

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, August 12, 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: 8 - Mr. Deasy, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznik, Ms. Payne, Mr. Peduto and Mr. Shields

Absent: 1 - Rev. Burgess

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Bill No.

[2008-0680](#)

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh, does hereby commend and congratulate Dr. Ruthane Reginella on her many years of service to the Pittsburgh Public Schools, and wishes her well in her retirement, and declares August 12, 2008, to be Dr. Ruthane Reginella 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.

[2008-0681](#)

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby congratulates Eagle Scout Garrett Sandridge on his recent accomplishment and commends him for his outstanding achievement of attaining the rank of EAGLE SCOUT.

SPONSOR(S): DAN DEASY AND ALL MEMBERS

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

Bill No.

[2008-0682](#)

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh Congratulates Jessica Marabello on taking the initiative to organize a Banksville Pool Community Picnic.

SPONSOR(S): DAN DEASY

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

PUBLIC COMMENTS

PRESENTATION OF PAPERS

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

Bill No.

[2008-0675](#)

Resolution realigning a total of \$910,000 between accounts within the 2008 Operating Budget. This transfer is necessary to provide sufficient funding to prevent any service interruptions to the City's fueling stations for the motor vehicle fleet as well as to continue operations of the Police Quartermaster.

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

Read and referred to Finance and Law Committee

REV. RICKY BURGESS CHAIRPERSON OF THE COMMITTEE ON LAND USE AND ECONOMIC DEVELOPMENT

Bill No.

[2008-0676](#)

Resolution amending Resolution No. 371, effective July 11, 2008 entitled: providing for an Agreement or Agreements with various community organizations for operational/administrative expenses, maintenance, purchase of equipment and/or rehabilitation of neighborhood facilities and the benefit of residents of the City of Pittsburgh; and further, authorizing various City Departments to enter into contract or contracts or use existing contract or contracts for street paving, the purchase of equipment and/or furniture and other related costs at a costs not to exceed 800,000.00, so as to reprogram funds in City Council from "District 2-Equipment" (-13,000) and transfer these funds to the "Washington Heights Athletic Assoc." (+3,000); and to the Western PA Police Athletic League" (+5,000); and to the Elliott-West End Athletic Assoc." (+3,000) and to the "Trinity A.M.E. Zion Church" (+2,000); and further from "District #5 Tree Planting" (-6,000) to the "St. Rosalia Food Bank" (+1,000); and to the "Hazelwood Initiative" (+2,000); and further to the "Heart of Gold Foundation for Sarcoidosis" (+3,000); and further from District #6" (-5,000); Community Initiatives" to the Northside Leadership Conference" (+500); and to the Hill District Dodgers Baseball League" (+1,000); and to the Hill District New Business Assoc." (+2,500); and to the Landside Community Farm" (+1,000)

SPONSOR(S): DOUGLAS SHIELDS, DAN DEASY AND TONYA D. PAYNE

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.

[2008-0677](#)

Resolution amending Resolution No. 374, effective July 11, 2008, entitled: by 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 2007 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 "District #5" (-6,000) to "St. Rosalia Food Bank" (+1,000); and to Hazelwood Initiative" (+2,000); and to Heart of Gold Foundation for Sarcoidosis" (+3,000); and to the Trinity A.M.E. Zion Church (+2,000) and from "District #2 Equipment (-11,000) to the Washington Heights Athletic Association" (+3,000); and to the "Western PA Police Athletic League" (+5,000) and to the Elliott-West End Athletic Assoc." (+3,000); and further from "District #6 Community Initiatives" (-5,000) to the Northside Leadership Conference" (+500) and to the Hill District Dodgers Baseball League" (+1,000) and to the "Landslide Community Farm" (+1,000) and to the Hill District New Business Association" (+2,500).

SPONSOR(S): DOUGLAS SHIELDS, DAN DEASY AND TONYA D. PAYNE

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.

[2008-0678](#)

Resolution amending Resolution No. 290, effective June 9, 2008, entitled: "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 \$1,440,896.62" so as to transfer funds in City Council from "District #5 Equipment" (-5,000) to "Hazelwood Initiative" (+5,000).

SPONSOR(S): DOUGLAS SHIELDS

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.

[2008-0679](#)

Resolution amending Resolution No. 297, effective June 9, 2008, as entitled, "Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of HUD for a grant in connection with the 2000 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 "District 5 - Equipment" (-5,000) to the "Hazelwood Initiative" (+5,000).

SPONSOR(S): DOUGLAS SHIELDS

Waived under Rule 8

Read and referred to Land Use and Economic Development Committee

UNFINISHED BUSINESS

REPORTS OF COMMITTEE - FINAL ACTION

MR. PEDUTO PRESENTS COMMITTEE ON FINANCE AND LAW

Bill No.

[2008-0671](#)

Report of the Committee on Finance and Law for August 6, 2008 with an Affirmative Recommendation.

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

Bill No.

[2008-0622](#)

Resolution authorizing the Mayor and the City Solicitor to enter into an agreement or agreements for the hiring of the Cohen Law Group to represent the City of Pittsburgh in connection with the conduct of negotiations with Verizon Pennsylvania, Inc., regarding a proposed cable television franchise in the City of Pittsburgh, at a cost not to exceed Fifty Thousand Dollars (\$50,000.00).

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

Votes: Ayes: 7 - Mr. Deasy, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznic, Ms. Payne and Mr. Shields
Noes: 0
Abstentions: 1 - Mr. Peduto
Absent: 1 - Rev. Burgess

Bill No. Resolution to authorize and direct the incurring of non-electoral debt through the
[2008-0623](#) issuance of a series of General Obligation Bonds.

A motion was made that this matter be RECOMMENDED to the Finance and Law Committee. The motion carried.

Bill No. Resolution providing for the issuance of a \$3,137.00 warrant in favor of Albert R.
[2008-0633](#) Volovic, 401 Niagara Drive, North Huntingdon, PA 15642, in settlement of a claim for a damaged vehicle due to a City ES truck on June 2, 2008.

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

Votes: Ayes: 8 - Mr. Deasy, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznic, Ms. Payne, Mr. Peduto and Mr. Shields
Noes: 0
Abstentions: 0
Absent: 1 - Rev. Burgess

MR. KRAUS PRESENTS COMMITTEE ON PUBLIC SAFETY SERVICES

Bill No. Report of the Committee on Public Safety Services for August 6, 2008 with an
[2008-0672](#) 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 Six: Conduct, by
[2008-0542](#) adding a new Article VIII: Privacy Policy for Public Security Camera Systems.

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

Votes: Ayes: 8 - Mr. Deasy, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznic, Ms. Payne, Mr. Peduto and Mr. Shields
Noes: 0
Abstentions: 0
Absent: 1 - Rev. Burgess

MRS. HARRIS PRESENTS COMMITTEE ON PUBLIC WORKS

Bill No. Report of the Committee on Public Works for August 6, 2008 with an Affirmative
[2008-0673](#) Recommendation.

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

Bill No. Resolution amending and supplementing Resolution No. 704, effective January 1,
[2008-0634](#) 2008, as amended, entitled: "Adopting and approving the 2008 Capital Budget and the 2008 Community Development Block Grant Program: and approving the 2008 through 2013 Capital Improvement Program," by adjusting various projects within the Department of Public Works, Bureau of Engineering.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution amending Resolution No. 69, effective February 20, 2008, entitled
[2008-0635](#) "Providing for an Agreement or Agreements, or the use of existing Agreements; providing for a Contract or Contracts, or the use of existing Contracts, for Construction Management and Construction Inspection Services on various City projects, and providing for the payment of the costs thereof," by increasing the City allocation by \$100,000.00 from \$100,000.00 to \$200,000.00 and eliminating the Federal and State allocations.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution amending Resolution No. 229, effective May 14, 2008, entitled "Providing
[2008-0636](#) 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" by increasing the project allocation by \$652,500.00 from \$200,000.00 to \$852,500.00.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution providing for an Intergovernmental Agreement with the Army Corp of
[2008-0637](#) Engineers to provide 100% of the City's share of the additional costs for the construction of the Lower Saw Mill Run Flood Remediation Project

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution providing for an Agreement or Agreements or for the use of existing
[2008-0638](#) Agreements with a Consultant or Consultants, for engineering services in connection with the West Ohio Street Bridge; including Project Management Services; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and further providing for the payment of the costs thereof.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution providing for engineering and design services in connection with the
[2008-0639](#) rehabilitation of the McArdle Viaduct No. 1; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of

Transportation; and further providing for the payment of the costs thereof. Cost not to exceed \$250,000.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution granting unto, Trek Development Group, 4415 5th Avenue, Pittsburgh, PA
[2008-0640](#) 15213, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, three (3) business identification signs over the sidewalk area at 1505-1507 E. Carson Street in the 17th Ward, 3rd Council District of the City of Pittsburgh.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution granting unto, PNC Bank Corp., 225 5th Avenue, Pittsburgh, PA 15222,
[2008-0641](#) their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a subsurface parking garage at Market Street in the 2nd Ward, 6th Council District of the City of Pittsburgh.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution accepting the dedication of a parcel of land at Market Street between Fifth
[2008-0642](#) Avenue and Liberty Avenue, for street widening purposes, in the 1st Ward, 6th Council District.

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. Deasy, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznik, Ms. Payne, Mr. Peduto and Mr. Shields
Noes: 0
Abstentions: 0
Absent: 1 - Rev. Burgess

REV. BURGESS PRESENTS COMMITTEE ON LAND USE & ECONOMIC DEVELOPMENT

Bill No. Report of the Committee on Land Use and Economic Development for August 6, 2008
[2008-0674](#) with an Affirmative Recommendation.

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

Bill No. Resolution approving a Conditional Use under the Pittsburgh Code, Title Nine,
[2008-0578](#) Zoning, Article V, Chapter 911, Section 911.04.A.64 to the Board of Public Education, School District of Pittsburgh for authorization to construct a three-story, 43,000 sq. ft. extension and interior renovations to Concord Elementary School located at 2350 Brownsville Rd. on property zoned R1D-L, Residential Single -Unit Detached Low Density District, 29th Ward.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2008-0643](#)

Resolution amending Resolution No. 450, effective August 16, 2007 entitled: "Resolution providing for the filing of a Community Development statement with the U.S. Department of Housing and Urban Development for a grant in connection with the 2002 CDBG Program; providing for execution of grant contracts, filing of data, execution of payment vouchers and certification of signature; the deposit of funds in a bank account and providing for payment of expenses", so as to reprogram funds from the Mayor's Office - "West End Project" (-81,958.70) and transfer these funds to the Department of Public Works - "Saw Mill Run" (+81,958.70

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2008-0644](#)

Resolution amending Resolution No. 111 effective March 14, 2008, 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 2006 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 "Slope Remediation" (-9,055.23) to "Saw Mill Run" (+9,055.23

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2008-0645](#)

Resolution amending Resolution No. _390___, effective _July 24___, 2008, 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 2008 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 "McArdle Viaduct #1" (-322,500) to "Bridge Repairs" (+312,500) and to the "West Ohio Street Bridge (10,000).

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2008-0646](#)

Resolution amending Resolution No. 374, effective July 11, 2008 entitled: by 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 2007 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 "Slope Failure Remediation" (-131,486.07) to "Saw Mill Run" (+131,486.07).

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. Deasy, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznik, Ms. Payne, Mr. Peduto and Mr. Shields

Noes: 0

Abstentions: 0

Absent: 1 - Rev. Burgess

MOTIONS AND RESOLUTIONS

EXCUSE ABSENT MEMBERS

A motion was made to excuse the absent member(s)Rev. Burgess. The motion carried.

APPROVAL OF MINUTES

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

ADJOURNMENT