

# City of Pittsburgh



## City Council

### Regular Meeting Agenda

**Tuesday, February 8, 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 PATRICK DOWD PRESENTS:**

Bill No. Resolution providing for the designation and transfer of certain public properties within  
[2011-1390](#) the Morningside and Stanton Heights neighborhoods to become permanent, public,  
passive open space under the Greenways for Pittsburgh program.

**SPONSOR(S): PATRICK DOWD**

**COUNCILMAN BRUCE KRAUS PRESENTS:**

Bill No. Resolution providing for an Agreement or Agreements with a vendor to assist the City  
[2011-1395](#) in the creation of the Hospitality Zone Economic and Public Safety Assessment in an  
amount not to exceed \$100,000.00.

**SPONSOR(S): BRUCE A. KRAUS**

**COUNCILMAN WILLIAM PEDUTO PRESENTS:**

Bill No. Resolution providing for the issuance of a Sixty Five Thousand Dollar (\$65,000.00)  
[2011-1388](#) warrant in favor of Carole Lynn Herman c/o Daniel I. Herman, Geer and Herman,  
P.C., 2100 Wilmington Road, New Castle, PA 16105, in settlement of an action filed in  
the Court of Common Pleas of Allegheny County, Pennsylvania at GD 04-027465 for  
personal injuries and damages arising from a pedestrian-automobile accident on or  
about September 30, 2003, at or near the intersection of Braddock Avenue and Guthrie  
Street in the City of Pittsburgh, Allegheny County, Pennsylvania.

Bill No. Resolution authorizing the Mayor and the City Solicitor to enter into an agreement or  
[2011-1389](#) agreements for the hiring of Blaine Lucas of Babst, Calland, Clements & Zomnir, PC,  
Two Gateway Center, 603 Stanwix Street, 7th Floor, Pittsburgh, PA 15222 for  
representation of the City of Pittsburgh in connection with various zoning and land use  
matters, at a cost not to exceed \$40,127.57 (Forty Thousand One Hundred  
Twenty-Seven Dollars and Fifty-seven Cents).

Bill No. Ordinance amending the Pittsburgh Code, Title Six Conduct, Article I Regulated  
[2011-1396](#) Rights and Actions, Chapter 601 Public Order, Section 601.04 Noise Control,  
Subsection (f) Refuse Collection, by deleting subsection (f) in its entirety.

**SPONSOR(S): WILLIAM PEDUTO**

Bill No. Ordinance amending the Pittsburgh Code, Title Seven Business Licensing, Article VII  
[2011-1397](#) Service Businesses, Chapter 765 Commercial Hauling of Municipal Waste, Section  
765.05 Collection Practices, Subsection (f), by deleting subsection (f) in its entirety.

**SPONSOR(S): WILLIAM PEDUTO**

**COUNCIL PRESIDENT DARLENE HARRIS PRESENTS:**

Bill No. [2011-1391](#) Communication from David Onorato, Executive Director of the Pittsburgh Parking Authority, submitting the annual Position and Salary Report for the fiscal years 2010 and 2011.

Bill No. [2011-1392](#) Communication from Thomas Palmosina, Acting Executive Director of the Pittsburgh Water and Sewer Authority, submitting the annual Position and Salary Report for the fiscal years 2009, 2010 and 2011.

Bill No. [2011-1393](#) Communication from Mary Conturo, Executive Director of the Sports and Exhibition Authority, submitting the annual Position and Salary Report for the year ending December 31, 2010.

Bill No. [2011-1394](#) Communication from Rob Stephany, Executive Director of the Urban Redevelopment Authority, submitting the annual Position and Salary Report for the year ending December 31, 2010.

**UNFINISHED BUSINESS****REPORTS OF COMMITTEE - FINAL ACTION****COUNCILMAN PEDUTO PRESENTS COMMITTEE ON FINANCE AND LAW**

Bill No. [2011-1385](#) Report of the Committee on Finance and Law for February 2, 2011 with an Affirmative Recommendation.

Bill No. [2011-1301](#) Resolution providing for a professional services agreement or agreements with Maher Duessel for the performance of the City's Financial Statement including Single Audit for the years ending December 31, 2010, December 31, 2011, and December 31, 2012, at a total cost not to exceed Five Hundred Thirty Four Thousand Seven Hundred Eighty Dollars (\$534,780.00) over three years, chargeable to and payable from the Department of Finance Miscellaneous Services Account, Budget Years 2011, 2012, and 2013.

**Legislative History**

|         |                    |                              |        |
|---------|--------------------|------------------------------|--------|
| 1/18/11 | City Council       | Read and referred            |        |
| 1/26/11 | Standing Committee | Affirmatively<br>Recommended | Passed |
| 2/1/11  | City Council       | RECOMMITTED                  | Passed |
| 2/2/11  | Standing Committee | Affirmatively<br>Recommended | Passed |

Bill No. [2011-1333](#) Resolution providing for the issuance of a \$4,756.39 warrant in favor of William A. & Deobrah K. Barker, c/o Robert B. Woomer, Esquire of Woomer & Hall, LLP, 2945 Banksville Road, Suite 200, Pittsburgh, PA 15217-2749, in settlement of a claim for personal injuries due to a motor vehicle accident that occurred on August 25, 2006 due to overgrown vegetation on City property.

**Legislative History**

|         |                    |                              |        |
|---------|--------------------|------------------------------|--------|
| 1/25/11 | City Council       | Read and referred            |        |
| 2/2/11  | Standing Committee | Affirmatively<br>Recommended | Passed |

Bill No. Resolution providing for the issuance of a Two Hundred Forty-Three Dollar and Sixty  
[2011-1334](#) One Cents (\$243.61) warrant in favor of Treasurer, City of Pittsburgh, for indebtedness  
 to the City from the settlement of an action filed in the Court of Common Pleas of  
 Allegheny County, Pennsylvania by William A. & Deborah K. Barker at GD  
 08-004765 for personal injuries arising from a motor vehicle accident due to  
 overgrown vegetation on City property on August 25, 2006.

**Legislative History**

|         |                    |                              |        |
|---------|--------------------|------------------------------|--------|
| 1/25/11 | City Council       | Read and referred            |        |
| 2/2/11  | Standing Committee | Affirmatively<br>Recommended | Passed |

Bill No. Resolution further amending and supplementing Resolution No. 180, effective April 5,  
[2011-1336](#) 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 various projects in  
 connection with the Neighborhood Needs Program in Council District 3", by  
 decreasing "Beltzhoover Neighborhood Council" by \$500 and by adding that amount  
 to "Beltzhoover Citizens Community Development Corporation" in Council District 3  
 Neighborhood Needs. Total cost is not to exceed \$1,000,000.

**SPONSOR(S): BRUCE A. KRAUS**

**Legislative History**

|         |                    |                              |        |
|---------|--------------------|------------------------------|--------|
| 1/25/11 | City Council       | Read and referred            |        |
| 2/2/11  | Standing Committee | Affirmatively<br>Recommended | Passed |

**COUNCILWOMAN SMITH PRESENTS COMMITTEE ON PUBLIC SAFETY SERVICES**

Bill No. Report of the Committee on Public Safety Services for February 8, 2011 with an  
[2011-1386](#) Affirmative Recommendation.

Bill No. Ordinance supplementing the Pittsburgh Code, Title Six, Conduct, Article I Regulated  
[2011-1350](#) Rights and Actions, Chapter 619 Refuse Collection and Recycling by adding a new  
 section, entitled, Section 619.18 Refuse Collection Times in Residential Zones.

**SPONSOR(S): WILLIAM PEDUTO**

**Legislative History**

|         |                    |                              |        |
|---------|--------------------|------------------------------|--------|
| 1/25/11 | City Council       | Read and referred            |        |
| 2/2/11  | Standing Committee | Affirmatively<br>Recommended | Passed |

**COUNCILMAN SHIELDS PRESENTS COMMITTEE ON LAND USE & ECONOMIC DEVELOPMENT**

Bill No. Report of the Committee on Land Use and Economic Development for February 8,  
[2011-1387](#) 2011 with an Affirmative Recommendation.

Bill No. Resolution amending and supplementing Resolution No. 861, effective January 1,  
[2011-1337](#) 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 decreasing "Beltzhoover Neighborhood Council" by \$500 and by adding that amount to "Beltzhoover Citizens Community Development Corporation" in Council District 3 Neighborhood Needs.

**SPONSOR(S): BRUCE A. KRAUS**

**Legislative History**

|         |                    |                              |        |
|---------|--------------------|------------------------------|--------|
| 1/25/11 | City Council       | Read and referred            |        |
| 2/2/11  | Standing Committee | Affirmatively<br>Recommended | Passed |

Bill No.

[2011-1338](#)

Resolution amending Resolution No. 773, effective November 12, 2010 entitled: The 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 chargeable to and payable from the 2005 Community Development Block Grant Program "City Council" so as to reprogram funds in City Council from the "Uptown Community Action Group" (- \$800.00) and transfer these funds to "Rebuilding Together Pittsburgh" (+ \$800.00).

**SPONSOR(S): THERESA SMITH**

**Legislative History**

|         |                    |                              |        |
|---------|--------------------|------------------------------|--------|
| 1/25/11 | City Council       | Read and referred            |        |
| 2/2/11  | Standing Committee | Affirmatively<br>Recommended | Passed |

Bill No.

[2011-1339](#)

Resolution amending Resolution No. 792, effective November 17, 2010, 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 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 "Uptown Community Action Group" (- \$800.00); and transfer these funds to "Rebuilding Together Pittsburgh" (+ \$800.00).

**SPONSOR(S): THERESA SMITH**

**Legislative History**

|         |                    |                              |        |
|---------|--------------------|------------------------------|--------|
| 1/25/11 | City Council       | Read and referred            |        |
| 2/2/11  | Standing Committee | Affirmatively<br>Recommended | Passed |

Bill No.

[2011-1340](#)

Resolution amending Resolution No. 774, effective November 12, 2010, 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: “District 2 - Equipment” (- \$6,500.00) and transfer these fund to “Rebuilding Together Pittsburgh” (+ \$6,500.00).

**SPONSOR(S): THERESA SMITH**

**Legislative History**

|         |                    |                              |        |
|---------|--------------------|------------------------------|--------|
| 1/25/11 | City Council       | Read and referred            |        |
| 2/2/11  | Standing Committee | Affirmatively<br>Recommended | Passed |

Bill No.

[2011-1341](#)

Resolution amending Resolution No. 775, effective November 12, 2010, 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: “District 2 Equipment” (- \$6,500.00); and transfer these funds to “Rebuilding Together Pittsburgh” (+ \$6,500.00).

**SPONSOR(S): THERESA SMITH**

**Legislative History**

|         |                    |                              |        |
|---------|--------------------|------------------------------|--------|
| 1/25/11 | City Council       | Read and referred            |        |
| 2/2/11  | Standing Committee | Affirmatively<br>Recommended | Passed |

Bill No.

[2011-1342](#)

Resolution amending Resolution No. 777, effective November 12, 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 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 - West End Branch” (- \$5,000.00); and from the “Grandview Lions Club” (- \$3,000.00); and from the Southwest PA Athletic Association” (- \$3,000.00) and transfer these funds to “Rebuilding Together Pittsburgh” (+ \$11,000.00).

**SPONSOR(S): THERESA SMITH**

**Legislative History**

|         |                    |                              |        |
|---------|--------------------|------------------------------|--------|
| 1/25/11 | City Council       | Read and referred            |        |
| 2/2/11  | Standing Committee | Affirmatively<br>Recommended | Passed |

Bill No.

[2011-1343](#)

Resolution amending Resolution No. 776, effective November 12, 2010 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-West End Branch” (- \$5,000.00); and from the “Grandview Lions Club” (- \$3,000.00); and from the southwest PA Athletic Association” (- \$3,000.00); and transfer these funds to “Rebuilding together Pittsburgh” (+ \$11,000.00).

**SPONSOR(S): THERESA SMITH**

**Legislative History**

|         |                    |                              |        |
|---------|--------------------|------------------------------|--------|
| 1/25/11 | City Council       | Read and referred            |        |
| 2/2/11  | Standing Committee | Affirmatively<br>Recommended | Passed |

Bill No.

[2011-1344](#)

Resolution amending Resolution No. 778, effective Nov. 12, 2010, 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 contact 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 800,000.00”, so as to reprogram funds in City Council from: the “Esplen Senior Center Assoc.” (- \$796.40); and from the “Grandview Lions Club” (- \$3,000.00); and transfer these funds to “Rebuilding Together Pittsburgh” (+ \$796.40); and to the “Ream Recreation Center” (+ \$3,000.00).

**SPONSOR(S): THERESA SMITH**

**Legislative History**

|         |                    |                              |        |
|---------|--------------------|------------------------------|--------|
| 1/25/11 | City Council       | Read and referred            |        |
| 2/2/11  | Standing Committee | Affirmatively<br>Recommended | Passed |

Bill No.

[2011-1345](#)

Resolution amending Resolution No. 779 , effective November 12, 2010\_, 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 2008 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 “Esplen Senior Center Assoc.” (- \$796.40); and from the “Grandview Lions Club” (- \$3,000.00); and transferring these funds to “Rebuilding Together Pittsburgh” (+ \$796.40); and to the “Ream Recreation Center” (+ \$3,000.00).

**SPONSOR(S): THERESA SMITH**

**Legislative History**

|         |                    |                              |        |
|---------|--------------------|------------------------------|--------|
| 1/25/11 | City Council       | Read and referred            |        |
| 2/2/11  | Standing Committee | Affirmatively<br>Recommended | Passed |

Bill No. [2011-1346](#) Resolution amending Resolution No. 808, effective December 1, 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; 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 City Council from “West Pittsburgh Youth Football” (- \$1,000.00) and transfer these funds to “Rebuilding Together Pittsburgh” (+ \$1,000.00).

**SPONSOR(S): THERESA SMITH**

**Legislative History**

|         |                    |                              |        |
|---------|--------------------|------------------------------|--------|
| 1/25/11 | City Council       | Read and referred            |        |
| 2/2/11  | Standing Committee | Affirmatively<br>Recommended | Passed |

Bill No. [2011-1347](#) Resolution amending Resolution No. 809, effective December 1, 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 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 “West Pittsburgh Youth Football” (- \$1,000.00); and transfer these funds to the “Rebuilding Together Pittsburgh” (+ \$1,000.00).

**SPONSOR(S): THERESA SMITH**

**Legislative History**

|         |                    |                              |        |
|---------|--------------------|------------------------------|--------|
| 1/25/11 | City Council       | Read and referred            |        |
| 2/2/11  | Standing Committee | Affirmatively<br>Recommended | Passed |

Bill No. [2011-1348](#) Resolution amending Resolution No. 781, effective November 12, 2010, 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 reprogram funds in City Council from “District 2 - Public Works” (- \$10,500.00); and transferring these funds to “MWDCD WILD Arts Trails Festival (+ \$1,000.00); and to the “Pittsburgh Musical Theater” (+ 2,500.00); and to the “Western PA Police Athletic League” (+ 5,000.00); and to the “Ream Recreation Center” (+ \$2,000.00).

**SPONSOR(S): THERESA SMITH**

**Legislative History**

|         |                    |                              |        |
|---------|--------------------|------------------------------|--------|
| 1/25/11 | City Council       | Read and referred            |        |
| 2/2/11  | Standing Committee | Affirmatively<br>Recommended | Passed |



Bill No. [2011-1349](#) Resolution amending Resolution No. 780, effective November 12, 2010, 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 2 - Public Works" (- \$10,500.00); and transfer these funds to "MWCDC Wild Art Trails Festival" (+ \$1,000.00); and to the "Pittsburgh Musical Theater" (+\$2,500.00); and to the "Western PA Police Athletic League" (+ \$5,000.00); and to the "Ream Recreation Center" (+ \$2,000.00).

**SPONSOR(S): THERESA SMITH**

**Legislative History**

|         |                    |                              |        |
|---------|--------------------|------------------------------|--------|
| 1/25/11 | City Council       | Read and referred            |        |
| 2/2/11  | Standing Committee | Affirmatively<br>Recommended | Passed |

## MOTIONS AND RESOLUTIONS

## EXCUSE ABSENT MEMBERS

## APPROVAL OF MINUTES

## ADJOURNMENT

## LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER