

# **City of Pittsburgh**

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



## **MEETING MINUTES**

*Proceedings of the Council of the City of Pittsburgh*

**Thursday, October 2, 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

## PLEDGE OF ALLEGIANCE

## PROCLAMATIONS

Bill No. [2008-0786](#) THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does, hereby, congratulate and commend the South Side Slopes Neighborhood Association, and its members and officers, for ten years of community advocacy and fulfilling their mission to 'maintain, foster and improve the quality of life, safety and unity of our Slopes neighborhood'.

NOW, THEREFORE BE IT FURTHER RESOLVED, that Thursday, October 2, 2008 be named as South Side Slopes Neighborhood Association Day in the City of Pittsburgh.

**SPONSOR(S): BRUCE A. KRAUS AND ALL MEMBERS**

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

Bill No. [2008-0787](#) THEREFORE BE IT RESOLVED, that, in recognition of her efforts and dedication, the Council of the City of Pittsburgh does, hereby, congratulate and commend Beverly Boggio for all that she has done, and continues to do, to promote Step Trek and the South Side Slopes.

NOW, THEREFORE BE IT FURTHER RESOLVED, that Sunday, October 5, 2008 shall be known as Beverly Boggio Day in the City of Pittsburgh.

**SPONSOR(S): BRUCE A. KRAUS AND ALL MEMBERS**

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

Bill No. [2008-0788](#) NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh acknowledges and celebrates the Forbes Funds' continuing support for and advancement of the nonprofit sector; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby declares Thursday, October 2, 2008, "The Forbes Funds Day" in the City of Pittsburgh, in celebration of its 25th anniversary.

**SPONSOR(S): WILLIAM PEDUTO AND ALL MEMBERS**

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

Bill No. [2008-0789](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize PNC Bank, Pittsburgh 250 and Venture Outdoors for their outstanding work in promoting our region's bicycle and pedestrian trails;

AND BE IT FURTHER RESOLVED, that the Council of the City Pittsburgh declares October 4, 2008 to be "Trailblazer 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.

[2008-0790](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize The Islamic Center of Pittsburgh on its 14th annual An-Naas day and commends The Islamic Center, Dr. Hassan Bakri, Dr. Kareem Aboelmagd, Angel Arafat, and Nazeeh Alothmany for their efforts to encourage humanity and strong neighborhood ties; and in addition the Council of the City of Pittsburgh does congratulate the Pittsburgh Muslim community on its celebration of Eid-Alfatur, the three day holiday that is a breaking of the fast and marks the end of the month Ramadan.

**SPONSOR(S): DOUGLAS SHIELDS AND ALL MEMBERS**

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

Bill No.

[2008-0791](#)

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby recognize and commend The Pittsburgh Branch of the NAACP for its endless contributions to our communities; and

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby proclaim Sunday, October 5, 2008 as "Freedom Sunday Worship Service 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.**

Bill No.

[2008-0792](#)

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates Bruce Fletcher for celebrating 37 years with Chester Engineers and on his 65th Birthday

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby proclaim Saturday, October 4, 2008 "Bruce Fletcher 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.**

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

Bill No.

[2008-0783](#)

Resolution amending Resolution No. 434, effective, August 15, 2008, entitled: Resolution providing for an Agreement or Agreements with 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 or contracts or use existing contract or contracts for the purchase of

equipment and/or furniture at a cost not to exceed \$1,115,000.00, so as to reprogram funds in City Council from "District - 1 Initiatives" (-750) to "East Allegheny Community Council-Pumpkin Fest" (+750).

**SPONSOR(S): DARLENE HARRIS**

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

**Read and referred to Land Use and Economic Development Committee**

Bill No.

[2008-0784](#)

Resolution amending Resolution No. 435 effective August 15, 2008, entitled: Amending the Capital Budget and 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 2003 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 from City Council - "District 1 - Initiatives" (-750) and reprogram these funds to "East Allegheny Community Council - Pumpkin Fest" (+750).

**SPONSOR(S): DARLENE HARRIS**

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

**Read and referred to Land Use and Economic Development Committee**

### **MR. KRAUS, CHAIRPERSON OF THE COMMITTEE ON PUBLIC SAFETY SERVICES, PRESENTS**

Bill No.

[2008-0785](#)

Ordinance amending Ordinance No. 32, effective 1-8-2008, entitled, "An Ordinance Amending and Supplementing the City Code, Title VII Business Licensing, by adding Article X Rental of Residential Housing, Chapter 781 Residential Housing Rental Permit Program" so as to extend the implementation date.

**SPONSOR(S): BRUCE A. KRAUS, REVEREND RICKY V. BURGESS, DAN DEASY, DARLENE HARRIS, JIM MOTZNIK, TONYA D. PAYNE, WILLIAM PEDUTO AND DOUGLAS SHIELDS**

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

**Read and referred to Public Safety Services Committee**

### **MR. SHIELDS, PRESIDENT OF COUNCIL, PRESENTS**

Bill No.

[2008-0782](#)

Communication from Mayor Luke Ravenstahl notifying City Council of the removal of Michael Diven from the Allegheny County Sanitary Authority Board (ALCOSAN) in accordance with Section 5610(f) of the Municipal Authorities Action, and Section 221 of the Home Rule Charter.

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

## UNFINISHED BUSINESS

### REPORTS OF COMMITTEE - FINAL ACTION

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

Bill No. [2008-0776](#) Report of the Committee on Finance and Law for September 24, 2008 with an Affirmative Recommendation.

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

Bill No. [2008-0762](#) 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 adding \$6,000 for "Deck Hockey Court" and by reducing "PWSA District 4 Projects" by the same amount in Council District 4 Neighborhood Needs.

**SPONSOR(S): JIM MOTZNIK**

**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

Bill No. [2008-0763](#) Resolution Further amending Resolution No. 121 of 2003, effective March 14, 2003 entitled, "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 2003 Community Needs Program; and providing for the payment of the costs thereof," by adding \$10,000.00 to "Brookline Memorial Park, Dan McGibney Field" and by reducing "Colerain St. Retaining Wall" by the same amount in Council District 4 Neighborhood Needs.

**SPONSOR(S): JIM MOTZNIK**

**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. Report of the Committee on Public Safety Services for September 24, 2008 with an  
[2008-0777](#) Affirmative Recommendation.

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

Bill No. Resolution providing for an agreement or agreements, contract or contracts, or for the  
[2008-0730](#) use of existing agreements and/or contracts, for the purchase of equipment including new fitness equipments, the Law Enforcement Training System, firing range lead removal, renovation and equipment to establish a proactive environmental stewardship plan necessary to make a commitment to the environment, the community, and officer safety at the Pittsburgh Police Training Academy, at a cost not to exceed Two Hundred Thousand, Seven Hundred and Forty Eight Dollars (\$200,748.00) and providing for the cost thereof.

**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

**MS. PAYNE PRESENTS COMMITTEE ON HUMAN RESOURCES COMMITTEE**

Bill No. Report of the Committee on Human Resources for September 24, 2008 with an  
[2008-0778](#) Affirmative Recommendation.

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

Bill No. Ordinance amending and supplementing the Pittsburgh Code, Title One:  
[2008-0766](#) Administration, Article XI: Personnel, Chapter 181 General Provisions, by adding a new Section 181.03 entitled "Deferred Testing Opportunities During Military Deployment," to allow persons serving in the armed services to receive equal employment opportunities in the City of Pittsburgh.

**SPONSOR(S): JIM MOTZNIK, REVEREND RICKY V. BURGESS, DAN DEASY, PATRICK DOWD, DARLENE HARRIS, TONYA D. PAYNE, WILLIAM PEDUTO, DOUGLAS SHIELDS AND BRUCE A. KRAUS**

**A motion was made that this matter be Passed Finally. The motion carried.**

**REV. BURGESS PRESENTS COMMITTEE ON LAND USE & ECONOMIC DEVELOPMENT**

Bill No. Report of the Committee on Land Use and Economic Development and for September  
[2008-0779](#) 24, 2008 with an Affirmative Recommendation.

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

Bill No. Resolution providing for an Agreement or Agreements or Contract or Contracts, or use  
[2008-0732](#) of existing Agreements or Contracts, with a Consultant or Consultants, or Vendor or Vendors, for the purpose of conducting planning and management studies, and related activities in support of such studies including the purchase of data and data analysis equipment at a cost not to exceed \$100,000.00.

**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. Motzник, Ms. Payne, Mr. Peduto and Mr. Shields  
Noes: 0  
Abstentions: 0

Bill No. Resolution Further amending Resolution No. 230, effective April 19, 2000, entitled  
[2008-0764](#) "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 4; and providing for the payment of the costs thereof," by adding \$6,000 for "Deck Hockey Court" and by reducing "PWSA District 4 Projects" by the same amount in Council District 4. Total of all projects is not to exceed \$1,000,000.00.

**SPONSOR(S): JIM MOTZNIK**

**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. Motzник, Ms. Payne, Mr. Peduto and Mr. Shields  
Noes: 0  
Abstentions: 0

Bill No. Resolution amending and supplementing Resolution No. 891, effective January 1,  
[2008-0765](#) 2003, as amended, entitled: "Adopting and approving the 2003 Capital Budget and the 2003 Community Development Block Grant Program; and approving the 2003 through 2008 Capital Improvement Program by adjusting various line items in conformance with City Council's 2003 Capital Budget amendments." by adding \$10,000.00 to "Brookline Memorial Park, Dan McGibbney Field" and by reducing "Colerain St. Retaining Wall" by the same amount in Council District 4 Neighborhood Needs.

**SPONSOR(S): JIM MOTZNIK**

**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. MOTZNIK PRESENTS COMMITTEE ON GENERAL & GOVERNMENT SERVICE**

Bill No. Report of the Committee on General and Governmental Services for September 24, 2008 with an Affirmative Recommendation.  
[2008-0780](#)

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

Bill No. Resolution authorizing the Mayor, the Director of City Information Systems, or the Director of Public Safety to enter into a grant agreement with the Commonwealth of Pennsylvania Department of Community and Economic Development to receive the Community Conservation and Employment Program Grant for professional services in connection with the execution of said grant agreement. Amount not to exceed \$625,000.00.  
[2008-0733](#)

**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 ON INTERGOVERNMENTAL AFFAIRS**

Bill No. Report of the Committee on Intergovernmental Affairs for September 24, 2008 with an Affirmative Recommendation.  
[2008-0781](#)

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

Bill No. Resolution authorizing the City of Pittsburgh ("City") to enter into a Community Benefits Agreement with the One Hill Neighborhood Coalition ("Coalition"), the Sports and Exhibition Authority of the City of Pittsburgh and Allegheny County ("SEA"), the County of Allegheny ("County"), the Urban Redevelopment Authority of the City of Pittsburgh ("URA"), Pittsburgh Arena Real Estate Redevelopment LP ("Penguins Redevelopment"), Pittsburgh Arena Development LP ("Penguins Arena"), and Pittsburgh Arena Operating LP, ("Penguins Operating" collectively with Penguins Redevelopment and Penguins Arena, the "Penguins Entities") (all entities collectively, "The Parties") for the purpose of setting forth the rights and obligations of the Parties with regard to planned redevelopment of the Lower Hill Area and the construction of a



new hockey arena.

**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

## **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.**