

City of Pittsburgh

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



MEETING MINUTES

Proceedings of the Council of the City of Pittsburgh

Tuesday, June 8, 2010

10:00 AM

Council Chambers

City Council

**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

Present: 9 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. Peduto, Ms. Rudiak, Mr. Shields and Mrs. Smith

NOTE: Council Members Bruce Kraus and William Peduto voted via telephone conference call.

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Bill No.

[2010-0597](#)

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes the Green Building Alliance for its efforts to make the Pittsburgh region more sustainable and for helping Pittsburgh become a nationally recognized leader in the green building movement; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby declares June 10, 2010, "greenSCENE: 'A Celebration of Firsts!' Day" in the City of Pittsburgh.

SPONSOR(S): WILLIAM PEDUTO AND ALL MEMBERS

A motion was made that this matter be Adopted. The motion carried.

Bill No.

[2010-0598](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend The Delta Foundation and the Pridefest Committee for their commitment to promote unity and visibility for the GLBT Community and for their diligent work in promoting awareness and support in the Pittsburgh region; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare June 4 - June 13, 2010, to be "PITTSBURGH PRIDE WEEK" in the City of Pittsburgh.

SPONSOR(S): DOUGLAS SHIELDS AND ALL MEMBERS

A motion was made that this matter be Adopted. The motion carried.

Bill No.

[2010-0599](#)

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh hereby acknowledges the many contributions of the 2010 awardees and extends gratitude to each individual and organization for making the North Side a great place to live, work and play; and

BE IT FURTHER RESOLVED that the Council acknowledges the efforts that the NSLC has achieved through collaboration with community and corporate organizations and hereby declares June 2010 to be "Northside Leadership Conference and Awardees Month in the City of Pittsburgh."

SPONSOR(S): DARLENE HARRIS, R. DANIEL LAVELLE AND ALL MEMBERS

A motion was made that this matter be Adopted. The motion carried.

Bill No.

[2010-0600](#)

Now, Therefore, be it resolved that the Council of the City of Pittsburgh does hereby celebrate and commend Bishop Michael A. Dickerson for his many years of commitment to the ministry, and his relentless dedication to our communities; and

Be It Further Resolved, that the Council of the City of Pittsburgh does hereby proclaim Sunday, June 6, 2010, to be designated, "Bishop Michael A. Dickerson" day in the City of Pittsburgh.

SPONSOR(S): REVEREND RICKY V. BURGESS AND ALL MEMBERS

A motion was made that this matter be Adopted. The motion carried.

Bill No.

[2010-0601](#)

THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh, does, hereby, recognize and commend South Side Baseball for their dedication and service to the boys and girls of Arlington.

NOW, THEREFORE BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does, hereby, proclaim Monday, June 07, 2010, to be South Side Baseball Day in the City of Pittsburgh.

SPONSOR(S): BRUCE A. KRAUS AND ALL MEMBERS

A motion was made that this matter be Adopted. The motion carried.

Bill No.

[2010-0602](#)

THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh, does, hereby, recognize and commend Sue Wielock for her dedication and service to the Arlington Neighborhood of Pittsburgh.

NOW, THEREFORE BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does, hereby, proclaim Monday, June 07, 2010, to be SUE WIELOCK DAY in the City of Pittsburgh.

SPONSOR(S): BRUCE A. KRAUS AND ALL MEMBERS

A motion was made that this matter be Adopted. The motion carried.

Bill No.

[2010-0603](#)

THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh, does, hereby, recognize and commend David Cahill for his dedication and service to the Arlington Neighborhood of Pittsburgh.

NOW, THEREFORE BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does, hereby, proclaim Monday, June 07, 2010, to be DAVID CAHILL DAY in the City of Pittsburgh.

SPONSOR(S): BRUCE A. KRAUS AND ALL MEMBERS

A motion was made that this matter be Adopted. The motion carried.

Bill No.

[2010-0604](#)

THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh, does, hereby, recognize and commend Teri Cataldo-Fazio for her dedication and service to the Arlington Neighborhood of Pittsburgh, and particularly the Arlington Meals on Wheels.

NOW, THEREFORE BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does, hereby, proclaim Monday, June 07, 2010, to be Teri Cataldo-Fazio Day in the City of Pittsburgh.

SPONSOR(S): BRUCE A. KRAUS AND ALL MEMBERS

A motion was made that this matter be Adopted. The motion carried.

PUBLIC COMMENTS

PRESENTATION OF PAPERS

COUNCILMAN REVEREND RICKY V. BURGESS PRESENTS:

Bill No. Resolution providing that the City of Pittsburgh enter into a professional services agreement or agreements for the annual maintenance and support of software necessary for the processing and administration of Personnel and Civil Service applications for employment and providing for the payment of the cost thereof. Cost not to exceed \$12,218.75.

[2010-0582](#)

A motion was made that this matter be Read and referred to the Human Resources Committee. The motion carried.

Bill No. Resolution providing for the filing of an application or applications by the City of Pittsburgh with the U.S. Department of Labor and/or Commonwealth of Pennsylvania for a grant or grants in connection with the Workforce Investment Act of 1998 (WIA) and/or the Joint Jobs Initiative Program Employment Advancement and Retention Network (EARN) and/or the ARRA TANF Pennsylvania Way to Work Program (WTW).

[2010-0583](#)

A motion was made that this matter be Read and referred to the Human Resources Committee. The motion carried.

Bill No. Resolution providing for the authorization to make all legitimate expenditures for payments and agreements or agreements with various agencies for job development and employment services necessary to implement the 2010 Neighborhood Employment Program, and providing the periodic transfer of funds to be used in the Neighborhood Employment Program for payment of cost thereof, cost not to exceed \$100,000.00.

[2010-0584](#)

A motion was made that this matter be Read and referred to the Human Resources Committee. The motion carried.

Bill No. Resolution providing the authorization to make all legitimate expenditures for payments and agreements or agreements with various agencies to conduct a summer youth employment program to youth residing in the City of Pittsburgh, wages and fringe benefits for supervisor/participant/administrative staff, workers' compensation, unemployment compensation, participant physicals, transportation, copier and supplies, and administrative expenditures necessary to implement the 2010 Pittsburgh Partnership Summer Youth Program; and providing the periodic transfer of funds to be used in the Pittsburgh Partnership Summer Youth Program for payment of cost thereof, cost not to exceed \$150,000.00.

[2010-0585](#)

A motion was made that this matter be Read and referred to the Human Resources Committee. The motion carried.

Bill No.

[2010-0586](#)

Resolution providing the authorization to make all legitimate expenditures for payments and agreements or agreements with various agencies to conduct a summer youth employment program to youth residing in the City of Pittsburgh, wages and fringe benefits for supervisor/participant/administrative staff, workers' compensation, unemployment compensation, participant physicals, transportation, copier and supplies, and administrative expenditures necessary to implement the 2010 Pittsburgh Partnership Summer Youth Program; and providing the periodic transfer of funds to be used in the Pittsburgh Partnership Youth Program for payment of cost thereof, cost not to exceed \$500,000.00.

A motion was made that this matter be Read and referred to the Human Resources Committee. The motion carried.

Bill No.

[2010-0587](#)

Resolution providing the authorization to make all legitimate expenditures for payments and agreements or agreements with various agencies to provide job development and employment services, wages and fringe benefits for supervisor, staff, workers' compensation, unemployment compensation, vocational skills training and on-the-job training, outreach, recruitment costs and administrative expenditure necessary to implement the 2010 Pittsburgh Partnership Employment Program; and providing the periodic transfer of funds to be used in the Pittsburgh Partnership Employment Program, and for payment of cost thereof, cost not to exceed \$100,000.00

A motion was made that this matter be Read and referred to the Human Resources Committee. The motion carried.

Bill No.

[2010-0595](#)

Ordinance and supplementing the Pittsburgh Code, Title One, Administrative, Chapter 152, Regular and Special Meetings, by adding Chapter 152.02, Special Meetings with Registered Community Groups to present needs pursuant to the Capital Improvement Plan and the Capital Budget.

SPONSOR(S): REVEREND RICKY V. BURGESS

A motion was made that this matter be Read and referred to the Finance and Law Committee. The motion carried.

Bill No.

[2010-0596](#)

Ordinance supplementing the Pittsburgh Code, Title One, Administrative, Chapter 177, by adding Chapter 177B, Capital Improvement Committee.

SPONSOR(S): REVEREND RICKY V. BURGESS

A motion was made that this matter be Read and referred to the Finance and Law Committee. The motion carried.

COUNCILMAN BRUCE A. KRAUS PRESENTS:

Bill No.

[2010-0581](#)

Resolution authorizing the Mayor and the Directors of the Department of Parks and Recreation and the Department of Public Works to enter into a License and Project

Agreement with Pirates Charities, a Pennsylvania non-profit corporation, to renovate Camelus F. Sanguigni Field in Brighton Heights.

A motion was made that this matter be Read and referred to the Public Works Committee. The motion carried.

Bill No.

[2010-0588](#)

Resolution further amending and supplementing Resolution No. 180, effective April 5, 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 adding \$68,383.25 to "South Pittsburgh Off Leash Exercise Area" and \$500 to "Beltzhoover Neighborhood Council" and by adjusting amounts in various other projects within Council District 3 Neighborhood Needs. Total cost is not to exceed \$1,000,000.

SPONSOR(S): BRUCE A. KRAUS

A motion was made that this matter be Read and referred to the Finance and Law Committee. The motion carried.

Bill No.

[2010-0589](#)

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 \$68,383.25 to "South Pittsburgh Off Leash Exercise Area" and \$500 to "Beltzhoover Neighborhood Council" and by adjusting amounts in various other projects within Council District 3 Neighborhood Needs.

SPONSOR(S): BRUCE A. KRAUS

A motion was made that this matter be Read and referred to the Land Use and Economic Development Committee. The motion carried.

COUNCILMAN WILLIAM PEDUTO PRESENTS:

Bill No.

[2010-0578](#)

Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.

ITEM A.

A: 346 Shaler.

A motion was made that this matter be Read and referred to the Finance and Law Committee. The motion carried.

Bill No.

[2010-0579](#)

Resolution providing for the conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984; having been placed for sale to adjoining property owners in conjunction with the City of Pittsburgh/City Source Associates Sideyard Program. ITEMS A through B. A: 5219 Kincaid St; B: 2650 Veteran St; C: 119 Flowers Ave; D: 1546 Methyl St; E: 244 Trowbridge St.

A motion was made that this matter be Read and referred to the Finance and Law Committee. The motion carried.

Bill No.

[2010-0580](#)

Resolution providing for the filing of petitions for the sale of certain properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.
ITEMS A through N. A: 1641 McElhinny; B: 101 Barry; C: 3611 Baytree;
D: 1034 Goehring; E: 413 Rosedale; F: 2319 Maple; G: 7116 Hermitage;
H: 1643 & 1645 Alverado; I: 125 Ravilla; J: 2925 Sacramento; K: 3308 Allendale;
L: 6025 & 6032 Fredanna St; M: 1530 Lincoln Ave; N: 7125 Hamilton Ave.

A motion was made that this matter be Read and referred to the Finance and Law Committee. The motion carried.

COUNCILWOMAN HARRIS, PRESIDENT OF COUNCIL, PRESENTS:

Bill No.

[2010-0590](#)

Resolution further Amending Resolution No. 424 of 2001, effective June 19, 2001, 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 \$20,000 for the Repair and Maintenance of War Memorials in Council District 1.

SPONSOR(S): DARLENE HARRIS

A motion was made that this matter be Waived under Rule 8. The motion carried.

A motion was made that this matter be Read and referred to the Land Use and Economic Development Committee. The motion carried.

Bill No.

[2010-0591](#)

Resolution further amending Resolution No. 654, effective October 25, 2001, 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 2001 Neighborhood Needs Supplement Program; and providing for the payment of the costs thereof," by adding \$20,000 to Repair and Maintenance of War Memorials in Council District 1 and by reducing District 1 Projects line item by the same amount.

SPONSOR(S): DARLENE HARRIS

A motion was made that this matter be Waived under Rule 8. The motion carried.

A motion was made that this matter be Read and referred to the Finance and Law Committee. The motion carried.

Bill No.

[2010-0592](#)

Resolution authorizing and directing the Directors of Public Works, City Planning and Parks & Recreation to work in cooperation to prepare an inventory of all monuments and memorials honoring and remembering members of our armed services including

location, status of ownership, and detailed condition, with the intention of creating a ten-year maintenance plan to be inserted into the Capital Budget for 2011.

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

A motion was made that this matter be Waived under Rule 8. The motion carried.

A motion was made that this matter be Read and referred to the Public Works Committee. The motion carried.

Bill No.

[2010-0593](#)

Resolution providing for the creation of the Monuments and War Memorials Maintenance Trust Fund and for setting conditions for the deposit and expenditure of such funds for Council District 1.

SPONSOR(S): DARLENE HARRIS

A motion was made that this matter be Waived under Rule 8. The motion carried.

A motion was made that this matter be Read and referred to the Finance and Law Committee. The motion carried.

Bill No.

[2010-0594](#)

Communication from City Controller Michael Lamb submitting the performance Audit of Citiparks Schenley Park Skating Rink, dated June 2010.

Read, Received and Filed

UNFINISHED BUSINESS

REPORTS OF COMMITTEE - FINAL ACTION

COUNCILMAN PEDUTO PRESENTS COMMITTEE ON FINANCE AND LAW

Bill No.

[2010-0574](#)

Report of the Committee on Finance and Law for June 2, 2010 with an Affirmative Recommendation.

A motion was made that this matter be Read, Received and Filed. The motion carried.

Bill No.

[2010-0528](#)

Resolution providing for the issuance of a \$5,000.00 warrant in favor of Henry & Ruth Schwartz, of 1600 Forsythe Street, Pittsburgh, PA 15212, in settlement of a claim for improper razing of a garage located on their property on Knapp Street, on October 7, 2008.

A motion was made that this matter be Passed Finally. The motion carried by the following vote:

Votes: Ayes: 9 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. Peduto, Ms. Rudiak, Mr. Shields and Mrs. Smith

Noes: 0

Abstentions: 0

Bill No. [2010-0569](#) Resolution amending Resolution No. 154 of 2010, effective March 31, 2010 entitled “Authorizing and directing the City Clerk to enter into an agreement or agreements with the Comprehensive Municipal Pension Trust Fund Board (CMPTF), the Government Finance Officers Association (GFOA), and the Intergovernmental Cooperation Authority (ICA) and/or other entities for the purpose of providing an independent examination of the value of the assets of the Pittsburgh Parking Authority.” By increasing the amount from \$50,000.00 to \$250,000.00 and changing certain language.

SPONSOR(S): DARLENE HARRIS, PATRICK DOWD, R. DANIEL LAVELLE, NATALIA RUDIAK AND DOUGLAS SHIELDS

A motion was made that this matter be Passed Finally. The motion carried by the following vote:

Votes: Ayes: 8 - Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. Peduto, Ms. Rudiak, Mr. Shields and Mrs. Smith
Noes: 1 - Rev. Burgess
Abstentions: 0

COUNCILMAN KRAUS PRESENTS COMMITTEE ON PUBLIC WORKS

Bill No. [2010-0575](#) Report of the Committee on Public Works for June 2, 2010 with an Affirmative Recommendation.

A motion was made that this matter be Read, Received and Filed. The motion carried.

Bill No. [2010-0530](#) Resolution providing for a Contract or Contracts or for the use of existing Contracts, providing for an Agreement or Agreements or for the 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 Bridge Repairs program; and further providing for the payment of the cost thereof. Cost not to exceed \$300,000.00.

This Matter was Passed Finally on the Consent Agenda.

Bill No. [2010-0531](#) Resolution providing for a Contract or Contracts or for the use of existing Contracts, providing for an Agreement or Agreements or for the use of existing Agreements, and providing for the design, repairs, maintenance, improvements, emergencies and/or the purchase of materials and supplies in connection with Neighborhood Street Improvements; and further providing for the payment of the costs thereof. Cost not to exceed \$500,000.00.

This Matter was Passed Finally on the Consent Agenda.

Bill No. [2010-0532](#) Resolution providing for a Contract or Contracts or for the use of existing Contracts, providing for an Agreement or Agreements or for the use of existing Agreements, and providing for the design, repairs, maintenance, improvements, emergencies and/or the purchase of equipment, materials and supplies in connection with the on-going design, maintenance, rehabilitation and new construction of City-owned walls, steps and fences; and further providing for the payment of the costs thereof. Cost not to exceed

\$50,000.00.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2010-0533](#)

Resolution authorizing the Director of Public Works, on behalf of the City of Pittsburgh, to sell reclaimed asphalt, to offset the cost of new asphalt, at a minimum price of \$7.00 per ton, or highest acceptable offer.

This Matter was Passed Finally on the Consent Agenda.

Passed The Consent Agenda

A motion was made, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried by the following vote:

Votes: Ayes: 9 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. Peduto, Ms. Rudiak, Mr. Shields and Mrs. Smith

Noes: 0

Abstentions: 0

COUNCILMAN SHIELDS PRESENTS COMMITTEE ON LAND USE & ECONOMIC DEVELOPMENT

Bill No.

[2010-0576](#)

Report of the Committee on Land Use and Economic Development for June 2, 2010 with an Affirmative Recommendation.

A motion was made that this matter be Read, Received and Filed. The motion carried.

Bill No.

[2010-0218](#)

Ordinance amending the Pittsburgh Code, Title Nine - Zoning, Article II, Section 905.03 - EMI, Education/Medical Institution District - by changing regulations regarding Institutional Master Plans.

SPONSOR(S): REVEREND RICKY V. BURGESS

A motion was made that this matter be Passed Finally. The motion carried by the following vote:

Votes: Ayes: 9 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. Peduto, Ms. Rudiak, Mr. Shields and Mrs. Smith

Noes: 0

Abstentions: 0

Bill No.

[2010-0570](#)

Resolution further Amending Resolution No. 976 of 1995 effective January 1, 1996, as amended, adopting and approving the 1996 Capital Budget and the 1996 Community Development Block Grant by adding \$250,000 for a Parking Lease Study.

SPONSOR(S): DARLENE HARRIS, PATRICK DOWD, R. DANIEL LAVELLE, NATALIA RUDIAK AND DOUGLAS SHIELDS

A motion was made that this matter be Passed Finally. The motion carried by the following vote:

Votes: Ayes: 8 - Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. Peduto, Ms. Rudiak, Mr. Shields and Mrs. Smith

Noes: 1 - Rev. Burgess

Abstentions: 0

COUNCILMAN LAVELLE PRESENTS COMMITTEE ON URBAN RECREATION

Bill No. [2010-0577](#) Report of the Committee on Urban Recreation for June 2, 2010 with an Affirmative Recommendation.

A motion was made that this matter be Read, Received and Filed. The motion carried.

Bill No. [2010-0432](#) Resolution authorizing the Mayor and Director of Parks and Recreation to rename the Grandview Scenic Byway Park as Emerald View Park.

SPONSOR(S): THERESA SMITH

A motion was made that this matter be Passed Finally. The motion carried by the following vote:

Votes: Ayes: 9 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. Peduto, Ms. Rudiak, Mr. Shields and Mrs. Smith

Noes: 0

Abstentions: 0

MOTIONS AND RESOLUTIONS

APPROVAL OF MINUTES

ADJOURNMENT

LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER