

# City of Pittsburgh



## City Council

### Regular Meeting Agenda

**Tuesday, September 29, 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 amending Resolution No. 134 effective March 27, 2009, entitled:  
[2009-1796](#) 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; 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 the Department Engineering & Construction from "SOUTH MILLVALE AVE. BRIDGE" (-\$32,106.96) to the "McARDLE VIADUCT #1-CONSTRUCTION" (+\$32,106.96).

Bill No. Resolution amending Resolution No. 298, effective June 9, 2008, entitled: Resolution  
[2009-1797](#) 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 "SOUTH MILLVALE AVE. BRIDGE" (-35,000), to the "McARDLE VIADUCT #1-CONSTRUCTION" (+35,000)

Bill No. Resolution amending Resolution No. 625, effective November 21, 2008, entitled:  
[2009-1798](#) "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 from City Council: "Sheraden Homework & Computer Center" (\$-10,000), from "Onala Club" (\$-500), and transfer these funds to Elliott West End Athletic association" (+3,000); and to the District 2-Equipment" (+\$7,500) and funds in Public Works from "South Millvale Ave. Bridge" (-9,677.95) to the McArdle Viaduct #1-Construction (+9,677.95)

- Bill No. [2009-1799](#) Resolution amending Resolution No. 615, effective November 21, 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 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 \$948,400.00" so as to reprogram funds from City Council: "Sherdaden Homework & Computer Center" (\$- 10,000), and from "Onala Club" (\$- 500), and transfer these funds to "Elliott West End Athletic Association" (\$+3,000); and to the "District 2-Equipment" (+\$7,500).
- Bill No. [2009-1800](#) Resolution amending Resolution No. 463, effective July 27, 2009, 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 the Public Works Department from "Bridge Repairs" (-166,674), to the "McArdle Viaduct #1-Construction" (+166,674); and in City Council from "District 6 Initiatives" (-\$4,000) to the "Central Outreach Resource & Referral" (+\$4,000).
- Bill No. [2009-1801](#) Resolution amending Resolution No. 616, effective November 28, 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 and the benefit of residents of the City of Pittsburgh; and further, authorizing various City Departments to enter into contact 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 #6-Initiatives" (-4,000) to the "Central Outreach Resource & Referral" (+4,000).
- Bill No. [2009-1802](#) Resolution amending Resolution No. 464, effective July 27, 2009, 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 2009 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 reallocate funds in City Council from "District #1-Equipment (-\$2,500) to the "Spring Hill Civic League" (+\$1,000); and to the "Pressley Ridge High Rise (+\$500); and to the "Shine Awards" (+\$1,000) and from the "South Side Chamber of Commerce" (-\$2,000), to the "District #3-Public Works Projects" (+\$2,000); and from "Onala Club" (-\$8,000), "East Carnegie Food Bank" (-\$1,000), "Open Door" (-\$1,000), "Sheraden United Methodist Church" (-\$1,000), and "West Pittsburgh Youth Football" (-\$1,000), to the

“Elliott West End Athletic Association” (+\$1,000); and to the “Mount Washington CDC” (+\$1,000); and to the “West End Elliott Citizens Council” (+\$5,000); and to the “Emanuel United Methodist Preschool” (+\$2,000); and to the “Schafer School Community Day” (+\$1,000); and to the “Salvation Army” (+\$2,000); and from “District 6 Initiatives” (\$-16,500) to the “Central Outreach Resource & Referral” (+\$16,500).

Bill No.

[2009-1803](#)

Resolution amending Resolution # 237, effective May 8, 2009, 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 for administrative/operational costs, maintenance, purchase of equipment, and/or rehabilitation of neighborhood facilities of various departmental programs/projects for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$800,000.00, so as to Reallocate funds in City Council from “District #1-Equipment (-\$2,500) to the “Spring Hill Civic League” (+\$1,000); and to the “Pressley High Rise” (+\$ 500); and to the “Shine Awards” (+\$1,000); and from the “South Side Chamber of Commerce” (-\$2,000), to the “District #3-Public Works Projects” (+\$2,000); and from “Onala Club” (-\$8,000); East Carnegie Food Bank” (-\$1,000), “Open Door” (-\$1,000), “Sheraden United Methodist Church” )-\$1,000), and “West Pittsburgh Youth Football” (-\$1,000), to the “Elliott West End Athletic Association” (+\$1,000); and to the “Mount Washington CDC” (+\$1,000); and to the “West End Elliott Citizens Council” (+\$5,000); and to the “Emanuel United Methodist Preschool” (+\$2,000); and to the “Schafer School Community Day” (+\$ 1,000); and to the “Salvation Army” (+\$2,000); and from “District 6 Initiatives” (\$-16,500) to the “Central Outreach Resource & Referral” (+\$16,500).

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

Bill No.

[2009-1790](#)

Resolution authorizing the Mayor and the Directors of the Department of Parks and Recreation and the Department of Public Works to enter into a Project and License Agreement with the Pittsburgh Parks Conservancy in connection with improvements to the Walled Garden in Mellon Park.

Bill No.

[2009-1791](#)

Resolution providing for an Agreement or Agreements, or the use of existing Agreements; providing for a Contract or Contracts, or the use of existing Contracts; providing for repairs, maintenance, improvements, emergencies and/or the purchase of materials, equipment and supplies in connection with design services for Brookline Boulevard; providing for the payment of the costs thereof; and further providing for a Reimbursement Agreement with the Commonwealth of Pennsylvania, Department of Transportation. Cost not to exceed \$728,000.00.

Bill No.

[2009-1792](#)

Resolution providing for a Contract or Contracts, or use of existing Contracts, providing for an Agreement or Agreements, or use of existing Agreements, and providing for the repairs, maintenance, improvements, emergencies and/or the purchase of materials and supplies in connection with the McArdle Roadway Viaduct No. 1 Construction; including Construction Management Services; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania,

Department of Transportation; and providing for the payment of the costs thereof. Cost not to exceed \$1,110,822.75.

Bill No. [2009-1793](#) Resolution further amending Resolution No.675, effective December 30, 2008, as amended, entitled "Adopting and approving the 2009 Capital Budget and the 2009 Community Development Block Grant Program; and approving the 2009 through 2013 Capital Improvement Program," by transferring \$260,000.00 (\$52,000 CITY/\$208,000 FHWA) from the "Brown's Hill Road" line item to and creating the "McArdle Viaduct No. 1 Construction" line item in the amount of \$1,040,000 (\$52,000 CITY/\$832,000 FHWA/\$156,000 SHW).

Bill No. [2009-1794](#) Resolution providing for a Contract or Contracts, or use of existing Contracts, providing for an Agreement or Agreements, or use of existing Agreements, and providing for the repairs, maintenance, improvements, emergencies and/or the purchase of materials and supplies in connection with the McArdle Roadway Viaduct No. 1 Construction; including Construction Management Services; providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and providing for the payment of the costs thereof. Cost not to exceed \$7,469,177.57.

Bill No. [2009-1795](#) Resolution further amending Resolution No.759, effective December 18, 2006, as amended, entitled "Adopting and approving the 2007 Capital Budget and the 2007 Community Development Block Grant Program; and approving the 2007 through 2012 Capital Improvement Program," by transferring \$70,822.75 (\$3,541.14 CITY, \$56,658.24 FHWA and \$10,623.37 SHW) from the "S. Millvale Avenue Bridge" line item to the "McArdle Viaduct No. 1 Reconstruction" line item.

## **MRS. SMITH, CHAIRPERSON OF THE COMMITTEE ON URBAN RECREATION, PRESENTS**

Bill No. [2009-1804](#) Resolution authorizing the Mayor and the Directors of the Department of Parks and Recreation and the Department of Public Works to enter into a Project and License Agreement with the Pittsburgh Parks Conservancy in connection with trail and signage improvements in the City of Pittsburgh's four (4) regional parks.

## **UNFINISHED BUSINESS**

## **REPORTS OF COMMITTEE - FINAL ACTION**

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

Bill No. [2009-1785](#) Report of the Committee on Finance and Law for September 22, 2009 with an Affirmative Recommendation.

Bill No. [2009-1765](#) 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.

#### **Legislative History**

9/15/09	City Council	Read and referred	
9/22/09	Finance and Law Committee	Affirmatively Recommended	Passed

Bill No. [2009-1766](#) 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.  
(PRESENTED BY MRS. HARRIS)

**Legislative History**

9/15/09	City Council	Read and referred	
9/22/09	Finance and Law Committee	Affirmatively Recommended	Passed

Bill No. [2009-1771](#) Resolution directing the President of Pittsburgh City Council to establish a special committee of the council for purposes of fact finding in matters associated with the events surrounding the 2009 G-20 Conference in Pittsburgh

**SPONSOR(S): PATRICK DOWD**

**Legislative History**

9/15/09	City Council	Read and referred	
9/22/09	Finance and Law Committee	AMENDED	Passed
9/22/09	Finance and Law Committee	Affirmatively Recommended as Amended	Passed

**MRS. HARRIS PRESENTS COMMITTEE ON PUBLIC WORKS**

Bill No. [2009-1786](#) Report of the Committee on Public Works for September 22, 2009 with an Affirmative Recommendation.

Bill No. [2009-1767](#) 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).

**Legislative History**

9/15/09	City Council	Read and referred	
9/22/09	Public Works Committee	Affirmatively Recommended	Passed

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

Bill No. [2009-1787](#) Report of the Committee on Land Use and Economic Development for September 29, 2009 with an Affirmative Recommendation.

Bill No. [2009-1768](#) 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.

**Legislative History**

9/15/09	City Council	Read and referred	
9/22/09	Land Use and Economic Development Committee	Affirmatively Recommended	Passed

**MR. MOTZNIK PRESENTS COMMITTEE ON GENERAL & GOVERNMENT SERVICES**

Bill No. Report of the Committee on General and Government Services for September 22, 2009  
[2009-1788](#) with an Affirmatiave Recommendation.

Bill No. Resolution authorizing the Mayor and the Director of City Information Systems to  
[2009-1769](#) 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.

**Legislative History**

9/15/09	City Council	Read and referred	
9/22/09	General and Government Services Committee	Affirmatively Recommended	Passed

**MR. DOWD PRESENTS COMMITTEE ON INTERGOVERNMENTAL AFFAIRS**

Bill No. Report of the Committee on Intergovernmental Affairs for September 22, 2009 with an  
[2009-1789](#) Affirmatiave Recommendation.

Bill No. Resolution amending Resolution No. 36, effective February 9, 2009, entitled  
[2009-1770](#) "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).

**Legislative History**

9/15/09	City Council	Read and referred	
9/22/09	Intergovernmental Affairs Committee	Affirmatively Recommended	Passed

**MOTIONS AND RESOLUTIONS****EXCUSE ABSENT MEMBERS****APPROVAL OF MINUTES****ADJOURNMENT**