

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, June 10, 2008

10:00 AM

Council Chambers

City Council

**ONE-HUNDRED
THIRTY-FIFTH COUNCIL**

Douglas Shields, President

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

Linda M. Johnson-Wasler, City Clerk

Mary Beth Doheny, Deputy City Clerk

ROLL CALL

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

Councilman Peduto and Councilman Deasy participated in teleconferencing to Vote to register votes.

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Bill No.

[2008-0511](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby applaud Mrs. Doris Brevard for her tremendous contributions to the Pittsburgh Public Schools, to the City of Pittsburgh, and to the more than 7000 students who attended Vann Elementary School; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh recognizes the crucial role educators like Mrs. Brevard play in our communities by proclaiming today, June 10, 2008 to be Doris Garrett Brevard Day in the City of Pittsburgh.

SPONSOR(S): PATRICK DOWD AND ALL MEMBERS

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

Bill No.

[2008-0512](#)

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh, does commend and congratulate the Children's Museum of Pittsburgh on its 25 years of continued exuberant service, and declares June 14, 2008, to be Children's Museum Day in the City of Pittsburgh.

SPONSOR(S): DARLENE HARRIS AND ALL MEMBERS

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

Bill No.

[2008-0513](#)

NOW THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends the efforts of the Institute for Democracy and Mediation in Albania on their commitment to community policing; and

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh proclaims that Tuesday, June 10th, 2008 be hereby declared as "Academy on Community Policing in Albania 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.

[2008-0514](#)

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh, does hereby commend and congratulate Frank Difiore on his 35 years of service to the Pittsburgh Public Schools, and wishes him well in his retirement, and declares June 13, 2008, to be Assistant Principal Frank Difiore Day in the City of Pittsburgh.

SPONSOR(S): DARLENE HARRIS AND ALL MEMBERS

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

Bill No. [2008-0515](#) NOW THEREFORE BE IT RESOLVED that the City Council of Pittsburgh does hereby wish to honor Mrs. Lillian B. Dyer-Charles at the 1st Charles Family Reunion, which will be celebrated on June 14, 2008, while additionally thanking her for all of her hard work and dedication to the improvement of our greater Pittsburgh community.

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

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

Bill No. [2008-0516](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize the Urban Youth Action, Incorporated for its groundbreaking and visionary work to empower young people to become productive and responsible citizens; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, June 10, 2008, to be "URBAN YOUTH ACTION, INC. 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. MOTZNIK, CHAIRPERSON OF THE COMMITTEE ON GENERAL AND GOVERNMENT SERVICES, PRESENTS

Bill No. [2008-0506](#) Resolution providing for the renewal of an agreement between the City of Pittsburgh ("City") and the County of Allegheny ("County") for the continued assumption by the County of purchasing activities on behalf of the City which includes commodity purchases for the purchase of materials, general supplies, and equipment by the various Departments of the City of Pittsburgh for any or all Departments of the City of Pittsburgh; and providing for the payment of all costs thereof.

Read and referred to General and Government Services Committee

Bill No. [2008-0507](#) Resolution authorizing the Mayor to institute a City Risk Management Task Force and establish a City-wide asset risk-management program.

Read and referred to General and Government Services Committee

MS. PAYNE, CHAIRPERSON OF THE COMMITTEE ON HUMAN RESOURCES, PRESENTS

Bill No. [2008-0505](#) Resolution providing that the City enter into a temporary professional services agreement for the purpose of providing an excess workers' compensation insurance policy, cost not to exceed \$357,488.00.

Read and referred to Human Resources Committee

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

Bill No. [2008-0504](#) Communication from Luke Ravenstahl, Mayor City of Pittsburgh requesting permission for Eamon Geary, a non-city employee to travel to London/Manchester England from July 11 to July 18, 2008 to participate in a Climate Change Study geared toward Solar at a cost not to exceed \$3,822.00

Read and referred to Finance and Law Committee

Bill No. [2008-0510](#) Ordinance supplementing the Pittsburgh Code, Title Nine, Zoning; Chapter 911, Primary Uses, Section 911.02 Use Table, by amending existing language in the definition of Custodial Care Facility.

SPONSOR(S): WILLIAM PEDUTO

Read and referred to Land Use and Economic Development Committee

**MR. SHIELDS, PRESIDENT OF COUNCIL AND CHAIRPERSON OF THE
COMMITTEE ON HEARINGS, PRESENTS**

Bill No. [2008-0509](#) Communication from Michael Lamb, City Controller, submitting a Performance Audit on the Department of Public Safety, Bureau of Emergency Medical Services, dated June, 2008.

Read, Received and Filed

UNFINISHED BUSINESS

Bill No. [2008-0459](#) Resolution authorizing the appointment of Daniel Devinney, 4209 Sherrod Street, Pittsburgh, PA 15201, as a member to the Ethics Hearing Board of the City of Pittsburgh for a term to expire August 1, 2009. Mr. Devinney will be replacing Penny Zacharias.

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

Bill No. [2008-0460](#) Resolution authorizing the appointment of Jesse Fife, 1006 North Sheridan Avenue, Pittsburgh, PA 15206, as a member to the Housing Authority Board with a term to expire April 30, 2010. Mr. Fife will replace the seat vacated by Brian Parker.

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

Bill No. [2008-0461](#) Resolution authorizing the reappointment of Leah Williams-Duncan, 3908 Winshire Street, Pittsburgh, PA 15212, as a member of the Commission on Human Relations for a term to expire on April 1, 2012.

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

Bill No. [2008-0462](#) Resolution authorizing the reappointment of Anne McCafferty, 828 Jancey Street, Pittsburgh, PA 15206, as a member of the Commission on Human Relations for a term to expire on April 1, 2012.

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

MAYOR'S VETO

Bill No. [2008-0508](#) Communication from Mayor Luke Ravenstahl submitting a Veto of Council Bill 2008-0026 entitled, An Ordinance supplementing the Pittsburgh Code, Title One, Administrative, by adding Article XIII, Campaign Finance Regulations.

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

A motion was made to Override the Mayor's Veto, which requires a 6 Member majority vote. The vote was 5-4, and therefore the motion to override failed. Bill 2008-0026 is Defeated.

VOTE: 5-4

AYES: Mr. Burgess, Mr. Dowd, Mr. Kraus, Mr. Peduto, Mr. Shields

NOES: Mrs. Harris, Mr. Deasy, Ms. Payne, Mr. Motznik

REPORTS OF COMMITTEE - FINAL ACTION

MR. PEDUTO PRESENTS COMMITTEE ON FINANCE AND LAW

Bill No. [2008-0498](#) Report of the Committee on Finance and Law for June 4, 2008 with an Affirmative Recommendation.

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

Bill No. [2008-0451](#) Resolution authorizing the issuance of a warrant in the sum of \$15,000.00 to ACLF of Pennsylvania, 313 Atwood Street, Pittsburgh, Pennsylvania 15213, in full and final settlement of an action filed in the United States District Court for the Western District of Pennsylvania to No. 07-1259 CA.

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

Votes: Ayes: 9 - Rev. Burgess, Mr. Deasy, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznik, Ms. Payne, Mr. Peduto and Mr. Shields

Noes: 0

Abstentions: 0

MR. KRAUS PRESENTS COMMITTEE ON PUBLIC SAFETY SERVICES

Bill No. [2008-0499](#) Report of the Committee on Public Safety Services for June 4, 2008 with an Affirmative Recommendation.

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

Bill No. [2008-0452](#) Resolution providing for a Contract or Contracts, or the use of existing Contracts for the purchase of fire hose and SCBA parts for the Fire Bureau at a cost not to exceed One Hundred Thousand dollars (\$100,000.00) and providing for the payment thereof.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution providing for a Contract or Contracts, or the use of existing Contracts for the purchase of power/hand tools, ground ladders and firefighting equipment for the Fire Bureau at a cost not to exceed One Hundred Thousand dollars (\$100,000.00) and providing for the payment thereof.

[2008-0453](#)

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution providing for a Contract or Contracts, or the use of existing Contracts for the purchase of protective clothing and accessories for the Fire Bureau at a cost not to exceed Three Hundred Thousand dollars (\$300,000.00) and providing for the payment thereof.

[2008-0454](#)

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: 9 - Rev. Burgess, Mr. Deasy, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznik, Ms. Payne, Mr. Peduto and Mr. Shields
Noes: 0
Abstentions: 0

MS. PAYNE PRESENTS COMMITTEE ON HUMAN RESOURCES COMMITTEE

Bill No. Report of the Committee on Human Resources for June 4, 2008 with an Affirmative Recommendation.

[2008-0500](#)

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

Bill No. Resolution providing for the renewal of a contract with UPMC Work Partners for the purpose of ensuring that on-going medical care is provided to City of Pittsburgh employees who require treatment for service related injuries and/or illness pursuant to the Pennsylvania's Worker's Compensation Act and providing for the payment of the cost thereof, cost not to exceed \$5,119,590.

[2008-0456](#)

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

Votes: Ayes: 9 - Rev. Burgess, Mr. Deasy, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznik, Ms. Payne, Mr. Peduto and Mr. Shields
Noes: 0
Abstentions: 0

REV. BURGESS PRESENTS COMMITTEE ON LAND USE & ECONOMIC DEVELOPMENT

Bill No. Report of the Committee on Land Use and Economic Development for June 4, 2008 with an Affirmative Recommendation.

[2008-0501](#)

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

Bill No.

[2008-0465](#)

Resolution amending Resolution No. 452, effective August 16, 2007, entitled, "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 2001 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 City Council from "Addison Terrace Tennant Council" (-2,000) and "Carrick Main Street Task Force" (-8,000) to the "Beechview Manor" (+10,000).

SPONSOR(S): JIM MOTZNIK

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2008-0466](#)

Resolution amending Resolution No. 439, effective August 16, 2007, which presently reads as follows: The Mayor and the Director of the Department of City Planning of the City of Pittsburgh are hereby authorized to enter into an Agreement or Agreements, in a form approved by the City Solicitor, with the following various community organizations, for operational/administrative expenses, maintenance, purchase of equipment and/or rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh and further, authorizing various departments to enter into contract(s) or use existing contract(s) for the purchase of equipment and/or furniture and installation thereof, at a cost not to exceed \$1,153,750.00, chargeable to and payable from the 2001 Community Development Block Grant Program "City Council", so as to reprogram funds in City Council from "Addison Terrace Tennant Council" (-2,000) and "Carrick Main Street Task Force" (-8,000) to "Beechview Manor" (+10,000)

SPONSOR(S): JIM MOTZNIK

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

Noes: 0

Abstentions: 0

MR. DOWD PRESENTS COMMITTEE ON URBAN RECREATION

Bill No.

[2008-0502](#)

Report of the Committee on Urban Recreation for June 4, 2008 with an Affirmatiave Recommendation.

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

Bill No.

[2008-0483](#)

Resolution amending the 2008 Parks and Recreation Fee Schedule so as to provide disabled veterans and families of active duty military and activated reservist/guard members who are city residents FREE pool passes for City of Pittsburgh swimming pools.

SPONSOR(S): DOUGLAS SHIELDS

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

Votes: Ayes: 9 - Rev. Burgess, Mr. Deasy, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznik, Ms. Payne, Mr. Peduto and Mr. Shields

Noes: 0

Abstentions: 0

MR. DEASY PRESENTS COMMITTEE INTERGOVERNMENTAL AFFAIRS

Bill No.

[2008-0503](#)

Report of the Committee on Intergovernmental Affairs for June 4, 2008 with an Affirmative Recommendation.

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

Bill No.

[2008-0455](#)

Resolution authorizing the Mayor and the Director of the Department of Public Works and the Director of the Department of Finance, on behalf of the City of Pittsburgh, to negotiate and enter into agreements with the Port Authority of Allegheny County and/or with Norfolk Southern Corporation and/or with Eastside Limited Partnership II and/or with the Urban Redevelopment Authority of Pittsburgh, in connection with property interests and rights of way necessary for the construction, use, operation and maintenance of a pedestrian bridge across the Martin Luther King Jr. East Busway and the adjacent railroad tracks; the pedestrian bridge will extend from Ellsworth Avenue to the Eastside Retail Shopping Complex in the Shadyside and East Liberty neighborhoods, respectively, of Pittsburgh.

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

Votes: Ayes: 8 - Rev. Burgess, Mr. Deasy, Mr. Dowd, Mr. Kraus, Mr. Motznik, Ms. Payne, Mr. Peduto and Mr. Shields

Noes: 0

Abstentions: 1 - Mrs. Harris

MOTIONS AND RESOLUTIONS

APPROVAL OF MINUTES

ADJOURNMENT