

City of Pittsburgh



City Council

Regular Meeting Agenda

Tuesday, March 6, 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 REVEREND RICKY V. BURGESS PRESENTS:**

Bill No. Resolution providing for the issuance of a Nine Thousand Eight Hundred Dollar (\$9,800.00) warrant in favor of Linda L. Winston, c/o Mark S. Mislanovich, Esquire, Woomer & Hall, LP, 2945 Banksville Road, Suite 200, Pittsburgh, PA 15216-2749, in settlement of the action filed in the Court of Common Pleas of Allegheny County, Pennsylvania at AR 11-002471, for personal injuries and damages arising from a vehicular accident on or about September 16, 2010, at or near the public thoroughfare known as East Warrington Avenue, in the City of Pittsburgh.

[2012-0156](#)

Legislative History

3/6/12

City Council

Read and referred

COUNCILMAN BRUCE A. KRAUS PRESENTS:

Bill No. Resolution authorizing the Mayor and the Director of the Department of Public Works to enter into an easement agreement or agreements with THE SYCAMORE GRANDVIEW ASSOCIATES, LP, ("Sycamore") a Pennsylvania limited partnership, and others whereby THE SYCAMORE GRANDVIEW ASSOCIATES, LP, and others grant to the City an easement along Wyoming Street, in the Nineteenth Ward of the City of Pittsburgh; for Wyoming Street is supported by a retaining wall (the "Wall") for the construction over and across a portion of the Sycamore Property and a permanent easement for the Wall as it is constructed by the City.

[2012-0159](#)

Legislative History

3/6/12

City Council

Read and referred

Bill No. Resolution 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 design, repairs, maintenance, improvements, emergencies and/or the purchase of materials and supplies in connection with the construction of the S. Highland Avenue Bridge; 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, not to exceed \$1,932,836.40.

[2012-0160](#)

Legislative History

3/6/12

City Council

Read and referred

Bill No. Resolution granting unto the Regional Trail Corporation, P.O. Box 95, West Newton, PA 15089, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a portion of a trail on the right-of-way of

[2012-0161](#)

Haysglen Street in the 31st Ward, 5th Council District of the City of Pittsburgh.

Bill No. Resolution further amending Resolution No. 768 of 2009, 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 decreasing the "Carnahan Road Bridge" line item in the amount of \$71,000 city dollars and decreasing the "Bridge Repairs" line item in the amount of \$25,641.82 city dollars, and transferring the total of these accounts (\$96,641.82 city dollars) to the "S. Highland Avenue Bridge" line item.

[2012-0162](#)

COUNCILMAN COREY O'CONNOR PRESENTS:

Bill No. 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 the City Council Neighborhood Needs Program in Council District 5; and providing for the payment of the costs thereof and by reducing Various District 5 DPW Projects by \$4,000 and transferring that amount to The Penn State Center-Pittsburgh, for tree plantings in Four Mile Run. Total cost of all projects is not to exceed \$198,980.27

[2012-0164](#)

SPONSOR(S): COREY O'CONNOR

Bill No. Resolution further amending and supplementing Resolution Nos. 763, 722, 793 and 855 of 2011, entitled "adopting and approving the 2000, 2003, 1996 and 2012 capital budgets" respectively by transferring all active District 5 Neighborhood Needs projects from three budget years into budget year 2012 in the JDE financial system and by reducing Various District 5 DPW Projects by \$4,000 and transferring that amount to The Penn State Center-Pittsburgh, for tree plantings in Four Mile Run.

[2012-0165](#)

SPONSOR(S): COREY O'CONNOR

COUNCILWOMAN THERESA KAIL-SMITH PRESENTS:

Bill No. Resolution amending Resolution 60 of 2010, effective February 22, 2010, entitled "Resolution authorizing the Mayor and Director of Personnel to enter into a professional services agreement or agreements with Angela Hooper Gorman, a sole proprietorship organized under the law of the Commonwealth of Pennsylvania, for the provision of professional services in connection with the development of customer service training and related activities for the City of Pittsburgh," in order to include the Chief of the Bureau of Emergency Medical Services and to increase the cost amount by \$10,735.00 from \$26,850.00 to \$37,585.00.

[2012-0157](#)

Bill No. Resolution providing for an Agreement or Agreements for the purchase of Pharmaceutical Services, Supplies, and Medications necessary for the operations of the Bureau of Emergency Medical Services for a period of three years (2012, 2013, 2014 and 2015). The annual cost not to exceed \$48,000.00.

[2012-0158](#)

COUNCILWOMAN DARLENE M. HARRIS PRESENTS:

Bill No. Resolution naming Allegheny Public Square to Buhl Community Park at Allegheny Square.

[2012-0166](#)

SPONSOR(S): DARLENE HARRIS

Bill No. Resolution submitting the name of Douglas Shields for consideration by the Mayor for
[2012-0167](#) an appointment to fill the expired term on the Citizens Police Review Board, in
accordance with the Pittsburgh City Code, Title Six, Conduct, Article VI, Citizen
Police Review Board. (Withdrawal of Joelle Tighe)

UNFINISHED BUSINESS

REPORTS OF COMMITTEE - FINAL ACTION

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

Bill No. Report of the Committee on Finance and Law for February 29, 2012 with an
[2012-0151](#) Affirmative Recommendation.

Bill No. Resolution authorizing the issuance of a warrant in the total sum of \$75,000 to J.
[2012-0054](#) Kerrington Lewis, Esq., 1040 Fifth Ave., Pittsburgh, PA 15219 and Timothy P.
O'Brien, Esq., 1705 Allegheny Building, 429 Forbes Ave., Pittsburgh, PA 15219,
releasing and discharging the City of Pittsburgh and supervisory employees from direct
liability in the civil action filed at 2:10-cv-01335 in the United States District Court for
the Western District of Pennsylvania, and arising from an alleged violation of
Constitutional Rights in connection to an alleged incident on January 11, 2010 in the
City of Pittsburgh.

Legislative History

2/7/12	City Council	Read and referred	
2/15/12	Standing Committee	Held in Committee	Passed
2/29/12	Standing Committee	Affirmatively Recommended	Passed

Bill No. Resolution authorizing the issuance of a warrant in favor of William J. Miller, Jr.
[2012-0085](#) Esquire, 106 Rampart Lane, Ligonier, PA 15658, in an amount not to exceed Five
Thousand Six Hundred Four Dollars and Thirteen Cents (\$5,604.13) for arbitration
services rendered in connection with the FOP Interim Health Care Award.

Legislative History

2/14/12	City Council	Read and referred	
2/22/12	Standing Committee	Held in Committee	Passed
2/29/12	Standing Committee	Affirmatively Recommended	Passed

Bill No. Resolution authorizing the issuance of a warrant in favor of Tucker Independent
[2012-0086](#) Medical Experts, Inc., 1082 Bower Hill Road, Suite 100, Pittsburgh, PA 15243, in an
amount not to exceed Two Thousand Six Hundred Dollars (\$2,600.00) for professional
services rendered in connection with the litigation case of Elmer R. Undereiner v. City
of Pittsburgh, GD 09-11559.

Legislative History

2/14/12	City Council	Read and referred	
2/22/12	Standing Committee	Held in Committee	Passed
2/29/12	Standing Committee	Affirmatively Recommended	Passed

Bill No. Resolution authorizing the issuance of a warrant in favor of Tucker Independent
[2012-0087](#) Medical Experts, Inc., 1082 Bower Hill Road, Suite 100, Pittsburgh, PA 15243, in an amount not to exceed Two Thousand Six Hundred Dollars (\$2,600.00) for professional services rendered in connection with the litigation case of Christopher P. Lageman v. City of Pittsburgh, GD 07-16796.

Legislative History

2/14/12	City Council	Read and referred	
2/22/12	Standing Committee	Held in Committee	Passed
2/29/12	Standing Committee	Affirmatively Recommended	Passed

Bill No. Resolution authorizing the issuance of a warrant in favor of Tucker Independent
[2012-0088](#) Medical Experts, Inc., 1082 Bower Hill Road, Suite 100, Pittsburgh, PA 15243, in an amount not to exceed Two Thousand Six Hundred Dollars (\$2,600.00) for professional services rendered in connection with the litigation case of Joel Palashoff v. City of Pittsburgh, GD 03-18157.

Legislative History

2/14/12	City Council	Read and referred	
2/22/12	Standing Committee	Held in Committee	Passed
2/29/12	Standing Committee	Affirmatively Recommended	Passed

Bill No. Resolution authorizing the issuance of a warrant in favor of Langholz Wilson Ellis,
[2012-0099](#) Inc., 606 Liberty Avenue, Suite 300, Pittsburgh, PA 15222-2721, in an amount not to exceed Five Thousand Five Hundred Dollars (\$5,500.00) for professional services rendered in connection with real estate tax assessment matters for the City of Pittsburgh.

Legislative History

2/21/12	City Council	Read and referred	
2/29/12	Standing Committee	Affirmatively Recommended	Passed

COUNCILMAN KRAUS PRESENTS COMMITTEE ON PUBLIC WORKS

Bill No. Report of the Committee on Public Works for February 29, 2012 with an NEGATIVE
[2012-0152](#) RECOMMENDATION.

Bill No. Resolution vacating of a portion of Sheridan Square between Antler Way and Penn
[2012-0090](#) Circle South in the 8th Ward, 9 Council District of the City of Pittsburgh.

Legislative History

2/14/12	City Council	Read and referred	
2/22/12	Standing Committee	Held for Post Agenda	Passed
2/29/12	Standing Committee	Waived under the Rules of Council	Passed
2/29/12	Standing Committee	Affirmatively Recommended	FAILED

Bill No. Report of the Committee on Public Works for February 29, 2012 with an Affirmative
[2012-0153](#) Recommendation.

Bill No.

[2012-0118](#)

Resolution authorizing the Mayor and the Department of Public Works to enter into a grant agreement with the Laurel Foundation to receive monies to secure funds for the Greenfield Neighborhood Portal Project at the intersection of Beechwood Boulevard and Alger Street and further providing for legitimate expenditures for payments and agreement or agreements, or contract or contracts for any services required in connection with the expenditure of said grant funds per the original intent of the grant award. Said agreement or agreements, contract or contracts or expenditures shall not exceed \$10,000.00.

Legislative History

2/21/12	City Council	Read and referred	
2/29/12	Standing Committee	Affirmatively Recommended	Passed

Bill No.

[2012-0119](#)

Resolution 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 design, repairs, maintenance, improvements, emergencies and/or the purchase of materials and supplies in connection with the construction of the S. Highland Avenue Bridge; including Construction Management Services; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment for the cost not exceed \$2,851,000.00.

Legislative History

2/21/12	City Council	Read and referred	
2/29/12	Standing Committee	Affirmatively Recommended	Passed

Bill No.

[2012-0120](#)

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 deleting the "Carnahan Road Bridge" line item in the amount of \$520,000.00 (\$104,000 CITY/\$416,000 FHWA) and creating the "South Highland Avenue Bridge" line item in the amount of \$520,000.00 (\$104,000 CITY/\$1,664,000.00 FHWA/\$312,000 SH).

Legislative History

2/21/12	City Council	Read and referred	
2/29/12	Standing Committee	Affirmatively Recommended	Passed

Bill No.

[2012-0121](#)

Resolution further amending Resolution No. 768 of 2009, 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 decreasing the "Carnahan Road Bridge" line item in the amount of \$16,000 city dollars to \$71,000 CITY/\$284,000 FHWA and transferring the \$16,000 to the "S. Highland Avenue Bridge" line item (\$16,000 CITY/\$22,550 CDBG/\$616,800 FHWA/\$115,650 SHW)

Legislative History

2/21/12	City Council	Read and referred	
2/29/12	Standing Committee	Affirmatively Recommended	Passed

Bill No. Resolution further amending Resolution No. 908 of 2010, effective January 1, 2011, as amended, entitled "Adopting and approving the 2011 Capital Budget and the 2011 Community Development Block Grant Program; and approving the 2011 through 2016 Capital Improvement Program," by increasing the "Park Reconstruction" line item by \$56,565.00 from \$780,000.00 to \$836,565.00.

[2012-0122](#)

Legislative History

2/21/12	City Council	Read and referred	
2/29/12	Standing Committee	Affirmatively Recommended	Passed

COUNCILWOMAN RUDIAK PRESENTS COMMITTEE ON PERFORMANCE AND ASSET MANAGEMENT

Bill No. Report of the Committee on Performance and Asset Management for February 29, 2012 with an Affirmative Recommendation.

[2012-0154](#)

Bill No. Resolution endorsing the implementation of the Pittsburgh Climate Action Plan Version 2.0 prepared by the Pittsburgh Climate Initiative conveners and contributors and authorizing and instructing the City Solicitor and/or City Clerk to prepare for enactment, adoption and execution of any Ordinances, Resolutions, Agreements and other documents necessary for the implementation of the Pittsburgh Climate Action Plan Version 2.0.

[2012-0018](#)

SPONSOR(S): WILLIAM PEDUTO, NATALIA RUDIAK AND THERESA SMITH

Legislative History

1/17/12	City Council	Read and referred	
1/25/12	Standing Committee	Held for Post Agenda	Passed
2/29/12	Standing Committee	Affirmatively Recommended	Passed

COUNCILMAN DOWD PRESENTS COMMITTEE ON INTERGOVERNMENTAL AFFAIRS

Bill No. Report of the Committee on Intergovernmental Affairs for February 29, 2012 with an NEGATIVE RECOMMENDATION.

[2012-0155](#)

Bill No. Resolution approving execution of a Contract for Disposition by Sale of Land by and between the Urban Redevelopment Authority of Pittsburgh and Highland Wallace L. P., or an entity to be formed in connection with the sale of Block 84-B, Lots 68 & 78 and Block 84-C, Lots 32 & 33, in the 8th Ward of the City of Pittsburgh, - S. Highland Avenue and Sheridan Square - Council District No. 9.

[2012-0150](#)

Legislative History

2/29/12	City Council	Waived under Rule 8	
2/29/12	City Council	Read and referred	
2/29/12	Standing Committee	Waived under the Rules of Council	Passed
2/29/12	Standing Committee	Affirmatively Recommended	FAILED

MOTIONS AND RESOLUTIONS

EXCUSE ABSENT MEMBERS

APPROVAL OF MINUTES

ADJOURNMENT

LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER