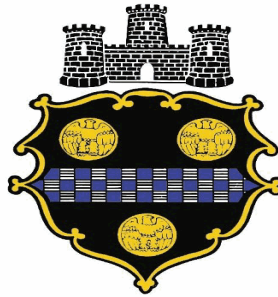


City of Pittsburgh

*510 City-County Building
414 Grant Street
Pittsburgh, PA 15219*



Regular Meeting Agenda - Final

Monday, November 23, 2015

10:00 AM

Council Chambers

City Council

**ONE-HUNDRED
THIRTY-EIGHTH COUNCIL**

Bruce A. Kraus, President of Council

***Council Members: Rev. Ricky V. Burgess, Dan Gilman, Deborah L. Gross, Darlene M. Harris, R.
Daniel Lavelle, Corey O'Connor, Natalia Rudiak, Theresa Kail-Smith***

Mary Beth Doheny, City Clerk - Kimberly Clark, Deputy City Clerk

A. ROLL CALL**B. PLEDGE OF ALLEGIANCE****C. PROCLAMATIONS****2015-2285****2015-2286****2015-2287****D. PUBLIC COMMENTS****E. PRESENTATION OF PAPERS****COUNCILMAN DAN GILMAN PRESENTS:**

[2015-2256](#) Resolution authorizing a Cooperation Agreement or Agreements between the City of Pittsburgh (the “City”) and the Urban Redevelopment Authority of Pittsburgh (the “Authority”) to divert 70% of the incremental parking taxes, up to \$1,000,000.00, to fund a portion of public space improvements for the 3 Crossings Development. (Council District 7)

[2015-2257](#) Resolution authorizing the adoption of the East Liberty Transit Revitalization Investment District Phase II Implementation Plan and related agreements. (Council Districts 7, 8 and 9)

COUNCILWOMAN DEBORAH L. GROSS PRESENTS:

[2015-2258](#) Ordinance amending the Pittsburgh Code, Title Nine, Zoning Code, Article IV, Chapter 916, Residential Compatibility Standards, Section 916.05, Operating Hours, 916.06, Noise, Chapter 917, Operational Performance Standards, and Article IX, Chapter 926, Definitions, to provide current and more enforceable construction and noise standards for the City of Pittsburgh.

[2015-2259](#) Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article I, Section 902.03 Zoning Map, by changing a certain property known as 5600 Penn Ave, block number 83-N, lot 125 in the Allegheny County Block and Lot System from RP, Residential Planned Unit Development, to AP, Mixed Use Planned Unit Development, and changing a certain property known as Enright Parklet, block number 84-A, lot 176 in the Allegheny County Block and Lot System from R3-M, Residential Three-unit, Moderate Density, to AP, Mixed Use Planned Unit Development.

COUNCILWOMAN DARLENE M. HARRIS PRESENTS:

[2015-2260](#) Resolution authorizing the Mayor to enter into a grant agreement with the Cities of Service Inc. to receive \$25,000 in grant contribution; two AmeriCorps VISTA members; and technical assistance and support from Cities of Service valued at \$100,000.

COUNCILWOMAN NATALIA RUDIAK PRESENTS:

[2015-2261](#) Resolution providing for the issuance of a warrant in the total sum of Eight Hundred Thousand Dollars (\$800,000.00) in favor of Foster v. City of Pittsburgh Class Members and attorneys Feinstein Doyle Payne & Kravec and ACLU of Pennsylvania, in compliance with the Court-approved Settlement Agreement, as partial payment in settlement related to the civil class action filed in the United States District Court for the Western District of Pennsylvania at No. 2:12-cv-01207.

[2015-2262](#) Ordinance amending the Pittsburgh Code, Title Two, Fiscal; Article IX, Property Taxes; Chapter 263, Real Property Tax and Exemption; Section 263.02, Payment Options, Discount and Delinquency Penalty, subsection (a), Discount in advance, subsection (c), Interest for late payments, and subsection (d), Due dates for tax year 2016 only, to reflect the payment, discount and delinquent dates for the year 2016.

[2015-2263](#) Resolution further amending Resolution No. 881, effective January 1, 2001, as amended, entitled "Adopting and approving the 2001 Capital Budget and the 2001 Community Development Block Grant Program; and approving the 2001 through 2006 Capital Improvement Program," by reducing McArdle Viaduct No. 2 by \$2,055.75 and Non Salary - E&C by \$3,147.99 to remove unencumbered funds from projects pending closure.

[2015-2264](#) Resolution further amending Resolution No. 833, effective January 1, 2002, as amended, entitled "Adopting and approving the 2002 Capital Budget and the 2002 Community Development Block Grant Program; and approving the 2002 through 2007 Capital Improvement Program," by reducing RECREATION GRANTS MATCHING FUN by \$14.43, EAST LIBERT - PENN CIRCLE by \$54,000.00 and Non Salary - E&C by \$2,828.77 to remove unencumbered funds from projects pending closure.

[2015-2265](#) Resolution further amending Resolution No. 891, effective January 1, 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 reducing SLOPE FAILURE REMEDIATION by \$21,233.17 to remove unencumbered funds from a project pending closure.

- [2015-2266](#) Resolution further amending Resolution No. 948, effective January 1, 2004, as amended, entitled “Adopting and approving the 2004 Capital Budget and the 2004 Community Development Block Grant Program; and approving the 2004 through 2009 Capital Improvement Program,” by reducing FANCOURT STREET BRIDGE (TIP) by \$65,724.10 and SOUTH MILLVALE AVE BRIDGE by \$0.30 to remove unencumbered funds from projects pending closure.
- [2015-2267](#) Resolution further amending Resolution No. 762, effective January 1, 2006, as amended, entitled “Adopting and approving the 2006 Capital Budget and the 2006 Community Development Block Grant Program; and approving the 2006 through 2011 Capital Improvement Program,” by reducing TRAIL DEVELOPMENT by \$8,500.00 and SOUTH HIGHLAND AVENUE BRIDGE by \$198,270.32 to remove unencumbered funds from projects pending closure.
- [2015-2268](#) Resolution further amending Resolution No. 759, effective January 1, 2007, as amended, entitled “Adopting and approving the 2007 Capital Budget and the 2007 Community Development Block Grant Program; and approving the 2007 through 2012 Capital Improvement Program,” by reducing BROOKLINE BLVD by \$120,000.00 to remove unencumbered funds from a project pending closure.
- [2015-2269](#) Resolution further amending Resolution No. 704, effective January 1, 2008, as amended, entitled “Adopting and approving the 2008 Capital Budget and the 2008 Community Development Block Grant Program; and approving the 2008 through 2013 Capital Improvement Program,” by reducing MCARDLE ROADWAY VIADUCT #1 by \$33,250 to remove unencumbered funds from a project pending closure.
- [2015-2270](#) Resolution further amending Resolution No. 675, effective January 1, 2009, as amended, entitled “Adopting and approving the 2009 Capital Budget and the 2009 Community Development Block Grant Program; and approving the 2009 through 2014 Capital Improvement Program,” by reducing BROOKLINE BLVD. by \$181,506.13, RECONSTRUCTION OF FORBES AVE by \$309,826.80, IN-CAR CAMERA SYSTEM by \$213.29, SLOPE FAILURE REMEDIATION by \$23,829.29, CONSTRUCTION MANAGEMENT/INSPEC by \$100,000.00, RECONSTRUCTION OF FROBES AVE by \$77,456.69, and MELLON PARK RESTROOM FACILITY by \$594.48 to remove unencumbered funds from projects pending closure.

- [2015-2271](#) Resolution further amending 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 2015 Capital Improvement Program,” by reducing SOUTH HIGHLAND AVENUE BRIDGE by \$139,918.58, BEECHWOOD BLVD by \$5.00, INFORMATION SYSTEMS MODERN by \$47,799.75, SECURITY EQUIPMENT by \$3,503.88, SPAY AND NEUTER PROGRAM by \$1,322.00, SCHENLEY PARK GOLF COURSE by \$24.20, BATES STREET/SECOND AVE INTERS by \$83,701.83, SOUTH HIGHLAND AVE BRIDGE by \$1,792,625.97, CBD SIGNAL UPGRADES by \$72,800.00, CONSTRUCTION MANAGEMENT/INSPEC by \$1,176.05, BEECHWOOD BLVD by \$1,457.00 to remove unencumbered funds from projects pending closure.
- [2015-2272](#) Resolution further amending Resolution No. 908, 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 reducing STREET RESURFACING by \$5,725.82 and CBD SIGNAL UPGRADES by \$25,000.00 to remove unencumbered funds from projects pending closure.
- [2015-2273](#) Resolution further amending 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 closing projects pursuant to Chapter 218 of the City Code.
- [2015-2274](#) Resolution further amending Resolution No. 855 of 2011, effective January 1, 2012, as amended, entitled “adopting and approving the 2012 Capital Budget and the 2012 Community Development Block Grant Program; and approving the 2012 through 2017 Capital Improvement Program” by closing projects pursuant to Chapter 218 of the City Code.
- [2015-2275](#) Resolution further amending Resolution No. 858 of 2014, effective January 1, 2015, as amended, entitled “adopting and approving the 2015 Capital Budget and the 2015 Community Development Block Grant Program; and approving the 2015 through 2020 Capital Improvement Program” by reappropriating projects closed due to the requirements of Chapter 218 of the City Code.
- [2015-2277](#) Resolution further amending Resolution No. 948, effective January 1, 2004, as amended, entitled “Adopting and approving the 2004 Capital Budget and the 2004 Community Development Block Grant Program; and approving the 2004 through 2009 Capital Improvement Program” by closing projects pursuant to Chapter 218 of the City Code.

[2015-2278](#) Resolution further amending Resolution No. 675, effective January 1, 2009, 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 closing projects pursuant to Chapter 218 of the City Code.

[2015-2279](#) Resolution realigning a total of \$2,410,831 between various accounts within the 2015 Operating Budget. This transfer is necessary for the 2015 close in order to meet expenditures for the remainder of the fiscal year.

COUNCILWOMAN THERESA KAIL-SMITH PRESENTS:

[2015-2280](#) Resolution granting unto unto Pittsburgh Downtown Partnership, 925 Liberty Avenue, 4th Floor, Pittsburgh, PA 15222, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, two bus shelters with lean rails on the sidewalk area at 623 Smithfield Street in the 2nd Ward, 6th Council District of the City of Pittsburgh.

[2015-2281](#) Resolution authorizing the Mayor and the Directors of the Departments of Public Works, Office of Management and Budget, Finance, and Parks and Recreation to enter into a Lease Agreement with C R JRS CHIP, Inc. d/b/a The First Tee of Pittsburgh at the Bob O’Connor Golf Course at Schenley Park.

COUNCILMAN BRUCE A. KRAUS PRESENTS:

[2015-2282](#) Communication from Sam Ashbaugh, Director of the Office of Management and Budget, submitting a Quarterly Financial and Performance Report for the First Quarter of 2015, dated November 17, 2015.

2015-2283 AN ORDINANCE AMENDING THE PITTSBURGH CITY CODE AT TITLE 6: CONDUCT, ARTICLE III: DOGS, CATS AND OTHER ANIMALS, BY ADDING A NEW SECTION 634.11 TO CHAPTER 634 - KENNELS AND CATTERIES, REQUIRING ANYONE ADVERTISING AN ANIMAL FOR SALE TO DISCLOSE KENNEL LICENSE AND SALES LICENSE INFORMATION

Sponsors: **MR. KRAUS**

2015-2284 AN ORDINANCE AMENDING THE PITTSBURGH CITY CODE AT TITLE 6: CONDUCT, ARTICLE III: DOGS, CATS AND OTHER ANIMALS, BY ADDING A NEW CHAPTER 638 - SALE OF DOGS, CATS AND RABBITS, MAKING IT UNLAWFUL TO SELL COMMERCIALY BRED DOGS, CATS AND RABBITS IN PET STORES, RETAIL BUSINESSES OR OTHER COMMERCIAL ESTABLISHMENTS IN THE CITY OF PITTSBURGH

Sponsors: **MR. KRAUS**

F. UNFINISHED BUSINESS

[2015-2140](#) Resolution authorizing the appointment of Robert Wilson, 1123 Halsage Avenue, Pittsburgh PA 15212, as a member of the Young Pittsburgh Advisory Commission for a term of 3 years, to expire October 31, 2018. Mr. Wilson will fill a Mayoral Vacancy.

Legislative History

10/20/15	City Council	Held, Pending Interview to the Committee on Hearings
11/18/15	City Council	Interview Held to the Committee on Hearings

[2015-2141](#) Resolution authorizing the appointment of Sarah Kinter, 823 Lilac Street #2, Pittsburgh, PA 15217, as a member of the Young Pittsburgh Advisory Commission for a term of 3 years, to expire October 31, 2018. Mrs. Kinter will fill the vacancy for City Council District 5.

Legislative History

10/20/15	City Council	Held, Pending Interview to the Committee on Hearings
11/18/15	City Council	Interview Held to the Committee on Hearings

G. REPORTS OF COMMITTEE - FINAL ACTION**COUNCILWOMAN NATALIA RUDIAK PRESENTS COMMITTEE ON FINANCE AND LAW**

[2015-2250](#) Report of the Committee on Finance and Law for November 18, 2015 with an Affirmative Recommendation.

[2015-2209](#) Resolution providing for a Professional Services Agreement(s) and/or Contract(s) with Ben Smithgall for professional consulting services for specialized technical application support for the Code for America Applications, and providing for the payment thereof, at a cost not to exceed \$45,000.00 over three years.

Legislative History

11/9/15	City Council	Read and referred to the Committee on Finance and Law
11/18/15	Standing Committee	Affirmatively Recommended

[2015-2210](#) Resolution amending Resolution number 855 of 2011, effective January 1, 2012, as amended, entitled “adopting and approving the 2012 Capital Budget and the 2012 Community Development Block Grant Program; and approving the 2012 through 2017 Capital Improvement Program” so as reprogram the funding for Carrick Neighborhood Safety Improvements to two projects within Carrick.

Sponsors: MS. RUDIAK

Legislative History

11/9/15	City Council	Read and referred to the Committee on Finance and Law
11/18/15	Standing Committee	Affirmatively Recommended

[2015-2211](#) Resolution amending Resolution number 833 of 2001, effective January 1, 2002, as amended, entitled “Adopting and approving the 2002 Capital Budget and the 2002 Community Development Block Grant Program; and approving the 2002 through 2007 Capital Improvement Program” so as to rename “Phillips Park Deck Hockey” to “Phillips Park Improvement”

Sponsors: MS. RUDIAK

Legislative History

11/9/15	City Council	Read and referred to the Committee on Finance and Law
11/18/15	Standing Committee	Affirmatively Recommended

[2015-2216](#) Resolution authorizing the Pittsburgh Parking Authority to suspend on-street metered parking and surface level lots enforcement on various dates throughout the holiday season in recognition of the National Small Business Saturday Campaign.

Sponsors: MR. GILMAN, MR. O'CONNOR AND MR. KRAUS

Legislative History

11/9/15	City Council	Read and referred to the Committee on Finance and Law
11/18/15	Standing Committee	Affirmatively Recommended

COUNCILWOMAN THERESA KAIL-SMITH PRESENTS COMMITTEE ON PUBLIC WORKS

[2015-2251](#) Report of the Committee on Public Works for November 18, 2015 with an Affirmative Recommendation.

[2015-2208](#)

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, supplies and professional services in connection with Bike Facilities, and providing for the payment of the costs thereof; and further providing for a Reimbursement Agreement with the Commonwealth of Pennsylvania, Department of Transportation. Cost not to exceed \$940,000.00.

Legislative History

11/9/15	City Council	Read and referred to the Committee on Public Works
11/18/15	Standing Committee	Affirmatively Recommended

[2015-2212](#)

Resolution authorizing the Department of Public Works to enter into a contract or contracts, agreement or agreements, lease or leases, professional service agreements or the use of existing contracts, leases or agreements, and other services, along with other approved expenditures and for the payment of supplies, equipment, materials, and other services for the Phillips Park Improvements project using 2002 and 2012 Capital funds in an amount not to exceed \$110,000

Sponsors:**MS. RUDIAK****Legislative History**

11/9/15	City Council	Read and referred to the Committee on Public Works
11/18/15	Standing Committee	Affirmatively Recommended

[2015-2213](#)

Resolution authorizing the Department of Public Works to enter into a contract or contracts, agreement or agreements, lease or leases, professional service agreements or the use of existing contracts, leases or agreements, and other services, along with other approved expenditures and for the payment of supplies, equipment, materials, and other services for the Carrick Dairy District Streetscapes project using 2012 Capital funds in an amount not to exceed \$70,000

Sponsors:**MS. RUDIAK****Legislative History**

11/9/15	City Council	Read and referred to the Committee on Public Works
11/18/15	Standing Committee	Affirmatively Recommended

[2015-2214](#) Resolution authorizing the Department of Public Works to enter into a contract or contracts, agreement or agreements, lease or leases, professional service agreements or the use of existing contracts, leases or agreements, and other services, along with other approved expenditures and for the payment of supplies, equipment, materials, and other services for the Brownsville/Parkfield Intersection Improvement project using 2012 Capital funds in an amount not to exceed \$50,000

Sponsors: **MS. RUDIAK**

Legislative History

11/9/15	City Council	Read and referred to the Committee on Public Works
11/18/15	Standing Committee	Affirmatively Recommended

[2015-2225](#) Resolution authorizing the Mayor and the Director of the Department of Public Works to enter into an Intergovernmental Agreement or Agreements with Allegheny County with respect to the winter season(s) of 2015-2016, 2016-2017, and 2017-2018 (November 1 to March 31 of each year) under which (1) (a) the City will store, handle, and load salt for the County and (b) the County will store, handle, and load salt for the City, and, (2) (a) the City will perform snow and ice clearance together with the application of anti-skid and/or deicing materials for certain County Roads, including bridges with their approaches, and (b) the County will perform snow and ice clearance together with the application of anti-skid and/or deicing materials for certain City Roads, including bridges with their approaches.

Legislative History

11/17/15	City Council	Waived under Rule 8
11/17/15	City Council	Read and referred to the Committee on Intergovernmental Affairs
11/18/15	Standing Committee	Affirmatively Recommended

COUNCILWOMAN DEBORAH L. GROSS PRESENTS COMMITTEE ON LAND USE & ECONOMIC DEVELOPMENT

[2015-2252](#) Report of the Committee on Land Use and Economic Development for November 18, 2015 with an Affirmative Recommendation.

[2015-1805](#) Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article I, Section 902.03 Zoning Map, by changing from R1A-H, Residential Single-Unit Attached, High Density District, to NDI, Neighborhood Industrial District, certain property bounded by Phineas Street; Chestnut Street; the northernmost boundary line of the Neighborhood Industrial Zoning District; a line extending in a westerly direction from that point to Guckert Way; the northernmost boundary of Block Number 24-P, Lot Number 4 in the Allegheny County Block and Lot System; the northernmost boundary of Block Number 24-P, Lot Number 9 in the aforesaid system; and Guckert Way.

Sponsors: MRS. HARRIS

Legislative History

6/29/15	City Council	Waived under Rule 8
6/29/15	Standing Committee	Held for Public Hearing to the Committee on Land Use and Economic Development
6/29/15	City Council	Read and referred to the Committee on Land Use and Economic Development
6/29/15	Standing Committee	Referred for Report and Recommendation to the Commission - Planning Commission
11/12/15	Committee on Hearings	Public Hearing Held to the Committee on Land Use and Economic Development
11/18/15	Standing Committee	Affirmatively Recommended

COUNCILMAN COREY O'CONNOR PRESENTS COMMITTEE ON URBAN RECREATION

[2015-2253](#) Report of the Committee on Urban Recreation for November 18, 2015 with an Affirmative Recommendation.

[2015-2201](#) Resolution authorizing the Mayor, the Director of Finance, and the Director Parks and Recreation to enter into agreements with the Clayton Corporation and/or the Frick Art and Historical Center, Inc. to 1) confirm the assignment of the 1968 License Agreement for the Frick Art Museum from the Helen Clay Frick Foundation to the Clayton Corporation, and 2) to amend the 1968 License Agreement for the Frick Art Museum to allow for the imposition of admission fees for special or temporary exhibitions of works of art and other objects within the Museum while keeping admission to the Museum itself and the Museum's permanent exhibitions free and open to the public.

Sponsors: MR. GILMAN

Legislative History

11/9/15 City Council Read and referred to the Committee on Urban Recreation

11/18/15 Standing Committee Affirmatively Recommended

[2015-2205](#)

Resolution authorizing the issuance of a warrant in favor of the Richard S. Caliguiri Amyloidosis Foundation in an amount not to exceed fifteen thousand, seventy one dollars (\$15,071.00), in connection with the 2015 Great Race in the Department of Parks and Recreation, without previous authority of law; and providing for the payment thereof.

Legislative History

11/9/15 City Council Read and referred to the Committee on Urban Recreation

11/18/15 Standing Committee Affirmatively Recommended

COUNCILWOMAN DARLENE M. HARRIS PRESENTS COMMITTEE ON PERFORMANCE AND ASSET MANAGEMENT

[2015-2254](#)

Report of the Committee on Performance and Asset Management for November 18, 2015 with an Affirmative Recommendation.

[2015-2179](#)

Resolution authorizing the City of Pittsburgh and the Department of Innovation and Performance to enter into an agreement with immigration attorney(s) to provide specialized legal services regarding immigration issues in the continued employment of designated personnel, including but not limited to preparing and filing nonimmigrant visa petitions/applications and advising regarding e-Verify requirements, at a cost not to exceed three thousand seven hundred fifty dollar and zero cents (\$3,750.00).

Legislative History

11/2/15 City Council Withdrawn

11/9/15 City Council Read and referred to the Committee on Performance and Asset Management

11/18/15 Standing Committee Affirmatively Recommended

[2015-2204](#)

Resolution authorizing the Director of the Department of Finance to purchase software from IHS Global Inc. to be used for revenue forecasting for the City's Operating Budget. Payment for software would be made to IHS Global Inc., in the amount of Four Thousand One Hundred and Eighty Dollars (\$4,180).

Legislative History

11/9/15 City Council Read and referred to the Committee on Performance and Asset Management

11/18/15 Standing Committee Affirmatively Recommended

COUNCILMAN DAN GILMAN PRESENTS COMMITTEE ON INTERGOVERNMENTAL AFFAIRS

[2015-2255](#) Report of the Committee on Intergovernmental Affairs for November 18, 2015 with an Affirmative Recommendation.

[2015-2203](#) Resolution adopting Plan Revision to the City of Pittsburgh's Official Sewage Facilities Plan for The Hub at Three Crossings, 26th Street and Railroad Street, Pittsburgh (2nd Ward), Allegheny County, Pennsylvania 15219.

Legislative History

11/9/15	City Council	Read and referred to the Committee on Intergovernmental Affairs
11/18/15	Standing Committee	Affirmatively Recommended

I. MOTIONS AND RESOLUTIONS

K. EXCUSE ABSENT MEMBERS

L. APPROVAL OF MINUTES

M. ADJOURNMENT

P LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER