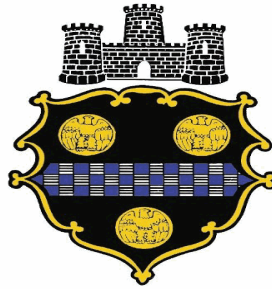


City of Pittsburgh

*510 City-County Building
414 Grant Street
Pittsburgh, PA 15219*



Meeting Minutes

Tuesday, December 2, 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 - Kimberly Clark-Baskin, Deputy City Clerk

A. 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

B. PLEDGE OF ALLEGIANCE**C. PROCLAMATIONS**[2014-1109](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize the Pittsburgh Polar Plunge for its outstanding work in giving individuals with intellectual disabilities the opportunity to develop physical fitness, demonstrate courage, and foster unique friendships and memories that extend well beyond the playing field; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare December 6, 2014 to be “Pittsburgh Polar Plunge Day” in the City of Pittsburgh.

SPONSOR /S: MR. GILMAN AND ALL MEMBERS

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

Enactment No: 810

[2014-1110](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize and commend New Voices Pittsburgh for 10 trailblazing years of leading the fight for reproductive justice throughout our region; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare December 4, 2014 to be “New Voices Pittsburgh Day” in the City of Pittsburgh.

SPONSOR /S: MR. GILMAN AND ALL MEMBERS

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

Enactment No: 811

[2014-1111](#)

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby urge all city residents to be aware of the dangers associated with impaired and distracted driving, and wishes to commend ***MADD*** on their vital advocacy for the families and victims of impaired driving crashes; and,

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare ***December, 2014*** to be ***Impaired Driving Prevention Month*** in the City of Pittsburgh.

SPONSOR /S: MR. KRAUS AND ALL MEMBERS

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

Enactment No: 812

[2014-1112](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend and affirm its commitment to human rights by recognizing the 12th of October as “Indigenous Peoples' Day” in order to promote tolerance, understanding and friendship, and to overcome prejudice and eliminate discrimination stemming from colonization; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh will work with residents to educate our community, include the teaching of indigenous peoples' history as recommended Indigenous communities in our public schools, and to achieve a Resolution that more formally recognizes and officially celebrates Indigenous Peoples' Day.

SPONSOR /S: REV. BURGESS AND ALL MEMBERS

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

Enactment No: 813

[2014-1113](#)

NOW THEREFORE BE IT RESOLVED, that the City Council of Pittsburgh congratulates Sarah Pesi upon her richly deserved successes and affirmatively states that she is a shining example of community spirit and civic engagement, which will surely inspire other teens to follow in her footsteps in their pursuit of social justice.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare December 2, 2014 to be “Sarah Pesi Day” in the City of Pittsburgh.

SPONSOR /S: MR. GILMAN AND ALL MEMBERS

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

Enactment No: 814

[2014-1114](#)

BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize and extend deep appreciation to all nominated Pittsburgh Protectors for their selfless commitment to the community and congratulates the Albert Anthony Real Estate family for creating this recognition; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby recognize and commend **Pittsburgh Protector of the Year Officer Jim Kuzak**, who put his life on the line while serving his community, and wishes him a speedy recovery.

SPONSOR /S: MR. O'CONNOR AND ALL MEMBERS

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

Enactment No: 815

[2014-1115](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize and commend **Amnesty International Pittsburgh Local Group 39** for its remarkable work to promote human rights and supports the Human Rights Festival, Write-A-Thon and Candle Lighting.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare December 8, 2014, to be **"AMNESTY INTERNATIONAL PITTSBURGH HUMAN RIGHTS FESTIVAL AND WRITE-A-THON DAY"** in the City of Pittsburgh.

SPONSOR /S: MR. O'CONNOR AND ALL MEMBERS

Enactment No: 816

[2014-1116](#)

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby commend and celebrate the work of the University of Pittsburgh Medical Center, Division of Surgical Oncology, and hereby designates **Thursday, November 20th, 2014** to be **Pancreatic Cancer Awareness Day** in the City of Pittsburgh.

SPONSOR /S: MR. KRAUS AND ALL MEMBERS

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

Enactment No: 817

D. PUBLIC COMMENTS

E. PRESENTATION OF PAPERS

COUNCILMAN REVEREND RICKY V. BURGESS PRESENTS:

[2014-1101](#) Resolution to amend Resolution No. 36 of 2012, "Providing for a professional service agreement or agreements for professional services in connection with the administration of the City of Pittsburgh's Flexible Spending Account program," by increasing the total cost from \$17,238.00 to \$18,674.49 and extending the contract through the first quarter of 2015.

Enactment No: 870

[2014-1102](#) Resolution providing that the City of Pittsburgh enter into a Professional Services Agreement(s) and/or Contract(s) with Towers Watson for on-going health and welfare benefit plans consulting services to the City of Pittsburgh and providing for payment of the cost thereof not to exceed \$1,015,729.16.

Enactment No: 871

[2014-1103](#) Resolution providing that the City of Pittsburgh enter into a Professional Services Agreement(s) and/or Contract(s) with Towers Watson for Workers' Compensation Program Audit and Consulting services to the City of Pittsburgh and providing for payment of the cost thereof not to exceed \$330,000.00.

Enactment No: 872

COUNCILMAN DAN GILMAN PRESENTS:

[2014-1105](#) Resolution authorizing the execution of a cooperation agreement or agreements with the Urban Redevelopment Authority of Pittsburgh providing for a grant of up to \$30,000 from URA to the City of Pittsburgh for the West End Hydrological Study. (Council District 2)

Enactment No: 102

COUNCILWOMAN DARLENE M. HARRIS PRESENTS:

[2014-1107](#) Ordinance amending the Pittsburgh City Code at Title 6: Conduct, Article III: - Dogs, Cats and Other Animals, Chapter 633 Dog and Cats, by amending section 633.10 Shelters providing for and setting forth requirements for outdoor shelters for dogs; and, penalty for violation.

SPONSOR /S: MRS. HARRIS

Enactment No: 35

[2014-1108](#) Ordinance amending the Pittsburgh City Code at Title 6: Conduct, Article III: - Dogs, Cats And Other Animals, Chapter 633 Dogs and Cats, by adding a new section at 633.23, providing for the manner by which a dog may be tethered; and, kept outdoors in severe weather conditions.

SPONSOR /S: MRS. HARRIS

Enactment No: 36

COUNCILWOMAN NATALIA RUDIAK PRESENTS:

[2014-1095](#) ORDINANCE amending and supplementing the City Code at Title Five: Traffic, Article VII: Parking, Chapter 543: Parking Meters, so as to enable dynamic pricing in certain neighborhoods.

Enactment No: 34

[2014-1096](#) Resolution amending Resolution 130 of 2011 to authorize the Mayor and the Director of Finance, on behalf of the City of Pittsburgh, to enter into an **Amendment to Parking Agreements** to amend existing designated Meter Revenue and Cooperation Agreements between the City of Pittsburgh and the Pittsburgh Public Parking Authority for the purpose of dedicating revenue generated by increased parking meter rates to the City and to further document updates to the Parking Court Cooperation Agreement, the Mellon Square Garage Lease, and the Monongahela Wharf Lease.

Enactment No: 865

[2014-1097](#) Resolution authorizing the Mayor to enter into an agreement or agreements in an amount not to exceed Fifty Thousand Dollars (\$50,000) with Jackson/Clark Partners, to facilitate, document, and manage Welcoming Pittsburgh's 40-member Advisory Council process.

Enactment No: 866

[2014-1098](#) Resolution authorizing the Mayor and the Director of Finance to enter into an Agreement or Agreements with Penn Credit Corporation for the purpose of performing collection of delinquent taxes, fines, penalties and interest for the City of Pittsburgh.

Enactment No: 867

[2014-1099](#) Resolution approving execution of a Quit Claim Deed by and between the City of Pittsburgh and Pittsburgh Board of Education for Disposition of Three Taxing Body Parcels, Block 7-B-Lots 207B, 207C, 208A & 212, in the 21st Ward of the City of Pittsburgh.

Enactment No: 868

COUNCILWOMAN THERESA KAIL-SMITH PRESENTS:

- [2014-1100](#) Resolution accepting the dedication by the Urban Redevelopment Authority (URA) of Pittsburgh of portions of Princeton Place and Kalida Drive in Liberty Park, Phase II for public highway purposes, fixing the width and position of the roadways and sidewalks, accepting the grading, paving, curbing and traffic signals, in the 11th Ward, 9 Council District.
- Enactment No: 869

COUNCIL PRESIDENT BRUCE A. KRAUS PRESENTS:

- [2014-1106](#) Petition from the residents of the City of Pittsburgh requesting a Public Hearing with City Council regarding a Meet and Greet Informational Forum for the new Acting Chief of Police. The petition is invalid in accordance with the Home Rule Charter.
- A motion was made that this matter be Read, Received and Filed. The motion carried.**

F. UNFINISHED BUSINESS**G. REPORTS OF COMMITTEE - FINAL ACTION****COUNCILWOMAN NATALIA RUDIAK PRESENTS COMMITTEE ON FINANCE AND LAW**

- [2014-1091](#) Report of the Committee on Finance and Law for November 24, 2014 with an Affirmative Recommendation.
- A motion was made that this matter be Read, Received and Filed. The motion carried.**
- [2014-1010](#) Resolution amending and supplementing Resolution 273 of 2009, entitled "Resolution providing for an agreement between the City of Pittsburgh ("City") and the County of Allegheny ("County") for the continued assumption by the County of purchasing activities on behalf of the City which henceforth shall include service contracts (B contracts) and commodity purchases for the purchase of materials, general supplies, and equipment by the various Departments of the City of Pittsburgh for any or all Departments of the City of Pittsburgh; and providing for the payment of all costs thereof" so as to sunset the authorization

SPONSOR /S: MS. RUDIAK

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

Aye: 8 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith, and Mr. Kraus

No: 1 - Mrs. Harris

Abstain: 0

Enactment No: 822

[2014-1011](#)

Resolution providing for the City of Pittsburgh to participate in or purchase off contracts for goods, materials, services, construction, vehicles or equipment entered into by the U.S. General Services Administration, the Commonwealth of Pennsylvania, any Commonwealth of Pennsylvania County, City, Township, Municipality, Borough, Authority, Public Procurement Unit and the Pittsburgh School District for the 2015 fiscal year pursuant to the Pennsylvania Intergovernmental Cooperation Law, Act 57 of 1998 and Act 180 of 1972 as amended by Act 148 of 1986.

SPONSOR /S: MS. RUDIAK

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

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

No: 0

Abstain: 0

Enactment No: 823

[2014-1016](#)

Resolution authorizing the issuance of a warrant in the total sum of Three Thousand Eight Hundred Sixty-One Dollars and No Cents (\$3,861.00) to Buchanan Ingersoll & Rooney, P.C., One Oxford Centre, 301 Grant St., 20th Floor, Pittsburgh, PA 15219, for expert legal consulting services in connection with general labor advice and employment negotiations.

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

Aye: 8 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith, and Mr. Kraus

No: 0

Abstain: 1 - Mrs. Harris

Enactment No: 818

[2014-1017](#) Resolution authorizing the issuance of a warrant in the total sum of Fifteen Thousand Dollars and 00/100 (\$15,000.00), in favor of Timothy M. Joyce, c/o Charles F. Bowers, Esquire, Bowers, Ross and Fawcett, LLC, 820 Kennedy Drive, P.O. Box 280, Ambridge, PA, 15003, releasing and discharging Kenneth Simon, Anthony Scarpine and the City of Pittsburgh, from direct liability in any and all claims in the United States District Court for the Western District of Pennsylvania filed at 2:12-cv-334, and arising from an alleged incident on or about July 7, 2011 and described more fully in plaintiff's complaint in civil action.

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

Aye: 8 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith, and Mr. Kraus

No: 0

Abstain: 1 - Mrs. Harris

Enactment No: 819

[2014-1036](#) Resolution realigning a total of \$3,410,000 between various accounts within the 2014 Operating Budget. This transfer is necessary for the 2014 close in order to meet expenditures for the remainder of the fiscal year.

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

Aye: 8 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith, and Mr. Kraus

No: 1 - Mrs. Harris

Abstain: 0

Enactment No: 821

[2014-1037](#) Providing for the issuance of a warrant in the total sum of Five Thousand Dollars (\$5,000.00) in favor of Karen Lea Shapiro and her attorneys, Thomas M. Fallert, L.L.C., 1700 North Highland Road, Suite 207, Pittsburgh, Pennsylvania 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 08-26036, for a motor vehicle incident that occurred on August 29, 2007, on Craft Place, chargeable to and payable from Organization 11101.58.58105.108000.2014.

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

Aye: 8 - Rev. Burgess, Mr. Gilman, Ms. Gross, Mr. Lavelle, Mr. O'Connor, Ms. Rudiak, Mrs. Kail-Smith, and Mr. Kraus

No: 0

Abstain: 1 - Mrs. Harris

Enactment No: 820

[2014-1040](#)

Resolution further amending Res. 273 of 2011, entitled "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 the Neighborhood Needs; and providing for the payment of the costs thereof" by transferring \$15,000 from Neighborhood Needs Services to Childcare Needs Assessment.

SPONSOR /S: MS. GROSS, MRS. HARRIS, MRS. KAIL-SMITH AND MS. RUDIAK

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

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

No: 0

Abstain: 0

Enactment No: 826

[2014-1044](#)

Resolution entitled "Resolution calling on the Mayor's Blue Ribbon Panel on Early Education to create a subcommittee to discuss Child Care in the City of Pittsburgh.

SPONSOR /S: MS. RUDIAK, MS. GROSS, MRS. HARRIS AND MRS. KAIL-SMITH

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

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

No: 0

Abstain: 0

Enactment No: 824

COUNCILMAN R. DANIEL LAVELLE PRESENTS COMMITTEE ON PUBLIC SAFETY SERVICES

[2014-1092](#)

Report of the Committee on Public Safety Services for November 24, 2014 with an Affirmative Recommendation.

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

[2014-1043](#)

Ordinance amending the Pittsburgh Code at Title Five: Traffic, Article VII: Parking, Chapter 548: Valet Parking so as to clarify the Valet Parking Ordinance

SPONSOR /S: MR. GILMAN AND MR. KRAUS

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

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

No: 0

Abstain: 0

Enactment No: 25

COUNCILWOMAN THERESA KAIL-SMITH PRESENTS COMMITTEE ON PUBLIC WORKS

[2014-1093](#)

Report of the Committee on Public Works for November 24, 2014 with an Affirmative Recommendation.

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

[2014-1038](#)

Resolution vacating Omega Place and Reiter Street, in the 11th Ward, Council District 9 of the City of Pittsburgh.

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

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

No: 0

Abstain: 0

Enactment No: 827

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

[2014-1094](#)

Report of the Committee on Land Use and Economic Development for November 24, 2014 with an Affirmative Recommendation.

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

[2014-0916](#)

Ordinance amending the Pittsburgh Code, Title One: Administrative, Article V: Chapter 153 - City Clerk, by adding a new section requiring an institution of a calendar control system to track all zoning legislation sent to the planning commission for report and recommendation.

SPONSOR /S: MRS. HARRIS

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

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

No: 0

Abstain: 0

Enactment No: 24

[2014-1039](#)

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 reducing Neighborhood Needs Services by \$15,000 and adding that amount to Childcare Needs Assessment.

SPONSOR /S: MS. GROSS, MRS. HARRIS, MRS. KAIL-SMITH AND MS. RUDIAK

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

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

No: 0

Abstain: 0

Enactment No: 825

I. MOTIONS AND RESOLUTIONS

K. EXCUSE ABSENT MEMBERS - NONE

L. APPROVAL OF MINUTES

M. ADJOURNMENT

P LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER