City of Pittsburgh

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



MEETING MINUTES

Proceedings of the Council of the City of Pittsburgh

Tuesday, March 27, 2007 10:00 AM

Council Chambers

City Council

ONE-HUNDRED THIRTY-FOURTH COUNCIL

Douglas Shields, President

Council Members: Len Bodack, Twanda Carlisle,

Dan Deasy, Darlene M. Harris, Jeffrey S. Koch, Jim Motznik, Tonya D. Payne, William Peduto

Linda M. Johnson-Wasler, City Clerk Mary Beth Doheny, Deputy City Clerk City Council **Meeting Minutes** March 27, 2007

ROLL CALL

2007-1326

Present: 9 - Mr. Bodack, Ms. Carlisle, Mr. Deasy, Mrs. Harris, Mr. Koch, Mr. Motznik, Ms. Payne, Mr. Peduto and Mr. Shields

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Bill No. NOW, THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh

does hereby recognize and commend Erin Patton for his work to promote urban 2007-1325

culture by promoting athletic clothing and shoes that is affordable to everyone.

TWANDA CARLISLE AND ALL MEMBERS **SPONSOR(S):**

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

Bill No. NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh

does hereby congratulate the Oliver High School Bears Football Team on winning the

2006 City League Championship, and hereby extends best wishes to the team for

continued success, both on and off the field; and

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh hereby declares Tuesday, March 27th, 2007 as David B. Oliver High School Bears Football Team Day in the City of Pittsburgh in celebration of this long awaited achievement.

DARLENE HARRIS AND ALL MEMBERS **SPONSOR(S):**

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

Bill No. NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh

thanks and congratulates Bonnie DiCarlo and JoAnn R. Forrester for founding 2007-1327

Celebrate and Share; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby declares March 27, 2007, "Celebrate and Share Day" in the City of Pittsburgh.

SPONSOR(S): WILLIAM PEDUTO, DOUGLAS SHIELDS, LEN BODACK,

TWANDA CARLISLE, DAN DEASY, DARLENE HARRIS

AND JIM MOTZNIK

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

Bill No. NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh 2007-1328

thanks and congratulates Mr. Imperata for his dedicated service to VisitPittsburgh; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby declares March 27, 2007, "Bob Imperata Day" in the City of Pittsburgh.

SPONSOR(S): WILLIAM PEDUTO, DOUGLAS SHIELDS, LEN BODACK,

TWANDA CARLISLE, DAN DEASY, DARLENE HARRIS

AND JIM MOTZNIK

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

2007-1329

THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize the important work of the Pittsburgh Chapter of the National Association of Women Business Owners; and

NOW THEREFORE BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declares March 28, 2007, NAWBO DAY in the City of Pittsburgh.

SPONSOR(S): DOUGLAS SHIELDS AND ALL MEMBERS

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

Bill No.

2007-1330

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby honor the accomplishments and contributions of Scottish Americans; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare April 6, 2007 as "Tartan Day" in the City of Pittsburgh.

SPONSOR(S): DOUGLAS SHIELDS AND ALL MEMBERS

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

PUBLIC COMMENTS

PRESENTATION OF PAPERS

MR. BODACK PRESENTS COMMITTEE ON PUBLIC SAFETY SERVICES

Bill No.

2007-1318

Resolution providing that the City of Pittsburgh may enter into an agreement or agreements with the Housing Authority of the City of Pittsburgh in order for City of Pittsburgh Police to provide police services on Housing Authority properties for a period of three years, in consideration for payments by the Housing Authority of One Million Dollars (\$1,000,000) for each year that the agreement remains in effect. per year.

Read and referred to Public Safety Services Committee

MS. CARLISLE PRESENTS COMMITTEE ON HOUSING, ECONOMIC DEVEOPMENT AND PROMOTION

Bill No.

2007-1323

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 "Wesley Center A.M.E. Zion-The Center That C.A.R.E.S", \$20,000 and by amending various line items in Council District 6.

SPONSOR(S): TONYA D. PAYNE

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

Read and referred to Housing, Economic Development & Promotion Committee

MR. DEASY PRESENTS COMMITTEE ON FINANCE, LAW AND PURCHASING

Bill No. Ordinance Supplementing the Pittsburgh Code, Title 1 - Administrative. Article XI -

2007-1316 Personnel, by adding a new Chapter 185, entitled "Additional Authorization for

Employment in the Bureau of Police" providing for procedures for the appointment as probationers of certain police officers currently employed by the Housing Authority of

the City of Pittsburgh.

Read and referred to Finance, Law and Purchasing Committee

Bill No. Resolution further amending Resolution No. 403, effective June 14, 2000, as

2007-1322 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 6; and providing for the payment of the costs thereof," by amending various line items in

Council District 6. Total cost of all projects not to exceed \$1,000,000.

SPONSOR(S): TONYA D. PAYNE

Read and referred to Finance, Law and Purchasing Committee

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

carried.

Bill No. Resolution authorizing the issuance of a warrant in the sum of \$85,000.00 to Catherine

2007-1324 McNeilly, c/o Timothy P. O'Brien, Esquire, 1705 Allegheny Building, 429 Forbes

Avenue, Pittsburgh, PA 15219, in full and final settlement of an action filed in the United States District Court, Western District of Pennsylvania to No. 06CV-1685.

Read and referred to Finance, Law and Purchasing Committee

MR. KOCH PRESENTS COMMITTEE ON PUBLIC WORKS AND ENVIRONMENTAL SERVICES

Bill No. Resolution Amending Resolution No. 404, effective July 7, 2006, entitled, Res.

2007-1317 finally locating right of ways and accepting the naming and dedication of roadways

which are part of the North Shore Roadway Improvement Phases I-V / Stadium Projects, in the 22nd Ward, 6th Council District of the City of Pittsburgh; is hereby amended by correcting the description of the right of way and roadway described therein and the acceptance and dedication thereof as reflected on Exhibit "A" attached.

Read and referred to Public Works & Environmental Services Committee

MR. SHIELDS, PRESIDENT OF COUNCIL, PRESENTS COMMITTEE ON HEARINGS:

Bill No. Communication from Anthony J. Pokora, Deputy City Controller, submitting the

2007-1319 performance audit on the Pittsburgh Police and the Housing Authority Police Merger.

City Council Meeting Minutes March 27, 2007

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

Bill No. Resolution authorizing the appointment of Leon E. Haynes, III, 3370 Perrysville

2007-1320 Avenue, Pittsburgh, PA 15204, as a member to the Youth Commission of the City of

Pittsburgh for a term to expire April 1, 2011.

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

Bill No. Resolution authorizing the appointment of Joanne Witkowski, 984 Mifflin Road,

2007-1321 Pittsburgh, PA 15207, as a member to the Youth Commission of the City of Pittsburgh

for a term to expire April 1, 2011.

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

UNFINISHED BUSINESS

Bill No. Resolution providing for the issuance of an agreement between the City of Pittsburgh

and Michael Baker Jr., Inc. for the development and payment thereof for a central business district evacuation plan. The agreement will provide a means in which the Mayor of Pittsburgh and the Director of Public Safety may utilize funds authorized by

Resolution 687 of 2005 for payment of costs accrued in the development and implementation of a central business district evacuation plan. Cost not to exceed

\$589,327.00.

This matter was UNTABLED to the City Council. The motion carried.

This matter was RECOMMITTED to the Public Safety Services Committee. The motion carried.

REPORTS OF COMMITTEE - FINAL ACTION

MR. DEASY PRESENTS COMMITTEE ON FINANCE, LAW AND PURCHASING

Bill No. Report of the Committee on Finance, Law and Purchasing for March 21, 2007.

2007-1310

Read, Received and Filed

Bill No. Resolution authorizing the issuance of a warrant in the sum of \$45,000.00 to Karole A.

2007-1254 Kunig, Personal Representative of the Estate of Shirley Kuhl, Deceased, 9 Lacona

Street, Pittsburgh, PA 15210 and acceptance by the City of a Deed from said Estate, in full and final settlement of acquisition of property in the 32nd Ward of the City of

Pittsburgh located at 28 Ansonia Place, Pittsburgh, PA 15210.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution authorizing the Mayor and the Director of the Department of Finance to

2007-1274 enter into an agreement or agreements with Active Network to provide Market-Based

Revenue Opportunity consulting for the City of Pittsburgh. Cost not to exceed

\$75,000.00.

This Matter was Passed Finally on the Consent Agenda.

2007-1276

Resolution further amending Resolution No. 403, as 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 6; and providing for the payment of the costs thereof," by amending various line items in Council District 6. Total cost of all projects not to exceed \$1,000,000.

SPONSOR(S): TONYA D. PAYNE

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 - Mr. Bodack, Mr. Deasy, Mrs. Harris, Mr. Koch, Mr. Motznik, Ms. Payne,

Mr. Peduto and Mr. Shields

Noes: 0

Abstentions: 0

Out of Room: 1 - Ms. Carlisle

MR. KOCH PRESENTS COMMITTEE ON PUBLIC WORKS & ENVIRONMENTAL SERVICES

Bill No. Report of the Committee on Public Works and Environmental Services for March 21,

2007-1311 2007.

Read, Received and Filed

Bill No. **2007-1255**

Resolution repealing Resolution No. 397, effective July 7, 2006, entitled "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; for the purpose of planning and/or implementing costs of the Trail Development Projects and related costs in support of this project, at a cost not to exceed \$50,000.00," by repealing it in its entirety.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

2007-1256

Resolution Amending Resolution No. 309, effective July 9, 2004, entitled "Providing for an Agreement or Agreements, or for the use of existing Agreements, with a Consultant or Consultants, for design services in connection with the replacement of the West Ohio Street/Ridge Avenue Bridges; providing for a Reimbursement Agreement with the Commonwealth of Pennsylvania, Department of Transportation, and further providing for the costs thereof, at a cost not to exceed \$300,000.00," by decreasing the total project allocation by \$100,000.00 from \$300,000.00 to \$200,000.00 and adding Federal Highway funding.

This Matter was Passed Finally on the Consent Agenda.

2007-1257

Resolution amending Resolution No. 310, effective July 9, 2004, entitled "Providing for a Contract or Contracts or for the use of existing Contracts, and providing for an Agreement or Agreements or for the use of existing Agreements, in connection with the Bridge Repairs program; and further providing for the payment of the costs thereof," by increasing the project allocation by \$50,000 from \$300,000 to \$350,000.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

2007-1258

Resolution providing for a Contract or Contracts or for the use of existing Contracts; providing for an Agreement or Agreements or for the use of existing Agreements; providing for the purchase of materials, equipment and supplies in connection with the Renovation of Various Play Areas; and further providing for the payment of the costs thereof, cost not to exceed \$250,000.00.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

2007-1259

Resolution providing for a Contract or Contracts or for the use of existing Contracts, providing for an Agreement or Agreements or for the use of existing Agreements, and providing for the purchase of materials and supplies in connection with the Bridge Repairs program; and further providing for the payment of the cost thereof, cost not to exceed \$400,000.00.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

2007-1260

Resolution providing for a Contract or Contracts or for the use of existing Contracts, providing for an Agreement or Agreements or for the use of existing Agreements, and providing for the purchase of materials and supplies in connection with the Neighborhood Street Improvements; and further providing for the payment of the costs thereof, cost not to exceed \$300,000.00.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

2007-1261

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 and supplies in connection with the investigation, design, and construction of CBD (Central Business District) Signal Upgrades throughout the City; and providing for the payment of the costs thereof, cost not to exceed \$750,000.00.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

2007-1262

Resolution providing for a Contract or Contracts, or use of existing Contracts, and for the purchase of materials, equipment and supplies in connection with the rehabilitation of the West Ohio Street/Ridge Avenue Bridges; providing for a Reimbursement Agreement with the Commonwealth of Pennsylvania, Department of Transportation; and further providing for the payment of the costs thereof, cost not to exceed \$200,000.00.

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

2007-1262

Resolution providing for a Contract or Contracts, or use of existing Contracts, and for the purchase of materials, equipment and supplies in connection with the rehabilitation of the West Ohio Street/Ridge Avenue Bridges; providing for a Reimbursement Agreement with the Commonwealth of Pennsylvania, Department of Transportation; and further providing for the payment of the costs thereof, cost not to exceed \$200,000.00.

This Matter was Passed Finally, As Amended on the Consent Agenda.

Bill No.

2007-1263

Resolution providing for a Contract or Contracts or for the use of existing Contracts, providing for an Agreement or Agreements or for the use of existing Agreements, and providing for the purchase of materials and supplies in connection with the Bridge Repairs program; and further providing for the payment of the cost thereof, cost not to exceed \$23,000.00.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

2007-1264

Resolution providing for a Contract or Contracts or the use of existing Contracts; providing for an Agreement or Agreements or for the use of existing Agreements; providing for repairs, maintenance, improvements, emergencies and/or the purchase of materials, equipment and supplies, and providing for a Reimbursement Agreement with the Commonwealth of Pennsylvania, Department of Transportation, in connection with Brown's Hill Road; and further providing for the payment of the costs thereof, cost not to exceed \$375,000.00.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

2007-1265

Resolution further amending Resolution No. 948, effective January 1, 2004, as amended, entitled "Adopting and approving the 2004 Capital Budget and the 2004 Community Development Block Grant Program; and approving the 2004 through 2009 Capital Improvement Program," by adding Federal Highway funding (\$160,000.00), decreasing State Highway funding (\$240,000.00 to \$30,000.00), and reducing the CDBG funding (\$60,000.00 to \$10,000.00) to the "West Ohio St. Bridge" line item and increasing the "Bridge Repairs" line item in the amount of \$50,000.00 from \$300,000.00 to \$350,000.00.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

2007-1266

Resolution further amending Resolution No. 619, effective January 1, 2005, as amended, entitled "Adopting and approving the 2005 Capital Budget and the 2005 Community Development Block Grant Program; and approving the 2005 through 2010 Capital Improvement Program," by eliminating the "Ridge Avenue Bridge" line item in the amount of \$451,000.00 (\$360,575.00 FHWA, \$67,425.00 SHW, \$23,000 CDBG) and creating a line item entitled "Bridge Repairs" in the amount of \$23,000.00 CDBG.

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 - Mr. Bodack, Mr. Deasy, Mrs. Harris, Mr. Koch, Mr. Motznik, Ms. Payne,

Mr. Peduto and Mr. Shields

Noes: 0 Abstentions: 0

Out of Room: 1 - Ms. Carlisle

MRS. HARRIS PRESENTS COMMITTEE ON ENGINEERING, FLEET AND FORESTRY

Bill No. Report of the Committee on Engineering, Fleet and Forestryfor March 21, 2007.

2007-1312

Read, Received and Filed

Bill No. Resolution authorizing the Mayor and the Director of Public Works to enter into an

2007-1267 agreement or agreements with Davey Resources Group for a multi-year subscription to

Treekeeper 7.5, at a cost not to exceed \$6,250.00

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

Votes: Ayes: 8 - Mr. Bodack, Mr. Deasy, Mrs. Harris, Mr. Koch, Mr. Motznik, Ms. Payne,

Mr. Peduto and Mr. Shields

Noes: 0

Abstentions: 0

Out of Room: 1 - Ms. Carlisle

MS. PAYNE PRESENTS COMMITTEE ON PLANNING, ZONING AND LAND USE

Bill No. Report of the Committee on Planning, Zoning and Land Use for March 21, 2007.

2007-1313

Read, Received and Filed

Bill No. Ordinance Amending the Pittsburgh Code of Ordinances, Title Nine, Zoning, Article

2006-0672 IX, Measurements and Definitions, Chapter 925 - Measurements, by amending the

Contextual Height standards to prohibit the use of exempted structures and features.

SPONSOR(S): WILLIAM PEDUTO

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution authorizing the Mayor and Director of City Planning to receive grant

funding to support the "Natural Areas Study" being conducted in the City's four

regional parks and further providing for an Agreement or Agreements for professional

services in support of the "Natural Areas Study". Agreement not to exceed

\$114,509.00.

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 - Mr. Bodack, Mr. Deasy, Mrs. Harris, Mr. Koch, Mr. Motznik, Ms. Payne,

Mr. Peduto and Mr. Shields

Noes: 0 Abstentions: 0

Out of Room: 1 - Ms. Carlisle

MS. CARLISLE PRESENTS COMMITTEE ON HOUSING, ECONOMIC DEVELOPMENT AND PROMOTION

Bill No. Report of the Committee on Housing, Economic Development and Promotion for

2007-1314 March 21, 2007.

2007-1269

2007-1270

2007-1275

Read, Received and Filed

Bill No. Resolution amending Resolution No. 591, effective October 10, 2006 entitled:

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 2005 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 in Public Works from "Ridge Avenue Bridge" (- 23,000) to Bridge

Repairs (+ 23,000).

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution amending Resolution No. 169, effective April 5, 2006, entitled: 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 2004 Community Development Block Grant Program;

reprogram funds in Public Works from "West Ohio Street Bridge" (- 50,000) to

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

"Bridge Repairs" (+ 50,000).

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

"Oakland Business Improvement District", \$1,000 and by amending various line items in Council District 6.

SPONSOR(S): TONYA D. PAYNE

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 - Mr. Bodack, Mr. Deasy, Mrs. Harris, Mr. Koch, Mr. Motznik, Ms. Payne,

Mr. Peduto and Mr. Shields

Noes: 0

Abstentions: 0

Out of Room: 1 - Ms. Carlisle

MR. BODACK PRESENTS COMMITTEE ON PUBLIC SAFETY SERVICES

Bill No. Report of the Committee on Public Safety Services for March 21, 2007.

2007-1315

2007-1273

Read, Received and Filed

Resolution providing for a contract or contracts from time to time in connection with demolition and removal of condemned buildings and providing for the payment of the

costs thereof, cost not to exceed \$500,000.00.

This Matter was Passed Finally on the Consent Agenda.

Resolution providing for a contract or contracts from time to time in connection with demolition and removal of condemned buildings and providing for the payment of the

costs thereof, cost not to exceed \$1,000,000.00.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution providing for the letting of a contract or contracts or use of existing

contracts for the furnishing and delivery of hand held computers and associated

software for the Bureau of Building Inspection, Department of Public Safety, cost not

to exceed \$200,000.00.

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 - Mr. Bodack, Mr. Deasy, Mrs. Harris, Mr. Koch, Mr. Motznik, Ms. Payne,

Mr. Peduto and Mr. Shields

Noes: 0

Abstentions: 0

Out of Room: 1 - Ms. Carlisle

MOTIONS AND RESOLUTIONS

Bill No. WHEREAS, Representative Henry Waxman, U.S. Representative of the 30th District

2007-1331 of California, introduced the Safe Climate Act of 2007 (HR 1590); and

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

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.