Bill No. Report of the Committee on Public Works for July 21, 2010 with an Affirmative
[2010-0781](#) Recommendation.

Bill No. Resolution granting unto Sharp Edge Bistro, 922 Penn Avenue, Pittsburgh, Pa 15222
[2010-0718](#) their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, two (2) business identification signs at 922 Penn Avenue in the 2nd Ward, 6th Council District of the City of Pittsburgh.

Legislative History

7/13/10	City Council	Read and referred	
7/21/10	Standing Committee	Affirmatively Recommended	Passed

Bill No. Resolution granting unto North Shore Hospitality Associates, L.P., 2801 Freeport
[2010-0719](#) Road, Pittsburgh, PA 15238 their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a directional projecting sign at 574 W. General Robinson Street, Pittsburgh, PA 15212 in the 22nd Ward, 6th Council District of the City of Pittsburgh.

Legislative History

7/13/10	City Council	Read and referred	
7/21/10	Standing Committee	Affirmatively Recommended	Passed

Bill No. Resolution vacating a portion of Maurice Street in the 4th Ward, 6th Council District,
[2010-0720](#) of the City of Pittsburgh.

Legislative History

7/13/10	City Council	Read and referred	
7/21/10	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 July 21, 2010
[2010-0782](#) with an Affirmative Recommendation.

Bill No.

[2010-0567](#)

**SPONSOR(S): WILLIAM PEDUTO, BRUCE A. KRAUS, NATALIA RUDIAK,
DOUGLAS SHIELDS AND DARLENE HARRIS**

Legislative History

6/1/10	City Council	Read and referred	
6/9/10	Standing Committee	Held for Public Hearing	Passed
6/9/10	Standing Committee	Held for Post Agenda	Passed
7/1/10	Hearings Committee	Public Hearing Held	Passed
7/21/10	Standing Committee	AMENDED BY SUBSTITUTE	Passed
7/21/10	Standing Committee	Affirmatively Recommended as Amended	Passed

Bill No. Resolution authorizing the Mayor or the Director of City Planning, to enter into a Grant Agreement with the Commonwealth of Pennsylvania, Department of Community and Economic Development to receive \$75,000.00 in Grant funding for a TRID Planning Study in the neighborhood of East Liberty. Resolution providing for an Agreement or Agreements or Contract or Contracts, or for use of existing Agreements or Contracts, with a Consultant or Consultants, or Vendor or Vendors, for the purpose of preparing “East Liberty TRID Planning Study” and related activities in support of such plan, at a cost not to exceed \$75,000.00.

[2010-0721](#)

Legislative History

7/13/10	City Council	Read and referred	
7/21/10	Standing Committee	Affirmatively Recommended	Passed

Bill No. Resolution authorizing the Mayor or the Director of City Planning, to enter into a Grant Agreement with the Commonwealth of Pennsylvania, Department of Community and Economic Development to receive \$150,000.00 in Grant funding, for the receipt of \$22,700.00 local match funding from the Mount Washington Community Development Corporation, and for the receipt of \$25,000.00 local match funding from the Pittsburgh Partnership for Neighborhood Development for SMART TRID Planning Studies for the areas of South Hills Junction and the neighborhood of Beechview. Resolution providing for an Agreement or Agreements or Contract or Contracts, or for use of existing Agreements or Contracts, with a Consultant or Consultants, or Vendor or Vendors, for the purpose of preparing “SMART TRID Planning Studies” and related activities in support of such plan, at a cost not to exceed \$197,700.00.

[2010-0722](#)

Legislative History

7/13/10	City Council	Read and referred	
7/21/10	Standing Committee	Affirmatively Recommended	Passed

Bill No. [2010-0730](#) Resolution further amending and supplementing Resolution No. 768, effective January 1, 2010, as amended, 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 transferring \$1,000,000 from the Neighborhood Business and Economic Development in the Urban Redevelopment Authority to the Department of Public Works for improvement in four business districts: East Ohio Street, Perrysville Avenue, California Avenue and Lowrie Street.

SPONSOR(S): DARLENE HARRIS

Legislative History

7/13/10	City Council	Read and referred	
7/21/10	Standing Committee	AMENDED	Passed
7/21/10	Standing Committee	Affirmatively Recommended as Amended	Passed

COUNCILMAN DOWD PRESENTS COMMITTEE ON INTERGOVERNMENTAL AFFAIRS

Bill No. [2010-0783](#) Report of the Committee on Intergovernmental Affairs for July 21, 2010 with an Affirmative Recommendation.

Bill No. [2010-0723](#) Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh in connection with URA's application for a Redevelopment Assistance Capital Program grant of up to \$500,000 for the YWCA of Greater Pittsburgh project. (Council District 6)

Legislative History

7/13/10	City Council	Read and referred	
7/21/10	Standing Committee	AMENDED	Passed
7/21/10	Standing Committee	Affirmatively Recommended as Amended	Passed

Bill No. [2010-0724](#) Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an Application to the Pennsylvania Office of the Budget for a Redevelopment Assistance Capital Program grant of up to \$500,000 for the YWCA of Greater Pittsburgh project. (Council District 6)

Legislative History

7/13/10	City Council	Read and referred	
7/21/10	Standing Committee	AMENDED	Passed
7/21/10	Standing Committee	Affirmatively Recommended as Amended	Passed

MOTIONS AND RESOLUTIONS

EXCUSE ABSENT MEMBERS

APPROVAL OF MINUTES

ADJOURNMENT

LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER