

City of Pittsburgh



City Council

Regular Meeting Agenda

Monday, November 10, 2008

10:00 AM

**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**PLEDGE OF ALLEGIANCE****MAYOR RAVENSTAHL'S 2009 BUDGET ADDRESS****PROCLAMATIONS****PUBLIC COMMENTS****PRESENTATION OF PAPERS****REV. BURGESS, CHAIRPERSON OF THE COMMITTEE ON LAND USE AND ECONOMIC DEVELOPMENT, PRESENTS**

Bill No. Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article I, Section 902.03
[2008-0899](#) Zoning Map, by changing from R1D-L, Residential Single - Unit Detached, Low Density District and P, Parks District to RP, Residential Planned Unit Development District, all that certain property identified as Block Number 18 - M, Lot Number 35 in the Allegheny County Block and Lot System, 20th Ward.

Bill No. Resolution approving a Conditional Use exception under the Pittsburgh Code, Title
[2008-0900](#) Nine, Zoning, Article V, Chapter 911, Section 911.04.A.99 to Najib and Nasra Aboud, property owner, for authorization to occupy an existing structure located at 2126 East Carson Street as a Restaurant with Liquor License, on property zoned "LNC", Local Neighborhood Commercial District, 16th Ward.

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

Bill No. Resolution providing for the issuance of a warrant in the sum of \$210,000 to Lawrence
[2008-0898](#) Miedema, c/o Samuel P. Kamin, Esquire, Goldberg Kamin & Garvin, 1806 Frick Building, 437 Grant Street, Pittsburgh, PA 15219, in full and final settlement of the action filed at GD 08-0798. The case arose from an eminent domain proceeding wherein the City of Pittsburgh took the Plaintiff's residence and surrounding property. The payment represents "just compensation" to the Plaintiff.

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

Bill No. Report of the Committee on Finance and Law for November 6, 2008 with an
[2008-0893](#) Affirmative Recommendation.

Bill No. Resolution providing for the issuance of a \$5,411.81 warrant in favor of Thomas
[2008-0845](#) Wallace and Sandra Colon, 2455 S. Braddock Avenue, Pittsburgh, PA 15218, in settlement of a claim for a damaged vehicle due to a City Public Works salt truck on March 8, 2008.

Legislative History

10/21/08

City Council

Read and referred

10/29/08	Finance and Law Committee	Held in Committee	Passed
11/6/08	Finance and Law Committee	Affirmatively Recommended	Passed

Bill No. [2008-0846](#) Resolution providing for the issuance of a \$3,130.87 warrant in favor of Port Authority Transit of Allegheny County, 345 Sixth Avenue 3rd Floor, Pittsburgh, PA 15222-2527, in settlement of a claim for a damaged bus due to a City Public Works vehicle on March 19, 2008.

Legislative History

10/21/08	City Council	Read and referred	
10/29/08	Finance and Law Committee	Held in Committee	Passed
11/6/08	Finance and Law Committee	Affirmatively Recommended	Passed

Bill No. [2008-0856](#) Resolution providing for the issuance of a Twenty Three Thousand Two Hundred Eighty Nine Dollars (\$23,289.00) warrant in favor of The Port Authority of Allegheny County c/o Colin Meneely, Esquire, Heinz 57 Center, 3rd Floor, 345 Sixth Avenue, Pittsburgh, PA 15222-2527 in settlement of GD 06-005762 for property damages arising from a motor vehicle collision on or about October 12, 2005, involving a EMS vehicle owned by the City of Pittsburgh.

Legislative History

10/28/08	City Council	Read and referred	
11/6/08	Finance and Law Committee	Affirmatively Recommended	Passed

Bill No. [2008-0857](#) Resolution providing for the issuance of a Two Hundred and Ninety Thousand Dollar (\$290,000.00) warrant in favor of Ellen B. Pagnotta, Administratrix of the Estate of J. Thomas Bruecken, deceased and her attorneys Raymond J. Conlon, Esquire, and Conlon Tarker, P.C., 108 East Diamond Street, Butler, PA 16001, in settlement of GD 06-005762 for personal injuries and damages arising from a motor vehicle collision on or about October 12, 2005, involving a EMS vehicle owned by the City of Pittsburgh.

Legislative History

10/28/08	City Council	Read and referred	
11/6/08	Finance and Law Committee	Affirmatively Recommended	Passed

Bill No. [2008-0861](#) Resolution authorizing the issuance of a warrant in favor of the Richard S. Caliguiri Amyloidosis Foundation in an amount not to exceed twelve thousand three hundred and three dollars (\$12,303.00), in connection with the 2008 Great Race in the Department of Parks and Recreation, without previous authority of law; and providing for the payment thereof.

Legislative History

10/28/08	City Council	Read and referred	
11/6/08	Finance and Law Committee	Affirmatively Recommended	Passed

Bill No. [2008-0866](#) Resolution amending Resolution No. 86, effective March 18, 2004 by providing for the continued designation of an Oakland Business Improvement District.

SPONSOR(S): BRUCE A. KRAUS, TONYA D. PAYNE AND WILLIAM PEDUTO

Legislative History

10/28/08	City Council	Read and referred	
11/6/08	Finance and Law Committee	Affirmatively Recommended	Passed

MR. KRAUS PRESENTS COMMITTEE ON PUBLIC SAFETY SERVICES

Bill No. [2008-0894](#) Report of the Committee on Public Safety Services for November 6, 2008 with an Affirmative Recommendation.

Bill No. [2008-0882](#) Resolution authorizing the Mayor to accept on behalf of the City of Pittsburgh, a grant from the Department of Justice in the amount of \$150,000, and authorizing and directing the Mayor to enter into an Agreement or Agreements with qualified drug treatment programs for drug treatment services, with qualified non-profit agencies for project coordination services, with qualified organizations for community surveying, social, educational, recreational, youth development, and other related services including transfer of salaries and fringe benefits, supply purchases, equipment purchases, travel reimbursement, and other expenses in connection with the City's Operation Weed and Seed Program in the Lawrenceville neighborhood.

Legislative History

11/6/08	City Council	Waived under Rule 8	Passed
11/6/08	City Council	Read and referred	
11/6/08	Public Safety Services Committee	Affirmatively Recommended	Passed

Bill No. [2008-0883](#) Resolution authorizing the Mayor to accept on behalf of the City of Pittsburgh, a grant from the Department of Justice in the amount of \$150,000, and authorizing and directing the Mayor to enter into an Agreement or Agreements with qualified drug treatment programs for drug treatment services, with qualified non-profit agencies for project coordination services, with qualified organizations for community surveying, social, educational, recreational, youth development, and other related services including transfer of salaries and fringe benefits, supply purchases, equipment purchases, travel reimbursement, and other expenses in connection with the City's Operation Weed and Seed Program in the East Liberty, Larimer, and Garfield neighborhoods.

Legislative History

11/6/08	City Council	Waived under Rule 8	Passed
11/6/08	City Council	Read and referred	
11/6/08	Public Safety Services Committee	Affirmatively Recommended	Passed

Bill No. [2008-0884](#) Resolution authorizing the Mayor to accept on behalf of the City of Pittsburgh, a grant from the Department of Justice in the amount of \$150,000, and authorizing and directing the Mayor to enter into an Agreement or Agreements with qualified drug treatment programs for drug treatment services, with qualified non-profit agencies for project coordination services, with qualified organizations for community surveying, social, educational, recreational, youth development, and other related services including transfer of salaries and fringe benefits, supply purchases, equipment

purchases, travel reimbursement, and other expenses in connection with the City's Operation Weed and Seed Program in the neighborhoods of Chartiers City, Crafton Heights, Elliott, Esplen, Fairywood, Sheraden, West End, and Windgap.

Legislative History

11/6/08	City Council	Waived under Rule 8	Passed
11/6/08	City Council	Read and referred	
11/6/08	Public Safety Services Committee	Affirmatively Recommended	Passed

MRS. HARRIS PRESENTS COMMITTEE ON PUBLIC WORKS

Bill No. [2008-0895](#) Report of the Committee on Public Works for November 6, 2008 with an Affirmative Recommendation.

Bill No. [2008-0858](#) 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, providing for the purchase of materials and supplies in connection with the renovations and maintenance of various public buildings, and further providing for the payment of the costs thereof. Cost not to exceed \$750,000.00.

Legislative History

10/28/08	City Council	Read and referred	
11/6/08	Public Works Committee	Affirmatively Recommended	Passed

REV. BURGESS PRESENTS COMMITTEE ON LAND USE & ECONOMIC DEVELOPMENT

Bill No. [2008-0896](#) Report of the Committee on Land Use and Economic Development for November 10, 2008 with an Affirmative Recommendation.

Bill No. [2008-0867](#) Resolution amending Resolution No. 479, effective September 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 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" (-500) to the "ONALA Club" (+500).

SPONSOR(S): DAN DEASY

Legislative History

10/28/08	City Council	Read and referred	
11/6/08	Land Use and Economic Development Committee	Affirmatively Recommended	Passed

Bill No. [2008-0868](#) Resolution Amending Resolution No. 487, effective September 9, 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 #2" (-500) to the "ONALA Club" (+500).

SPONSOR(S): DAN DEASY

Legislative History

10/28/08	City Council	Read and referred	
11/6/08	Land Use and Economic Development Committee	Affirmatively Recommended	Passed

Bill No.

[2008-0869](#)

Resolution amending Resolution No. 304, effective June 13, 2008 entitle "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 #2-Equipment" (-5,500) to the Windgap -Chartiers Athletic Assoc" (+4,000); and to the "Onala Club" (+1,500).

SPONSOR(S): DAN DEASY

Legislative History

10/28/08	City Council	Read and referred	
11/6/08	Land Use and Economic Development Committee	Affirmatively Recommended	Passed

Bill No.

[2008-0870](#)

Resolution Amending Resolution No. 470, effective August 27, 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 City Council from "District #2-Equipment" (-5,500) to the Windgap Chartiers Athletic Assoc." (+4,000); and to the "Onala Club" (+1,500).

SPONSOR(S): DAN DEASY

Legislative History

10/28/08	City Council	Read and referred	
11/6/08	Land Use and Economic Development Committee	Affirmatively Recommended	Passed

Bill No. [2008-0871](#) Resolution amending Resolution No. 252, effective May 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 950,000.00” so as to reprogram funds from City Council: “District 2 Equipment” (-8,900) to “West End - Elliott Citizens Corp.” (+4,000); and to “Sheraden Community Council” (+4,000); and to the “Onala Club” (+900).

SPONSOR(S): DAN DEASY

Legislative History

10/28/08	City Council	Read and referred	
11/6/08	Land Use and Economic Development Committee	Affirmatively Recommended	Passed

Bill No. [2008-0872](#) Resolution amending Resolution No. 469 effective August 27, 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 from City Council from District #2” (-8,900) to West End/Elliott Citizens Corp.” (+4,000); and to “Sheraden Community Council” (+4,000); and to the Onala Club” (+900).

SPONSOR(S): DAN DEASY

Legislative History

10/28/08	City Council	Read and referred	
11/6/08	Land Use and Economic Development Committee	Affirmatively Recommended	Passed

MR. DEASY PRESENTS COMMITTEE ON INTERGOVERNMENTAL AFFAIRS

Bill No. [2008-0897](#) Report of the Committee on Intergovernmental Affairs for November 10, 2008 with an Affirmative Recommendation.

Bill No. [2008-0862](#) 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 conversion of the property located at 830 Warrington Avenue in the 18th Ward into the Zone 3 police station and providing for the conveyance of the property to the City for no consideration. (Council District 3).

Legislative History

10/28/08	City Council	Read and referred	
11/6/08	Intergovernmental Affairs Committee	AMENDED	Passed
11/6/08	Intergovernmental Affairs Committee	Affirmatively Recommended as Amended	Passed

Bill No. [2008-0863](#) Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to pursue a tax increment financing proposal for portions of the East Liberty Gateway Redevelopment Area (Pending Certification) - East Liberty Neighborhood. (Council District 9)

Legislative History

10/28/08	City Council	Read and referred	
11/6/08	Intergovernmental Affairs Committee	Affirmatively Recommended	Passed

Bill No. [2008-0864](#) 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 3rd Ward of the City of Pittsburgh Designated in the Deed Registry Office of Allegheny County as Block 11-A, Lots 190, 191, 191A, 192, 192A, 193, 194, 196, 198, 200, 202 and Block 11-E, Lots 245, 248, 249, 250, 254, 255, 257, 258, 268, 270, 271, 283, 288, 296 (Council District No. 6 - Site Assemblage for Residential Development - 261½, 263, 261, 265, 259, 257, 253, 258, 200, 206, 208, 210, 218, 220, 224, 226, 246, 252, 251, 227, 217, 201 Dinwiddie Street, 265 Kearney Way, and 267 and 252 Wick Street).

Legislative History

10/28/08	City Council	Read and referred	
11/6/08	Intergovernmental Affairs Committee	Affirmatively Recommended	Passed

MOTIONS AND RESOLUTIONS

EXCUSE ABSENT MEMBERS

APPROVAL OF MINUTES

ADJOURNMENT