

# City of Pittsburgh



## City Council

### Regular Meeting Agenda

**Tuesday, April 14, 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 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.

[2009-1279](#)

Bill No. 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 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.

[2009-1280](#)

Bill No. 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 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.

[2009-1281](#)

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

Bill No. Resolution authorizing the execution of an agreement with the Urban Redevelopment Authority of Pittsburgh in which URA will make a \$72,463.86 grant to the City to pay for sidewalks, poles, streetlights and bike racks to be installed in the Morningside business district. (Council District 7)

[2009-1282](#)

Bill No. Resolution providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the performance of certain work in connection with the Neighborhood Stabilization Program, and providing for the payment of the cost thereof, not to exceed \$1,002,958. (Council Districts: All).

[2009-1287](#)

Bill No. Resolution providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the performance of certain work in connection with the 2009-2010 Community Development Block Grant Program, and providing for the payment of the cost thereof, not to exceed \$4,650,000. (Council Districts: All).  
[2009-1288](#)

Bill No. Resolution providing for the execution of a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh for the administration of certain projects and programs, and providing for the payment of the cost thereof, not to exceed \$1,250,000. (Council Districts: All).  
[2009-1289](#)

Bill No. Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh in connection with URA's application for a Redevelopment Assistance Capital Program grant of up to \$1,000,000 for the Riverview Towers project. (Council District 5)  
[2009-1290](#)

Bill No. Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an Application to the Pennsylvania Office of the Budget for a Redevelopment Assistance Capital Program grant of up to \$1,000,000 for the Riverview Towers project. (Council District 5)  
[2009-1291](#)

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

Bill No. Resolution providing for a Contract or Contracts, or the use of existing Contracts for Vacant lot cleanup services, beginning on or after April 1, 2009 and providing for the payment of the cost thereof, at a cost not to exceed \$400,000.00.  
[2009-1277](#)

Bill No. Resolution providing for a Contract or Contracts, or the use of existing Contracts for street resurfacing programs to include, hot mix asphalt, crack sealing, equipment purchases, sawing and sealing, asphalt milling, truck rental, brick and blockstone repairs, handicap ramps, concrete slab replacement and parks related asphalt work in CDBG areas throughout the City of Pittsburgh, and providing for the payment of the cost thereof, at a cost not to exceed \$2,500,000.00.  
[2009-1278](#)

Bill No. Resolution granting unto The Carnegie Library of Pittsburgh, 4400 Forbes Avenue, Pittsburgh, PA 15213, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a business identification sign, book drops and a decorative panel on the right-of-way of 1230 Federal Street, Lot and Block 23-L-119, in the 22nd Ward, 6th Council District of the City of Pittsburgh.  
[2009-1286](#)

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

Bill No. Resolution authorizing the execution of an Easement Agreement between the City of Pittsburgh, a municipal corporation of the Commonwealth of Pennsylvania and HOLDINGS ACQUISITION CO., L.P., a Delaware limited partnership for real property abutting the north shore of the Ohio River to be made part of the "Casino Property".  
[2009-1284](#)

Bill No. Resolution authorizing the execution of an Easement Agreement between Holdings  
[2009-1285](#) Acquisition Co., L.P., a Delaware limited partnership and the City of Pittsburgh, a  
 municipal corporation of the Commonwealth of Pennsylvania for real property abutting  
 the north shore of the Ohio River to be made part of a “City Trail”.

## 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 April 1, 2009 with an Affirmative  
[2009-1273](#) Recommendation.

Bill No. Resolution providing for the issuance of a warrant in the sum of \$30,000 to Christopher  
[2009-1218](#) Guzzy, c/o Ogg, Cordes, Murphy & Ignelzi, Riverview Place, 245 Fort Pitt Boulevard,  
 Pittsburgh, PA 15222, in full and final settlement of an action filed in the United  
 States District Court at 08-CV-0660 alleging compensatory damages.

**Legislative History**

3/24/09	City Council	Read and referred	
4/1/09	Finance and Law Committee	Affirmatively Recommended	Passed

Bill No. Resolution providing for the issuance of a warrant in the sum of \$30,000 to Ogg,  
[2009-1219](#) Cordes, Murphy & Ignelzi, Riverview Place, 245 Fort Pitt Boulevard, Pittsburgh, PA  
 15222, in payment of counsel fees for an action filed in the United States District Court  
 at 08-CV-0660 by Christopher Guzzy alleging compensatory damages.

**Legislative History**

3/24/09	City Council	Read and referred	
4/1/09	Finance and Law Committee	Affirmatively Recommended	Passed

Bill No. Resolution providing for the issuance of a warrant in the sum of \$20,000 to David  
[2009-1220](#) Cerminara, c/o Ogg, Cordes, Murphy & Ignelzi, Riverview Place, 245 Fort Pitt  
 Boulevard, Pittsburgh, PA 15222, in full and final settlement of an action filed in the  
 United States District Court at 08-CV-0228 alleging claims of disability discrimination  
 and retaliation.

**Legislative History**

3/24/09	City Council	Read and referred	
4/1/09	Finance and Law Committee	Affirmatively Recommended	Passed

Bill No. Resolution providing for the issuance of a warrant in the sum of \$39,000 to Ogg,  
[2009-1221](#) Cordes, Murphy & Ignelzi, Riverview Place, 245 Fort Pitt Boulevard, Pittsburgh, PA  
 15222, in payment of counsel fees for an action filed in the United States District Court  
 at 08-CV-0228 by David Cerminara alleging claims of disability discrimination and  
 retaliation.

**Legislative History**

3/24/09	City Council	Read and referred	
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4/1/09	Finance and Law Committee	Affirmatively Recommended	Passed
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Bill No. [2009-1222](#) Resolution authorizing and directing the Mayor to issue and the City Controller to countersign a warrant in the amount of One Hundred and Thirteen Thousand, Fifty-nine Dollars and Twenty-three Cents (\$113,059.23) to the Commonwealth of Pennsylvania representing payment required for unclaimed funds for the year 2003, pursuant to the provisions of Deposition of Abandoned and Unclaimed Property Act, Act of August 9, 1971 P.L. 74.

**Legislative History**

3/24/09	City Council	Read and referred	
4/1/09	Finance and Law Committee	Affirmatively Recommended	Passed

Bill No. [2009-1223](#) Resolution authorizing the City of Pittsburgh to enter into an agreement with the Intergovernmental Cooperation Authority for Cities of the Second Class to clarify the use of City restricted funds to accelerate the reduction of the City's debt service liabilities.

**Legislative History**

3/24/09	City Council	Read and referred	
4/1/09	Finance and Law Committee	<b>Negatively Recommended</b>	
4/1/09	Finance and Law Committee	Affirmatively Recommended	Passed

Bill No. [2009-1269](#) Resolution Further amending Resolution No. 230, effective April 19, 2000, entitled "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 "Beechview Athletic Association" \$10,000 and by deleting "Able-Long Park Improvements" \$10,000 in Council District 4. Total of all projects is not to exceed \$1,000,000.00.

**SPONSOR(S): JIM MOTZNIK****Legislative History**

3/31/09	City Council	Waived under Rule 8	Passed
3/31/09	City Council	Read and referred	
4/1/09	Finance and Law Committee	Affirmatively Recommended	Passed

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

Bill No. [2009-1274](#) Report of the Committee on Public Works for April 7, 2009 with an Affirmative Recommendation.

Bill No. [2009-1226](#) Resolution providing for providing for an Agreement or Agreements or the use of existing Agreements, with a Consultant or Consultants, for the design of the rehabilitation or replacement of the Greenfield Bridge; providing for a Reimbursement Agreement with the Commonwealth of Pennsylvania, Department of Transportation; and further providing for the payment of the costs thereof. Cost not to exceed \$832,000.00.

**Legislative History**

3/24/09	City Council	Read and referred	
4/1/09	Public Works Committee	Affirmatively Recommended	Passed

Bill No. [2009-1228](#) Resolution providing 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 design, repairs, maintenance, improvements, emergencies and/or the purchase of materials and supplies in connection with the Bridge Repairs program; and further providing for the payment of the cost thereof. Cost not to exceed \$300,000.00.

**Legislative History**

3/24/09	City Council	Read and referred	
4/1/09	Public Works Committee	Affirmatively Recommended	Passed

Bill No. [2009-1229](#) 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 construction of a new pedestrian bridge to replace the current trail bridge and to improve the intersection of Bates Street and Second Avenue; 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 \$2,505,600.00.

**Legislative History**

3/24/09	City Council	Read and referred	
4/1/09	Public Works Committee	Affirmatively Recommended	Passed

Bill No. [2009-1230](#) Resolution providing for a Contract or Contracts or the use of existing Contracts; providing for an Agreement or Agreements or for the use of existing Agreements; providing for the design, repairs, maintenance, improvements, emergencies and/or the purchase of materials, equipment and supplies in connection with the repair of the sidewalks on the Chartiers Avenue Bridge; and further providing for the payment of the costs thereof. Cost not to exceed \$200,000.00.

**Legislative History**

3/24/09	City Council	Read and referred	
4/1/09	Public Works Committee	Affirmatively Recommended	Passed

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

Bill No. [2009-1276](#) Report of the Committee on Land Use and Economic Development for April 1, 2009 with an Affirmative Recommendation.

Bill No. [2009-1270](#) 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 "Beechview Athletic Association" \$10,000 and by deleting "Able-Long Park Improvements" \$10,000 in Council District 4 Neighborhood Needs.

**SPONSOR(S): JIM MOTZNIK**

**Legislative History**

3/31/09	City Council	Waived under Rule 8	Passed
3/31/09	City Council	Read and referred	
4/1/09	Land Use and Economic Development Committee	Affirmatively Recommended	Passed

## MR. DOWD PRESENTS COMMITTEE ON INTERGOVERNMENTAL AFFAIRS

Bill No. [2009-1275](#) Report of the Committee on Intergovernmental Affairs for April 1, 2009 with an Affirmative Recommendation.

Bill No. [2009-1231](#) Resolution amending Resolution No. 574, effective October 26, 2007, entitled "Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh in connection with URA's application for an \$875,000 Redevelopment Assistance Capital Program grant for the Pittsburgh Zoo Water's Edge and Multi Purpose Facility project" by increasing the amount of the grant to \$1,250,000. (Council District 7)

**Legislative History**

3/24/09	City Council	Read and referred	
4/1/09	Intergovernmental Affairs Committee	Affirmatively Recommended	Passed

Bill No. [2009-1232](#) Resolution amending Resolution No. 575, effective October 26, 2007, entitled "Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an Application to the Pennsylvania Office of the Budget for a Redevelopment Assistance Capital Program grant in the amount of \$875,000 for the Pittsburgh Zoo Water's Edge and Multi Purpose Facility project" by increasing the grant to \$1,250,000. (Council District 7)

**Legislative History**

3/24/09	City Council	Read and referred	
4/1/09	Intergovernmental Affairs Committee	Affirmatively Recommended	Passed

Bill No. <a href="#">2009-1233</a>	Resolution amending Resolution No. 683, effective November 16, 2006, entitled “Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh in connection with URA's application for a \$1,125,000 Redevelopment Assistance Capital Program grant for the National Aviary project” by increasing the amount of the grant to \$1,625,000. (Council District 6)
	<b><u>Legislative History</u></b>
3/24/09	City Council Read and referred
4/1/09	Intergovernmental Affairs Committee <b>Negatively Recommended</b>
4/1/09	Intergovernmental Affairs Committee Affirmatively Recommended <span style="float: right;">Passed</span>
Bill No. <a href="#">2009-1234</a>	Resolution amending Resolution No. 685, effective November 16, 2006, entitled “Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an Application to the Pennsylvania Office of the Budget for a Redevelopment Assistance Capital Program grant in the amount of \$1,125,000 for the National Aviary project” by increasing the grant to \$1,625,000. (Council District 6)
	<b><u>Legislative History</u></b>
3/24/09	City Council Read and referred
4/1/09	Intergovernmental Affairs Committee <b>Negatively Recommended</b>
4/1/09	Intergovernmental Affairs Committee Affirmatively Recommended <span style="float: right;">Passed</span>
Bill No. <a href="#">2009-1235</a>	Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh in connection with URA's application for a Redevelopment Assistance Capital Program grant of up to \$2,000,000 for the Market Square Reconstruction project. (Council District 6)
	<b><u>Legislative History</u></b>
3/24/09	City Council Read and referred
4/1/09	Intergovernmental Affairs Committee Affirmatively Recommended <span style="float: right;">Passed</span>
Bill No. <a href="#">2009-1236</a>	Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an Application to the Pennsylvania Office of the Budget for a Redevelopment Assistance Capital Program grant of up to \$2,000,000 for the Market Square Reconstruction project. (Council District 6)
	<b><u>Legislative History</u></b>
3/24/09	City Council Read and referred
4/1/09	Intergovernmental Affairs Committee Affirmatively Recommended <span style="float: right;">Passed</span>
Bill No. <a href="#">2009-1237</a>	Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh in connection with URA's application for a Redevelopment Assistance Capital Program grant of up to \$250,000 for the Steamfitters Local 449 Training Facility project. (Council District 2)
	<b><u>Legislative History</u></b>
3/24/09	City Council Read and referred
4/1/09	Intergovernmental Affairs Committee Affirmatively Recommended <span style="float: right;">Passed</span>



