

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, January 18, 2011

1:30 PM

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

Councilman Shields was available by phone.

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. [2011-1327](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize the 15th anniversary season of Attack Theatre and thanks the company for providing opportunities to experience innovative dance performance; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare January 21, 2011 "Attack Theatre 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. [2011-1328](#) Now, Therefore, be it resolved that the Council of the City of Pittsburgh does hereby recognize and congratulate The Pittsburgh Chapter of Jack and Jill of America, Inc. for 66 years of excellence and for its endless contribution and dedication to African American youth of the City of Pittsburgh; and

Be It Further Resolved, that the Council of the City of Pittsburgh does hereby proclaim Saturday, January 15, 2011, as "Jack and Jill 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.

PUBLIC COMMENTS

PRESENTATION OF PAPERS

COUNCILMAN REVEREND RICKY V. BURGESS PRESENTS:

Bill No. [2011-1304](#) Resolution providing that the City of Pittsburgh appropriate funds for an existing professional services agreement with LifeSolutions for professional services in connection with the administration and provision of mental health and counseling services for the City of Pittsburgh's Employee Assistance Program for current employees, and providing for the payment of the cost thereof.

Read and referred to Human Resources Committee

Bill No. [2011-1305](#) Resolution providing that the City of Pittsburgh appropriate funds for an existing professional services agreement with UPMC Mercy OccuNet for professional services in connection with the administration and evaluation of medical examinations and related tests and procedures for the Civil Service Commission's medical examination program for current and prospective employees for employment and promotion, and

providing for the payment of the cost thereof.

Read and referred to Human Resources Committee

COUNCILMAN PATRICK DOWD PRESENTS:

Bill No. Resolution authorizing a Cooperation Agreement or Agreements with the Urban
[2011-1317](#) Redevelopment Authority of Pittsburgh in connection with URA's application for a
Redevelopment Assistance Capital Program grant of up to \$1,000,000 for the
Doughboy Square project. (Council District 7)

Read and referred to Intergovernmental Affairs Committee

Bill No. Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an
[2011-1318](#) Application to the Pennsylvania Office of the Budget for a Redevelopment Assistance
Capital Program grant of up to \$1,000,000 for the Doughboy Square project. (Council
District 7)

Read and referred to Intergovernmental Affairs Committee

Bill No. Resolution authorizing a Cooperation Agreement or Agreements with the Urban
[2011-1319](#) Redevelopment Authority of Pittsburgh in connection with URA's application for a
Redevelopment Assistance Capital Program grant of up to \$4,000,000 for the
Downtown Preservation project. (Council District 6)

Read and referred to Intergovernmental Affairs Committee

Bill No. Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an
[2011-1320](#) Application to the Pennsylvania Office of the Budget for a Redevelopment Assistance
Capital Program grant of up to \$4,000,000 for the Downtown Preservation project.
(Council District 6)

Read and referred to Intergovernmental Affairs Committee

Bill No. Resolution authorizing a Cooperation Agreement or Agreements with the Urban
[2011-1321](#) Redevelopment Authority of Pittsburgh in connection with URA's application for a
Redevelopment Assistance Capital Program grant of up to \$15,000,000 for the Strip
District and Produce Terminal Redevelopment project. (Council District 6)

Read and referred to Intergovernmental Affairs Committee

Bill No. Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an
[2011-1322](#) Application to the Pennsylvania Office of the Budget for a Redevelopment Assistance
Capital Program grant of up to \$15,000,000 for the Strip District and Produce
Terminal Redevelopment project. (Council District 6)

Read and referred to Intergovernmental Affairs Committee

Bill No. Resolution authorizing a Cooperation Agreement or Agreements with the Urban
[2011-1323](#) Redevelopment Authority of Pittsburgh in connection with URA's application for a
Redevelopment Assistance Capital Program grant of up to \$500,000 for the
Manchester Thomas and Betts (Columbus Square) Project. (Council District 6)

Read and referred to Intergovernmental Affairs Committee

Bill No. Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an
[2011-1324](#) Application to the Pennsylvania Office of the Budget for a Redevelopment Assistance
Capital Program grant of up to \$500,000 for the Manchester Thomas and Betts
(Columbus Square) Project. (Council District 6)

Read and referred to Intergovernmental Affairs Committee

COUNCILMAN BRUCE A. KRAUS PRESENTS:

Bill No. Authorizing the Mayor and the Director of the Department of Finance and/or the
[2011-1302](#) Director
of the Department of Public Works to accept transfer of an existing Commonwealth of
Pennsylvania, Department of Environmental Protection ("DEP")-issued Water
Obstruction and Encroachment Permit and an existing DEP-issued Submerged Land
License, both originally granted to Riverlife Task Force for improvements to the
Monongahela Wharf Landing.

Read and referred to Public Works Committee

Bill No. Resolution authorizing the Mayor and the Director of the Department of Finance
[2011-1303](#) and/or the Director of the Department of Public Works to enter into a License
Agreement with the Commonwealth of Pennsylvania, Department of Environmental
Protection ("DEP"), to occupy submerged lands of the Commonwealth for a boat dock
at mile 0.6 of the Allegheny River (Allegheny Landing) for recreation, fishing, or other
trust purposes.

Read and referred to Public Works Committee

COUNCILMAN R. DANIEL LAVELLE PRESENTS:

Bill No. Resolution authorizing the Director of the Department of Parks and Recreation to
[2011-1308](#) enter into agreements in individual amounts of Ten Thousand Dollars (\$10,000.00) or
less with performers, instructors, artists and persons with specialized skills in
connection with the Department's recreational and instructional programs.

Read and referred to Urban Recreation Committee

Bill No. Resolution authorizing the Director of the Department of Parks and Recreation to
[2011-1309](#) enter into agreement or agreements, contract or contracts and use of existing
agreement or agreements, contract or contracts in individual amounts of Ten Thousand
Dollars (\$10,000.00) or less with consultants in connection with the Department's
recreational and park related services.

Read and referred to Urban Recreation Committee

Bill No. Resolution providing for an Agreement with the Allegheny County Community
[2011-1310](#) College (CCAC) for reimbursement for health and wellness programs for the Senior
Community Program via the Allegheny County Area Agency on Aging/State
Primetime Health Allocation in an amount not to exceed \$20,000 for the Department
of Parks and Recreation.

Read and referred to Urban Recreation Committee

Bill No.
[2011-1311](#) Resolution providing for an Agreement or Agreements, Lease(s) and/or License Agreement(s) for the use of certain property for senior facilities for the provision of center services to seniors in an amount not to exceed \$100,000.00, chargeable to and payable from the Seniors Community Program Trust Fund in the Department of Parks and Recreation.

Read and referred to Urban Recreation Committee

Bill No.
[2011-1312](#) Resolution providing for an Agreement or Agreements with the Pittsburgh Board of Public Education for the purpose of providing meals in connection with the 2011 Summer Food Service Program in the Department of Parks and Recreation. The total cost shall not exceed Seven Hundred Seventy Thousand Dollars (\$770,000.00).

Read and referred to Urban Recreation Committee

Bill No.
[2011-1313](#) Resolution authorizing the Mayor and the Department of Parks and Recreation to enter into a License Agreement with the Catholic Diocese of Pittsburgh, St. Catherine of Sienna Parish parking lot located at Broadway Avenue and Belasco Street for a 2011 Farmers' Market.

Read and referred to Urban Recreation Committee

Bill No.
[2011-1314](#) Resolution authorizing the Mayor and the Department of Parks and Recreation to enter into a License Agreement with the Parking Authority for the use of property on 20th and Sidney Streets for the 2011 Farmers' Market.

Read and referred to Urban Recreation Committee

Bill No.
[2011-1315](#) Resolution authorizing the mayor and the Director of the Department of Parks and Recreation to enter into a license agreement with Union Real Estate Company of Pittsburgh for the use of property behind Carrick Shopping Center for the 2011 Farmer's Market.

Read and referred to Urban Recreation Committee

Bill No.
[2011-1316](#) Resolution authorizing the Mayor and the Department of Parks and Recreation to enter into a License Agreement with the Catholic Diocese of Pittsburgh, Immaculate Conception School parking lot for a 2011 Farmers' Market.

Read and referred to Urban Recreation Committee

COUNCILMAN WILLIAM PEDUTO PRESENTS:

Bill No.
[2011-1301](#) Resolution providing for a professional services agreement or agreements with Maher Duessel for the performance of the City's Financial Statement including Single Audit for the years ending December 31, 2010, December 31, 2011, and December 31, 2012, at a total cost not to exceed Five Hundred Thirty Four Thousand Seven Hundred Eighty Dollars (\$534,780.00) over three years, chargeable to and payable from the Department of Finance Miscellaneous Services Account, Budget Years 2011, 2012, and 2013.

Read and referred to Finance and Law Committee

Bill No. Resolution amending Resolution 766 of 2009 so as to reflect end of year transfers for
[2011-1325](#) bookkeeping purposes

SPONSOR(S): WILLIAM PEDUTO

Read and referred to Finance and Law Committee

COUNCILMAN DOUGLAS SHIELDS PRESENTS:

Bill No. Resolution authorizing the Mayor and Director of City Planning to receive grant
[2011-1306](#) funding to support the City of Pittsburgh's Urban Design Component of the
Comprehensive Plan and further providing for an agreement and expenditures not to
exceed one hundred thousand (\$100,000) dollars.

Read and referred to Land Use and Economic Development Committee

Bill No. Resolution authorizing the Mayor and the Director of City Planning to enter into an
[2011-1307](#) agreement or agreements with members of the Zoning Board of Adjustment, for
payment of services for duties related to any and all activities of the Zoning Board of
the City of Pittsburgh. Cost not to exceed \$39,000.

Read and referred to Land Use and Economic Development Committee

COUNCIL PRESIDENT DARLENE M. HARRIS PRESENTS:

Bill No. Communication from Daniel F. Regan, City Solicitor, submitting the Claims Report
[2011-1326](#) for the First, Second, Third and Fourth Quarter of 2010, pursuant to Section 163 of the
Pittsburgh Code.

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

UNFINISHED BUSINESS

REPORTS OF COMMITTEE - FINAL ACTION

COUNCILMAN PEDUTO PRESENTS COMMITTEE ON FINANCE AND LAW

Bill No. Report of the Committee on Finance and Law for January 12, 2011 with an
[2011-1299](#) Affirmative Recommendation.

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

Bill No. Resolution authorizing the issuance of a Warrant in the sum of \$40,000.00 in favor of
[2011-1261](#) Kaleb Miller and James D. Pasquale, his attorney, 1302 Grant Building, 310 Grant
Street, Pittsburgh, PA 15219; in full and final settlement of an action filed in the
United States District Court, Western District of Pennsylvania at Docket Number 08
cv 1180, for an excessive force/unlawful arrest issue.

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. [2011-1300](#) Report of the Committee on Intergovernmental Affairs for January 12, 2001 with an Affirmative Recommendation.

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

Bill No. [2011-1268](#) Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an Application to the Pennsylvania Office of the Budget for a Redevelopment Assistance Capital Program grant of up to \$4,500,000 for the Baum Square Parking Garage project. (Council District 9)

A motion was made that this matter be RECOMMENDED to the Intergovernmental Affairs Committee. The motion carried.

Bill No. [2011-1269](#) Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh in connection with URA's application for a Redevelopment Assistance Capital Program grant of up to \$4,500,000 for the Baum Square Parking Garage project. (Council District 9)

A motion was made that this matter be RECOMMENDED to the Intergovernmental Affairs Committee. The motion carried.

Bill No. [2011-1264](#) Amending Resolution No. 510, effective August 17, 2009, entitled "Authorizing the Urban Redevelopment Authority of Pittsburgh to submit an Application to the Pennsylvania Office of the Budget for a Redevelopment Assistance Capital Program grant of up to \$1,400,000 for the Pittsburgh Symphony project by increasing the amount of the grant to \$2,400,000. (The State has allocated an additional \$250,000 for this project, bringing the total to \$2,400,000) (Council District 6)

This Matter was Passed Finally on the Consent Agenda.

Bill No. [2011-1265](#) Resolution amending Resolution No. 511, effective August 17, 2009, entitled "Authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh in connection with URA's application for a Redevelopment Assistance Capital Program grant of up to \$1,400,000 for the Pittsburgh Symphony project by increasing the amount of the grant to \$2,400,000. (The State has allocated an additional \$250,000 for this project, bringing the total to \$2,400,000) (Council District 6)

This Matter was Passed Finally on the Consent Agenda.

Bill No. [2011-1266](#) Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an Application to the Pennsylvania Office of the Budget for a Redevelopment Assistance Capital Program grant of up to \$500,000 for the Amalgamated Transit Union project. (Council District 6)

This Matter was Passed Finally on the Consent Agenda.

Bill No. [2011-1267](#) Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh in connection with URA's application for a Redevelopment Assistance Capital Program grant of up to \$500,000 for the Amalgamated Transit Union project. (Council District 6)

This Matter was Passed Finally on the Consent Agenda.

Bill No. [2011-1270](#) Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an Application to the Pennsylvania Office of the Budget for a Redevelopment Assistance Capital Program grant of up to \$2,150,000 for the Residences at the Strip project. (Council District 6)

This Matter was Passed Finally on the Consent Agenda.

Bill No. [2011-1271](#) Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh in connection with URA's Application to the Pennsylvania Office of the Budget for a Redevelopment Assistance Capital Program grant of up to \$2,150,000 for the Residences at the Strip project. (Council District 6)

This Matter was Passed Finally on the Consent Agenda.

Bill No. [2011-1272](#) Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an Application to the Pennsylvania Office of the Budget for a Redevelopment Assistance Capital Program grant of up to \$5,500,000 for the Carson Street Goodwill Building Rehab aka 2600 East Carson Street project. (Council District 3)

This Matter was Passed Finally on the Consent Agenda.

Bill No. [2011-1273](#) Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh in connection with URA's application to the Pennsylvania Office of the Budget for a Redevelopment Assistance Capital Program grant of up to \$5,500,000 for the Carson Street Goodwill Building Rehab aka 2600 East Carson Street project. (Council District 3)

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

MOTIONS AND RESOLUTIONS

APPROVAL OF MINUTES

ADJOURNMENT

LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER