City of Pittsburgh

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



Meeting Minutes

Tuesday, April 24, 2018 10:00 AM

Council Chambers

City Council

ONE-HUNDRED
FORTIETH COUNCIL

Bruce A. Kraus, President of Council

Council Members: Rev. Ricky V. Burgess, Anthony Coghill, Deborah L. Gross, Darlene M. Harris, R. Daniel Lavelle, Corey O'Connor, Theresa Kail-Smith, Erika Strassburger

Brenda F. Pree, City Clerk - Kimberly Clark-Baskin, Deputy City Clerk

ROLL CALL

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

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

2018-0414 NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize and commend Dollar Energy Fund for its commitment to provide assistance to those in our community who most need it and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Friday, April 19, 2018 to be "**DOLLAR ENERGY FUND DAY**"

in the City of Pittsburgh.

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

congratulates them on 35 years of successful service; and,

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

2018-0415 **NOW, THEREFORE BE IT RESOLVED** that the Council of the City of Pittsburgh does hereby recognize and commend those dedicated medical laboratory professionals and pathologists for their commitment and devotion to their profession;

and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare April 22-28, 2018, to be "**MEDICAL LABORATORY PROFESSIONALS WEEK**" in the City of Pittsburgh.

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

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

2018-0416 NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of

Pittsburgh congratulates Film Pittsburgh on reaching this monumental milestone and does hereby declare Tuesday, April 24th, 2018 to be "Film Pittsburgh 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.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby declare Friday, April 27th to be "South Hills High School All Sports Hall of Fame 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.

2018-0418

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby declare Saturday, April 28, 2018 to be "*DR. WANGARI MAATHAI DAY*" in the City of Pittsburgh.

SPONSOR /S: MR. LAVELLE AND ALL MEMBERS

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

2018-0349

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend Dr. Ozeaz for her work and dedication to the arts and education; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, April 24, 2018, to be "Natalie Ozeas Day" in the City of Pittsburgh.

SPONSOR /S: REV. BURGESS AND ALL MEMBERS

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

2018-0420

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes the impactful work of PERSAD Center for LGBTQ individuals and those affected by HIV/AIDS, as well as the outstanding efforts made by the organizing committee for the Art for Change event; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, April 24, 2018 to be "**PERSAD Art for Change Recognition Day**" in the City of Pittsburgh.

SPONSOR /S: MS. GROSS AND ALL MEMBERS

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

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend Nancy Griffith for her selfless work in making a difference in the life of a child; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare <u>Tuesday</u>, <u>April 24</u>, <u>2018</u>, to be "*Nancy Griffith Day*" in the City of Pittsburgh.

SPONSOR /S: MRS. KAIL-SMITH AND ALL MEMBERS

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

2018-0422

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend Art Hazen for his selfless work in making a difference in the life of a child; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare <u>Tuesday</u>, <u>April 24, 2018</u>, to be "Art Hazen Day" in the City of Pittsburgh.

SPONSOR /S: MRS. KAIL-SMITH AND ALL MEMBERS

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

2018-0423

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend Rev. Johnson for his outstanding work within the church and across the nation; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Sunday, April 22, 2018, to be "Rev. Torrey Johnson Day" in the City of Pittsburgh.

SPONSOR /S: REV. BURGESS AND ALL MEMBERS

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

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby celebrate the vast contributions of Rabbi James A. "Jamie" Gibson over the last thirty years and recognize him for his efforts to build a more peaceful and inclusive Pittsburgh; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Sunday, April 29 to be "Rabbi Jamie Gibson's 30th Anniversary Day" in the City of Pittsburgh.

SPONSOR /S: MRS. STRASSBURGER AND ALL MEMBERS

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

2018-0425

NOW, THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby recognize and commend the **Henderson Brothers, Inc.** for their commitment to customers' needs and congratulates **Henderson Brothers** for remaining Pittsburgh-based and family owned for 125 successful years; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Wednesday, May 9, 2018, to be "**HENDERSON BROTHERS INSURANCE DAY**" in the City of Pittsburgh.

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

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

2018-0391

NOW BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, April 17, 2018, to be "A. Philip Randolph Institute of Pittsburgh Day" in the City of Pittsburgh.

SPONSOR /S: MR. LAVELLE 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:

2018-0398 Resolution providing for the sale of certain property, acquired by the City of Pittsburgh at tax sales. ITEMS A through G: A: 5148-50 N Evaline, B: 1313 Reddour, C: 1225 Spring Garden, D: 0 University, E: 2537 Perrysville, F: 2615 Perrysville, G: 2145 Mazette

Read and referred to the Committee on Finance and Law

Resolution providing for the conveyance by the City of Pittsburgh of certain property, having been placed for sale to adjoining property owners in conjunction with the City of Pittsburgh Side Yard Program. ITEMS A through F: A: 5132 Dearborn, B: 5121 Lytle, C: 0 Suburban, D: 735 Wills, E: 1035 Salter, F: 0 Lucina

Read and referred to the Committee on Finance and Law

2018-0400

Resolution authorizing the Mayor and the Director of Finance to enter, on behalf of the City of Pittsburgh, into a lease agreement or agreements with the Pittsburgh Hispanic Development Corporation a (501(c) (3) non-profit corporation) in order that it will utilize the second floor of the City of Pittsburgh building located at 1555 Broadway Avenue, for a business incubator and co-working office space.

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

Read and referred to the Committee on Finance and Law

COUNCILWOMAN DEBORAH L. GROSS PRESENTS:

2018-0401

Resolution amending Resolution 814, effective December 28, 2017, 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 2016 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 Mayor's Office from "DePaul School for Hearing and Speech"

(-\$2,500.00) and transfer these funds to" Stand Up Now Network/Project Love Coalition" (+\$2,500.00)

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

Resolution amending Resolution No. 106, effective March 6, 2017 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 \$500,000.00; so as to transfer funds within the Mayor's Office from "DePaul School for Hearing and Speech" (-\$2,500.00) and transfer these funds to" Stand Up Now Network/Project Love Coalition" (+\$2,500.00)

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

2018-0411

Resolution further amending and supplementing Resolution 855 of 2011 entitled "Resolution adopting and approving the 2012 Capital Budget and the 2012 Community Development Block Grant Program" so as to transfer \$10,000 from Lawrenceville Corporation to Lawrenceville United within District 7 Neighborhood Needs.

SPONSOR/S: MS. GROSS

Read and referred to the Committee on Finance and Law

2018-0412

Resolution amending and supplementing Resolution number 479 of 2013, as amended entitled "Resolution 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 City Council Neighborhood Needs Program in Council District 7; and providing for the payment of the costs thereof" so as to transfer \$10,000 from Lawrenceville Corporation to Lawrenceville United.

SPONSOR /S: MS. GROSS

Read and referred to the Committee on Finance and Law

COUNCILWOMAN DARLENE M. HARRIS PRESENTS:

2018-0403

Resolution authorizing the Mayor and the Director of the Department of Human Resources and Civil Service to enter into an Agreement with Integrated Health 21, LLC for services relating to the administration and management of a wellness portal for the City of Pittsburgh's employees, for a sum not to exceed Four Hundred Eighty Four Thousand, Seven Hundred Forty Dollars (\$484,740.00) over three (3) years and for the payment of the costs thereof.

Read and referred to the Committee on Human Resources

Resolution amending Resolution No. 523 of 2015, providing that the City of Pittsburgh enter into a Professional Services Agreement and/or Contract with Ceridian HCM, Inc. for the purpose of on-going time entry and data access services and related support services and providing for the payment of the cost thereof, by extending contract end date to December 31, 2019 and increasing total cost from \$376,500.00 to \$596,559.00.

Read and referred to the Committee on Human Resources

COUNCILMAN R. DANIEL LAVELLE PRESENTS:

2018-0413

Ordinance amending and supplementing the Pittsburgh Code, Title One, Administrative; Article IX, Boards, Commissions and Authorities; Chapter 177A, Equal Opportunity Review Commission; Section 177A.01, Purpose, Authority and Definitions; Section 177A.05, Proposal Requirements; Section 177A.06, Proposal Review Process; and adding a new Section, Section 177A.06A, Waivers.

SPONSOR/S: MR. LAVELLE

Read and referred to the Committee on Finance and Law

COUNCILMAN COREY O'CONNOR PRESENTS:

<u>2018-0409</u>

An ordinance amending and supplementing the City of Pittsburgh Code of Ordinances, Title Six: Conduct, Article III: Dogs, Cats and Other Animals, Chapter 633: Dogs and Cats, Section 633.22: 633.22: Off-Leash Exercise Areas by incorporating clarifying language and removing outdated verbiage.

SPONSOR /S: MR. O'CONNOR

Read and referred to the Committee on Public Safety Services

COUNCILWOMAN THERESA KAIL-SMITH PRESENTS:

2018-0405

Resolution amending Resolution 590 of 2016, entitled "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 Contracts, providing for repairs, maintenance, improvements, emergencies and/or the purchase of materials, equipment, supplies and professional services in connection with the Liberty Avenue SINC UP, and providing for the payment of the costs thereof, not to exceed \$929,306.00" to add additional local funding to the current scope of work.

Read and referred to the Committee on Public Works

Resolution authorizing the Mayor and the Director of the Department of Mobility and Infrastructure of the City of Pittsburgh to apply for grant funding from the Redevelopment Authority of Allegheny County (RAAC) through the Gaming Economic Development Fund to implement a Landslide Disaster Prevention and Mitigation Program. In the event the grant is awarded, this resolution provides for an agreement and expenditures not to exceed FIVE HUNDRED THOUSAND (\$500,000.00) dollars for this stated purpose.

Read and referred to the Committee on Public Works

COUNCILMAN BRUCE A. KRAUS PRESENTS:

2018-0407 Resolution appointing Erika Strassburger to serve as a member of the Pittsburgh Parking Authority for a term to expire April 30, 2022.

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

<u>2018-0408</u> Communication from City Controller Michael Lamb submitting a Performance Audit of the Office of Municipal Investigations, dated April 2018.

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

2018-0410 Communication from the City of Pittsburgh Office of Management and Budget, submitting a Three Thousand, Two Hundred Seventy-Six dollars and Seventy-Five cents (\$3,276.75) donation on behalf of the Farmers' Market Coalition for a one-year subscription to online farmers' market management service, *Farmspread*.

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

UNFINISHED BUSINESS

REPORTS OF COMMITTEE - FINAL ACTION

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

Report of the Committee on Finance and Law for April 18, 2018 with an Affirmative Recommendation.

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

2018-0079

Resolution authorizing the Mayor and the Director of the Department of Finance to enter into an Agreement or Agreements with Strassburger, McKenna, Gutnick, & Gefsky for legal assistance in rewriting the City of Pittsburgh's business tax/fee regulations, forms, and portions of the City Code of Ordinances. In addition, said firm will be available on an as-needed basis to provide tax consultation services. The total cost for this project shall not exceed Three Hundred Thousand Dollars (\$300,000.00) over a three year period.

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

Aye: 6 - Rev. Burgess, Mr. Coghill, Ms. Gross, Mr. Kraus, Mr. Lavelle, and Mr. O'Connor

No: 1 - Mrs. Kail-Smith

Abstain: 2 - Mrs. Harris, and Mrs. Strassburger

2018-0278

Resolution authorizing the issuance of a warrant in favor of Maiello, Brungo & Maiello, LLP, 424 South 27th Street, Suite 210, Pittsburgh, PA 15203, in an amount not to exceed Four Thousand Four Hundred Sixty-Five Dollars and No Cents (\$4,465.00) for professional legal services in connection with Ethics Hearing Board matters.

(Executive Session Held 4/16/18)

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

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

No: 0

Abstain: 1 - Mrs. Harris

Resolution to create a Special Committee of Council no later than June 1, 2018, for the purpose of establishing a process of reviewing Request for Proposals by Council prior to the submitting of legislation for a payment agreement or after the authorization of Council.

SPONSOR /S: MRS. KAIL-SMITH, MR. O'CONNOR AND MRS. HARRIS

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

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

No: 0

Abstain: 0

2018-0330

Resolution authorizing an interdepartmental transfer in the amount of \$50,000 from Judgements - Law Department to Legal Fees - Ethics Hearing Board. This transfer is necessary to cover continuing legal fees and appeal process associated with various Ethics Hearing Board hearings.

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

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

No: 0

Abstain: 0

<u>2018-0331</u>

Resolution authorizing the issuance of a warrant in the total sum of \$5,444.21 to McGrail & Associates, 1714 Lincoln Way, White Oak, PA for professional consulting services in connection with billboard tax litigation.

(Executive Session Held 4/16/18)

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

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

No: 0

Abstain: 0

Resolution authorizing the issuance of a warrant in favor of Patricia Poloka in an amount not to exceed Thirteen Thousand Eight Hundred Dollars (\$13,800.00); and her attorney, Colleen Ramage Johnston, Esquire, Johnston & Lykos, LLC, 525 William Penn Place, 28th Floor, Pittsburgh, PA 15219 in an amount not to exceed Nine Thousand Two Hundred Dollars (\$9,200.00) in full and final settlement of a litigation matter at 2:17-cv-00828.

(Executive Session Held 4/16/18)

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

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

No: 0

Abstain: 0

2018-0333

Resolution amending Resolution 104 of 2015, which updated Resolution 1167 of 1986, creating the Record Storage, Technology and Operations Trust Fund, to revise the categories of permitted expenditures to be made by the Department of Permits, Licenses, and Inspections, effective January 1, 2019.

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

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

No: 0

Abstain: 1 - Mrs. Harris

2018-0347

Ordinance amending the City Code at Title One, Administrative, Article XI: Human Resources Administration, Chapter 181: General Provisions by amending section at §181.06 Allowance for Travel Expenses.

SPONSOR /S: REV. BURGESS

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

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

No: 0

Abstain: 0

Ordinance amending the Pittsburgh Code, Title Two, Fiscal; Article IX, Property Taxes; Chapter 265, Exemptions for Residential Improvements; Section 265.03, Exemption for Improvements, subsection (e); and Section 265.04, Exemption for Residential Construction, subsection (g), to extend the application periods for the exemptions covering residential improvements and new residential construction in areas defined as the Uptown District, the Downtown District and Targeted Growth Zones, which were enacted pursuant to Ordinance 9 of 2007, to include applications filed on or after April 1, 2018 through May 31, 2018.

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

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

No: 0

Abstain: 0

2018-0360

Ordinance amending the Pittsburgh Code, Title Two, Fiscal; Article IX, Property Taxes; Chapter 267, Exemptions for Industrial and Commercial Improvements; Section 267.03, Exemption Schedule; and Section 267.09, Participation by Allegheny County and Pittsburgh Board of Education, to extend the application periods for the exemptions set forth in Section 267.03, subsections (b) and (c), which were enacted pursuant to Ordinance 10 of 2007, to include applications filed on or after April 1, 2018 through May 31, 2018.

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

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

No: 0

Abstain: 0

COUNCILWOMAN THERESA KAIL-SMITH PRESENTS COMMITTEE ON PUBLIC WORKS

2018-0397

Report of the Committee on Public Works for April 18, 2018 with an Affirmative Recommendation.

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

Resolution amending Resolution 414 of 2017, entitled "Resolution providing for a Contract or Contracts, or the use of existing Contracts, an Agreement or Agreements, or the use of existing Agreements, providing for the design, repairs, maintenance, improvements, emergencies and/or the purchase of materials, equipment and supplies in connection with PENN AVENUE RECONSTRUCTION, PHASE II PROJECT; and providing for the payment of the costs thereof, not to exceed \$500,000.00" to increase the funding amount to \$732,626.61 and alter the funding source.

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

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

No: 0

Abstain: 0

MOTIONS AND RESOLUTIONS

EXCUSE ABSENT MEMBERS

APPROVAL OF MINUTES

ADJOURNMENT

LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER