### **City of Pittsburgh**

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



### Regular Meeting Agenda

**Tuesday, July 21, 2020** 

10:00 AM

**Council Chambers** 

### **City Council**

ONE-HUNDRED FORTY-FIRST COUNCIL

Theresa Kail-Smith, President of Council

Council Members: Rev. Ricky V. Burgess, Anthony Coghill, Deborah L. Gross, Bruce A. Kraus, R. Daniel Lavelle, Corey O'Connor, Erika Strassburger, Bobby Wilson

Brenda F. Pree, City Clerk - Kim Clark-Baskin, Assistant City Clerk

#### **ROLL CALL**

#### PLEDGE OF ALLEGIANCE

**PROCLAMATIONS** 

PUBLIC COMMENTS

#### PRESENTATION OF PAPERS

#### **COUNCILMAN ANTHONY COGHILL PRESENTS:**

2020-0503 Resolution granting unto Crafton Borough, their successors and assigns, the privilege

and license to construct, maintain and use at their own cost and expense, an 18 foot storm water sewer line and endwall with storm water outfall into Chartiers Creek, at the intersection of Chartiers Avenue and Sycamore Street, in the 28th Ward, 2nd

Council District of the City of Pittsburgh, Pennsylvania.

(Waiver of Rule 8 Requested)

Attachments: 2020-0503 Cover Ltr council

Summary 2020-0503

2020-0503 - Chartiers 01132020110922

2020-0503 - PWSA Letter to Council President Kail Smith RE Sycamore

2020-0503 Fountain Sycamore Storm Separation - DA Map

2020-0503 FOUNTAIN SYCAMORE STORM SEWER SEPARATION

2020-0503 Rational Method Calcs

2020-0503 Riprap Apron Outlet Protection Calculations

2020-0503 SSA Profile

2020-0503 Sycamore Street Outfall System Map MCS edit

Legislative History

7/7/20 City Council Not introduced

2020-0572 Resolution granting unto SING PROPERTIES LLC, their successors and assigns, the

privilege and license to construct, maintain and use at their own cost and expense, a new set of entrance steps, at 1900 Saint Ives Street, in the 21st Ward, 6th Council

District of the City of Pittsburgh, Pennsylvania.

(Waiver or Rule 8 Requested)

Attachments: 2020-0572 Cover Ltr council letter

2020-0572-1900 Saint Ives Street Encroachment Permit Request - PWSA

2020-0572-Drawing of porch 2020-0572-PLOT PLAN Summary 2020-0572

2020-0573 Resolution granting unto Charles and Ann Heil, 204 Kramer Way, Pittsburgh, Pa,

their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, to install a new front porch, at 204 Kramer Way, in the

19th Ward, 2nd Council District of the City of Pittsburgh, Pennsylvania.

(Waiver or Rule 8 Requested)

**Attachments:** 2020-0573 Cover Ltr council letter for 204 Kramer Way

2020-0573-204 Kramer Wav 04062020135039

Summary 2020-0573

2020-0574 Resolution granting unto BETH RODGERS, their successors and assigns, the

privilege and license to construct, maintain and use at their own cost and expense, to install a new deck with an accessible wheelchair ramp, at 402 Knox Ave, in the 18th

Ward, 3rd Council District of the City of Pittsburgh, Pennsylvania.

(Waiver or Rule 8 Requested)

*Attachments:* 2020-0574 Cover Ltr council letter for 402 Knox Ave

Summary 2020-0574

2020-0574-402 knox deck drawing from engineering service

2020-0574-402 knox encroachment application 2020-0574-402 knox encroachment elevation

2020-0574-402 knox encroachment plan

2020-0574-402 knox insurance cert with city of pgh added

2020-0574-encroachment photo1

2020-0574-Survey of 402 Knox Avenue

#### **COUNCILMAN R. DANIEL LAVELLE PRESENTS:**

2020-0575 Resolution authorizing the Mayor and the Director of the Office of Management and

Budget to enter into a Grant Agreement with Allegheny County for the purpose of receiving Coronavirus Relief funds in the amount of Six Million Two Hundred Thousand (\$6,200,000.00), which shall be used to reimburse eligible City

expenditures.

(Waiver or Rule 8 Requested)

**Attachments:** 2020-0575 Cover Ltr County Coronavirus Relief - Letter

Summary 2020-0575

#### **COUNCILMAN COREY O'CONNOR PRESENTS:**

2020-0576 Resolution authorizing the Mayor and the Director of the Department of Public

Safety, on behalf of the City of Pittsburgh, to enter into an access agreement or agreements with the Pittsburgh Zoo & PPG Aquarium for purposes of a drive-in

movie presentation.

(Waiver or Rule 8 Requested)

Attachments: 2020-0576 Cover Ltr Pittsburgh Zoo & PPG Aquarium drive-in letter

Summary 2020-0576

2020-0577 Resolution authorizing the Mayor and the Director of the Department of Public

Safety, on behalf of the City of Pittsburgh, to enter into an access agreement or agreements with the Kossman Development Company for purposes of a drive-in

movie presentation.

(Waiver or Rule 8 Requested)

Attachments: 2020-0577 Cover Ltr Kossman Development Company drive-in

Summary 2020-0577

2020-0578 Resolution authorizing the Mayor and the Director of the Department of Public

Safety, on behalf of the City of Pittsburgh, to enter into an access agreement or agreements with the Community College of Allegheny County for purposes of a

drive-in movie presentation.

(Waiver or Rule 8 Requested)

Attachments: 2020-0578 Cover Ltr CCAC drive-in letter

Summary 2020-0578

2020-0587 Resolution author

Resolution authorizing the Mayor and Director of the Department of Public Safety to execute relevant Grant Agreements to receive funding from Allegheny County Health Department to develop a public health-informed diversion program and further providing for expenditures under the terms of said Agreements not to exceed ONE HUNDRED EIGHTY SIX THOUSAND FIVE HUNDRED TWELVE DOLLARS

AND SIXTEEN CENTS (\$186,512.16).

(Waiver of Rule 8 Requested)

**Attachments:** 2020-0587 Cover Ltr Diversion Program Mayor Letter

Summary 2020-0578

#### COUNCILWOMAN ERIKA STRASSBURGER PRESENTS:

2020-0588 Resolution amending resolution 153 of 2019 to clarify the parties that will be entering

into the Cooperation Agreement of Agreements relating to the shared operation and

administration of the City of Pittsburgh Child Care Quality Fund.

(Waiver of Rule 8 Requested)

SPONSOR /S: COUNCIL MEMBER STRASSBURGER, COUNCIL MEMBER

KAIL-SMITH AND COUNCIL MEMBER GROSS

#### **COUNCILMAN BOBBY WILSON:**

2020-0579

Resolution amending Resolution No. 277 of 2019, effective April 25, 2019, as amended, entitled "Resolution amending Resolution No. 200, effective March 28, 2019 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 the residents of the City of Pittsburgh, 2015 CDBG at a cost not to exceed \$895,000.00; so as to reprogram funds within City Council from "Bridge Committee" (-\$5,000.00) to "Northside Leadership Conference/Bridge Committee "(+\$5,000.00) and "Mt. Washington CDC Quality of Life Committee"(-\$5,579.48) to "Elliott West End Athletic Association "(+\$5,579.48)", by amending City Council CDBG Unspecified Local Option line items for correction of the JD Edwards number and authorizing a subsequent Agreement or Agreements for operation/administrative expenses, maintenance, purchase of equipment, and/or rehabilitation of neighborhood facilities on behalf of the residents of the City of Pittsburgh.

(Waiver of Rule 8 Requested)

#### **COUNCILWOMAN THERESA KAIL-SMITH PRESENTS:**

2020-0580	Resolution appointing Ms. Alison Hall as a Member of the Gender Equity Commission for a term to expire December 31, 2022. Ms. Hall will be replacing Ms. Megan Block whose term has expired.
<u>2020-0581</u>	Resolution appointing Ms. Morgan Overton as a Member of the Gender Equity Commission for a term to expire December 31, 2022. Ms Overton will be replacing Ms. Kathi Elliott whose term has expired.
<u>2020-0582</u>	Resolution reappointing Mr. Patrick Bigley as a Member of the Ethics Hearing Board for a term to expire June 30, 2023.
2020-0583	Communication from Kevin Pawlos, Director of the Office of Management and Budget, submitting an acting pay approval on behalf of Finance for Jennifer Gula, per the Acting Pay Policy revised in June 2018.
2020-0584	Communication from City Controller Michael Lamb submitting a performance audit of the Department of Public Works' Snow and Ice Control and Street Pothole Maintenance Programs, dated June 2020.
Attachments:	2020-0584 Department of Public Works Snow and Ice Control and 5
2020-0585	Communication from City Controller Michael Lamb submitting a performance audit of the Department of Public Safety's Bureau of Police Secondary Employment, dated June 2020.
Attachments:	2020-0585 Department of Public Safety Bureau of Police Secondary
2020-0586	Communication from Michael Lamb, City Controller, submitting the Popular Annual Financial Report (PAFR) for the fiscal year ended December 31, 2019.
Attachments:	2020-0586 Popular Annual Financial Report for Fiscal Year 2019

#### **UNFINISHED BUSINESS**

2020-0457 Resolution appointing Ms. Diamonte Walker to serve as a Commissioner for the

Gender Equity Commission of the City of Pittsburgh for a term to expire June 30,

2023. Ms. Walker will be filling a seat that had been vacant.

Legislative History

6/30/20 City Council Held, Pending Interview to the Committee

on Hearings

7/15/20 Standing Committee Interview Held

#### **REPORTS OF COMMITTEE - FINAL ACTION**

#### COUNCILMAN R. DANIEL LAVELLE PRESENTS COMMITTEE ON FINANCE AND LAW

2020-0567 Report of the Committee on Finance and Law for July 15, 2020 with an Affirmative Recommendation.

2020-0447 Ordinance Directing the Allegheny County Board of Elections to place before the

qualified voters of the City of Pittsburgh at the 2020 November General Election a referendum question, "Shall the Pittsburgh Home Rule Charter, Article Two, Executive, be amended and supplemented by amending the language and adding new language to Sections 229 and 230 and by adding a new section, Section 231, to expand the powers of the Independent Citizen Police Review Board to allow the Board to carry out its mandate to investigate police misconduct and improve police-community relations?"

(Cablecast Public Hearing held 7/8/20)

**SPONSOR /S:** COUNCIL MEMBER BURGESS

#### Legislative History

6/23/20	City Council	Waived under Rule 8
6/23/20	City Council	Read and referred to the Committee on Finance and Law
6/24/20	Standing Committee	Held for Public Hearing to the Committee on Hearings
7/8/20	Committee on Hearings	Public Hearing Held to the Committee on Finance and Law
7/15/20	Standing Committee	AMENDED BY SUBSTITUTE
7/15/20	Standing Committee	Affirmatively Recommended as Amended

2020-0483 Resolution approving a fee schedule presented by the Director of the Department of

Mobility and Infrastructure for use in the City's permitting and agreements involving

small cell facilities.

Attachments: Summary 2020-0483

2020-0483 Cover Ltr Telcom small cell ordinance Fee Resolution Letter

2020-0483 -Exhibit A - Fee Structure Attachment

#### Legislative History

6/30/20	City Council	Read and referred to the Committee on
		Finance and Law
7/15/20	Standing Committee	Affirmatively Recommended

2020-0506 Resolution authorizing the Mayor and the City Solicitor to enter into a Professional

> Services Agreement with Vijay Kapoor, The Kapoor Company, 8 Braddock Way, Asheville, NC 28803LLC, for professional services in connection with FOP interest arbitration, in an amount not to exceed Thirty Five Thousand Dollars and No Cents

(\$35,000.00).

Attachments: 2020-0506 Cover Ltr -Kapoor Council ltr

Summary 2020-0506

Legislative History

7/7/20 City Council Read and referred to the Committee on

Finance and Law

7/15/20 **Standing Committee** Affirmatively Recommended

2020-0507 Resolution authorizing the Mayor and the City Solicitor to enter into a Professional

> Services Agreement with Howard J. Woods, Jr. & Associates, LLC, 49 Overhill Road, East Brunswick, NJ 08816-4211 for professional services in connection with PUC litigation and related matters, in an amount not to exceed Fifty Thousand Dollars

and No Cents (\$50,000.00).

2020-0507 Cover Ltr -Howard Woods Council ltr Attachments:

Summary 2020-0507

Legislative History

7/7/20 City Council Read and referred to the Committee on

Finance and Law

7/15/20 **Standing Committee** Affirmatively Recommended

2020-0508 Resolution amending Resolution #829 authorizing the Mayor and the City Solicitor to

> enter into a Professional Services Agreement with Campbell Durrant, P.C., 535 Smithfield St., Suite 700, Pittsburgh, PA 15222 for professional legal services and expert advice regarding labor matters by increasing the total cost Thirty Five Thousand Dollars and No Cents (\$35,000.00), from Three Hundred Five Thousand

Dollars and No Cents (\$305,000.00) to Three Hundred Forty Thousand Dollars and

No Cents (\$340,000.00).

2020-0508 Cover Ltr -Campbell Council ltr Attachments:

Summary 2020-0508

Legislative History

7/7/20 City Council Read and referred to the Committee on

Finance and Law

7/15/20 **Standing Committee** Affirmatively Recommended 2020-0509 Resolution authorizing the issuance of a warrant in favor of Curtin & Heefner, LLP,

2005 S. Easton Road, Suite 100, Doylestown, PA 18901, in an amount not to exceed Eleven Thousand Eight Hundred Sixty Four Dollars and Five Cents (\$11,864.05) for professional legal services and expert advice regarding Source of Income litigation.

Attachments: 2020-0509 Curtin Heefner 2020 Council ltr

Summary 2020-0509

Legislative History

7/7/20 City Council Read and referred to the Committee on

Finance and Law

7/15/20 Standing Committee Affirmatively Recommended

2020-0510 Resolution amending Resolution #587 authorizing the Mayor and the City Solicitor to

enter into a Professional Services Agreement with Fox Rothschild LLP, 2000 Market St., 20th Floor, Philadelphia, PA 19103 for professional consulting and legal services in relation to False Claims Act litigation by increasing the total cost Forty Five Thousand Dollars and No Cents (\$45,000.00), from Two Hundred Thirty Five Thousand Dollars and No Cents (\$235,000.00) to Two Hundred Eighty Thousand

Dollars and No Cents (\$280,000.00).

Attachments: 2020-0510 Cover Ltr -Fox 2020 Council ltr

Summary 2020-0510

Legislative History

7/7/20 City Council Read and referred to the Committee on

Finance and Law

7/15/20 Standing Committee Affirmatively Recommended

2020-0511 Resolution authorizing the Mayor and the City Solicitor, on behalf of the City of

Pittsburgh, to enter into a professional services agreement with Cohen Law Group to address a matter of pending telecommunications and cable regulatory litigation at an

amount not to exceed twenty-nine thousand dollars (\$29,000).

**Attachments:** 2020-0511 Cover Ltr -Cohen Council ltr

Summary 2020-0511

Legislative History

7/7/20 City Council Read and referred to the Committee on

Finance and Law

7/15/20 Standing Committee Affirmatively Recommended

2020-0513 Resolution authorizing the Mayor and the City Solicitor to enter into a Professional

Services Agreement with Cozen O'Connor, One Oxford Centre, 301 Grant Street, 41st Floor, Pittsburgh, PA 15219 for professional legal services in connection with an employment related matter for an amount not to exceed Fifteen Thousand and No

Cents (\$15,000.00).

Attachments: 2020-0513 Cover Ltr -Cozen Council ltr

Summary 2020-0513

Legislative History

7/7/20 City Council Read and referred to the Committee on

Finance and Law

7/15/20 Standing Committee Affirmatively Recommended

#### COUNCILMAN ANTHONY COGHILL PRESENTS COMMITTEE ON PUBLIC WORKS

2020-0568 Report of the Committee on Public Works for July 15, 2020 with an Affirmative

Recommendation.

2020-0484 Ordinance amending Title Four: Public Places and Property, Article II:

Telecommunications, Chapter 427: Telecommunications Systems in the

Right-of-Way, Sections 427.03 Definitions and 427.11 Consideration For ROW Use Agreement; to provide for updated definitions and fee structures for wireless small cell

facilities.

**Attachments:** 2020-0484 Cover Ltr Telcom small cell ordinance Code Change Letter

Summary 2020-0484

Legislative History

6/30/20 City Council Read and referred to the Committee on **Public Works** 7/8/20 **Standing Committee** Affirmatively Recommended 7/14/20 City Council RECOMMITTED to the Committee on Public Works AMENDED BY SUBSTITUTE 7/15/20 Standing Committee 7/15/20 **Standing Committee** Affirmatively Recommended as Amended 2020-0500 Resolution authorizing the Director of the Department of Finance, on behalf of the

City of Pittsburgh to enter into temporary construction easements, in lieu of eminent domain, with the owners of certain properties in the 24th Ward of the City of

Pittsburgh, adjacent to Cowley Park, for landslide remediation work related to public

park purposes.

Attachments: 2020-0500 Cover Ltr -Cowley Park TCE Letter-Letterhead 6-29-2020

Summary 2020-0500

Legislative History

7/7/20 City Council Read and referred to the Committee on

**Public Works** 

7/15/20 Standing Committee Affirmatively Recommended

2020-0501 Resolution authorizing the Director of the Department of Finance, on behalf of the

City of Pittsburgh to enter into temporary construction easements, in lieu of eminent

domain, with the owners of certain property in the 19th Ward of the City of

Pittsburgh, known as 1599 Fallowfield Avenue and 1545 Fallowfield Avenue, for

landslide remediation work related to public roadway purposes.

Attachments: 2020-0501 Cover Ltr Fallowfield Ave TCE Letter-Letterhead 6-29-2020

Summary 2020-0501

Legislative History

7/7/20 City Council Read and referred to the Committee on

Public Works

7/15/20 Standing Committee Affirmatively Recommended

2020-0502 Resolution granting unto Mark DiNatale, 242 Bigham Street, Pittsburgh, Pa, their

successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, to install a new retaining wall and fence, at Sycamore Street and Redoak Way, in the 19th Ward, 2nd Council District of the City of Pittsburgh,

Pennsylvania.

Attachments: 2020-0502 Cover Ltr -council

Summary 2020-0502

2020-0502 - 242 BIGHAM APPLICATION

2020-0502 - 242 Bigham Street

2020-0502 - Fence Data

2020-0502 - Final Stamped Drawing.pdf

Legislative History

7/7/20 City Council Read and referred to the Committee on

**Public Works** 

7/15/20 Standing Committee Affirmatively Recommended

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2020-0531 Ordinance amending the City of Pittsburgh Code of Ordinances at Title IV: Public

Places and Property; Article I: Public Right of Way; Chapter 416: Obstructions: Sections 416.20 Approval Process for Sidewalk Café, Including Permits and Fees; to provide for certain temporary expedited measures for the City of Pittsburgh sidewalk café permit application process.

Attachments: 2020-0531 Cover Ltr Sidewalk Cafe Ordinance Letter WR8 7-1-2020 sig

Summary 2020-0531

#### Legislative History

7/14/20	City Council	Waived under Rule 8
7/14/20	City Council	Read and referred to the Committee on Public Works
7/15/20	Standing Committee	AMENDED
7/15/20	Standing Committee	Affirmatively Recommended

## COUNCILMAN BOBBY WILSON PRESENTS COMMITTEE ON LAND USE & ECONOMIC DEVELOPMENT

2020-0569 Report of the Committee on Land Use and Economic Development for July 15, 2020

with an Affirmative Recommendation.

2020-0555 Resolution authorizing the Mayor and the Department of City Planning to enter into a

Professional Services Agreement with BOOM Concepts and/or Bloomfield-Garfield Corporation to coordinate a program of responsive temporary art by local artists for temporary display on City-owned structures in the public realm, at a cost not to

exceed Five Thousand Dollars (\$5,000.00).

Attachments: 2020-0555 Cover Ltr-Responsive Art Resolution Letter FINAL

Summary 2020-0555

#### Legislative History

7/14/20	City Council	Waived under Rule 8
7/14/20	City Council	Read and referred to the Committee on
		Land Use and Economic Development
7/15/20	Standing Committee	Affirmatively Recommended

## COUNCILWOMAN ERIKA STRASSBURGER PRESENTS COMMITTEE ON INNOVATION, PERFORMANCE AND ASSET MANAGEMENT

2020-0570 Report of the Committee on Innovation, Performance and Asset Management for July 15, 2020 with an Affirmative Recommendation.

2020-0505 Resolution authorizing the Mayor and the City Solicitor to enter into an agreement or

agreements with Cycom Data Systems, Inc., for professional services relating to continuing maintenance, support and upgrades to CityLaw, the Department of Law's legal case management and administrative support software system at a cost not to exceed \$11,376.00 (Eleven Thousand Three Hundred Seventy-Six Dollars and No

Cents).

Attachments: Summary 2020-0505

2020-0505 Cover Ltr Cvcom Council ltr

Legislative History

7/7/20 City Council Read and referred to the Committee on

Innovation, Performance and Asset

Management

7/15/20 Standing Committee Affirmatively Recommended

2020-0515 Resolution authorizing the Mayor and the Director of the Department of Innovation &

Performance to enter into a three (3) year Contract or Agreement with Esri, granting uncapped, citywide access to Esri's products for all departments. To build and maintain a City authoritative system of record, make data-driven decisions, share information across departments, perform advanced analytics and share information with the public, to meet the needs of the City of Pittsburgh at a sum not to exceed Six

Hundred Thousand Dollars (\$600,000).

Attachments: 2020-0515 Cover Ltr ESRI legislation letter- Signed

Summary 2020-0515

2020-0515 2018 Esri Maintenance Ouote 25820474 signed

2020-0515 WCP20-016 ESRI

Legislative History

7/7/20 City Council Read and referred to the Committee on

Innovation, Performance and Asset

Management

7/15/20 Standing Committee Affirmatively Recommended

2020-0516 Resolution authorizing the Mayor and the Director of the Department of Innovation

and Performance to enter into Startup Participation Agreements with selected entities as part of the sixth cohort of PGH Lab and further authorizing the Mayor and Director of the Department of Innovation and Performance to enter into Program

Participation Agreements with local municipal entities to allow such entities to test

products and services as part through PGH Lab.

Attachments: 2020-0516 Cover Ltr -PGHLab 7-2-2020 Signed

Summary 2020-0516

Legislative History

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7/7/20	City Council	Read and referred to the Committee on
		Innovation, Performance and Asset

Management

7/15/20 Standing Committee Affirmatively Recommended

# COUNCILWOMAN DEBORAH L. GROSS PRESENTS COMMITTEE ON INTERGOVERNMENTAL AFFAIRS

2020-0571 Report of the Committee on Intergovernmental Affairs for July 15, 2020 with an

Affirmative Recommendation.

2020-0564 Resolution authorizing the Mayor and the Director of the Office of Management and

Budget to enter into a Memorandum of Agreement with the URA, HACP, Pennsylvania State Historic Preservation Officer, and 327 NN LLC.

SPONSOR /S: COUNCIL MEMBER BURGESS

Legislative History

7/14/20 City Council Waived under Rule 8

7/14/20 City Council Read and referred to the Committee on

Intergovernmental Affairs

7/15/20 Standing Committee Affirmatively Recommended

MOTIONS AND RESOLUTIONS

**EXCUSE ABSENT MEMBERS** 

APPROVAL OF MINUTES

**ADJOURNMENT** 

LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER