

City of Pittsburgh



City Council

Regular Meeting Agenda

Tuesday, September 15, 2009

10:00 AM

**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**PLEDGE OF ALLEGIANCE****PROCLAMATIONS****PUBLIC COMMENTS****PRESENTATION OF PAPERS****REV. BURGESS, CHAIRPERSON OF THE COMMITTEE ON LAND USE AND ECONOMIC DEVELOPMENT, PRESENTS**

Bill No. Resolution providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the sharing of digital geographic information.
[2009-1768](#)

MR. DOWD, CHAIRPERSON OF THE COMMITTEE ON INTERGOVERNMENTAL AFFAIRS, PRESENTS

Bill No. Resolution authorizing the Mayor and the Director of the Department of Finance, on behalf of the City of Pittsburgh (“City”), to enter into a cooperation agreement or agreements with the County of Allegheny (“County”), the School District of Pittsburgh (“School District”) and the Pittsburgh Water and Sewer Authority (“PWSA”) (hereinafter referred to collectively as the “Municipalities”) pursuant to the Pennsylvania Intergovernmental Cooperation Act for the purpose of jointly cooperating in the collection of delinquent taxes and municipal claims.
[2009-1742](#)

Bill No. Resolution amending Resolution No. 36, effective February 9, 2009, entitled “Authorizing a cooperation agreement or agreements with the Urban Redevelopment Authority of Pittsburgh for administration and implementation of a Neighborhood Stabilization Program grant of up to \$20,000,000 from the Pennsylvania Department of Community and Economic Development” by adding the account from which funds will be paid. (Council Districts 1, 2, 3, 4, 6 and 9).
[2009-1770](#)

MRS. HARRIS, CHAIRPERSON OF THE COMMITTEE ON PUBLIC WORKS, PRESENTS

Bill No. Resolution authorizing the Mayor and the Department of Finance to enter into an agreement or agreements with the Foundation For Fair Contracting, Inc., to aid the City of Pittsburgh in investigating non-compliance with City tax ordinances, and the hiring and employment of undocumented workers in the City, at no cost to the City.
[2009-1766](#)

Bill No. Resolution authorizing the Mayor to receive monies from the Urban Redevelopment Authority to replace existing street lighting along Grandview Avenue with new poles, fixtures and energy efficiency technology and further providing for legitimate expenditures for payments and agreement or agreements, or contract or contracts for any services required in connection with the execution of said grant agreement. Said agreement or agreements, contract or contracts or expenditures shall not exceed \$400,000.00 (Four Hundred Thousand Dollars).
[2009-1767](#)

MR. MOTZNIK, CHAIRPERSON OF THE COMMITTEE ON GENERAL AND GOVERNMENT SERVICES, PRESENTS

Bill No. Resolution authorizing the Mayor and the Director of City Information Systems to enter into a grant agreement with the Department of Energy's Energy Efficiency & Conservation Block Grant Program, to receive \$3,403,000 in funding to support the City's Office of Sustainability & Energy Efficiency's programs associated with the execution of said grant agreement.

[2009-1769](#)

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

Bill No. Resolution approving and adopting a schedule of attorney fees in connection with the collection of filed and unfiled taxes, tax claims, tax liens, municipal claims and municipal liens, pursuant to Act 1 of 1996 and Act 20 of 2003 and approving and adopting a schedule of charges, expenses and fees pursuant to the Act of May 16, 1923, as amended, 53 P.S. §7101, §7103, and §7106, and Act 83 of 2004.

[2009-1740](#)

Bill No. Resolution authorizing the Mayor and the Director of the Department of Finance to enter into an agreement or agreements with the School District of Pittsburgh, Jordan Tax Service, Inc. and Goehring, Rutter & Boehm, P.C., for the collection of delinquent taxes and municipal claims.

[2009-1741](#)

Bill No. Resolution authorizing the issuance of a warrant in the sum of \$30,000.00 to Michele T. Pato and Carlos N. Pato c/o Mark J. Homyak, The Homyak Law Firm, 3333 Gulf Tower, Pittsburgh, PA 15219, in full and final settlement of an action filed at GD 07-000247, arising from personal injuries caused by an alleged negligently-designed intersection at the corner of 21st and Smallman Streets.

[2009-1765](#)

UNFINISHED BUSINESS**REPORTS OF COMMITTEE - FINAL ACTION****MR. PEDUTO PRESENTS COMMITTEE ON FINANCE AND LAW**

Bill No. Report of the Committee on Finance and Law for September 9, 2009 with an Affirmative Recommendation.

[2009-1759](#)

Bill No. Ordinance amending and supplementing the Pittsburgh Code, Title Two, Fiscal; Article IX, Property Taxes; Chapter 263, Real Property Tax and Exemption; Section 263.20, Definitions; Section 263.21, Property Tax Relief; Section 263.22, Participation in the Property Tax Relief Program; and Section 263.23, City Treasurer Duties, so as to comply with the age restriction appearing in Act 77, to eliminate the requirement of filing an annual application and to define the form of relief available to eligible taxpayers.

[2009-1179](#)

SPONSOR(S): PATRICK DOWD, DARLENE HARRIS, THERESA SMITH AND BRUCE A. KRAUS

Legislative History

3/10/09

City Council

Read and referred

3/18/09	Finance and Law Committee	Affirmatively Recommended	Passed
3/24/09	City Council	RECOMMITTED	Passed
3/25/09	Finance and Law Committee	Held for Post Agenda	Passed
5/6/09	Finance and Law Committee	Held in Committee	Passed
7/29/09	Finance and Law Committee	Held in Committee	Passed
9/2/09	Finance and Law Committee	Held in Committee	Passed
9/9/09	Finance and Law Committee	AMENDED BY SUBSTITUTE	Passed
9/9/09	Finance and Law Committee	Affirmatively Recommended as Amended	Passed

Bill No.

[2009-1714](#)

Resolution authorizing the City of Pittsburgh to issue quit claim deeds and to grant underground structure support easements and various other easements for portions of City of Pittsburgh owned parcels in the 24th Ward to the Pennsylvania Department of Transportation for right-of-way expansion and easement improvements to State Route 28, Sections A-09 and A-10.

Legislative History

9/1/09	City Council	Read and referred	
9/9/09	Finance and Law Committee	Affirmatively Recommended	Passed

Bill No.

[2009-1715](#)

Resolution providing for an Agreement of Sale with Karl L. Gatto for acquisition by the City of Pittsburgh of property located at 804 Woods Run Avenue, Pittsburgh, PA 15212, Block and Lot 76-B-128, City of Pittsburgh, and providing further for certain payments not to exceed \$54,000.00.

Legislative History

9/1/09	City Council	Read and referred	
9/9/09	Finance and Law Committee	Affirmatively Recommended	Passed

Bill No.

[2009-1716](#)

Resolution appointing individuals from the Department of Finance to represent the City of Pittsburgh as delegates to the Tax Collection Committee to be established for the Allegheny Central Tax Collection District pursuant to the requirements of Act 32 of 2008.

Legislative History

9/1/09	City Council	Read and referred	
9/9/09	Finance and Law Committee	Affirmatively Recommended	Passed

Bill No.

[2009-1717](#)

Resolution providing for the filing of petitions for the sale of certain properties, acquired at tax sales, in accordance with Act No.171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.
ITEMS A through C.

A: 2540 Wadsworth; B: 3530 Frazier; C: 3949 Mintwood.

Legislative History

9/1/09	City Council	Read and referred	
9/9/09	Finance and Law Committee	Affirmatively Recommended	Passed

Bill No. [2009-1718](#) Resolution providing for the filing of petitions for the sale of certain properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.
ITEMS A through Q. A: 2907 Stafford; B: 1915, 1917 & 1919 Bedford;
C: 217 Lombard; D: 119 Kenova; E: 121 Kenova; F: 1702 Concordia;
DELETED G & H I: 101 Imogene; J: 7214 Stranahan;
K: 29 Perry; L: 425 Fairywood; M: 514 Fairywood; N: 516 Fairywood;
O: 1464 Kinmount; P: 3623 Colmar; Q: 4255 Bryn Mawr.

Legislative History

9/1/09	City Council	Read and referred	
9/9/09	Finance and Law Committee	AMENDED	Passed
9/9/09	Finance and Law Committee	Affirmatively Recommended as Amended	Passed

Bill No. [2009-1719](#) Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.
ITEMS A and B: A: 1122 Brabec; B: 916 Oranmore.

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Legislative History

9/1/09	City Council	Read and referred	
9/9/09	Finance and Law Committee	Affirmatively Recommended	Passed

Bill No. [2009-1720](#) Resolution providing for the conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984; having been placed for sale to adjoining property owners in conjunction with the City of Pittsburgh/City Source Associates Sideyard Program.

ITEMS A through I. A: 57 Acorn; DELETED B & C; D: 7632 Mulford;
E: 4904 Yew; F: 705 North Euclid; G: 624 Naylor; H: 2236 Fairland (part);
I: 3405 Iowa.

Legislative History

9/1/09	City Council	Read and referred	
9/9/09	Finance and Law Committee	AMENDED	Passed
9/9/09	Finance and Law Committee	Affirmatively Recommended as Amended	Passed

Bill No. [2009-1746](#) Resolution further amending Resolution No. 654, effective October 25, 2001, 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 2001 Neighborhood Needs Supplement Program; and providing for the payment of the costs thereof," by adding \$2,250.00 to Animal Friends and by reducing the Citiparks line item by the same amount.

SPONSOR(S): BRUCE A. KRAUS

Legislative History

9/8/09	City Council	Waived under Rule 8	Passed
9/8/09	City Council	Read and referred	
9/9/09	Finance and Law Committee	Affirmatively Recommended	Passed

MR. KRAUS PRESENTS COMMITTEE ON PUBLIC SAFETY SERVICES

Bill No. [2009-1761](#) Report of the Committee on Public Safety Services for Wednesday, September 9, 2009, with a NEGATIVE RECOMENDATION.

Bill No. [2009-1707](#) Ordinance amending the Pittsburgh City Code, Title Six: Conduct, Article I: Regulated Rights and Actions, Chapter 601: Public Order, by adding Section 601.19, titled "Concealing Identity."

Legislative History

8/24/09	City Council	Waived under Rule 8	Passed
8/24/09	City Council	Read and referred	
8/28/09	Public Safety Services Committee	Held for Public Hearing	Passed
9/2/09	Hearings Committee	Public Hearing Held	Passed
9/9/09	Public Safety Services Committee	Negatively Recommended	

Bill No. [2009-1760](#) Report of the Committee on Public Safety Services for September 9, 2009 with an Affirmative Recommendation.

Bill No. [2009-1708](#) Ordinance amending the Pittsburgh City Code, Title VI, Conduct, Article I: Regulated Rights and Actions, by adding Chapter 607A, titled "Prohibitions on Use of Obstruction Equipment and Possession of Certain Items with Intent to Defeat Lawful Dispersal Orders."

Legislative History

8/24/09	City Council	Waived under Rule 8	Passed
8/24/09	City Council	Read and referred	
8/28/09	Public Safety Services Committee	Held for Public Hearing	Passed
9/2/09	Hearings Committee	Public Hearing Held	Passed
9/9/09	Public Safety Services Committee	AMENDED	Passed
9/9/09	Public Safety Services Committee	Affirmatively Recommended as Amended	Passed
9/9/09	Public Safety Services Committee	AMENDED	Passed

Bill No. [2009-1731](#) Ordinance supplementing the Pittsburgh Code, Title Six: Conduct; Article I: Regulated Rights and Actions; Chapter 601: Public Order, by adding a new section 601.16 entitled 'Public Urination and Defecation', and by adding a new subsection 601.14 (e) specifying the penalty for violation of the new section 601.16."

SPONSOR(S): BRUCE A. KRAUS

Legislative History

9/1/09	City Council	Read and referred	
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9/9/09	Public Safety Services Committee	Affirmatively Recommended	Passed
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MRS. HARRIS PRESENTS COMMITTEE ON PUBLIC WORKS

Bill No. [2009-1762](#) Report of the Committee on Public Works for September 9, 2009 with an Affirmative Recommendation.

Bill No. [2009-1721](#) Resolution authorizing the Mayor and the Directors of Public Works, and Finance to enter into a Grant Agreement with the Commonwealth of Pennsylvania, Department of Community and Economic Development (DCED C000038997) to receive \$150,000.00 in Grant funding for Equipment Purchases.

Legislative History

9/1/09	City Council	Read and referred	
9/9/09	Public Works Committee	Affirmatively Recommended	Passed

Bill No. [2009-1722](#) Resolution amending resolution 228-09, effective May 8, 2009, as amended by resolution 336-09, effective June 16, 2009, regarding the 2009 CDBG Street Resurfacing Program, by increasing the total by \$35,065.00, from \$2,700,000.00, to \$2,735,065.00.

Legislative History

9/1/09	City Council	Read and referred	
9/9/09	Public Works Committee	Affirmatively Recommended	Passed

REV. BURGESS PRESENTS COMMITTEE ON LAND USE & ECONOMIC DEVELOPMENT

Bill No. [2009-1763](#) Report of the Committee on Land Use and Economic Development for September 9, 2009 with an Affirmative Recommendation.

Bill No. [2009-1747](#) 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 \$2,250.00 to Animal Friends and by reducing the Citiparks line item by the same amount.

SPONSOR(S): BRUCE A. KRAUS

Legislative History

9/8/09	City Council	Waived under Rule 8	Passed
9/8/09	City Council	Read and referred	
9/9/09	Land Use and Economic Development Committee	Affirmatively Recommended	Passed

MR. MOTZNIK PRESENTS COMMITTEE ON GENERAL & GOVERNMENT SERVICES

Bill No. Report of the Committee on Genral and Government Services for September 9, 2009
[2009-1764](#) with an Affirmative Recommendation.

Bill No. Providing for the creation of the Verizon Franchise Trust Fund (VFTF) and directing
[2009-1606](#) the Pittsburgh Cable Communications Advisory Committee to work with CIS, PCTV
 and PPS in the creation of a plan for the strategic use of the resources provided
 pursuant the Verizon Franchise Agreement

Legislative History

7/7/09	City Council	Read and referred	
7/15/09	General and Government Services Committee	Held for Post Agenda	Passed
7/15/09	General and Government Services Committee	Held for Public Hearing	Passed
8/31/09	Hearings Committee	Public Hearing Held	Passed
9/2/09	General and Government Services Committee	Held in Committee	Passed
9/9/09	General and Government Services Committee	AMENDED BY SUBSTITUTE	Passed
9/9/09	General and Government Services Committee	Affirmatively Recommended as Amended	Passed

Bill No. Resolution authorizing the City of Pittsburgh to enter into a cable television franchise
[2009-1607](#) agreement with Verizon Pennsylvania Inc.

Legislative History

7/7/09	City Council	Read and referred	
7/15/09	General and Government Services Committee	Held for Post Agenda	Passed
7/15/09	General and Government Services Committee	Held for Public Hearing	Passed
8/31/09	Hearings Committee	Public Hearing Held	Passed
9/2/09	General and Government Services Committee	Held in Committee	Passed
9/9/09	General and Government Services Committee	AMENDED	Passed
9/9/09	General and Government Services Committee	Affirmatively Recommended as Amended	Passed

MOTIONS AND RESOLUTIONS

EXCUSE ABSENT MEMBERS

APPROVAL OF MINUTES

ADJOURNMENT