

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, September 16, 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: 7 - Mr. Deasy, Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznic and Mr. Shields
Absent: 2 - Ms. Payne and Mr. Peduto

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Bill No. [2008-0736](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize National PARK(ing) Day as an innovative community event that offers a green vision for the City and hope that Pittsburgh make National PARK(ing) Day a yearly tradition; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Friday, September 19, 2008, National PARK(ing) Day in the City of Pittsburgh.

SPONSOR(S): PATRICK DOWD AND ALL MEMBERS

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

Bill No. [2008-0737](#) Now, therefore be it resolved, that the Council of the City of Pittsburgh does hereby celebrate the Youth Heritage Festival and the Young Preservationists' commitment to connecting young people to our city's history; and

Be it further resolved, that the Council of the City of Pittsburgh commends the Young Preservationists Association of Pittsburgh for their important work in shaping informed, responsible, and active future leaders.

SPONSOR(S): PATRICK DOWD AND ALL MEMBERS

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

Bill No. [2008-0738](#) THEREFORE BE IT RESOLVED, that the Council, of the City of Pittsburgh, does, hereby, recognize the many ways in which animals enhance the lives of people and does, hereby, commend the local organizations which support and promote the well-being of animals.

NOW, THEREFORE BE IT FURTHER RESOLVED, the Council of the City of Pittsburgh does, hereby, proclaim, the week of September 20-28, 2008, to be Pittsburgh Week for the Animals, in the City of Pittsburgh.

SPONSOR(S): BRUCE A. KRAUS, DARLENE HARRIS AND ALL MEMBERS

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

Bill No. [2008-0739](#) NOW, THEREFORE BE IT RESOLVED, that, as Frick had anticipated, the William Penn Hotel quickly became and has remained the social center of the City of Pittsburgh and the Council of the City of Pittsburgh does hereby commend, Henry

Clay Frick for his foresight and fortitude to build such a magnificent structure and does also commend all of the stewards of this grand landmark over the past 92 years.

SPONSOR(S): BRUCE A. KRAUS AND ALL MEMBERS

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

Bill No.

[2008-0740](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh celebrates the 63,000 women business owners in the Pittsburgh region and recognizes the important National Association of Women Business Owners, Pittsburgh Chapter; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare September 19, 2008, to be "NAWBO 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.

[2008-0741](#)

NOW THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby wish to extend its gratitude to all individuals who have helped to create the observance of an International Day of Peace.

AND BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby also wish to show its support for the United Nations' International Day of Peace by declaring Sunday, September 21st, 2008 as an International Day of Peace within the City of Pittsburgh.

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

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

Bill No.

[2008-0742](#)

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates and commends JoAnn Herman on her tireless dedication to fighting and preventing crime in her community.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby proclaim Saturday, September 20, 2008 "JoAnn Herman Day" in the City of Pittsburgh.

SPONSOR(S): JIM MOTZNIK AND ALL MEMBERS

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

Bill No.

[2008-0743](#)

NOW THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh declares September 19, 2008 as "Couples of Distinction Day", to be observed by connecting with community organizations, faith-based and family-serving institutions that support healthy relationships and marriage education as a fundamental component of developing strong families and communities.

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

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

Bill No. [2008-0744](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate Vietnam Veterans Inc. for their Annual Vigil for POW/MIAS and recognizes the third Friday of September as POW/MIA Recognition Day; and ,
BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Friday, September 19, 2008, to be "POW/MIA RECOGNITION 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. [2008-0745](#) NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby commend Amen Corner for establishing the David L. Lawrence Award for Community Service Leadership and Excellence and congratulates Robert Fragasso for being named the 2008 Honoree; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Thursday, September 25, 2008, to be "ROBERT FRAGASSO 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

REV. BURGESS, CHAIRPERSON OF THE COMMITTEE ON LAND USE AND ECONOMIC DEVELOPMENT, PRESENTS

Bill No. [2008-0732](#) Resolution providing for an Agreement or Agreements or Contract or Contracts, or use of existing Agreements or Contracts, with a Consultant or Consultants, or Vendor or Vendors, for the purpose of conducting planning and management studies, and related activities in support of such studies including the purchase of data and data analysis equipment at a cost not to exceed \$100,000.00.

Read and referred to Land Use and Economic Development Committee

MR. DEASY, CHAIRPERSON OF THE COMMITTEE ON INTERGOVERNMENT AFFAIRS, PRESENTS

Bill No. [2008-0734](#) Resolution authorizing the City of Pittsburgh ("City") to enter into a Community Benefits Agreement with the One Hill Neighborhood Coalition ("Coalition"), the Sports and Exhibition Authority of the City of Pittsburgh and Allegheny County ("SEA"), the County of Allegheny ("County"), the Urban Redevelopment Authority of the City of Pittsburgh ("URA"), Pittsburgh Arena Real Estate Redevelopment LP ("Penguins Redevelopment"), Pittsburgh Arena Development LP ("Penguins Arena"), and Pittsburgh Arena Operating LP, ("Penguins Operating" collectively with Penguins Redevelopment and Penguins Arena, the "Penguins Entities") (all entities collectively,

“The Parties”) for the purpose of setting forth the rights and obligations of the Parties with regard to planned redevelopment of the Lower Hill Area and the construction of a new hockey arena.

Read and referred to Intergovernmental Affairs Committee

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

Bill No. [2008-0730](#) Resolution providing for an agreement or agreements, contract or contracts, or for the use of existing agreements and/or contracts, for the purchase of equipment including new fitness equipments, the Law Enforcement Training System, firing range lead removal, renovation and equipment to establish a proactive environmental stewardship plan necessary to make a commitment to the environment, the community, and officer safety at the Pittsburgh Police Training Academy, at a cost not to exceed Two Hundred Thousand, Seven Hundred and Forty Eight Dollars (\$200,748.00) and providing for the cost thereof.

Read and referred to Public Safety Services Committee

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

Bill No. [2008-0733](#) Resolution authorizing the Mayor, the Director of City Information Systems, or the Director of Public Safety to enter into a grant agreement with the Commonwealth of Pennsylvania Department of Community and Economic Development to receive the Community Conservation and Employment Program Grant for professional services in connection with the execution of said grant agreement. Amount not to exceed \$625,000.00.

Read and referred to General and Government Services Committee

MR. MOTZNIK, ON BEHALF OF MS. PAYNE, CHAIRPERSON OF THE COMMITTEE ON HUMAN RESOURCES, PRESENTS

Bill No. [2008-0731](#) Resolution providing for the renewal of a Contract or Contracts with a qualified third party administrator to administer the City of Pittsburgh's liabilities under the Pennsylvania Unemployment Compensation Law. Total not to exceed \$31,847.34.

Read and referred to Human Resources Committee

MR. SHIELDS, PRESIDENT PRESENTS COMMITTEE ON HEARINGS

Bill No. [2008-0735](#) Petition from the residents of the City of Pittsburgh requesting a public hearing on the matter of codifying the key policies and procedures contained in the 1997 Federal Consent Decree.

Read and referred to Hearings Committee

UNFINISHED BUSINESS

REPORTS OF COMMITTEE - FINAL ACTION

MR. MOTZNIK, ON BEHALF OF MR. PEDUTO, PRESENTS COMMITTEE ON FINANCE AND LAW**Motion**

Bill No. Report of the Committee on Finance and Law for September 10, 2008 with an
[2008-0728](#) Affirmative Recommendation.

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

Bill No. Resolution authorizing the Mayor and the City Solicitor to enter into an agreement or
[2008-0250](#) agreements for the hiring of outside legal counsel and consultants to represent the City of Pittsburgh in connection with the conduct of labor negotiations and certain litigation matters at a cost not to exceed \$50,000.00 (Fifty Thousand Dollars).

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

Votes: Ayes: 7 - Rev. Burgess, Mr. Deasy, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznik and Mr. Shields
Noes: 0
Abstentions: 0
Absent: 2 - Ms. Payne and Mr. Peduto

MRS. HARRIS PRESENTS COMMITTEE ON PUBLIC WORKS

Bill No. Report of the Committee on Public Works for September 10, 2008 with an
[2008-0729](#) Affirmative Recommendation.

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

Bill No. Resolution amending Resolution No. 27, effective February 15, 2008, entitled
[2008-0723](#) "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 at various locations throughout the City of Pittsburgh, and providing for the payment of the cost thereof, at a cost not to exceed \$9,460,000.00" by increasing the authorized spending amount.

SPONSOR(S): JIM MOTZNIK, DARLENE HARRIS, DOUGLAS SHIELDS AND DAN DEASY

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution amending and supplementing Resolution No.704, effective January 1,
[2008-0724](#) 2008, as amended, entitled: "Adopting and approving the 2008 Capital Budget and the 2008 Community Development Block Grant Program; and approving the 2008 through 2012 Capital Improvement Program," by increasing funds for street

resurfacing.

**SPONSOR(S): JIM MOTZNIK, DARLENE HARRIS, DOUGLAS SHIELDS
AND DAN DEASY**

This Matter was Passed Finally on the Consent Agenda.

Passed The Consent Agenda

A motion was made, including all the preceding items marked as having been adopted on the Consent Agenda. The motion carried by the following vote:

Votes: Ayes: 7 - Rev. Burgess, Mr. Deasy, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznik and Mr. Shields

Noes: 0

Abstentions: 0

Absent: 2 - Ms. Payne and Mr. Peduto

MOTIONS AND RESOLUTIONS

EXCUSE ABSENT MEMBERS

A motion was made to excuse the absent member(s)Ms. Payne, Mr. Peduto. The motion carried.

APPROVAL OF MINUTES

A motion was made to approve the minutes. The motion carried.

ADJOURNMENT

A motion was made to adjourn the meeting. The motion carried.