

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 15, 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

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Bill No.

[2010-0617](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend and congratulate John H. Bingler, Esq. for his stellar and honorable legal career and for his significant and illustrious service and commitment to the City of Pittsburgh and wants to convey its deep appreciation to him and his wife, Marsha, as they prepare to relocate to Maine to be close to children and grandchildren ; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, June 15, 2010 , to be “ JOHN H. BINGLER DAY” 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.

[2010-0618](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize Jerry Bortman, Jerry Livingston and Robin Cole and the Obediah Cole Foundation for Prostate Cancer for their remarkable dedication to educating the public and promoting early detection of prostate cancer ; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Sunday, June 20, 2010, to be “ OBEDIAH COLE FOUNDATION 5K/10K RUN/WALK DAY” 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.

[2010-0619](#)

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates Mr. Lindel Hodge on the honor of being selected to carry the Queen's Baton prior to the Commonwealth Games and commends him for using his talents to train local athletes in the Pittsburgh area.

SPONSOR(S): WILLIAM PEDUTO AND ALL MEMBERS

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

Bill No.

[2010-0620](#)

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes Dr. Jerri Lynn Lippert for her commitment and dedication to educating students and training professionals in the Pittsburgh Public Schools; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby declares June 11, 2010, “Dr. Jerri Lynn Lippert 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.

[2010-0621](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the 5th grade class of Pittsburgh Vann for successfully completing the school's curriculum, and does hereby wish each student success in their future endeavors as lead by the example set forth by Robert Lee Vann.

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

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

PUBLIC COMMENTS

PRESENTATION OF PAPERS

COUNCILMAN DOUGLAS SHIELDS PRESENTS:

Bill No.

[2010-0610](#)

Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article I, Section 902.03 Zoning Map, by changing from NDI, Neighborhood Industrial District, to EMI, Educational/Medical Institutional District, certain properties identified as Block No. 7-H, Lots No. 14, 17, 20, and 21, in the Allegheny County Block and Lot System, and changing from LNC, Local Neighborhood Commercial District, to EMI, Educational/Medical Institutional District, a portion of certain property identified as Block No. 7-D, Lot No. 305 in the Allegheny County Block and Lot System; 22nd Ward, Council District 6.

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

Bill No.

[2010-0611](#)

Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article I, Section 902.03 Zoning Map, by changing from LNC, Local Neighborhood Commercial District, to Urban Neighborhood Commercial District, certain property identified as Block No. 7-H, Lot No. 25 in the Allegheny County Block and Lot System; 22nd Ward.

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

Bill No.

[2010-0612](#)

Resolution approving a new Institutional Master Plan under the Pittsburgh Code, Title Nine, Zoning, Article II, Chapter 905, Section 905.03.D and Article VII, Chapter 922, Section 922.12.G for the Community College of Allegheny County entitled "Allegheny Campus Institutional Master Plan" dated April, 2010 on property currently zoned EMI, Educational/Medical Institution District, 22nd Ward.

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

Bill No.

[2010-0613](#)

Resolution authorizing the Mayor and Director of City Planning to receive grant funding to support the City of Pittsburgh's Public Art Component of the Comprehensive Plan and further providing for an agreement and expenditures not to

exceed fifty thousand (\$50,000) dollars.

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

Bill No.

[2010-0614](#)

Ordinance supplementing the Pittsburgh Code, Title Two: Fiscal, Article II: Chapter 218: Capital Budget. This bill shall be known as The Neighborhood First Capital Budget Reform Act.

SPONSOR(S): 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 Finance and Law Committee. The motion carried.

Bill No.

[2010-0615](#)

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, improvements and/or the purchase of equipment, materials and supplies in connection with the Squirrel Hill Gateway Project and further providing for the payment of the costs thereof. Cost not to exceed \$100,000.00.

SPONSOR(S): DOUGLAS SHIELDS

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

Bill No.

[2010-0616](#)

Resolution further amending and supplementing 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 transferring \$100,000 from the Neighborhood Business and Economic Development in the Urban Redevelopment Authority to the Department of Public Works for the Squirrel Hill Gateway Project.

SPONSOR(S): DOUGLAS SHIELDS

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

UNFINISHED BUSINESS

Bill No.

[2010-0430](#)

Resolution authorizing the appointment of Lindsay Baxter as a Member of the Shade Tree Commission, for a term to expire April 20, 2014.

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

Bill No.

[2010-0545](#)

Resolution authorizing the appointment of John Valentine, 329 Fort Duquesne Boulevard, Pittsburgh, PA 15222, as a member of the City Planning Commission for a term to expire on February 28, 2012. Mr. Valentine is replacing Mary Lou Simon.

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

REPORTS OF COMMITTEE - FINAL ACTION

COUNCILMAN PEDUTO PRESENTS COMMITTEE ON FINANCE AND LAW

Bill No. Report of the Committee on Finance and Law for June 9, 2010 with an Affirmative
[2010-0605](#) Recommendation.

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

Bill No. Resolution further amending Resolution No. 654, effective October 25, 2001, entitled,
[2010-0591](#) "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

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution providing for the creation of the Monuments and War Memorials
[2010-0593](#) Maintenance Trust Fund and for setting conditions for the deposit and expenditure of such funds.

SPONSOR(S): DARLENE HARRIS

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 KRAUS PRESENTS COMMITTEE ON PUBLIC WORKS

Bill No. Report of the Committee on Public Works for June 9, 2010 with an Affirmative
[2010-0606](#) Recommendation.

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

Bill No. Resolution authorizing and directing the Directors of Public Works, City Planning and
[2010-0592](#) 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 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

COUNCILMAN SHIELDS PRESENTS COMMITTEE ON LAND USE & ECONOMIC DEVELOPMENT

Bill No. Report of the Committee on Land Use and Economic for June 9, 2010 with an
[2010-0607](#) Affirmative Recommendation.

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

Bill No. Ordinance amending the Pittsburgh Zoning Code, Title Nine, Article One, Chapter
[2010-0262](#) 902 Section 902.03, Zoning District Maps Nos. 10, 11, and 15 by changing various zoning district classifications in the Stanton Heights neighborhood in accord with Map Pittsburgh: Zoning for your Neighborhood, the city's zoning re-mapping project relative to the city's new Urban Zoning Code.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution further amending and supplementing Resolution No. 768, effective January
[2010-0564](#) 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 adjusting various line-items to reflect additional funding available under the Housing Opportunities for Persons with AIDS program.

SPONSOR(S): BRUCE A. KRAUS

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution further amending and supplementing Resolution No. 768, effective January
[2010-0563](#) 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 adjusting various line-items to reflect a reduction in funding available under the Emergency Shelter Grants program.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution further Amending Resolution No. 424 of 2001, effective June 19, 2001,
[2010-0590](#) 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

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

COUNCILWOMAN RUDIAK PRESENTS COMMITTEE ON PERFORMANCE AND ASSET MANAGEMENT

Bill No. Report of the Committee on Performance & Asset Management for Juen 9, 2010 with an Affirmative Recommendation.
[2010-0608](#)

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

Bill No. Resolution authorizing the Mayor and the Director of City Information Systems to enter into a grant agreement with the Commonwealth of Pennsylvania, Department of Community and Economic Development, to receive \$47,043 in funding to support the City's Solar Energy Program in connection with the execution of said grant agreement.
[2010-0529](#)

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

COUNCILMAN DOWD PRESENTS COMMITTEE ON INTERGOVERNMENTAL AFFAIRS

Bill No. Report of the Committee on Intergovernmental Affairs for June 9, 2010 with an Affirmative Recommendation.
[2010-0609](#)

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

Bill No. Resolution approving execution of a Contract for Disposition by Sale of Land by and between the Urban Redevelopment Authority of Pittsburgh and Carlotta Burgess for the sale of Block 48-S, Lot 218 in the 6th Ward of the City of Pittsburgh, 3413 Butler
[2010-0541](#)

Street--Council District No.7 (sideyard).

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

Votes: Ayes: 7 - Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. Peduto, Ms. Rudiak, Mr. Shields and Mrs. Smith

Noes: 1 - Mr. Dowd

Abstentions: 0

Out of Room: 1 - Rev. Burgess

A motion was made that this matter be Passed Finally, As Amended. 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: 0

Abstentions: 0

Out of Room: 1 - Rev. Burgess

Bill No.

[2010-0542](#)

Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 6th Ward of the City of Pittsburgh owned by Carlotta Burgess and designated as Block 48-S, Lot 212, in the Deed Registry Office of Allegheny, under the Industrial Land Reserve Fund (3403 Butler Street - Council District No. 7).

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

Votes: Ayes: 7 - Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. Peduto, Ms. Rudiak, Mr. Shields and Mrs. Smith

Noes: 1 - Mr. Dowd

Abstentions: 0

Out of Room: 1 - Rev. Burgess

A motion was made that this matter be Passed Finally, As Amended. 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: 0

Abstentions: 0

Out of Room: 1 - Rev. Burgess

MOTIONS AND RESOLUTIONS

Bill No.

[2010-0622](#)

Resolution establishing a timeline for the public discussion of the proposed lease of the parking assets of both the Pittsburgh Parking Authority and the City of Pittsburgh

SPONSOR(S): PATRICK DOWD

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

A motion was made that this matter be Adopted. 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

Bill No.

[2010-0623](#)

NOW THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh, does hereby endorse House Bill No. 2536, as introduced by State Representative Bryan Lentz, of Delaware County; and,

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh, does hereby call upon the members of the House Judiciary Committee to pass House Bill No. 2536 out of committee and for the full state legislature to pass this bill when it comes to the floor for a final vote; and,

BE IT FURTHER RESOLVED that a copy of this resolution shall be transmitted to the Pennsylvania State Legislature.

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

A motion was made that this matter be Adopted. 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

Bill No.

[2010-0624](#)

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh urges the CRPB to continue to investigate verified complaints filed alleging police misconduct during the G20 Summit.

AND BE IT FURTHER RESOLVED, that Council requests that, if the CPRB is inclined to pursue its comprehensive G20 Report, it consider aligning its discovery with the discovery process in pending or to-be-filed federal or state lawsuits arising from the G20 Summit and/or until the statute of limitations has run for likely claims covered by the Policy in order to best preserve rights of coverage as well as the financial protection afforded by that coverage.

SPONSOR(S): DARLENE HARRIS

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

Votes: Ayes: 6 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Lavelle, Ms. Rudiak and Mrs. Smith
Noes: 0
Abstentions: 3 - Mr. Kraus, Mr. Peduto and Mr. Shields

APPROVAL OF MINUTES

ADJOURNMENT

LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER