

# **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, April 8, 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, Rev. Burgess, Mr. Dowd, Mr. Kraus, Mr. Motznik, Ms. Payne, Mr. Peduto and Mr. Shields

Absent: 1 - Mrs. Harris

## PLEDGE OF ALLEGIANCE

## PROCLAMATIONS

Bill No.

[2008-0288](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend the Pittsburgh Pirates for being a leader in our city's charge to be the center of innovation, green initiatives and sustainable practices in the United States and around the world; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare April 7 - 11 "Let's Go Bucs, Let's Go Green Week" in the City of Pittsburgh.

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

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

Bill No.

[2008-0289](#)

NOW THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby wish to extend a sincere invitation to the 2013 NATIONAL NOBLE CONVENTION, while additionally pledging its fullest support to the organization, if Pittsburgh is indeed selected as the 2013 NATIONAL NOBLE CONVENTION location.

**SPONSOR(S): TONYA D. PAYNE AND ALL MEMBERS**

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

Bill No.

[2008-0290](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize the Rauh Jewish Archives , the Pittsburgh Jewish-Israeli Film Festival and Ruth Westerman , niece of Samuel Rosenberg, for bringing awareness of and exposure to the remarkable work of artist Samuel Rosenberg; and  
BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Sunday, April 12, 2008, to be "SAMUEL ROSENBERG DAY" in the City of Pittsburgh.

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

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

Bill No.

[2008-0291](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby acknowledges the contributions that C. Ruth Johnson has made to her community, congregation and her family; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare April 5, 2008, to be "C. RUTH JOHNSON DAY" in the City of Pittsburgh.

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

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

## PUBLIC COMMENTS

### PRESENTATION OF PAPERS

#### MR. DEASY, CHAIRPERSON OF THE COMMITTEE ON HOUSING, ECONOMIC DEVELOPMENT AND PROMOTION, PRESENTS

Bill No. Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all of the City's right, title and interest, if any, in and to the publicly-owned properties in the 5th Ward of the City of Pittsburgh designated in the Deed Registry Office of Allegheny County as Block 10-M, Lots 270, 272, 274, 281 and 301, and Block 10-S, Lots 27, 36 and 37 (Council District No. 6 - Buffer Zone - Vera Street).

[2008-0271](#)

**Read and referred to Housing, Economic Development & Promotion Committee**

#### MR. DOWD FOR MRS. HARRIS, CHAIRPERSON OF THE COMMITTEE ON PUBLIC WORKS AND ENVIRONMENTAL SERVICES, 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, 2008 and providing for the payment of the cost thereof, at a cost not to exceed \$400,000.00.

[2008-0270](#)

**Read and referred to Public Works & Environmental Services Committee**

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

Bill No. Resolution authorizing the Mayor to enter into a grant agreement with the Commonwealth of Pennsylvania to receive a FY 2007 Department of Community and Economic Development (DCED) grant and further providing for an agreement or agreements for equipment in connection with the execution of said agreement. Amount not to exceed \$30,000.

[2008-0272](#)

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

Bill No. Resolution authorizing the Mayor to enter into a grant agreement with the Federal Emergency Management Agency (FEMA), Department of Homeland Security, to receive a FY 2007 Assistance to Firefighters Grant and further providing for an agreement or agreements for equipment in connection with the execution of said agreement. Amount not to exceed \$958,400.

[2008-0273](#)

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

Bill No. Resolution authorizing the Mayor to enter into a grant agreement with the Federal Emergency Management Agency (FEMA), Department of Homeland Security, to receive a FY 2007 Assistance to Firefighters Grant and further providing for an agreement or agreements for equipment in connection with the execution of said agreement. Amount not to exceed \$716,760.

[2008-0274](#)

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

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

Bill No. Resolution authorizing the issuance of a warrant in the sum of \$29,500.00 to Leonard  
[2008-0265](#) G. Brown, Esquire, c/o Leonard G. Brown, Esquire, of CLYMER MUSSER, PC, 408 West Chestnut Street, P.O. Box 1766, Lancaster, PA 17608, in full and final settlement of an action filed in the United States District Court for the Western District of Pennsylvania to No. 07-0455 CA.

**Read and referred to Finance, Law and Purchasing Committee**

Bill No. Resolution authorizing the Citizen Police Review Board to enter into an Agreement(s)  
[2008-0266](#) or contract(s) with Ward and McGough, LLC for professional services to assist in the legal representation of the Citizen Police Review Board providing for payment there of at a cost not to exceed \$45,000 (Forty-Five Thousand Dollars).

**Read and referred to Finance, Law and Purchasing Committee**

Bill No. Resolution providing for the authorization to make all legitimate expenditures for  
[2008-0267](#) payments and agreements or agreements with various agencies for job development and employment services necessary to implement the 2008 Neighborhood Employment Program, and providing the periodic transfer of funds to be used in the Neighborhood Employment Program for payment of cost thereof, cost not to exceed \$100,000.00.

**Read and referred to Finance, Law and Purchasing Committee**

Bill No. Resolution providing the authorization to make all legitimate expenditures for  
[2008-0268](#) payments and agreements or agreements with various agencies to provide job development and employment services, wages and fringe benefits for supervisor, staff, workers' compensation, unemployment compensation, vocational skills training and on-the-job training, outreach, recruitment costs and administrative expenditure necessary to implement the 2008 Pittsburgh Partnership Employment Program; and providing the periodic transfer of funds to be used in the Pittsburgh Partnership Employment Program, and for payment of cost thereof, cost not to exceed \$100,000.00

**Read and referred to Finance, Law and Purchasing Committee**

Bill No. Resolution providing the authorization to make all legitimate expenditures for  
[2008-0269](#) payments and agreements or agreements with various agencies to conduct a summer youth employment program to youth residing in the City of Pittsburgh, wages and fringe benefits for supervisor/participant/administrative staff, workers' compensation, unemployment compensation, participant physicals, transportation, copier and supplies, and administrative expenditures necessary to implement the 2008 Pittsburgh Partnership Summer Youth Program; and providing the periodic transfer of funds to be used in the Pittsburgh Partnership Youth Program for payment of cost thereof, cost not to exceed \$400,000.00.

**Read and referred to Finance, Law and Purchasing Committee**

## UNFINISHED BUSINESS

Bill No. [2008-0275](#) Communication from Mayor Luke Ravenstahl submitting a Veto of Council Bill No. 2008-0154, Ordinance amending the Pittsburgh Code pursuant to Ordinance No. 10 of 2004, enacted by City Council on June 29, 2004, adopting the Act 47 Financial Recovery Plan for the City of Pittsburgh dated June 11, 2004 pursuant to the Municipalities Financial Recovery Act, Act of July 10, 1987, P.L. 246, No. P.S. 11701.11 et seq. (As it relates to City take home vehicles).

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

Bill No. [2008-0154](#) ORDINANCE AMENDING THE PITTSBURGH CITY CODE PURSUANT TO ORDINANCE NO. 10 OF 2004, ENACTED BY CITY COUNCIL ON JUNE 29, 2004, ADOPTING THE ACT 47 FINANCIAL RECOVERY PLAN FOR THE CITY OF PITTSBURGH DATED JUNE 11, 2004, PURSUANT TO THE MUNICIPALITIES FINANCIAL RECOVERY ACT, ACT OF JULY 10, 1987, P.L. 246, NO. 47., SECTION 101 et seq., AS AMENDED, 53 P.S. SECTION 11701.11 et seq.

**SPONSOR(S): REVEREND RICKY V. BURGESS**

*A MOTION TO OVERRIDE A VETO REQUIRES A SUPER MAJORITY - 6 VOTES. FAILURE RESULTS IN THE VETO BEING SUSTAINED AND BILL 2008-0154 BEING DEFEATED.*

**A motion was made that this matter be Overridden. The motion failed by the following vote:**

**Votes:** Ayes: 5 - Rev. Burgess, Mr. Dowd, Mr. Kraus, Mr. Peduto and Mr. Shields  
Noes: 3 - Mr. Deasy, Mr. Motznik and Ms. Payne  
Abstentions: 0  
Absent: 1 - Mrs. Harris

## REPORTS OF COMMITTEE - FINAL ACTION

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

Bill No. [2008-0263](#) Report of the Committee on Finance, Law and Purchasing for April 2, 2008 with an Affirmative Recommendation.

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

Bill No. [2008-0235](#) Resolution authorizing and directing the Mayor to issue and the City Controller to countersign a warrant in the amount of One Hundred and Thirty-two Thousand, Two Hundred and Forty-seven Dollars and Forty-two Cents (\$132,247.42) to the Commonwealth of Pennsylvania representing payment required for unclaimed funds for the year 2002, pursuant to the provisions of Deposition of Abandoned and Unclaimed Property Act, Act of August 9, 1971 P.L. 74.

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

**Votes:** Ayes: 8 - Rev. Burgess, Mr. Deasy, Mr. Dowd, Mr. Kraus, Mr. Motznik, Ms. Payne, Mr. Peduto and Mr. Shields

Noes: 0

Abstentions: 0

Absent: 1 - Mrs. Harris

Bill No.

[2008-0236](#)

Resolution providing that the City of Pittsburgh enter into a professional services agreement or agreements for maintaining equipment necessary for the processing and administration of Personnel and Civil Service applications for employment and written examinations and providing for the payment of the cost thereof. Cost not to exceed Sixteen Thousand, Three Hundred Dollars, (\$16,300.00).

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

**Votes:** Ayes: 8 - Rev. Burgess, Mr. Deasy, Mr. Dowd, Mr. Kraus, Mr. Motznik, Ms. Payne, Mr. Peduto and Mr. Shields

Noes: 0

Abstentions: 0

Absent: 1 - Mrs. Harris

Bill No.

[2008-0238](#)

Resolution Amending the City Council and City Clerk's Office 2008 operating budgets to comply with the Act 47 Plan of 2004.

**SPONSOR(S): JIM MOTZNIK**

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

**Votes:** Ayes: 2 - Mr. Deasy and Mr. Motznik

Noes: 6 - Rev. Burgess, Mr. Dowd, Mr. Kraus, Ms. Payne, Mr. Peduto and Mr. Shields

Abstentions: 0

Absent: 1 - Mrs. Harris

Bill No.

[2008-0239](#)

Resolution directing the City Controller to liquidate certain pre-encumbrances in the City Council and the City Clerk's Office Budget that are inconsistent with Generally Accepted Accounting Principles, transfer any savings to the Department of Public Safety, and further instituting an annual pre-encumbrance and encumbrance review process to improve government accountability.

**SPONSOR(S): JIM MOTZNIK**

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

**Votes:** Ayes: 2 - Mr. Deasy and Mr. Motznik  
Noes: 6 - Rev. Burgess, Mr. Dowd, Mr. Kraus, Ms. Payne, Mr. Peduto and Mr. Shields  
Abstentions: 0  
Absent: 1 - Mrs. Harris

## **MR. DOWD FOR MRS. HARRIS PRESENTS COMMITTEE ON PUBLIC WORKS & ENVIRONMENTAL SERVICES**

Bill No. [2008-0264](#) Report of the Committee on Public Works and Environmental Services for April 8, 2007 with an Affirmative Recommendation.

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

Bill No. [2008-0237](#) Resolution Repealing Resolution No. 676, effective Dec. 28, 2007, entitled "Resolution granting unto Folino's Ristorante, 1715-1721 E. Carson Street, Pittsburgh, PA 15203, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, decorative steel fencing on the sidewalk area of 1717-1721 E. Carson Street in the 17th Ward, 3rd Council District of the City of Pittsburgh."

**SPONSOR(S): BRUCE A. KRAUS**

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

**Votes:** Ayes: 6 - Rev. Burgess, Mr. Dowd, Mr. Kraus, Mr. Motznik, Mr. Peduto and Mr. Shields  
Noes: 1 - Mr. Deasy  
Abstentions: 1 - Ms. Payne  
Absent: 1 - Mrs. Harris

## **MOTIONS AND RESOLUTIONS**

*COUNCILMAN DOWD MADE A FORMAL MOTION TO REQUEST AN AUDIT BY THE CITY CONTROLLER REGARDING THE RETIREE ADDITIONAL BENEFITS (RAB) TRUST FUND. THE MOTION WAS APPROVED.*

**EXCUSE ABSENT MEMBER, Mrs. Harris.**

**APPROVAL OF MINUTES**

**ADJOURNMENT**