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, February 5, 2013

10:00 AM

Council Chambers

City Council

ONE-HUNDRED THIRTY-SEVENTH COUNCIL

Darlene M. Harris, President Council Members: Rev. Ricky V. Burgess, Patrick Dowd, Bruce A. Kraus, R. Daniel Lavelle, Corey O'Connor, William Peduto, Natalia Rudiak, Theresa Kail-Smith

> Linda M. Johnson-Wasler, City Clerk Mary Beth Doheny, Deputy City Clerk

ROLL CALL - Councilwoman Rudiak participated via Phone

Present: 8 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. Peduto, Ms. Rudiak and Mrs. Smith Absent: 1 - Mr. O'Connor

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Bill No. <u>2013-1151</u>	THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh recognizes the Pittsburgh Poetry Collective and their newest program Young Steel for their service in enriching our communities in their celebration of the art of the spoken word.
	 THEREFORE BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare Tuesday, February 5, 2013 to be Pittsburgh Poetry Collective: Young Steel Day in the City of Pittsburgh. SPONSOR(S): NATALIA RUDIAK AND ALL MEMBERS
	A motion was made that this matter be Adopted. The motion carried.
Bill No. <u>2013-1152</u>	NOW THEREFORE BE IT RESOLVED, that Pittsburgh City Council does hereby proclaim February 2013 as Career and Technical Education Month in Pittsburgh, urging all citizens to support the services and benefits offered by the career and technical education programs at Pittsburgh Public Schools, while further encouraging District students to explore and participate in these programs to enhance their individual work skills and productivity, as well as their life prospects. SPONSOR(S): PATRICK DOWD, DARLENE HARRIS AND ALL MEMBERS
	A motion was made that this matter be Adopted. The motion carried.
Bill No. <u>2013-1153</u>	NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend Diana Bucco for her outstanding accomplishments and dedication to not only the communities of the City of Pittsburgh, but to the State of Pennsylvania and congratulates Ms. Bucco for her new position; and,
	BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, February 5, 2013, to be "Diana Bucco Day" in the City of Pittsburgh. SPONSOR(S): THERESA SMITH AND ALL MEMBERS
	A motion was made that this matter be Adopted. The motion carried.
Bill No. <u>2013-1154</u>	NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend; Ms. Willa Mae Land and,
	BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Saturday, February 2, 2013 to be "Ms. Willa Mae Land 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.NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh2013-1155does hereby declare February 3, 2013 to be "Katie E. Johnson Day" in the City of
Pittsburgh.

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

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

Bill No.NOW, THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh2013-1156does hereby congratulate Joannie Kravetz on the occasion of her 80th Birthday,
recognizes the special gifts she brings to her job and the people with whom she works
and wishes her good health and happiness for the future; and,

BE IT FURTHER RESOLVED, , that the Council of the City of Pittsburgh does hereby declare February 10, 2013, to be "JOANNIE KRAVETZ DAY" in the City of Pittsburgh.

SPONSOR(S): COREY O'CONNOR 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 for a professional services agreement or agreements for2013-1142accounting, auditing and consulting services to the City related to tax collection,
internal controls, financial reporting, performance, grant, and fiscal auditing, and
financial systems implementation. Cost not to exceed \$600,000.00.

Read and referred to Finance and Law Committee

COUNCILMAN PATRICK DOWD PRESENTS:

Bill No.Resolution approving execution of a Contract for Disposition by Sale of Land by and2013-1127between the Urban Redevelopment Authority of Pittsburgh and Landmarks
Development Corporation, for the sale of Block 1-H, Lots 281 and 282, in the 1st
Ward of the City of Pittsburgh -- 420 and 422 Wood Street-- Council District No. 6
(Commercial Rehabilitation).

Read and referred to Intergovernmental Affairs Committee

COUNCILMAN BRUCE A. KRAUS PRESENTS:

Bill No.Resolution providing for an Agreement or Agreements or for the use of existing2013-1143Agreements, 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 the Bike

City Council	Meeting Minutes	February 5, 2013
	Infrastructure Program, and providing for the payment of the costs thereof. Cost n exceed \$136,134.87.	ot to
	Read and referred to Public Works Committee	
Bill No. <u>2013-1144</u>	Resolution further amending Resolution No. 855, 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 decreasing the "Play Area Improvemen line item by \$49,109.00 from \$1,049,109.00 to \$1,000,000.00.	
	Read and referred to Public Works Committee	
Bill No. 2013-1145	Resolution vacating an Unnamed Way between Greenfield Avenue and relocated Musgrave Street in the 15th Ward, 5th Council District of the City of Pittsburgh.	
	Read and referred to Public Works Committee	
Bill No. <u>2013-1146</u>	Resolution granting unto Adam and Devin Billingsley, 425 Kathleen Street, Pittsburgh, PA 15211, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense a fence on a portion of t right-of-way of Judicial Street for 425 Kathleen Street in the 18th Ward, 3rd Coun District of the City of Pittsburgh.	
	Read and referred to Public Works Committee	
Bill No. <u>2013-1150</u>	Resolution providing for an Agreement or Agreements with a vendor to assist the in the creation of the Hospitality Zone Economic and Public Safety Assessment in amount not to exceed \$100,000.00. SPONSOR(S): BRUCE A. KRAUS	-
	Read and referred to Land Use and Economic Development Committee	
COUNCILM	IAN R. DANIEL LAVELLE PRESENTS:	
Bill No. 2013-1147	Resolution amending Resolution No. 728 approved September 26, 2003, providing the implementation of a Residential Parking Permit Program (RPPP) Area "O", in Homewood South area (Council District #9) to expand the district to include additional addresses pursuant to Pittsburgh Code Chapter 549.	-
	Read and referred to Land Use and Economic Development Committee	
Bill No. 2013-1148	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 Contra- providing for repairs, maintenance, improvements, emergencies, and/or the purcha of materials, equipment, supplies, and professional services in connection with the Community Streetscape Planning and Development, and providing for the payment	ise

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

Read and referred to Land Use and Economic Development Committee

the costs thereof. Cost not to exceed \$200,000.00.

UNFINISHED BUSINESS

REPORTS OF COMMITTEE - FINAL ACTION

COUNCILMAN REV. RICKY V. BURGESS PRESENTS COMMITTEE ON FINANCE AND LAW

Bill No. Report of the Committee on Finance and Law for January 30, 2013 with an Affirmative Recommendation. 2013-1138

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

Bill No. Resolution further amending Res. No. 365, effective June 13, 2012, providing for an agreement/s, or use of existing agreements and/or a contract/s, or use of existing 2013-1056 contracts, and for the purchase of materials, supplies, equipment, and/or services for City Council District 8 Neighborhood Needs Program and providing for the payment of the costs thereof by reducing various inactive projects and adding DPW-Bloomfield Deck Hockey, \$74,924.55; Hispanic Chamber of Commerce, \$10,000; and Shadyside Chamber of Commerce - Bike Corral, \$5,000. Total cost of all projects is not to exceed \$\$134,924.55.

WILLIAM PEDUTO **SPONSOR(S):**

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

- Votes: Ayes: 8 Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. Peduto, Ms. Rudiak and Mrs. Smith Noes: 0 Abstentions: 0 Absent: 1 - Mr. O'Connor
- Bill No. Resolution authorizing the Mayor and the City Solicitor to enter into an Agreement with Aon Risk Solutions for professional consulting services related to developing a 2013-1074 loss control program related to general liability claims against the City, at a cost not to exceed \$6,800.00 (Six Thousand Eight Hundred Dollars and No Cents).

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

Votes: Aves: 7 - Rev. Burgess, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. Peduto, Ms. Rudiak and Mrs. Smith Noes: 1 - Mr. Dowd Abstentions: 0 Absent: 1 - Mr. O'Connor Resolution further amending Resolution 549, effective September 21, 2012, providing for an agreement/s, or use of existing agreements and/or a contract/s, or use of existing 2013-1128

Bill No.

contracts, and for the purchase of materials, supplies, equipment, and/or services for City Council Neighborhood Needs Program and providing for the payment of the costs thereof by transferring \$27,646.80 from District 1 Neighborhood Needs Projects and adding \$15,000 to Brighton Heights Citizens Federation, \$5,000 to Observatory Hill Inc., \$1,000 to Observatory Hill Inc. Newsletter, \$1,646.80 for flowers at Riverview Park, and \$5,000 to Summer Hill Citizens Council. Total cost of all projects is not to exceed \$437,779.53.

SPONSOR(S): DARLENE HARRIS

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

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

COUNCILMAN BRUCE A. KRAUS PRESENTS COMMITTEE ON PUBLIC WORKS

Bill No.Report of the Committee on Public Works for January 30, 2013 with an Affirmative2013-1139Recommendation.

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

Bill No.Resolution authorizing the City of Pittsburgh's Department of Public Works to assume2013-1109responsibility for the year round maintenance, repair, and future alterations of facilities
constructed by the Pennsylvania Department of Transportation as part of the PA 51/88
Bridge and Roadway Improvement Project.

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

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

Absent: 1 - Mr. O'Connor

Bill No.Resolution providing for an Agreement or Agreements, or the use of existing2013-1110Agreements, with a Consultant or Consultants; for engineering services in connection
with the replacement of the Second Avenue Bridge over Nine Mile Run; providing for
a Reimbursement Agreement with the Commonwealth of Pennsylvania, Department of
Transportation; and further providing for the payment of the costs thereof. Cost not to
exceed \$400,000.00.

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

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

COUNCILMAN R. DANIEL LAVELLE PRESENTS COMMITTEE ON LAND USE & ECONOMIC DEVELOPMENT

Bill No.

Report of the Committee on Land Use and Economic Development for January 30, 2013 with an Affirmative Recommendation. 2013-1140

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

Bill No. Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article I, Section 902.03 Zoning Map, by changing from R1A-M, Residential Single-Unit Attached, 2012-0894 Moderate Density and LNC, Local Neighborhood Commercial Districts to UNC, Urban Neighborhood Commercial District certain property roughly bounded by Hamilton Avenue, Finance Street, North Homewood Ave and Zenith Way; changing from R1A-M, Residential Single-Unit Attached, Moderate Density District to R1A-VH, Residential Single-Unit Attached, Very High Density District certain property roughly bounded by Zenith Way, Hamilton Avenue, North Braddock Avenue, North Richland Street and Finance Street; and changing from UI, Urban Industrial District to R1A-VH, Residential Single-Unit Attached, Very High Density District certain property roughly bounded by Alsace Way, Brushton Avenue, Rosedale Street and Susquehanna Street; all in the Allegheny County Block and Lot System, 13th Ward.

REVEREND RICKY V. BURGESS SPONSOR(S):

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

- Votes: Ayes: 8 Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. Peduto, Ms. Rudiak and Mrs. Smith Noes: 0 Abstentions: 0 Absent: 1 - Mr. O'Connor
- Bill No. Resolution further amending and supplementing Resolution No. 855 of 2011, entitled adopting and approving the 2012 capital budget by reducing various inactive projects 2013-1057 and adding DPW-Bloomfield Deck Hockey, \$74,924.55; Hispanic Chamber of Commerce, \$10,000; and Shadyside Chamber of Commerce - Bike Corral, \$5,000 in Council District 8 Neighborhood Needs.
 - WILLIAM PEDUTO **SPONSOR(S):**

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

 Ayes: 8 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. Peduto, Ms. Rudiak and Mrs. Smith Noes: 0 Abstentions: 0 Absent: 1 - Mr. O'Connor
Resolution amending Resolution No. 544, effective September 21, 2012, entitled, "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 residents of the City of Pittsburgh, so as to reprogram funds within City Council from: "Greenfield Organization" (-\$10,000.00), "Arlington Civic Council" (-\$2,000.00) and transfer these funds to "Hazelwood Initiative" (+\$10,000.00) and "South Side Chamber of Commerce" (+\$2,000.00). SPONSOR(S): BRUCE A. KRAUS AND COREY O'CONNOR
A motion was made that this matter be Passed Finally. The motion carried by the following vote:
 Ayes: 8 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. Peduto, Ms. Rudiak and Mrs. Smith Noes: 0 Abstentions: 0 Absent: 1 - Mr. O'Connor
Resolution amending Resolution No. 713, effective November 28, 2012, entitled: Amending the Capital Budget and providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 2012 Community Development Block Grant Program; providing for the execution of grant contracts and for the filing of other data providing for required assurances; providing for execution of payment vouchers on letter of credit and for certification of authorized signature; the deposit of the funds in a bank account and providing for the payment of expenses within categories, so as to reprogram funds within City Council, within the Mayor's Office and to transfer funds from Public Works to the Law Department from: City Council: "Greenfield Organization" (-\$10,000.00), "Arlington Civic Council" (-\$2,000.00) and transfer these funds to "Hazelwood Initiative" (+\$10,000.00) and "South Side Chamber of Commerce" (+\$2,000.00). Mayor's Office: "City Source" (-\$4,000.00) -\$5,000.00 and transfer these funds to "Prime Stage Theatre" (+\$4,000.00). +\$5,000.00, Public Works: "Building Improvement Program: (-\$250,000.00) and transfer these funds to the Law Department "Disparity Study Update" (+\$250,000.00).
otes:

RICKY V. BURGESS

		A motion was made that this matter be Passed Finally. The motion carried by the following vote:
	Votes:	Ayes: 8 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. Peduto, Ms. Rudiak and Mrs. Smith Noes: 0 Abstentions: 0 Absent: 1 - Mr. O'Connor
Bill No. 2013-1106		Resolution amending Resolution 363, approved May 25, 2010, providing for the implementation of a Residential Parking Permit Program (RPPP) Area "A", in the Central Lawrenceville area (Council District #7) to expand the district to include additional streets pursuant to Pittsburgh Code Chapter 549.
		A motion was made that this matter be Passed Finally. The motion carried by the following vote:
	Votes:	Ayes: 8 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. Peduto, Ms. Rudiak and Mrs. Smith Noes: 0 Abstentions: 0 Absent: 1 - Mr. O'Connor
Bill No. <u>2013-1107</u>		Resolution amending Resolution 85, approved February 28, 2012, providing for the implementation of a Residential Parking Permit Program (RPPP) Area "Y", in the Shadyside area (Council District #8) to expand the district to include additional streets pursuant to Pittsburgh Code Chapter 549.
		A motion was made that this matter be Passed Finally. The motion carried by the following vote:
	Votes:	Ayes: 8 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. Peduto, Ms. Rudiak and Mrs. Smith Noes: 0 Abstentions: 0 Absent: 1 - Mr. O'Connor
Bill No. <u>2013-1108</u>		Resolution amending Resolution 501, approved June 27, 2000, providing for the implementation of a Residential Parking Permit Program (RPPP) Area "P", in the Bluff/Uptown area (Council District #6) to expand the district to include additional streets pursuant to Pittsburgh Code Chapter 549.
		A motion was made that this matter be Passed Finally. The motion carried by the following vote:
	Votes:	Ayes: 8 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. Peduto, Ms. Rudiak and Mrs. Smith Noes: 0 Abstentions: 0 Absent: 1 - Mr. O'Connor

Bill No. 2013-1111		Resolution amending Resolution No. 712, Effective November 28, 2012, entitled: "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 residents of the City of Pittsburgh, so as to transfer funds within the Mayor's Office from: "City Source" (-\$4,000.00) -\$5,000.00 and transfer these funds to the "Prime Stage Theatre" (+\$4,000.00). +\$5,000.00 SPONSOR(S): REVEREND RICKY V. BURGESS
		A motion was made that this matter be Passed Finally. The motion carried by the following vote:
Bill No. <u>2013-1129</u>	Votes:	Ayes: 8 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. Peduto, Ms. Rudiak and Mrs. Smith Noes: 0 Abstentions: 0 Absent: 1 - Mr. O'Connor
		Resolution further amending and supplementing Resolution No. 855 of 2011, entitled "adopting and approving the 2012 capital budget and the 2012-2017 Capital Improvement Program" by transferring \$27,646.80 from District 1 Neighborhood Needs Projects and adding \$15,000 to Brighton Heights Citizens Federation, \$5,000 to Observatory Hill Inc., \$1,000 to Observatory Hill Inc. Newsletter, \$1,646.80 for flowers at Riverview Park, and \$5,000 to Summer Hill Citizens Council. SPONSOR(S): DARLENE HARRIS
		A motion was made that this matter be Passed Finally. The motion carried by the following vote:

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

COUNCILMAN PATRICK DOWD PRESENTS COMMITTEE ON INTERGOVERNMENTAL AFFAIRS

Bill No. 2013-1141	Report of the Committee on Intergovernmental Affairs for January 30, 2013 with an Affirmative Recommendation.
	A motion was made that this matter be Read, Received and Filed. The motion carried.
Bill No.	Requesting the approval of an inter-municipal transfer of restaurant liquor license,
<u>2012-1046</u>	License No. R-9623, from GM Lutsko, Inc 1212 Crawford Avenue, Duquesne, PA.
	15227 to Applicant The Cure Restaurant, LLC - 5336 Butler Street, Pittsburgh, PA

15201 (Lawrenceville) into the premises to be known as The Cure Restaurant, LLC pursuant to amended Pennsylvania Liquor Code, §4-461.

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

- Votes: Ayes: 8 Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. Peduto, Ms. Rudiak and Mrs. Smith Noes: 0
 Abstentions: 0
 Absent: 1 - Mr. O'Connor
- Bill No.Resolution approving Execution of a Contract For Disposition of Land By and2013-1054Between the Urban Redevelopment Authority of Pittsburgh and Ralph A. Falbo, Inc.,
for the sale of Parcel E2b (Block 29-P, Lot 350) in the 16th Ward of the City of
Pittsburgh in Redevelopment Area No. 55, South Water Street, Council District No. 3
(construction of residential building).

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

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

MOTIONS AND RESOLUTIONS

AT THE REQUEST OF COUNCILMAN R. DANIEL LAVELLE:

MOTION FOR A CABLECAST POST AGENDA Disucssion on ARTPGH and DESIGNPGH, the public art and urban design components of the City's Comprehensive Plan.

EXCUSE ABSENT MEMBERS - Mr. O'Connor

APPROVAL OF MINUTES

ADJOURNMENT

LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER