

**MINUTES OF THE REGULAR MEETING OF THE  
PUBLIC PARKING AUTHORITY OF PITTSBURGH  
THURSDAY, APRIL 15, 2010**

Having been duly advertised in accordance with the Sunshine Act No. 84 of 1986, a regular meeting of the Public Parking Authority of Pittsburgh was held on April 15, 2010 at 10:10 a.m., 232 Boulevard of the Allies, Pittsburgh, PA 15222-1616. The following Board members were present at the start of the meeting: Michael Jasper, Linda Judson, Natalia Rudiak, Christopher D'Addario and Scott Kunka. Present from staff were: David Onorato, Anthony Boule, Judi DeVito, Jo-Ann Williams, Christopher Speers, Chris Holt, Patricia Konesky, Bill Conner, Tom Urbano, Janet Staab and James Wilson. Jacqui Lazo of Buchanan Ingersoll & Rooney; Rich Lord of the Pittsburgh Post Gazette and Adam Brandolph of the Pittsburgh Tribune Review were also present at the start of the meeting

**MINUTES**

Mr. Kunka asked for approval of the minutes from the regular meeting held on March 18, 2010.

Mr. Kunka asked for comments or questions. There were none.

A motion was made by Ms. Rudiak and seconded by Ms. Judson.

The minutes were approved as follows: Ms. Rudiak, yes; Mr. D'Addario, yes; Ms. Judson, yes; Mr. Jasper, yes; Mr. Kunka, yes.

**PUBLIC COMMENT**

Mr. Kunka asked for public comments. There were none.

**RESOLUTIONS**

**RESOLUTION NO. 14 OF APRIL 2010, "A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO PURCHASE ONE NEW FLEET VEHICLE FOR THE METER SERVICES DEPARTMENT** , was read by Mr. Jasper and considered by the Board.

Mr. Kunka asked if there were any questions. There were none.

Mr. Onorato advised that the yearly evaluation of Authority vehicles determined that vehicle number 972, a 1997 Astro Van with 73,000 miles of use, needed to be replaced. Mr. Onorato said staff is recommending it be replaced by the purchase of a Ford Transit at a not-to-exceed cost of \$25,000. He said the transaction would be handled through the government purchasing contract.

Mr. Kunka asked if the vehicle being taken out of service would be auctioned at the City's vehicle auction.

Mr. Onorato advised that the vehicle would be auctioned through the Parking Court auction.

Mr. Kunka asked if the proceeds from the vehicle auction are deposited into the Authority's General Fund Budget.

Mr. Onorato confirmed that sale proceeds are deposited into the General Fund Budget.

Upon motion by Mr. Jasper and seconded by Ms. Judson, Resolution No. 14 of 2010 was approved as follows: Ms. Rudiak, yes; Mr. D'Addario, yes; Ms. Judson, yes; Mr. Jasper, yes; Mr. Kunka, yes.

**RESOLUTION NO. 15 OF APRIL 2010, "A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO APPROVE FINAL PAYMENT TO WALLER CORPORATION FOR THE STAIRWELL REHABILITATION PROJECT AT THE SMITHFIELD/LIBERTY PARKING GARAGE,** was read by Mr. Jasper and considered by the Board.

Mr. Onorato advised that Waller Corporation, an MBE firm, was awarded the contract for the rehabilitation of the Smithfield/Liberty garage stairwell and said that all work, including the punch list items, has been completed to the satisfaction of the Authority. Mr. Onorato advised that there, was only one change order in the scope of work during the contract period. He said it amounted to approximately six percent of the contract's original total.

Mr. Kunka asked if there were any questions. There were none.

Upon motion by Mr. D'Addario and seconded by Ms. Rudiak, Resolution No. 15 of 2010 was approved as follows: Ms. Rudiak, yes; Mr. D'Addario, yes; Ms. Judson, yes; Mr. Jasper, yes; Mr. Kunka, yes;

**RESOLUTION NO. 16 OF APRIL 2010, "A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO A CONTRACT WITH DESMAN ASSOCIATES FOR ENGINEERING SERVICES FOR**

**SMITHFIELD/LIBERTY ROTUNDA REPAIRS**, was read by Mr. Jasper and considered by the Board.

Mr. Onorato advised that routine site inspections indicated that the walkway in the Smithfield/Liberty rotunda, where the public accesses the facility, was in need of repair.

He said the Authority solicited three written quotes from engineers, noting that Desman's quote of \$5,000 was the low bid. Mr. Onorato said staff is asking for authorization to enter into the contract for the engineer to examine the site and help develop both the scope of work and the RFP.

Ms. Rudiak inquired as to why the Authority would proceed with upgrade work on facilities knowing that the system monetization is proceeding and the facilities could be owned and operated by private entities in the near future.

Mr. Onorato advised that a more aggressive schedule for capital repairs has been put on hold but said that this particular situation involves a critical safety concern that needs to be addressed immediately.

Mr. Onorato displayed a photo of the existing walkway revealing a lifting of the cement and advised that the repair work is estimated to cost from \$20,000 to \$30,000.

Mr. Kunka noted that Desman Associates was the engineer retained in the System Monetization process and asked if a conflict of interest existed.

Mr. Onorato advised that three firms quoted the work and said that he had written quotes from all three documenting that procedures were followed properly so that no conflicts should arise.

Mr. Kunka asked if there were any questions. There were none.

Upon motion by Mr. D'Addario and seconded by Mr. Jasper, Resolution No. 16 of 2010 was approved as follows: Ms. Rudiak, yes; Mr. D'Addario, yes; Ms. Judson, yes; Mr. Jasper, yes; Mr. Kunka, yes.

**RESOLUTION NO. 17 OF APRIL 2010, "A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO SOLICIT BIDS FOR CONCRETE SLAB REPAIRS AT THE SMITHFIELD/LIBERTY PARKING GARAGE,** was read by Mr. Jasper and considered by the Board.

Mr. Onorato advised that this resolution follows Resolution No. 16 discussed earlier in the meeting. He said that once Desman Associates determines the scope of work and develops the RFP, the Authority will solicit bids for the repair work. He explained that when the proposals

are received and a firm is selected, staff will return to the Board for authorization to award a contract.

Ms. Rudiak inquired as to the timeline for completion of the work.

Mr. Onorato advised that bids would go out at the beginning of May, the pre-bid meeting would occur by mid-May with bids due June 9. He said a contract would be awarded at the June Board meeting and mobilization would occur in mid-June with completion anticipated by August.

Ms. Rudiak asked if potential bidders in the monetization process are aware of these types of repairs.

Ms. Lazo advised that currently there is no conscious effort to keep potential bidders apprised of on-going repairs but said she believes that once a monetization contract is signed, there would be an obligation to keep the awarded party apprised of any repairs and projects.

Mr. Onorato advised that all potential bidders will conduct site visits during the due diligence process, at which time they would be made aware of all on-going projects.

Mr. Kunka asked if there were any questions. There were none.

Upon motion by Ms. Judson and seconded by Ms. Rudiak, Resolution No. 17 of 2010 was approved as follows: Ms. Rudiak, yes; Mr. D'Addario, yes; Ms. Judson, yes; Mr. Jasper, yes; Mr. Kunka, yes.

**RESOLUTION NO. 18 OF APRIL 2010, "A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO SOLICIT BIDS FOR THE PURCHASE OF TWO NEW FLEET VEHICLES FOR THE ENFORCEMENT DEPARTMENT,** was read by Mr. Jasper and considered by the Board.

Mr. Onorato advised that these two vehicles are an addition to the existing fleet inventory and are to be utilized strictly for the Residential Permit Program (RPP) enforcement and in enforcing the City's street-cleaning ordinances. He said that currently there are 28 RPP districts and said that 35,000 RPP and 30,000 street cleaning tickets were issued last year. Mr. Onorato advised that the City will also be assigning two vehicles to these programs.

Mr. Jasper asked if the addition of these vehicles would increase enforcement effectiveness. Mr. Onorato advised that the Authority has sufficient enforcement personnel but said that there are not enough vehicles to enforce these programs. He advised that a contract was signed with the City over 10 years ago but said changes in the City's fleet inventory reduced the number of vehicles available to the Authority. Mr. Onorato advised that there are currently eight or nine sweepers in use throughout the City but said there have not been enough vehicles to follow the sweepers.

Mr. Kunka added that the City code requires that an enforcement vehicle must follow the street sweeper.

Mr. Jasper asked that if the monetization is executed, if these vehicles become part of the assets to be transferred.

Mr. Onorato advised that all discussions to date indicate that management of the enforcement function would remain under Parking Authority control so these enforcement vehicles likely would remain with the Authority after the monetization process is complete.

Mr. Jasper stated that this represents a budget item increase and asked if an increase in tickets would offset this action.

Mr. Onorato replied that the purchase of these vehicles would enhance the enforcement effectiveness of both the RPP and street cleaning programs and said that this addition should increase ticket volume.

Mr. Kunka noted that the City motor pool formerly would supply four vehicles as well as drivers for use in these programs but noted that with the reduction in the use of motor pool vehicles, fewer vehicles have been available to the Authority. He said he felt that the addition of these vehicles would be beneficial to the on-going effectiveness of the programs.

Ms. Rudiak asked if the individuals driving these vehicles were employees of the Parking Authority.

Mr. Onorato confirmed that the current drivers are employees of the Authority and noted that, because the driver is alone in the vehicle, he or she is required to stop the vehicle, park legally and issue the ticket even as the street sweeper continues on its route.

Mr. Kunka noted again that the City code requires the driver to park legally.

Mr. Onorato advised that Authority personnel is currently meeting with City personnel to review these programs to determine if improvements are needed. He noted that one consideration is the possibility of adding cameras to the street sweepers. Mr. Onorato advised that this consideration is in its very early stages of investigation and noted that for this to occur, there may need to be changes in the state law and city code.

Mr. Jasper asked if we anticipated an increase in revenue from the addition of new vehicles for RPP.

Mr. Onorato advised that there has been some recent expansion of the program in the South Side and Lawrenceville areas so that alone is reason to acquire additional vehicles. He said it is our goal to increase revenue, both from the additional enforcement coverage and through the expansion of RPP locations.

Mr. Kunka noted that the revenue share was recently changed by City Council.

Mr. Onorato confirmed Council's action and said that the change was to ensure that the program was funded through the revenues collected. He said that in the past the Authority funded any shortfalls incurred in operating the program.

Ms. Rudiak asked if the program was self-sustaining and if the fines funded the administrative costs.

Mr. Onorato confirmed that the program was self-funded and stated that, with the recent changes, costs are paid prior to the 90/10 split with the City.

Mr. Kunka asked if there were any questions. There were none.

Upon motion by Ms. Rudiak and seconded by Mr. Jasper, Resolution No. 18 of 2010 was approved as follows: Ms. Rudiak, yes; Mr. D'Addario, yes; Ms. Judson, yes; Mr. Jasper, yes; Mr. Kunka, yes.

**RESOLUTION NO. 19 OF APRIL 2010, "A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO CERTAIN AGREEMENTS WITH RESPECT TO THE MONETIZATION OF ALL OR SOME OF THE PITTSBURGH PARKING AUTHORITY PARKING SYSTEM COMPRISING VARIOUS GARAGES AND SURFACE PARKING LOTS,** was read by Mr. Jasper and considered by the Board.

Mr. Onorato advised that this resolution is a result of the timing and processing of monetization steps. He advised that we issued an RFQ and received 11 proposals, qualifying seven of those. He said those seven firms will be required to sign confidentiality agreements and said Board approval would be required for the Executive Director to be able to execute those agreements. Mr. Onorato noted that, since time was of the essence, this resolution was needed to authorize him to sign these confidentiality agreements as well as any future secondary agreements. Mr. Onorato advised that the resolution involves no cost outlay and anything cost-associated would be brought before the Board.

Mr. Kunka clarified that these are not agreements for the leasing or concessionaires.

Mr. Onorato confirmed that they refer to confidentiality agreements only.

Mr. Jasper inquired if this included ancillary agreements also, as stated in the resolution.

Ms. Lazo addressed the Board and stated that the resolution was prompted by requests for Mr. Onorato to sign confidentiality agreements during the last several weeks. She said that, since there is a time urgency on some of these items, it was believed that it would be more

advantageous to have authorization for Mr. Onorato to ratify those agreements already executed, have approval to execute those remaining and, concurrently, give him authorization to execute other expenditure-free agreements without having to return to the Board as each requirement arose. Ms. Lazo stated that it was her firm's decision to craft the resolution to accomplish that purpose, but said it was the Board's decision whether or not to give Mr. Onorato the blanket right to execute these types of agreements or to bring each of these to the Board individually for approval. She said she wanted it to be clear that the rationale was for the purpose of administrative efficiency and not to give the Executive Director any authority that he does not have.

Ms. Judson stated that she recognized that this action is more for procedural issues but her concern is that it doesn't allow for any agreements that would impair or impact the rights and responsibilities of the various parties involved in the monetization, including the employees, the unions and the seven firms identified.

Mr. Kunka advised that these confidentiality agreements relate only to accessing data.

Ms. Lazo stated that there may not be any additional agreements of this type but, should one emerge, it would be easier from an administrative point to have the approval to execute in advance.

Ms. Lazo asked if the Board would recommend amending the resolution.

Mr. Jasper stated he would prefer that the resolution be amended.

Ms. Rudiak asked if in the event of future cases where time was of the essence, a Board telephone vote would be acceptable.

Ms. Lazo stated that she would need to research to see if this procedure was acceptable under the Sunshine Law.

Ms. Lazo suggested that the resolution be amended to enter into confidentiality agreements today for any firms that are pre-qualified and to not issue another resolution at this time. She recommended that a future resolution be prepared and presented to the Board at a later time should the need arise.

Mr. Kunka stated that at this time we are talking only about the confidentiality agreements and access to the data that is being prepared. He noted that the scope may go beyond the seven pre-qualified firms, but said the resolution is still for access to the data only. He stated that we could amend the resolution to clarify that it is limited to confidentiality agreements with the firms that were pre-qualified.

Ms. Rudiak asked for clarification on the procedures for firms accessing data.

Ms. Lazo explained that the Authority hired Transperfect Deal Interactive to compile and store various data relating to the Authority and its operations and said this information will be

available for all firms qualified to bid on the concessionaire portion of the monetization. She explained that because sensitive data is involved it was recommended that each firm sign a confidentiality agreement before accessing this data.

Ms. Rudiak also asked for names of the persons serving on the standing committee mentioned in this resolution.

Mr. Onorato advised that the committee consisted of himself, representatives of both Morgan Stanley and Scott Balice; Mr. Kunka representing the City; Frederick Frank, Solicitor for the City Pension Fund; Mr. Jasper as a PPAP Board Member; and Yarone Zober, Chief of Staff for the City of Pittsburgh.

Ms. Rudiak asked how this committee was formed and asked if it had a name.

Mr. Kunka replied that the Mayor formed this committee and said it was not named.

Ms. Lazo stated that since there is no official name for the committee she recommended that its members be included in the amended resolution as a means of identification.

Ms. Rudiak stated that she just wanted it to be clear that this was not the Parking Advisory Committee to which she and union representatives were appointed to serve.

Ms. Lazo discussed with the Board those resolution line items that needed amending and advised that the required changes would be made directly after the Board meeting and presented to the Secretary for signature. She dictated the revisions as follows:

Remove the 6<sup>th</sup> & 7<sup>th</sup> Whereas paragraphs. Change the Now therefore be it resolved paragraph to read the Executive Director is authorized to enter into a CNDA on behalf of the Authority and any CNDAs entered into prior to this date are ratified

Mr. Kunka advised that a motion to amend was required.

Upon motion by Ms. Judson and seconded by Mr. D'Addario, a motion to amend Resolution No. 19 of 2010 was approved as follows: Ms. Rudiak, yes; Mr. D'Addario, yes; Ms. Judson, yes; Mr. Jasper, yes; Mr. Kunka, yes.

Mr. Kunka asked if there were any questions.

Ms. Rudiak stated that she was uncomfortable with this process and said that before voting she would like clarification on how similar voting issues would be handled in the future. She said she agreed to the amendment to the resolution but she noted that she had not seen the confidentiality agreement and would like to see it before she votes to approve the resolution.

Mr. Kunka noted the objection. He advised that once the confidentiality agreements are signed he didn't have any objection distributing a copy to Board Members for review.

Upon motion by Ms. D'Addario and seconded by Ms. Judson, Amended Resolution No. 19 of 2010 was approved as follows: Ms. Rudiak, no; Mr. D'Addario, yes; Ms. Judson, yes; Mr. Jasper, yes; Mr. Kunka, yes.

## **EXECUTIVE DIRECTOR'S REPORT**

Mr. Onorato updated the Board on the monetization schedule and stated that the process is still on target to be completed by the end of the 2010 calendar year.

Mr. Onorato advised that the Authority is working with the Autism Awareness Committee and will light the Grant Street Transportation Center in blue during the awareness days in support of the program.

Mr. Onorato advised that the May 2<sup>nd</sup> Pittsburgh Marathon will affect the operations of some of our facilities.

Mr. Onorato advised that we are also working with community organizations for events such as Pedal Pittsburgh and the Pittsburgh International Children's Festival.

Mr. Onorato advised that the agreement with East End Cooperative Ministry for the purchase of the Station Collins Lot will be amended to extend the closing date to the end of this fiscal year. He said the amendment and terms will be presented to the Board at a later date.

Mr. Onorato distributed the 2009 Annual Report to each Board member.

Mr. Onorato advised that this month's packet includes the quarterly reports and noted that the Board- requested change in the Financial Report to include year-to-date performance versus budget information has been added.

Mr. Kunka asked if there were any questions and/or comments. There were none.

## **OLD/NEW BUSINESS**

Mr. Kunka asked if there was any old or new business. There was none.

The next Board meeting is scheduled for Thursday May 20, 2010 at 10:00 a.m.

Upon motion by Ms. Rudiak and seconded by Ms. Judson the meeting was adjourned at 10:28 a.m.

**APPROVED TO CONTENT**

*Scott Kunka*  
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**Chairman**

**ACCEPTED FOR FILING IN THE AUTHORITY'S BOOK OF  
MINUTES**

*Natalie Pruder*  
\_\_\_\_\_  
**Approval**