

# City of Pittsburgh



## City Council

### Regular Meeting Agenda

**Tuesday, December 8, 2009**

**10:00 AM**

**ONE-HUNDRED  
THIRTY-FIFTH COUNCIL**

**Douglas Shields, President**

**Council Members: Reverend Ricky V. Burgess, Patrick Dowd, Darlene M. Harris, Bruce A. Kraus, Jim Motznik, Tonya D. Payne, William Peduto, Theresa Smith**

**Linda M. Johnson-Wasler, City Clerk**

**Mary Beth Doheny, Deputy City Clerk**

**ROLL CALL****PLEDGE OF ALLEGIANCE****PROCLAMATIONS****PUBLIC COMMENTS****PRESENTATION OF PAPERS****REV. BURGESS, CHAIRPERSON OF THE COMMITTEE ON LAND USE AND ECONOMIC DEVELOPMENT, PRESENTS**

Bill No. Ordinance amending the Pittsburgh Code, Title Nine, Zoning Code, Article IV, Chapter  
[2009-2038](#) 914, Parking and Loading Access, to provide for and to incentivize bicycle parking.

Bill No. Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article I, Section 902.03  
[2009-2039](#) Zoning Map, by changing from GPR-C, Grandview Public Realm Subdistrict C; LNC, Local Neighborhood Commercial District; and R2-H, Residential Two-Unit High Density District to AP, Residential/Commercial Planned Unit Development District, certain property bounded by North Dithridge St.; Centre Avenue; North Craig St.; Lot No. 102, Block No. 27-D in the Allegheny County Block and Lot System; Chesney Way; and Lot No. 59, Block No. 27-D in the aforesaid system; 18th and 19th Wards.

Bill No. Resolution authorizing the Mayor to enter into a grant agreement with the Pennsylvania  
[2009-2040](#) Department of Community and Economic Development to receive monies to support the Taking Care of Business Districts Program, a City-wide Business Districts Improvement 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 execution of said grant agreement. Said agreement or agreements, contract or contracts or expenditures shall not exceed \$200,000.

Bill No. Resolution authorizing the Mayor to enter into a grant agreement with the Pennsylvania  
[2009-2041](#) Department of Community and Economic Development to receive monies to support the Taking Care of Business Districts Program, a City-wide Business Districts Improvement 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 execution of said grant agreement. Said agreement or agreements, contract or contracts or expenditures shall not exceed \$150,000.

**MR. DOWD, CHAIRPERSON OF THE COMMITTEE ON INTERGOVERNMENTAL AFFAIRS, PRESENTS**

Bill No. Resolution establishing a Special Parking District and Authorizing the Public Parking  
[2009-2042](#) Authority of Pittsburgh to establish parking rates at Technology Drive equal to or greater than the rates of the Urban Redevelopment Authority's Garage at 401 Technology Drive (Council District 6)

Bill No. [2009-2043](#) Resolution further amending Resolution No. 683, effective November 16, 2006, entitled "Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh in connection with URA's application for a \$1,125,000 Redevelopment Assistance Capital Program grant for the National Aviary project" by increasing the amount of the grant to \$2,625,000. (Council District 6)

Bill No. [2009-2044](#) Resolution further amending Resolution No. 685, effective November 16, 2006, entitled "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an Application to the Pennsylvania Office of the Budget for a Redevelopment Assistance Capital Program grant in the amount of \$1,125,000 for the National Aviary project" by increasing the grant to \$2,625,000. (Council District 1)

Bill No. [2009-2045](#) Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh in connection with URA's application for a Redevelopment Assistance Capital Program grant of up to \$250,000 for the Sarah Heinz House project. (Council District 1)

Bill No. [2009-2046](#) Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an Application to the Pennsylvania Office of the Budget for a Redevelopment Assistance Capital Program grant of up to \$250,000 for the Sarah Heinz House project. (Council District 1)

Bill No. [2009-2047](#) Resolution approving execution of a Contract for Disposition by Sale of Land by and between the Urban Redevelopment Authority of Pittsburgh and 29th Street Associates, L.P. for the sale of Block 29-N, Lot 152, in the 16th Ward of the City of Pittsburgh, in Redevelopment Area No.55 -East Carson Street at vacated 29th Street --Council District No.3 (office building construction).

**MRS. HARRIS, CHAIRPERSON OF THE COMMITTEE ON PUBLIC WORKS,  
PRESENTS**

Bill No. [2009-2036](#) Resolution authorizing the Mayor and the Director of the Department of Public Works to enter into a Professional Services Agreement with the Southwestern Pennsylvania Corporation to complete signal retiming along various corridors in the City of Pittsburgh.

Bill No. [2009-2037](#) Resolution authorizing the Mayor and the Director of the Department of Public Works and the Department of Parks and Recreation to enter into a License, Maintenance and Cooperation Agreement with the Pittsburgh Parks Conservancy to provide capital improvements/renovations and assist with maintenance/management for Mellon Square Park.

**MR. PEDUTO, CHAIRPERSON OF THE COMMITTEE ON FINANCE AND LAW,  
PRESENTS**

Bill No. [2009-2028](#) Resolution designating Banks and Lending Institutions to act as Depositories for the year 2010 in accordance with the Pittsburgh Code, Title Two, Fiscal, Article III, Depositories.

- Bill No.  
[2009-2029](#) Resolution authorizing the Department of Finance to enter into an agreement or agreements for professional services with First Data Government Solutions to provide on-going system maintenance services to the City of Pittsburgh for the operation of the ISAT data system for a period of two (2) years at a cost not to exceed Thirty-five Thousand Dollars (\$35,000.00) per year, subject to annual budget appropriation.
- Bill No.  
[2009-2030](#) Resolution authorizing the City of Pittsburgh to grant the Pennsylvania American Water Company a permanent utility easement and the privilege and license to install, use, operate, maintain, repair, renew and finally remove a water line easement across City of Pittsburgh property designated as Block 134-A, Lot No. 148 located near Hillburn Street in the 31st Ward.
- Bill No.  
[2009-2031](#) Resolution authorizing the Mayor and the Director of Finance, on behalf of the City of Pittsburgh, to issue Deeds in the form approved by the City Solicitor for property in the 19th Ward of the City of Pittsburgh designated as part of parcel 34-P-1 for expansion of rear yards that have extended into the Moore Greenway by four (4) property owners on Dunster Street in the Brookline section of the City of Pittsburgh.
- Bill No.  
[2009-2032](#) Resolution repealing items in Resolutions approved on various dates, authorizing the sale of properties in various wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984. Items A through E: A: 6821 & 6823 McPherson; B: 1906 Shamokin; C: 2649 Brighton; D: Timberland Plan Lot 16; E: 1426 Sandusky.
- Bill No.  
[2009-2033](#) Resolution providing for the conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984; having been placed for sale to adjoining property owners in conjunction with the City of Pittsburgh/City Source Associates Sideyard Program. ITEMS A through C. A: 540 N. Atlantic; B: 1344 Goettman; C: 1403 Hodgkiss.
- Bill No.  
[2009-2034](#) Resolution providing for the filing of petitions for the sale of certain properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984. ITEMS A through F. A: 425 S. Bouquet; B: 203 Roup; C: 1220 Muriel; D: 307 & 309 Taft; E: 720 Fargo; F: 2327 Los Angeles.
- Bill No.  
[2009-2035](#) Resolution providing for the filing of petitions for the sale of certain properties, acquired at tax sales, in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984. ITEMS A through E. A: 169 38th; B: 4823 Kincaid; C: 4925 Kincaid; D: 5106 Dearborn; E: 5132 Broad.
- Bill No.  
[2009-2048](#) Resolution making appropriations to pay the expenses of conducting the Public Business of the City of Pittsburgh and for meeting the debt charges thereof for the Fiscal Year, beginning January 1, 2010
- Bill No.  
[2009-2049](#) Resolution fixing the number of officers and employees of the City of Pittsburgh, and the rate of compensation thereof, and setting minimum levels for designated positions, for Budget Year 2010.

Bill No. Resolution adopting and approving the 2010 Capital Budget and the 2010 Community  
[2009-2050](#) Development Block Grant Program; and approving the 2010 through 2014 Capital Improvement Program, by adjusting various line items in conformance with City Council's 2010 Capital Budget amendments.

### MR. SHIELDS, CHAIRPERSON OF THE COMMITTEE ON HEARINGS

Bill No. Resolution informing City Council of the appointment of John Jackson, III, 2596  
[2009-2051](#) Magnet Street, Pittsburgh, PA 15214 , as a member of the Stadium Authority with a term to expire December 31, 2014.

Bill No. Resolution informing City Council of the appointment of Kristen Baginski, 915 Ivy  
[2009-2052](#) Street, Pittsburgh, PA 15232 , as a member of the Carnegie Library Board of Trustees with a term to expire December 31, 2013.

Bill No. Resolution informing City Council of the reappointment of State Representative Jake  
[2009-2053](#) Wheatley, 3046 Iowa Street, Pittsburgh, PA 15219 , as a member of the Southwestern Pennsylvania Commission with a term to expire December 31, 2012.

Bill No. Resolution informing City Council of the reappointment of Yarone Zober, 726 N.  
[2009-2054](#) Beatty Street, Pittsburgh, PA 15206 , as a member of the Southwestern Pennsylvania Commission with a term to expire December 31, 2010.

Bill No. Resolution authorizing the reappointment of Dina Klavon, 46 S. 15th Street,  
[2009-2055](#) Pittsburgh, PA 15203, as a member of the Art Commission for a term to expire on December 31, 2013.

Bill No. Resolution authorizing the appointment of Sylvia Rohr Samaniego, 317 S. Graham  
[2009-2056](#) Street, Pittsburgh, PA 15232, as a member of the Art Commission for a term to expire on December 31, 2013.

Bill No. Resolution authorizing the appointment of Arthur Sheffield, 1524 Lowrie Street,  
[2009-2057](#) Pittsburgh, PA 15212, as a member of the Historic Review Commission for a term to expire on February 28, 2011. Mr. Sheffield is replacing Earle Onque.

Bill No. Petition from the residents of the City of Pittsburgh requesting a public hearing before  
[2009-2058](#) City Council regarding the proposed appointment of Daniel D. Regan as City Solicitor. The petition was deemed invalid in accordance with the Home Rule Charter.

### UNFINISHED BUSINESS

Bill No. Communication from Mayor Luke Ravenstahl submitting the appointment of Daniel D.  
[2009-1958](#) Regan as City Solicitor. Said appointment shall be effective as of date of confirmation by Council.

**Legislative History**

11/17/09	City Council	Held, Pending Interview	Passed
12/2/09	Hearings Committee	Interview Held	Passed

## REPORTS OF COMMITTEE - FINAL ACTION

### MR. PEDUTO PRESENTS COMMITTEE ON FINANCE AND LAW

Bill No. Report of the Committee on Finance and Law for December 2, 2009 with an  
[2009-2025](#) Affirmative Recommendation.

Bill No. Resolution authorizing the issuance of a Warrant in the sum of \$50,000.00 in favor of  
[2009-1977](#) David Hackbart; c/o Thomas J. Farrell Esquire, Reich, Alexander, Reisinger & Farrell, LLC, Koppers Building, 436 7th Avenue, Suite 1000, Pittsburgh, PA 15219; in full and final settlement of an action filed in the United States District Court for the Western District of Pennsylvania, at No. 07-cv-0157 for an incident on April 10, 2006.

**Legislative History**

11/23/09	City Council	Read and referred	
12/2/09	Finance and Law Committee	Affirmatively Recommended	Passed

Bill No. Resolution providing for a professional services agreement or agreements with Maher  
[2009-1978](#) Duessel for the performance of the City's Financial Statement, including Single Audit for the year ending December 31, 2009, at a total cost not to exceed Two Hundred Fifty Thousand Nine Hundred Ninety Eight Dollars (\$250,998.00),.

**Legislative History**

11/23/09	City Council	Read and referred	
12/2/09	Finance and Law Committee	Affirmatively Recommended	Passed

Bill No. Resolution realigning a total of \$5,039,500 between various accounts within the 2009  
[2009-1999](#) Operating Budget. This transfer is necessary for the 2009 closeout in order to meet expenditures for the remainder of the fiscal year.

**Legislative History**

12/1/09	City Council	Read and referred	
12/1/09	City Council	Waived under Rule 8	
12/2/09	Finance and Law Committee	Affirmatively Recommended	Passed

### MR. KRAUS PRESENTS COMMITTEE ON PUBLIC SAFETY SERVICES

Bill No. Report of the Committee on Public Safety Services for December 2, 2009 with an  
[2009-2026](#) Affirmative Recommendation.

Bill No. Resolution providing for a contract or contracts or the use of existing contract or  
[2009-1979](#) contracts; or agreement or agreements for the purchase of City issued protective equipment and accessories for the Bureau of Police at a cost not to exceed One Hundred Thousand Dollars (\$100,000) and providing for the payment there

**Legislative History**

11/23/09	City Council	Read and referred	
12/2/09	Public Safety Services Committee	Affirmatively Recommended	Passed

**MRS. HARRIS PRESENTS THE COMMITTEE ON PUBLIC WORKS**

Bill No. Report of the Committee on Public Works for December 2, 2009 with an Affirmative  
[2009-2027](#) Recommendation.

Bill No. Resolution providing for a Contract or Contracts, or the use of existing Contracts for  
[2009-1980](#) the purchase of Two (2) 28 yard Recycling Packers, and all related accessories, for the Department of Public Works, Bureau of Environmental Services, and provide for the payment thereof and/or the transfer of all required funding to the Equipment Leasing Authority, at a cost not to exceed \$450,000.00.

**Legislative History**

11/23/09	City Council	Read and referred	
12/2/09	Public Works Committee	Affirmatively Recommended	Passed

Bill No. Resolution granting unto Dominion Peoples, 1201 Pitt Street Wilkinsburg, PA 15221,  
[2009-1981](#) their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, bollards on the sidewalk area of Meyran Avenue between Forbes Avenue and Fresco Way in the 4th Ward, 6th Council District of the City of Pittsburgh.

**Legislative History**

11/23/09	City Council	Read and referred	
12/2/09	Public Works Committee	Affirmatively Recommended	Passed

Bill No. Resolution granting unto Alexander's Restaurant, 5104 Liberty Avenue, Pittsburgh, PA  
[2009-1982](#) 15224, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, an awning on the sidewalk area at 5104 Liberty Avenue in the 8th Ward, 8th Council District of the City of Pittsburgh.

**Legislative History**

11/23/09	City Council	Read and referred	
12/2/09	Public Works Committee	Affirmatively Recommended	Passed

Bill No. Resolution vacating of a portion of Lima Way at Gross Street in the 8th Ward, 8th  
[2009-1984](#) Council District of the City of Pittsburgh.

**Legislative History**

11/23/09	City Council	Read and referred	
12/2/09	Public Works Committee	Affirmatively Recommended	Passed

**MOTIONS AND RESOLUTIONS****EXCUSE ABSENT MEMBERS****APPROVAL OF MINUTES****ADJOURNMENT**

