

City of Pittsburgh

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



MEETING MINUTES

Proceedings of the Council of the City of Pittsburgh

Monday, November 9, 2009

10:00 AM

Council Chambers

City Council

**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

Present: 9 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznik, Ms. Payne, Mr. Peduto, Mrs. Smith and Mr. Shields

PLEDGE OF ALLEGIANCE

MAYOR RAVENSTAHL'S 2010 BUDGET ADDRESS

PROCLAMATIONS

Bill No. [2009-1941](#) NOW THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend The Federation of War Veterans Societies' Inc for all the hard work that has been done over the years; and

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh proclaims that Wednesday November 11th, 2009 be hereby declared as "The Federation of War Veterans Societies' Day"!

SPONSOR(S): JIM MOTZNIK AND ALL MEMBERS

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

Bill No. [2009-1942](#) NOW THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby wish to recognize Mr. Ashley G. Woodson for his strong will, determination, and strong belief in the African American community by declaring Monday, November 9, 2009, "Brotha Ash Day" in the City of Pittsburgh; and BE IT FURTHER RESOLVED that a key to the City of Pittsburgh is bestowed upon Ashley G. Woodson aka Brotha Ash as a thank you and a memento for his continued commitment to the community.

SPONSOR(S): TONYA D. PAYNE AND ALL MEMBERS

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

Bill No. [2009-1943](#) NOW, THEREFORE, BE IT RESOLVED, that Council of the City of Pittsburgh commends these awardees for their commitment to racial equality and thanks the Greater Pittsburgh YWCA for recognizing these community leaders; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby declares November 16, 2009, "Racial Justice Awards Day" in the City of Pittsburgh.

SPONSOR(S): WILLIAM PEDUTO AND ALL MEMBERS

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

Bill No. [2009-1944](#) NOW THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates and commends Carol Jansen on her years of dedicated service and her accomplishments as a wife, a mother, and a Pittsburgher; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh proclaims that Saturday, November 7th, 2009 be hereby declared as "Carol Jansen Day" in the City of Pittsburgh.

SPONSOR(S): JIM MOTZNIK AND ALL MEMBERS

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

Bill No.

[2009-1945](#)

Now, Therefore, be it resolved that the Council of the City of Pittsburgh does hereby recognize and commend Dr. James Simms for his commitment to the ministry, and his relentless dedication to our communities; and

Be It Further Resolved, that the Council of the City of Pittsburgh does hereby proclaim November 14, 2009, to be designated, "Dr. James Simms" day in the City of Pittsburgh.

SPONSOR(S): REVEREND RICKY V. BURGESS AND ALL MEMBERS

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

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

Bill No.

[2009-1946](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognizes the Yunnan Provincial Library for its longevity, leadership and vision and congratulates the library on the notable occasion of its 100th Anniversary.

SPONSOR(S): DOUGLAS SHIELDS AND ALL MEMBERS

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

Bill No.

[2009-1947](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize Aaron Elias Kreimer for his leadership and hard work and congratulates Aaron on earning the Eagle Scout Award through his remarkable and noteworthy project.

SPONSOR(S): DOUGLAS SHIELDS AND ALL MEMBERS

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

PRESENTATION OF PAPERS

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

Bill No.

[2009-1939](#)

Ordinance supplementing the Pittsburgh Code, Title Two, Fiscal; Article VII, Business Related Taxes, by adding Chapter 259, Post-Secondary Education Privilege Tax

Read and referred to Finance and Law Committee

MRS. SMITH, CHAIRPERSON OF THE COMMITTEE ON URBAN RECREATION, PRESENTS

Bill No.

[2009-1940](#)

Resolution creating the Carnegie Library Oversight Committee of Citizens (CLOCC) to provide a forum for key stakeholders to review all city expenditures made to the library, and to request and review financial and performance data affecting decisions involving the continued sustainability of neighborhood library branches.

SPONSOR(S): THERESA SMITH

Read and referred to Urban Recreation Committee

UNFINISHED BUSINESS

REPORTS OF COMMITTEE - FINAL ACTION

MR. PEDUTO PRESENTS COMMITTEE ON FINANCE AND LAW

Bill No. [2009-1936](#) Report of the Committee on Finance and Law for November 5, 2009 with an Affirmative Recommendation.

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

Bill No. [2009-1861](#) Resolution providing for the issuance of warrants in the total amount of One Hundred and Five Thousand Dollars (\$105,000.00 in favor of James Childs and the Estate of William Yarbrough, specifically the payment of Ninety Three Thousand Dollars (\$93,000.00) to James Childs and Twelve Thousand Dollars (\$12,000.00) to the Estate of William Yarbrough, in settlement of claims for bodily injuries and damages arising out of a motor vehicle collision that occurred at approximately 12:20 a.m. on Saturday, December 29, 2001, at the intersection of Hamilton and Brushton Avenues and further providing for payment of all other costs related to said case, attached in Exhibit A, at a cost not to exceed \$39,574.53.

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

Votes: Ayes: 7 - Rev. Burgess, Mr. Dowd, Mr. Kraus, Mr. Motznik, Mr. Peduto, Mrs. Smith and Mr. Shields
Noes: 0
Abstentions: 1 - Mrs. Harris
Out of Room: 1 - Ms. Payne

Bill No. [2009-1873](#) Ordinance amending and supplementing the Pittsburgh Code, Title Six: Conduct, by adding a new Article IX, entitled Privacy Policy for City Email and Data Systems.

SPONSOR(S): WILLIAM PEDUTO

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

Votes: Ayes: 6 - Rev. Burgess, Mrs. Harris, Mr. Kraus, Mr. Motznik, Mr. Peduto and Mr. Shields
Noes: 2 - Mr. Dowd and Mrs. Smith
Abstentions: 0
Out of Room: 1 - Ms. Payne

Bill No. [2009-1888](#) Resolution providing for the issuance of a \$2,691.16 warrant in favor of Lorina Wise, of 1146 Brintell Street, Pittsburgh, PA 15201, in settlement of a claim for sidewalk damage due to City tree roots on May 26, 2009.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution authorizing and directing the Mayor and the Director of the Department of
[2009-1906](#) Finance to establish Sustainable Purchasing Criteria to guide purchasing activities on behalf of the City.

SPONSOR(S): WILLIAM PEDUTO

This Matter was Passed Finally on the Consent Agenda.

Bill No. Ordinance supplementing the Pittsburgh Code, Title One - Administrative, Article III -
[2009-1907](#) Organization, Chapter 111 - Departments Generally, by adding Chapter 146, entitled, Sustainability Coordinator, and setting forth responsibilities.

SPONSOR(S): WILLIAM PEDUTO

This Matter was Passed Finally on the Consent Agenda.

Bill No. Ordinance supplementing the Pittsburgh Code, Title One - Administrative, Article IX -
[2009-1908](#) Boards, Commissions and Authorities, Chapter 178 - Community Advisory Boards, by adding Section 178C, entitled, Sustainability Commissions.

SPONSOR(S): WILLIAM PEDUTO

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution further amending Resolution No. 232, effective April 19, 2000, as
[2009-1912](#) amended, 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 Program in Council District 2; and providing for the payment of the costs thereof," by adding \$1,912.36 to Onala Club and by deleting the same amount from West Pittsburgh Partnership, in Council District 2. Total cost of all projects not to exceed \$1,000,000.

SPONSOR(S): THERESA SMITH

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution further amending Resolution No. 654, effective October 25, 2001, entitled,
[2009-1913](#) "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 City Council's 2001 Neighborhood Needs Supplement Program; and providing for the payment of the costs thereof," by adding \$8,485.60 to Onala Club and by reducing West Pittsburgh Partnership line item by the same amount.

SPONSOR(S): THERESA SMITH

This Matter was Passed Finally on the Consent Agenda.

Passed The Consent Agenda

A motion was made, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried by the following vote:

Votes: Ayes: 8 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznik, Mr. Peduto, Mrs. Smith and Mr. Shields
Noes: 0
Abstentions: 0
Out of Room: 1 - Ms. Payne

REV. BURGESS PRESENTS COMMITTEE ON LAND USE & ECONOMIC DEVELOPMENT

Bill No. Report of the Committee on Land Use and Economic Development for November 5, 2009 with an Affirmative Recommendation.
[2009-1937](#)

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

Bill No. Resolution providing for an Agreement or Agreements with East End Cooperative Ministry, Women's Center and Shelter of Greater Pittsburgh, Womanspace East, Operation Safety Net and the Greater Pittsburgh Community Food Bank for administrative, operating essential services, and/or renovation costs for their shelters under the State Emergency Shelter Grant Program, at a cost not to exceed \$131,303.00.
[2009-1891](#)

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution amending and supplementing Resolution No. 861, effective January 1, 2000, as amended, entitled: "Adopting and approving the 2000 Capital Budget and the 2000 Community Development Block Grant Program; and approving the 2000 through 2005 Capital Improvement Program, by adjusting various line items in conformance with City Council's 2000 Capital Budget amendments," by adding \$1,912.36 to Onala Club and by deleting the same amount from West Pittsburgh Partnership.
[2009-1914](#)

SPONSOR(S): THERESA SMITH

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution further Amending Resolution No. 424 of 2001, effective June 19, 2001, entitled "Further amending Resolution No. 976 effective January 1, 1996, as amended, Adopting and Approving the 1996 Capital Budget and the 1996 Community Development Block Grant by creating a new line item, City Clerk Office Modernization Project Grant # 2271000 for the purpose of augmenting neighborhood needs programs and/or the District Improvement Fund, and transferring \$1,128,892.00 from Grant/Liberty to City Clerk's Office Modernization" by adding \$8,485.60 to Onala Club and by reducing West Pittsburgh Partnership line item by the same amount.
[2009-1915](#)

SPONSOR(S): THERESA SMITH

This Matter was Passed Finally on the Consent Agenda.

Passed The Consent Agenda

A motion was made, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried by the following vote:

Votes: Ayes: 8 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznik, Mr. Peduto, Mrs. Smith and Mr. Shields

Noes: 0

Abstentions: 0

Out of Room: 1 - Ms. Payne

MR. DOWD PRESENTS COMMITTEE ON INTERGOVERNMENTAL AFFAIRS

Bill No. [2009-1938](#) Report of the Committee on Intergovernmental Affairs for November 5, 2009 with an Affirmative Recommendation.

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

Bill No. [2009-1892](#) 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 Phipps Conservatory Phase III project. (Council Districts 3 & 5)

This Matter was Passed Finally on the Consent Agenda.

Bill No. [2009-1894](#) 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 Phipps Conservatory Phase III project. (Council Districts 3 & 5)

This Matter was Passed Finally on the Consent Agenda.

Bill No. [2009-1895](#) Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's Right, Title and Interest, if any, in and to the Publicly-Owned Property in the 13th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block 174-N, Lot 182 (Council District No.9 - Site Assemblage for Residential Development - 512-522 N. Homewood Avenue).

This Matter was Passed Finally on the Consent Agenda.

Bill No. [2009-1896](#) Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire that property in the 13th Ward of the City of Pittsburgh owned by the Abundant Faith in Christ Fellowship Church and designated as Block 174-N, Lot 186, in the Deed Registry Office of Allegheny, under the Residential Land Reserve Fund (524 North Homewood Avenue - Council District No. 9).

This Matter was Passed Finally on the Consent Agenda.

Bill No. [2009-1897](#) Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's Right, Title and Interest, if any, in and to the Publicly-Owned Property in the 12th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block 124-J, Lots 162, 163, 164, 165, and 169 (Council District No. 9 - Site Assemblage for Commercial Development - McDonald Street).

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution approving execution of a Contract for Disposition by Sale of Land by and between the Urban Redevelopment Authority of Pittsburgh and Amalgamated Transit Union Local 85, AFL-CIO, for the sale of Disposition Parcel 2, in the 21st Ward of the City of Pittsburgh, in Redevelopment Area No. 27 - Block 22-E, Lots 346, 347, 348, 358 and 359, Chateau, Hoffman, Knott Streets - Council District No. 6 (commercial sideyard/parking).

[2009-1898](#)

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution approving Execution of a Contract for Disposition by Sale of Land by and between the Urban Redevelopment Authority of Pittsburgh and Ollie Lee, Jr. for the Sale of Block 22-P, Lot 261, in the 21st Ward of the City of Pittsburgh - Council District No. 6 (1407 Stedman Street - Sideyard)

[2009-1899](#)

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution approving Execution of a Contract for Disposition by Sale of Land by and between the Urban Redevelopment Authority of Pittsburgh and Joe T. Weathers, for the Sale of Block 173-C, Lots 11 and 12, in the 12th Ward of the City of Pittsburgh - Council District No. 9 - 1656-1658 Lincoln Avenue (sideyard).

[2009-1900](#)

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's Right, Title and Interest, if any, in and to the Publicly-Owned Property in the 23rd Ward of the City of Pittsburgh Designated in the Deed Registry Office of Allegheny County as Block 23-S, Lots 165, 165A, 166, under the Residential Land Reserve Fund - 506-508 E. Ohio Street and 507 Emlin Street - (Council District No. 1).

[2009-1902](#)

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution approving execution of a Contract for Disposition by Sale of Land by and between the Urban Redevelopment Authority of Pittsburgh and Allegheny Center Alliance Church for the sale of Block 23-S, Lots 165, 165A, 166, in the 23rd Ward of the City of Pittsburgh - Council District No. 1 - 506-508 E. Ohio Street and 507 Emlin Street.

[2009-1903](#)

This Matter was Passed Finally on the Consent Agenda.**Passed The Consent Agenda**

A motion was made, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried by the following vote:

Votes: Ayes: 8 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznik, Mr. Peduto, Mrs. Smith and Mr. Shields

Noes: 0

Abstentions: 0

Out of Room: 1 - Ms. Payne

MOTIONS AND RESOLUTIONS

APPROVAL OF MINUTES

A motion was made to approve the minutes The motion carried.

ADJOURNMENT

A motion was made to adjourn the meeting The motion carried.