## **City of Pittsburgh**

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



## **Meeting Minutes**

Tuesday, July 21, 2020 10:00 AM

**Council Chambers** 

## **City Council**

ONE-HUNDRED FORTY-FIRST COUNCIL

Theresa Kail-Smith, President of Council

Council Members: Rev. Ricky V. Burgess, Anthony Coghill, Deborah L. Gross, Bruce A. Kraus, R. Daniel Lavelle, Corey O'Connor, Erika Strassburger, Bobby Wilson

Brenda F. Pree, City Clerk - Kim Clark-Baskin, Assistant City Clerk

### **ROLL CALL**

Members present via video conference due to COVID-19 protective guidelines set forth by the federal, state, and local governments

Present

9 - Council Member Burgess, Council Member Coghill, Council Member Gross, Council Member Kraus, Council Member Lavelle, Council Member O'Connor, Council Member Kail-Smith, Council Member Strassburger, and Council Member Wilson

#### PLEDGE OF ALLEGIANCE

**PROCLAMATIONS** 

**PUBLIC COMMENTS** 

#### PRESENTATION OF PAPERS

#### COUNCILMAN ANTHONY COGHILL PRESENTS:

2020-0503

Resolution granting unto Crafton Borough, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, an 18 foot storm water sewer line and endwall with storm water outfall into Chartiers Creek, at the intersection of Chartiers Avenue and Sycamore Street, in the 28th Ward, 2nd Council District of the City of Pittsburgh, Pennsylvania.

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

Read and referred to the Committee on Public Works

2020-0572

Resolution granting unto SING PROPERTIES LLC, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a new set of entrance steps, at 1900 Saint Ives Street, in the 21st Ward, 6th Council District of the City of Pittsburgh, Pennsylvania.

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

Read and referred to the Committee on Public Works

2020-0573

Resolution granting unto Charles and Ann Heil, 204 Kramer Way, Pittsburgh, Pa, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, to install a new front porch, at 204 Kramer Way, in the 19th Ward, 2nd Council District of the City of Pittsburgh, Pennsylvania.

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

Read and referred to the Committee on Public Works

Resolution granting unto BETH RODGERS, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, to install a new deck with an accessible wheelchair ramp, at 402 Knox Ave, in the 18th Ward, 3rd Council District of the City of Pittsburgh, Pennsylvania.

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

Read and referred to the Committee on Public Works

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

2020-0575

Resolution authorizing the Mayor and the Director of the Office of Management and Budget to enter into a Grant Agreement with Allegheny County for the purpose of receiving Coronavirus Relief funds in the amount of Six Million Two Hundred Thousand (\$6,200,000.00), which shall be used to reimburse eligible City expenditures.

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

### **COUNCILMAN COREY O'CONNOR PRESENTS:**

2020-0576

Resolution authorizing the Mayor and the Director of the Department of Public Safety, on behalf of the City of Pittsburgh, to enter into an access agreement or agreements with the Pittsburgh Zoo & PPG Aquarium for purposes of a drive-in movie presentation.

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

Read and referred to the Committee on Public Safety Services

2020-0577

Resolution authorizing the Mayor and the Director of the Department of Public Safety, on behalf of the City of Pittsburgh, to enter into an access agreement or agreements with the Kossman Development Company for purposes of a drive-in movie presentation.

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

Read and referred to the Committee on Public Safety Services

Resolution authorizing the Mayor and the Director of the Department of Public Safety, on behalf of the City of Pittsburgh, to enter into an access agreement or agreements with the Community College of Allegheny County for purposes of a drive-in movie presentation.

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

Read and referred to the Committee on Public Safety Services

2020-0587

Resolution authorizing the Mayor and Director of the Department of Public Safety to execute relevant Grant Agreements to receive funding from Allegheny County Health Department to develop a public health-informed diversion program and further providing for expenditures under the terms of said Agreements not to exceed ONE HUNDRED EIGHTY SIX THOUSAND FIVE HUNDRED TWELVE DOLLARS AND SIXTEEN CENTS (\$186,512.16).

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

Read and referred to the Committee on Public Safety Services

### **COUNCILWOMAN ERIKA STRASSBURGER PRESENTS:**

2020-0588

Resolution amending resolution 153 of 2019 to clarify the parties that will be entering into the Cooperation Agreement of Agreements relating to the shared operation and administration of the City of Pittsburgh Child Care Quality Fund.

**SPONSOR /S:** COUNCIL MEMBER STRASSBURGER, COUNCIL MEMBER KAIL-SMITH AND COUNCIL MEMBER GROSS

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

Read and referred to the Committee on Intergovernmental Affairs

#### **COUNCILMAN BOBBY WILSON:**

Resolution amending Resolution No. 277 of 2019, effective April 25, 2019, as amended, entitled "Resolution amending Resolution No. 200, effective March 28, 2019 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, 2015 CDBG at a cost not to exceed \$895,000.00; so as to reprogram funds within City Council from "Bridge (-\$5,000.00) to "Northside Leadership Conference/Bridge Committee" Committee "(+\$5,000.00) and "Mt. Washington CDC Quality of Life Committee"(-\$5,579.48) to "Elliott West End Athletic Association "(+\$5,579.48)", by amending City Council CDBG Unspecified Local Option line items for correction of the JD Edwards number and authorizing a subsequent Agreement or Agreements for operation/administrative expenses, maintenance, purchase of equipment, and/or rehabilitation of neighborhood facilities on behalf of the residents of the City of Pittsburgh.

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

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

#### **COUNCILWOMAN THERESA KAIL-SMITH PRESENTS:**

2020-0580

Resolution appointing Ms. Alison Hall as a Member of the Gender Equity Commission for a term to expire December 31, 2022. Ms. Hall will be replacing Ms. Megan Block whose term has expired.

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

Enactment No: 332

2020-0581

Resolution appointing Ms. Morgan Overton as a Member of the Gender Equity Commission for a term to expire December 31, 2022. Ms Overton will be replacing Ms. Kathi Elliott whose term has expired.

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

Enactment No: 333

2020-0582

Resolution reappointing Mr. Patrick Bigley as a Member of the Ethics Hearing Board for a term to expire June 30, 2023.

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

Enactment No: 334

2020-0583	Communication from Kevin Pawlos, Director of the Office of Management and Budget, submitting an acting pay approval on behalf of Finance for Jennifer Gula, per the Acting Pay Policy revised in June 2018.
	A motion was made that this matter be Read, Received and Filed. The motion carried.
2020-0584	Communication from City Controller Michael Lamb submitting a performance audit of the Department of Public Works' Snow and Ice Control and Street Pothole Maintenance Programs, dated June 2020.
	A motion was made that this matter be Read, Received and Filed. The motion carried.
2020-0585	Communication from City Controller Michael Lamb submitting a performance audit of the Department of Public Safety's Bureau of Police Secondary Employment, dated June 2020.
	A motion was made that this matter be Read, Received and Filed. The motion carried.
<u>2020-0586</u>	Communication from Michael Lamb, City Controller, submitting the Popular Annual Financial Report (PAFR) for the fiscal year ended December 31, 2019.
	A motion was made that this matter be Read, Received and Filed. The motion

### **UNFINISHED BUSINESS**

202<u>0-0457</u> Resolution appointing Ms. Diamonte Walker to serve as a Commissioner for the Gender Equity Commission of the City of Pittsburgh for a term to expire June 30, 2023. Ms. Walker will be filling a seat that had been vacant.

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

Enactment No: 335

### REPORTS OF COMMITTEE - FINAL ACTION

carried.

## COUNCILMAN R. DANIEL LAVELLE PRESENTS COMMITTEE ON FINANCE AND LAW

2020-0567 Report of the Committee on Finance and Law for July 15, 2020 with an Affirmative Recommendation.

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

Ordinance Directing the Allegheny County Board of Elections to place before the qualified voters of the City of Pittsburgh at the 2020 November General Election a referendum question, "Shall the Pittsburgh Home Rule Charter, Article Two, Executive, be amended and supplemented by amending the language and adding new language to Sections 229 and 230 and by adding a new section, Section 231, to expand the powers of the Independent Citizen Police Review Board to allow the Board to carry out its mandate to investigate police misconduct and improve police-community relations?"

(Cablecast Public Hearing held 7/8/20)

**SPONSOR /S:** COUNCIL MEMBER BURGESS

A motion was made that this matter be AMENDED BY SUBSTITUTE. The motion carried.

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

Aye: 9 - Council Member Burgess, Council Member Coghill, Council Member Gross,
Council Member Kraus, Council Member Lavelle, Council Member O'Connor,
Council Member Kail-Smith, Council Member Strassburger, and Council
Member Wilson

**No:** 0

Abstain: 0

2020-0483

Resolution approving a fee schedule presented by the Director of the Department of Mobility and Infrastructure for use in the City's permitting and agreements involving small cell facilities.

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

Aye: 9 - Council Member Burgess, Council Member Coghill, Council Member Gross, Council Member Kraus, Council Member Lavelle, Council Member O'Connor, Council Member Kail-Smith, Council Member Strassburger, and Council Member Wilson

**No:** 0

Abstain: 0

2020-0506

Resolution authorizing the Mayor and the City Solicitor to enter into a Professional Services Agreement with Vijay Kapoor, The Kapoor Company, 8 Braddock Way, Asheville, NC 28803LLC, for professional services in connection with FOP interest arbitration, in an amount not to exceed Thirty Five Thousand Dollars and No Cents (\$35,000.00).

A motion was made that this matter be Passed Finally. The motion carried by the following vote: Aye: 9 - Council Member Burgess, Council Member Coghill, Council Member Gross,
Council Member Kraus, Council Member Lavelle, Council Member O'Connor,
Council Member Kail-Smith, Council Member Strassburger, and Council
Member Wilson

**No:** 0

Abstain: 0

2020-0507

Resolution authorizing the Mayor and the City Solicitor to enter into a Professional Services Agreement with Howard J. Woods, Jr. & Associates, LLC, 49 Overhill Road, East Brunswick, NJ 08816-4211 for professional services in connection with PUC litigation and related matters, in an amount not to exceed Fifty Thousand Dollars and No Cents (\$50,000.00).

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

Aye: 9 - Council Member Burgess, Council Member Coghill, Council Member Gross,
Council Member Kraus, Council Member Lavelle, Council Member O'Connor,
Council Member Kail-Smith, Council Member Strassburger, and Council
Member Wilson

**No:** 0 **Abstain:** 0

2020-0508

Resolution amending Resolution #829 authorizing the Mayor and the City Solicitor to enter into a Professional Services Agreement with Campbell Durrant, P.C., 535 Smithfield St., Suite 700, Pittsburgh, PA 15222 for professional legal services and expert advice regarding labor matters by increasing the total cost Thirty Five Thousand Dollars and No Cents (\$35,000.00), from Three Hundred Five Thousand Dollars and No Cents (\$305,000.00) to Three Hundred Forty Thousand Dollars and No Cents (\$340,000.00).

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

Aye: 9 - Council Member Burgess, Council Member Coghill, Council Member Gross,
Council Member Kraus, Council Member Lavelle, Council Member O'Connor,
Council Member Kail-Smith, Council Member Strassburger, and Council
Member Wilson

**No:** 0

Abstain: 0

Resolution authorizing the issuance of a warrant in favor of Curtin & Heefner, LLP, 2005 S. Easton Road, Suite 100, Doylestown, PA 18901, in an amount not to exceed Eleven Thousand Eight Hundred Sixty Four Dollars and Five Cents (\$11,864.05) for professional legal services and expert advice regarding Source of Income litigation.

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

Aye: 9 - Council Member Burgess, Council Member Coghill, Council Member Gross,
Council Member Kraus, Council Member Lavelle, Council Member O'Connor,
Council Member Kail-Smith, Council Member Strassburger, and Council
Member Wilson

**No:** 0

Abstain: 0

2020-0510

Resolution amending Resolution #587 authorizing the Mayor and the City Solicitor to enter into a Professional Services Agreement with Fox Rothschild LLP, 2000 Market St., 20th Floor, Philadelphia, PA 19103 for professional consulting and legal services in relation to False Claims Act litigation by increasing the total cost Forty Five Thousand Dollars and No Cents (\$45,000.00), from Two Hundred Thirty Five Thousand Dollars and No Cents (\$235,000.00) to Two Hundred Eighty Thousand Dollars and No Cents (\$280,000.00).

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

Aye: 9 - Council Member Burgess, Council Member Coghill, Council Member Gross,
Council Member Kraus, Council Member Lavelle, Council Member O'Connor,
Council Member Kail-Smith, Council Member Strassburger, and Council
Member Wilson

**No:** 0

Abstain: 0

2020-0511

Resolution authorizing the Mayor and the City Solicitor, on behalf of the City of Pittsburgh, to enter into a professional services agreement with Cohen Law Group to address a matter of pending telecommunications and cable regulatory litigation at an amount not to exceed twenty-nine thousand dollars (\$29,000).

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

Aye: 9 - Council Member Burgess, Council Member Coghill, Council Member Gross,
Council Member Kraus, Council Member Lavelle, Council Member O'Connor,
Council Member Kail-Smith, Council Member Strassburger, and Council
Member Wilson

**No:** 0

Abstain: 0

2020-0513

Resolution authorizing the Mayor and the City Solicitor to enter into a Professional Services Agreement with Cozen O'Connor, One Oxford Centre, 301 Grant Street, 41st Floor, Pittsburgh, PA 15219 for professional legal services in connection with an employment related matter for an amount not to exceed Fifteen Thousand and No Cents (\$15,000.00).

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

Aye: 9 - Council Member Burgess, Council Member Coghill, Council Member Gross,
Council Member Kraus, Council Member Lavelle, Council Member O'Connor,
Council Member Kail-Smith, Council Member Strassburger, and Council
Member Wilson

**No:** 0 **Abstain:** 0

# COUNCILMAN ANTHONY COGHILL PRESENTS COMMITTEE ON PUBLIC WORKS

2020-0568 Report of the Committee on Public Works for July 15, 2020 with an Affirmative Recommendation.

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

2020-0484

Ordinance amending Title Four: Public Places and Property, Article II: Telecommunications, Chapter 427: Telecommunications Systems in the Right-of-Way, Sections 427.03 Definitions and 427.11 Consideration For ROW Use Agreement; to provide for updated definitions and fee structures for wireless small cell facilities.

Councilman Coghill Abstained

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

Aye: 7 - Council Member Burgess, Council Member Gross, Council Member Kraus, Council Member Lavelle, Council Member Kail-Smith, Council Member Strassburger, and Council Member Wilson

No: 2 - Council Member Coghill, and Council Member O'Connor

Abstain: 0

Resolution authorizing the Director of the Department of Finance, on behalf of the City of Pittsburgh to enter into temporary construction easements, in lieu of eminent domain, with the owners of certain properties in the 24th Ward of the City of Pittsburgh, adjacent to Cowley Park, for landslide remediation work related to public park purposes.

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

Aye: 9 - Council Member Burgess, Council Member Coghill, Council Member Gross,
Council Member Kraus, Council Member Lavelle, Council Member O'Connor,
Council Member Kail-Smith, Council Member Strassburger, and Council
Member Wilson

**No:** 0

Abstain: 0

2020-0501

Resolution authorizing the Director of the Department of Finance, on behalf of the City of Pittsburgh to enter into temporary construction easements, in lieu of eminent domain, with the owners of certain property in the 19th Ward of the City of Pittsburgh, known as 1599 Fallowfield Avenue and 1545 Fallowfield Avenue, for landslide remediation work related to public roadway purposes.

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

Aye: 9 - Council Member Burgess, Council Member Coghill, Council Member Gross,
Council Member Kraus, Council Member Lavelle, Council Member O'Connor,
Council Member Kail-Smith, Council Member Strassburger, and Council
Member Wilson

**No:** 0

Abstain: 0

2020-0502

Resolution granting unto Mark DiNatale, 242 Bigham Street, Pittsburgh, Pa, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, to install a new retaining wall and fence, at Sycamore Street and Redoak Way, in the 19th Ward, 2nd Council District of the City of Pittsburgh, Pennsylvania.

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

Aye: 9 - Council Member Burgess, Council Member Coghill, Council Member Gross,
Council Member Kraus, Council Member Lavelle, Council Member O'Connor,
Council Member Kail-Smith, Council Member Strassburger, and Council
Member Wilson

**No:** 0

Abstain: 0

2020-0531

Ordinance amending the City of Pittsburgh Code of Ordinances at Title IV: Public Places and Property; Article I: Public Right of Way; Chapter 416: Obstructions: Sections 416.20 Approval Process for Sidewalk Café, Including Permits and Fees; to provide for certain temporary expedited measures for the City of Pittsburgh sidewalk café permit application process.

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

Aye: 9 - Council Member Burgess, Council Member Coghill, Council Member Gross,
Council Member Kraus, Council Member Lavelle, Council Member O'Connor,
Council Member Kail-Smith, Council Member Strassburger, and Council
Member Wilson

**No:** 0

Abstain: 0

# COUNCILMAN BOBBY WILSON PRESENTS COMMITTEE ON LAND USE & ECONOMIC DEVELOPMENT

2020-0569 Report of the Committee on Land Use and Economic Development for July 15, 2020 with an Affirmative Recommendation.

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

2020-0555

Resolution authorizing the Mayor and the Department of City Planning to enter into a Professional Services Agreement with BOOM Concepts and/or Bloomfield-Garfield Corporation to coordinate a program of responsive temporary art by local artists for temporary display on City-owned structures in the public realm, at a cost not to exceed Five Thousand Dollars (\$5,000.00).

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

Aye: 9 - Council Member Burgess, Council Member Coghill, Council Member Gross,
Council Member Kraus, Council Member Lavelle, Council Member O'Connor,
Council Member Kail-Smith, Council Member Strassburger, and Council
Member Wilson

**No:** 0

Abstain: 0

# COUNCILWOMAN ERIKA STRASSBURGER PRESENTS COMMITTEE ON INNOVATION, PERFORMANCE AND ASSET MANAGEMENT

Report of the Committee on Innovation, Performance and Asset Management for July 15, 2020 with an Affirmative Recommendation.

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

2020-0505

Resolution authorizing the Mayor and the City Solicitor to enter into an agreement or agreements with Cycom Data Systems, Inc., for professional services relating to continuing maintenance, support and upgrades to CityLaw, the Department of Law's legal case management and administrative support software system at a cost not to exceed \$11,376.00 (Eleven Thousand Three Hundred Seventy-Six Dollars and No Cents).

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

Aye: 9 - Council Member Burgess, Council Member Coghill, Council Member Gross,
Council Member Kraus, Council Member Lavelle, Council Member O'Connor,
Council Member Kail-Smith, Council Member Strassburger, and Council
Member Wilson

**No:** 0

Abstain: 0

2020-0515

Resolution authorizing the Mayor and the Director of the Department of Innovation & Performance to enter into a three (3) year Contract or Agreement with Esri, granting uncapped, citywide access to Esri's products for all departments. To build and maintain a City authoritative system of record, make data-driven decisions, share information across departments, perform advanced analytics and share information with the public, to meet the needs of the City of Pittsburgh at a sum not to exceed Six Hundred Thousand Dollars (\$600,000).

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

Aye: 9 - Council Member Burgess, Council Member Coghill, Council Member Gross,
Council Member Kraus, Council Member Lavelle, Council Member O'Connor,
Council Member Kail-Smith, Council Member Strassburger, and Council
Member Wilson

**No:** 0

Abstain: 0

Resolution authorizing the Mayor and the Director of the Department of Innovation and Performance to enter into Startup Participation Agreements with selected entities as part of the sixth cohort of PGH Lab and further authorizing the Mayor and Director of the Department of Innovation and Performance to enter into Program Participation Agreements with local municipal entities to allow such entities to test products and services as part through PGH Lab.

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

Aye: 9 - Council Member Burgess, Council Member Coghill, Council Member Gross,
Council Member Kraus, Council Member Lavelle, Council Member O'Connor,
Council Member Kail-Smith, Council Member Strassburger, and Council
Member Wilson

**No:** 0

Abstain: 0

# COUNCILWOMAN DEBORAH L. GROSS PRESENTS COMMITTEE ON INTERGOVERNMENTAL AFFAIRS

2020-0571 Report of the Committee on Intergovernmental Affairs for July 15, 2020 with an Affirmative Recommendation.

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

2020-0564

Resolution authorizing the Mayor and the Director of the Office of Management and Budget to enter into a Memorandum of Agreement with the URA, HACP, Pennsylvania State Historic Preservation Officer, and 327 NN LLC.

**SPONSOR /S:** COUNCIL MEMBER BURGESS

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

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

Aye: 9 - Council Member Burgess, Council Member Coghill, Council Member Gross,
Council Member Kraus, Council Member Lavelle, Council Member O'Connor,
Council Member Kail-Smith, Council Member Strassburger, and Council
Member Wilson

**No:** 0

Abstain: 0

## MOTIONS AND RESOLUTIONS

**EXCUSE ABSENT MEMBERS** 

APPROVAL OF MINUTES

**ADJOURNMENT** 

LEGISLATION PRESENTED BY SIGN LANGUAGE INTERPRETER

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