

# **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, November 19, 2013**

**10:00 AM**

**Council Chambers**

### **City Council**

**ONE-HUNDRED  
THIRTY-SEVENTH COUNCIL**

**Darlene M. Harris, President**

**Council Members: Rev. Ricky V. Burgess, 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

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

## PLEDGE OF ALLEGIANCE

## PROCLAMATIONS

Bill No.

[2013-2059](#)

THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby recognize the tragic human devastation brought to the Philippines by Typhoon Haiyan/Yolanda and the efforts of the Filipino American Association of Pittsburgh to encourage the City and region to give aid.

THEREFORE BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare Tuesday November 19, 2013 to be Filipino American Association of Pittsburgh Day and a Day of Typhoon Haiyan/Yolanda Awareness 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.

[2013-2060](#)

THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby commend Rothschild Doyno Collaborative's 25 years of commitment to improving our region socially and environmentally for their clients, our communities, and future generations of Pittsburgh.

THEREFORE BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare Thursday November 21, 2013 to be Rothschild Doyno Collaborative 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.

[2013-2061](#)

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby congratulate and commend Family Hope Connection of Jewish Family and Children's Services of Pittsburgh for their dedicated, impactful and passionate work which is recognized during National Adoption Month in the month of November 2013 ; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare November 19, 2013 to be "FAMILY HOPE CONNECTION" 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.**

Bill No.

[2013-2062](#)

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh stands with workers to protect our collective rights from corporate encroachment, especially since other large corporations like Costco, Nordstrom, Burlington Coat Factory, and more have publicly confirmed their commitment to respecting workers, families, and our society by remaining closed on Thanksgiving; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby oppose the Darden Corporation's choice to force Capital Grille's employees to work on Thanksgiving and to do so without holiday pay; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh supports the employees of Capital Grille and the Restaurant Opportunities Center of Pittsburgh as they speak up together to advocate for fair standards in the restaurant industry.

**SPONSOR(S): NATALIA RUDIAK AND ALL MEMBERS**

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

Bill No.

[2013-2063](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend and applaud JoAnne Heffron-Hannah for her service to the community; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, November 19, 2013, to be "JoAnn Heffron-Hannah 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.

[2013-2064](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize CONNECT for its unwavering commitment for improving inter-municipal cooperation and creating a better life for the citizens of our region; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare November 21, 2013 "CONNECT 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.

[2013-2065](#)

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby recognize and honor the Himmelstein family for its role in developing the trail system in Riverview Park, and for bringing joy to countless Pittsburghers who visited the family dairy farm and horse stables; and

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare Tuesday, November 19, 2013 to be "Himmelstein Family Day" in the City of Pittsburgh.

**SPONSOR(S): DARLENE M. HARRIS AND ALL MEMBERS**

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

Bill No.

[2013-2066](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend ECAN, and the Carnegie Libraries of Pittsburgh for having this special Health Awareness Event; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare the week of November 24 through November 30, 2013 to be “GERD Awareness 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.

[2013-2067](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby declare November 17, 2013 to be “Warren United Methodist Church” 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.**

## **PUBLIC COMMENTS**

## **PRESENTATION OF PAPERS**

### **COUNCILMAN REV. RICKY V. BURGESS PRESENTS:**

Bill No.

[2013-2051](#)

Resolution making appropriations to pay the expenses of conducting the Public Business of the City of Pittsburgh and for meeting the debt charges thereof for the Fiscal Year, beginning January 1, 2014

**SPONSOR(S): REVEREND RICKY V. BURGESS**

**Read and referred to Committee on Finance and Law**

Bill No.

[2013-2052](#)

Resolution fixing the number of officers and employees of the City of Pittsburgh, and the rate of compensation thereof, and setting minimum levels for designated positions.

**SPONSOR(S): REVEREND RICKY V. BURGESS**

**Read and referred to Committee on Finance and Law**

Bill No.

[2013-2053](#)

Resolution adopting and approving the 2014 Capital Budget and the 2014 Community Development Block Grant Program; and approving the 2014 through 2019 Capital Improvement Program.

**SPONSOR(S): REVEREND RICKY V. BURGESS**

**Read and referred to Committee on Finance and Law**

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

Bill No.

[2013-2046](#)

Resolution amending Resolution No. 435, approved June 25, 2013, providing for the implementation of a Residential Parking Permit Program (RPPP) Area “CC” in the Southside Flats community (Council District #3) to expand the area to include

additional addresses pursuant to the Pittsburgh Code Chapter 549.

**Read and referred to Committee on Land Use and Economic Development**

Bill No.

[2013-2047](#)

Resolution amending Resolution No. 810 approved December 4, 2001 providing for the implementation of the Residential Parking Permit Program (RPPP) Area “W” in the Crawford-Roberts community (Council Districts #6) to expand the district to include additional addresses pursuant to Pittsburgh Code Chapter 549.

**Read and referred to Committee on Land Use and Economic Development**

**COUNCIL PRESIDENT DARLENE M. HARRIS PRESENTS:**

Bill No.

[2013-2048](#)

Resolution renaming the former Overlook Trail located in Riverview Park as the Himmelstein Trail and erecting a standard trail sign along Riverview Drive.

**SPONSOR(S): DARLENE M. 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 Committee on Urban Recreation. The motion carried.**

Bill No.

[2013-2049](#)

Resolution approving execution of a Contract for Disposition by Sale of Land by and between the Urban Redevelopment Authority of Pittsburgh and Smithfield Oliver Partners, LP for the sale of Block 2-A, Lots 124 & 127 and Block 2-E, Lot 4, situated in the 2nd Ward of the City of Pittsburgh in the 2nd Ward of the City of Pittsburgh, Council District No.6 (Commercial Development).

**Read and referred to Committee on Intergovernmental Affairs**

Bill No.

[2013-2050](#)

Resolution authorizing a Cooperation Agreement between the City of Pittsburgh and the Urban Redevelopment Authority of Pittsburgh to divert 75% of the incremental parking taxes, up to \$7,000,000, in order to fund a portion of the redevelopment of the former Saks Building into the 350 Oliver Project. (Council District 6)

**Read and referred to Committee on Intergovernmental Affairs**

Bill No.

[2013-2054](#)

Resolution amending Resolution No. 339, effective May 17, 2013, 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 for the benefit of residents of the City of Pittsburgh; and further, authorizing various City departments to enter into a contract or contracts or use existing contracts for street paving, the purchase of equipment and/or furniture and other related costs, at a cost not to exceed \$800,000.00, so as to reprogram funds in City Council from: “DPW-Flowers for Riverview Park Entrance” (-\$2,000.00) and transfer these funds to “Sarah Heinz House” (+\$2,000.00).

**SPONSOR(S): DARLENE M. HARRIS**

**Read and referred to Committee on Land Use and Economic Development**

Bill No.

[2013-2055](#)

Resolution amending Resolution No. 340, effective May 17, 2013, entitled: by 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 2007 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 in City Council from: "DPW-Flowers for Riverview Park Entrance" (-\$2,000.00) and transfer these funds to "Sarah Heinz House" (+\$2,000.00).

**SPONSOR(S): DARLENE M. HARRIS**

**Read and referred to Committee on Land Use and Economic Development**

Bill No.

[2013-2056](#)

Resolution amending Resolution No. 424, effective June 20, 2013, entitled: Resolution 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 2008 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 in City Council from: "District 1 Equipment" (-\$13,000.00) and transfer these funds to "Sarah Heinz House" (+ \$8,000.00), and "The Wheel Mill" (+\$5,000.00).

**SPONSOR(S): DARLENE M. HARRIS**

**Read and referred to Committee on Land Use and Economic Development**

Bill No.

[2013-2057](#)

Resolution amending Resolution No. 425, effective June 20, 2013, entitled: Resolution 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 2008 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 in City Council from: "District 1 Equipment" (-\$13,000.00) and transfer these funds to "Sarah Heinz House" (+ \$8,000.00), and "The Wheel Mill" (+\$5,000.00).

**SPONSOR(S): DARLENE M. HARRIS**

**Read and referred to Committee on Land Use and Economic Development**

Bill No.

[2013-2058](#)

Resolution amending Resolution 612, effective 9-24-2013, entitled, "Resolution requesting the approval of an inter-municipal transfer of restaurant liquor license, License No. R-4496 from The Estate of Gloria B. Payne, 7714 Edgewood Avenue, Swissvale, PA 15218, to the Applicant, PAFC, Ltd., for the premises located at 308 Forbes Avenue, Pittsburgh, PA 15222, pursuant to amended Pennsylvania Liquor Code, §4-461" by changing the name of the Applicant from PAFC, Ltd. to Penn Avenue Fish Company, Inc.

**SPONSOR(S): DARLENE M. 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 Committee on Intergovernmental Affairs. The motion carried.**

## **UNFINISHED BUSINESS**

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

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

Bill No. [2013-2043](#) Report of the Committee on Finance and Law for November 13, 2013 with an Affirmative Recommendation.

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

Bill No. [2013-1958](#) Ordinance supplementing the Pittsburgh Code, Title One, Administrative, Article VII, Procedures, by adding language in Section 161.27 Reports on City Council Grants.

**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: 6 - Rev. Burgess, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak and Mrs. Smith  
Noes: 1 - Mr. Kraus  
Abstentions: 0  
Out of Room: 1 - Mr. Peduto

Bill No. [2013-2018](#) Resolution authorizing the issuance of a warrant in the total sum of \$2,802.50 to Babst, Calland, Clements & Zomnir, PC, Two Gateway Center, 603 Stanwix Street, 7th Floor, Pittsburgh, PA 15222 for professional consulting services in connection with zoning, planning and land use matters.

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

**Votes:** Ayes: 7 - Rev. Burgess, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak and Mrs. Smith  
Noes: 0  
Abstentions: 0  
Out of Room: 1 - Mr. Peduto

Bill No. [2013-2019](#) Resolution authorizing the Mayor and the City Solicitor to enter into an agreement or agreements with Burns White, 4 North Shore Center, 106 Isabella Street, Pittsburgh, PA 15212 for expert consultant services related to Beech Construction, Inc. v. City of

Pittsburgh, et al. at GD No. 13-007626., at a cost not to exceed Thirteen Thousand Dollars and No Cents (\$13,000.00).

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

**Votes:** Ayes: 7 - Rev. Burgess, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak and Mrs. Smith  
Noes: 0  
Abstentions: 0  
Out of Room: 1 - Mr. Peduto

### **COUNCILMAN COREY O'CONNOR PRESENTS COMMITTEE ON URBAN RECREATION:**

Bill No. [2013-2044](#) Report of the Committee on Urban Recreation for November 13, 2013 with an Affirmative Recommendation.

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

Bill No. [2013-2020](#) Resolution authorizing the Mayor and the Directors of the Department of Parks and Recreation and Public Works to enter into a Project Assistance and Reimbursement Agreement with the Pittsburgh Parks Conservancy in connection with its provision of design review and funding for consulting services relating to the City's restoration of the Schenley Park Westinghouse Memorial Pond.

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

**Votes:** Ayes: 7 - Rev. Burgess, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak and Mrs. Smith  
Noes: 0  
Abstentions: 0  
Out of Room: 1 - Mr. Peduto

### **COUNCIL PRESIDENT DARLENE M. HARRIS PRESENTS COMMITTEE ON INTERGOVERNMENTAL AFFAIRS**

Bill No. [2013-2045](#) Report of the Committee on Intergovernmental Affairs for November 13, 2013 with an Affirmative Recommendation.

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

Bill No. [2013-2022](#) Resolution adopting Plan Revision to the City of Pittsburgh's Official Sewage Facilities Plan for Uptown Lofts on Fifth - South Building, located at 2076 Fifth Avenue, Pittsburgh, Pennsylvania 15219.

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



**Votes:** Ayes: 7 - Rev. Burgess, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak and Mrs. Smith  
Noes: 0  
Abstentions: 0  
Out of Room: 1 - Mr. Peduto

Bill No.

[2013-2023](#)

Resolution adopting Plan Revision to the City of Pittsburgh's Official Sewage Facilities Plan for Uptown Lofts on Fifth - North Building, located at 2015 Fifth Avenue, Pittsburgh, Pennsylvania 15219.

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

**Votes:** Ayes: 7 - Rev. Burgess, Mrs. Harris, Mr. Kraus, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak and Mrs. Smith  
Noes: 0  
Abstentions: 0  
Out of Room: 1 - Mr. Peduto

## **MOTIONS AND RESOLUTIONS**

### **EXCUSE ABSENT MEMBERS - NONE**

### **APPROVAL OF MINUTES**

### **ADJOURNMENT**

### **LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER**