

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, September 9, 2014

10:00 AM

Council Chambers

City Council

**ONE-HUNDRED
THIRTY-EIGHTH COUNCIL**

Bruce A. Kraus, President of Council

**Council Members: Rev. Ricky V. Burgess, Dan Gilman, Deborah L. Gross, Darlene M. Harris,
R. Daniel Lavelle, Corey O'Connor, Natalia Rudiak, Theresa Kail-Smith**

Mary Beth Doheny, City Clerk

ROLL CALL

Present: 9 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith and Mr. Kraus

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Bill No. [2014-0762](#) BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, September 9, 2014, to be ROSETTA AND MARIO GIGLIOTTI, SR. 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.

Bill No. [2014-0763](#) BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Saturday, September 27, 2014, to be “NPFWPA Moving Day” in the City of Pittsburgh.

SPONSOR(S): THERESA KAIL-SMITH AND ALL MEMBERS

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

Bill No. [2014-0764](#) NOW, THEREFORE, BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare Tuesday, September 9th, 2014 to be National Alcohol and Drug Addiction Recovery Month Day in the City of Pittsburgh and encourages all citizens to recognize treatment and recovery support programs throughout the rest of this year and beyond.

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

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

Bill No. [2014-0765](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby declare September 9, 2014 to be “Urban Pathways' Ringing in Reading 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. [2014-0766](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby declare September 9, 2014 to be “National Diaper Awareness 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. [2014-0767](#) BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare Saturday, September 13, 2014, to be “German Heritage Parade Day” in the City of Pittsburgh. *Glück Auf!*

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

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

Bill No. BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby
[2014-0768](#) declare Tuesday, September 9, 2014 to be “Health South Harmarville 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. THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does
[2014-0769](#) hereby declare Friday, September 5th through Sunday, September 7th, 2014, to be “Brookline Unveiled Weekend” in the City of Pittsburgh.

SPONSOR(S): NATALIA RUDIAK AND ALL MEMBERS

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

PUBLIC COMMENTS

PRESENTATION OF PAPERS

COUNCILWOMAN DARLENE M. HARRIS PRESENTS:

Bill No. Resolution providing for a Contract or Contracts with Qscend Technologies, Inc. for
[2014-0758](#) the purchase of Constituent Relationship Management (CRM) software services necessary for the operations of the City's 311 Response Line for a period of three years (2014, 2015, 2016 and 2017)

Read and referred to Committee on Performance and Asset Management

Bill No. Resolution realigning a total of \$30,080 between City Council and the City Clerk's
[2014-0759](#) Office.

SPONSOR(S): DARLENE M. HARRIS AND R. DANIEL LAVELLE

Read and referred to Committee on Finance and Law

COUNCILMAN R. DANIEL LAVELLE PRESENTS:

Bill No. Resolution authorizing the Director of Public Safety and the Acting Chief of Police, on
[2014-0757](#) behalf of the City of Pittsburgh, to enter into a grant agreement with The Pittsburgh Foundation (Grant Agreement) in order to establish the Officer Rocco K-9 Memorial Fund (Fund).

Read and referred to Committee on Public Safety Services

Bill No. An Ordinance amending the Pittsburgh Code, Title I--Administrative, Article VII,
[2014-0761](#) Chapter 161--Contracts, Section 161.33-Required Provisions in Certain Construction Contracts, repealing Section 161.33 in its entirety and adding a new Section 161.33; requiring a certain percentage of all project work hours on City of Pittsburgh public works projects and development projects to be performed by Pittsburgh residents and disadvantaged Pittsburgh residents; providing for enforcement, due process, and penalties for violations; and establishing a trust fund to provide operating support for implementation, oversight and neighborhood-based first source employment referral

centers.

SPONSOR(S): R. DANIEL LAVELLE

Read and referred to Committee on Finance and Law

COUNCILWOMAN NATALIA RUDIAK PRESENTS:

Bill No. Resolution providing for the issuance of a warrant in the total sum of Fifty Thousand Dollars (\$50,000.00) in favor of Charles Bonasorte and his attorneys, Maurice A. Nernberg and Associates, 301 Smithfield Street, Pittsburgh, PA 15219, releasing and discharging the City of Pittsburgh from all claims of liability and damages arising in the action filed in the Court of Common Pleas of Allegheny County, Pennsylvania at GD 13-008003, an alleged de facto taking and the separate negligence action filed at GD 13-007064 for property damage arising from a rainfall that occurred on or about August 19, 2011, near Elyria Way (a City right-of-way), chargeable to and payable from Organization 11101.58.58105.108000.2014.

[2014-0755](#)

Read and referred to Committee on Finance and Law

Bill No. Resolution authorizing the issuance of warrants in the total sum of \$100,000.00, payable as follows: \$99,957.00, in favor of Robyn Kitt, c/o Timothy P. O'Brien, Esquire, 1705 Allegheny Building, 429 Forbes Avenue, Pittsburgh, PA 15219 and \$43.00 in favor Jordan Tax Service, releasing and discharging the City of Pittsburgh, Nate Harper, Michael Huss and William Bochter from direct liability in any and all claims in the United States District Court for the Western District of Pennsylvania filed at 2:14-cv-00065, and arising from an alleged incident on February 11, 2012 and described more fully in plaintiff's complaint in civil action.

[2014-0756](#)

Read and referred to Committee on Finance and Law

COUNCILMAN BRUCE A. KRAUS PRESENTS:

Bill No. Resolution appointing Kimberly D. Clark to serve as Deputy City Clerk for a three year term.

[2014-0760](#)

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

UNFINISHED BUSINESS

REPORTS OF COMMITTEE - FINAL ACTION

COUNCILWOMAN NATALIA RUDIAK PRESENTS COMMITTEE ON FINANCE AND LAW

Bill No. Report of the Committee on Finance and Law for September 3, 2014 with an Affirmative Recommendation.

[2014-0752](#)

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

Bill No. Resolution providing for an agreement for payment of Audit expenses to the Allegheny
[2014-0718](#) County Central Tax Collection District related to tax collection. Cost not to exceed
\$13,350.00.

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

Votes: Ayes: 8 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith and Mr. Kraus
Noes: 0
Abstentions: 0
Out of Room: 1 - Mr. Lavelle

Bill No. Resolution authorizing the Mayor and the Director of the Department of Finance and
[2014-0719](#) the Director of the Office of Management and Budget to enter into an Agreement with GovDeals, Inc. for professional services related to the online auctioning of surplus city vehicles and miscellaneous city equipment and collecting such payments on the City's behalf.

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

Votes: Ayes: 8 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith and Mr. Kraus
Noes: 0
Abstentions: 0
Out of Room: 1 - Mr. Lavelle

COUNCILWOMAN THERESA KAIL-SMITH PRESENTS COMMITTEE ON PUBLIC WORKS

Bill No. Report of the Committee on Public Works for September 3, 2014 with an Affirmative
[2014-0753](#) Recommendation.

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

Bill No. Resolution authorizing the Mayor and/or the Director of The Office of Management
[2014-0730](#) and Budget and/or the Director of the Department of Public Works, on behalf of the City of Pittsburgh, to enter into a grant agreement with the Commonwealth of Pennsylvania Department of Transportation for the purpose of receiving grant funds that will be used for implementation and procurement of materials to establish the "Bike Share Program" and to thereafter enter into an Agreement or Agreements with various for-profit corporations and non-profit agencies to accept any grant funds offered to the City for this program and further providing for legitimate expenditures for payments and agreement or agreements, or contract or contracts for any services required in connection with the expenditure of said grant funds per the original intent of the grant award. Said agreement or agreements, contract or contracts or expenditures shall not exceed \$3,000,000.00.

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

Votes: Ayes: 8 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith and Mr. Kraus
Noes: 0
Abstentions: 0
Out of Room: 1 - Mr. Lavelle

Bill No.

[2014-0731](#)

Resolution providing for securing a right-of-way in connection with the rehabilitation of the Greenfield Avenue Bridge; also providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; also authorizing the taking, appropriating and condemning by the City of Pittsburgh, for the purpose of construction, inspection, maintenance, repair, reconstruction and alteration; authorizing the execution and filing of a Declaration of Taking and related documents, the payment of just compensation and necessary and incidental acquisition costs related thereto; in lieu of foreclosure, gift, dedication, condemnation/eminent domain pursuant to PA Tax Code, which is Section 91.193(b)(1); and further providing for the payment of the costs thereof, at a cost not to exceed \$378,901.57.

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

Votes: Ayes: 8 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith and Mr. Kraus
Noes: 0
Abstentions: 0
Out of Room: 1 - Mr. Lavelle

Bill No.

[2014-0732](#)

Resolution authorizing the Mayor and the Director of the Department of Public Works to enter into a Temporary License and Cooperation Agreement with the Borough of Dormont to permit the City's Department of Public Works to resurface McNeilly Avenue.

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

Votes: Ayes: 8 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith and Mr. Kraus
Noes: 0
Abstentions: 0
Out of Room: 1 - Mr. Lavelle

Bill No.

[2014-0733](#)

Resolution authorizing and directing the issuance of a Warrant to WM Recycle America., in the amount of One hundred thirty seven thousand nine hundred sixty nine dollars and seven cents, (\$137,969.07), in payment for emergency recycling collection and disposition, for the months of April through July 2014, resulting from the prior contracted vendor ceasing operations.

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

Votes: Ayes: 8 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith and Mr. Kraus
Noes: 0
Abstentions: 0
Out of Room: 1 - Mr. Lavelle

Bill No.

[2014-0734](#)

Resolution granting unto 600 William Penn Place Associates Landlord, L.P. C/O PMC Property Group, 1608 Walnut Street, Suite 1400, Philadelphia, PA 19103, their successors and assigns, an encroachment to construct, maintain and use at their own cost and expense, a new entry canopy, steps and wall on the sidewalk area of William Penn Place for 620 William Penn Place in the 2nd Ward, 6 Council District of the City of Pittsburgh.

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

Votes: Ayes: 8 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith and Mr. Kraus
Noes: 0
Abstentions: 0
Out of Room: 1 - Mr. Lavelle

COUNCILWOMAN DEBORAH L. GROSS PRESENTS COMMITTEE ON LAND USE & ECONOMIC DEVELOPMENT

Bill No.

[2014-0754](#)

Report of the Committee on Land Use and Economic Development for September 3, 2014 with an Affirmative Recommendation.

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

Bill No.

[2014-0691](#)

Resolution amending Resolution No. 138, effective April 2, 2014, entitled: Resolution 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, at a cost not to exceed \$918,650.00; so as to transfer funds in City Council from: "Parks and Recreation" (-\$2,976.74), and transfer these funds to "Neighborhood Learning Alliance" (+\$2,976.74).

SPONSOR(S): THERESA KAIL-SMITH

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

Votes: Ayes: 8 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith and Mr. Kraus
Noes: 0
Abstentions: 0
Out of Room: 1 - Mr. Lavelle

Bill No.

[2014-0692](#)

Resolution amending Resolution No. 139, effective April 2, 2014, entitled: 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 2010 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 transfer funds in City Council from: "Parks and Recreation" (-\$2,976.74), and transfer these funds to "Neighborhood Learning Alliance" (+\$2,976.74).

SPONSOR(S): THERESA KAIL-SMITH

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

Votes: Ayes: 8 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith and Mr. Kraus
Noes: 0
Abstentions: 0
Out of Room: 1 - Mr. Lavelle

Bill No.

[2014-0693](#)

Resolution amending Resolution No. 404, effective June 17, 2014, entitled: Resolution 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 the residents of the City of Pittsburgh, at a cost not to exceed \$940,000.00; : so as to reprogram funds from: "Salvation Army - West Side Corp." (-\$5,000.00) and "Youth Places-Hurricanes Youth Athletic Association" (-\$10,000.00); and transfer these funds to "Neighborhood Learning Alliance" (+\$15,000.00).

SPONSOR(S): THERESA KAIL-SMITH

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

Votes: Ayes: 8 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith and Mr. Kraus
Noes: 0
Abstentions: 0
Out of Room: 1 - Mr. Lavelle

Bill No.

[2014-0694](#)

Resolution amending Resolution #402, effective June 17, 2014, 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 2014 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 transfer funds in City Council from: "Salvation Army - West Side Corp." (-\$5,000.00) and "Youth Places-Hurricanes Youth Athletic Association" (-\$10,000.00) and transfer these funds to "Neighborhood Learning Alliance" (+\$15,000.00).

SPONSOR(S): THERESA KAIL-SMITH

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

Votes: Ayes: 8 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mrs. Harris, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith and Mr. Kraus
Noes: 0
Abstentions: 0
Out of Room: 1 - Mr. Lavelle

MOTIONS AND RESOLUTIONS

EXCUSE ABSENT MEMBERS - NONE

APPROVAL OF MINUTES

ADJOURNMENT