

City of Pittsburgh



City Council

Regular Meeting Agenda

Tuesday, March 24, 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****MR. DOWD, CHAIRPERSON OF THE COMMITTEE ON INTERGOVERNMENTAL AFFAIRS, PRESENTS**

Bill No. Resolution amending Resolution No. 574, effective October 26, 2007, entitled
[2009-1231](#) “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)

Bill No. Resolution amending Resolution No. 575, effective October 26, 2007, entitled
[2009-1232](#) “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)

Bill No. Resolution amending Resolution No. 683, effective November 16, 2006, entitled
[2009-1233](#) “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)

Bill No. Resolution amending Resolution No. 685, effective November 16, 2006, entitled
[2009-1234](#) “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)

Bill No. Resolution authorizing a Cooperation Agreement or Agreements with the Urban
[2009-1235](#) 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)

Bill No. Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an
[2009-1236](#) 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)

- Bill No. [2009-1237](#) 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)
- Bill No. [2009-1238](#) 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 \$250,000 for the Steamfitters Local 449 Training Facility project. (Council District 2)
- Bill No. [2009-1239](#) Resolution approving execution of a Contract for Disposition by Sale of Land by and between the Urban Redevelopment Authority of Pittsburgh and William Barron for the sale of Parcel 15, in the 22nd Ward of the City of Pittsburgh, in Redevelopment Area No. 51 - Block 23-L, Lot 95, 2 East North Avenue --Council District No. 6 (Commercial rehabilitation).

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

- 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.
- Bill No. [2009-1227](#) Resolution providing for an Agreement or Agreements or for the use of existing Agreements, providing for a Contract or Contracts or for the use of existing Contracts, providing for repairs, maintenance, improvements, emergencies and/or the purchase of materials, equipment and supplies in connection with the investigation, design, construction and/or remediation for critical wall and slope failures throughout the City; and providing for the payment of the costs thereof. Cost not to exceed \$600,000.00
- 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.
- 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.

Bill No. 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.

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

Bill No. Resolution authorizing the Mayor and the Director of the Department of Public Safety to enter into an Agreement with the Intergovernmental Cooperation Authority for Cities of the Second Class to establish and fund the Public Safety Demonstration Project, and authorizing the transfer of the sum of \$300,000.00 into a restricted special fund to be used for purposes of said Project.

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 \$30,000 to Christopher 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.

Bill No. Resolution providing for the issuance of a warrant in the sum of \$30,000 to Ogg, 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.

Bill No. Resolution providing for the issuance of a warrant in the sum of \$20,000 to David 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.

Bill No. Resolution providing for the issuance of a warrant in the sum of \$39,000 to Ogg, 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.

Bill No. 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.

Bill No. 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.

Bill No. Resolution authorizing the City of Pittsburgh to enter into an agreement with the
[2009-1224](#) Pittsburgh Foundation to document a voluntary commitment from community
 nonprofit organizations to provide financial assistance to the City for the years 2008,
 2009 and 2010.

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 March 18, 2009 with an Affirmative
[2009-1214](#) Recommendation.

Bill No. Resolution providing for the transfer to the Equipment Leasing Authority, the sum of
[2009-1129](#) \$70,000.00, representing The Department of Public Works portion of the cost for the
 purchase of three Recycling Mini Packers, and all related accessories, for the Bureau of
 Environmental Services.

Legislative History

3/10/09	City Council	Read and referred	
3/18/09	Finance and Law Committee	Affirmatively Recommended	Passed

Bill No. Resolution authorizing the Mayor and the City Solicitor to enter into an agreement or
[2009-1130](#) 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 various litigation
 matters at a cost not to exceed \$75,000.00 (Seventy-Five Thousand Dollars).

Legislative History

3/3/09	City Council	Read and referred	Passed
3/11/09	Finance and Law Committee	Held in Committee	Passed
3/18/09	Finance and Law Committee	Affirmatively Recommended	Passed

Bill No. Resolution authorizing the issuance of a warrant in the sum of \$21,000.00 (Twenty-one
[2009-1169](#) Thousand dollars) to Eileen Hawthorne c/o James A. Dattilo, Esquire, 100 Ross Street,
 Suite 103, Pittsburgh, PA 15219, in full and final settlement of an action filed at GD
 07-004485, and arising from alleged injuries as a result of a trip and fall at the
 intersection of Chatham Sq. & Watson St. in the City of Pittsburgh.

Legislative History

3/10/09	City Council	Read and referred	
3/18/09	Finance and Law Committee	Affirmatively Recommended	Passed

Bill No. Ordinance Amending the Pittsburgh Code, Title Two, Fiscal, Article 9, Property Taxes,
[2009-1179](#) Chapter 263, Real Property Tax and Exemption, Section 263.23 City Treasurer Duties,
 by adding language to provide for a continuous designation of Act 77 Exemptions for
 eligible senior citizens.

SPONSOR(S): PATRICK DOWD, DARLENE HARRIS AND THERESA SMITH

Legislative History

3/10/09	City Council	Read and referred	
3/18/09	Finance and Law Committee	Affirmatively Recommended	Passed

MR. KRAUS PRESENTS COMMITTEE ON PUBLIC SAFETY SERVICES

Bill No. [2009-1215](#) Report of the Committee on Public Safety Services for March 18, 2009 with an Affirmative Recommendation.

Bill No. [2009-1170](#) Resolution authorizing the Mayor to enter into a grant agreement with the Commonwealth of Pennsylvania, Department of Economic Development to receive \$30,000 under the Local Government Municipal Resource and Development Program for the West Pittsburgh Weed and Seed Program and further providing for an Agreement or Agreements for professional services in connection with the execution of said grant agreement.

Legislative History

3/10/09	City Council	Read and referred	
3/18/09	Public Safety Services Committee	Affirmatively Recommended	Passed

MRS. HARRIS PRESENTS COMMITTEE ON PUBLIC WORKS

Bill No. [2009-1211](#) Report of the Committee on Public Works for March 18, 2009 with an Affirmative Recommendation.

Bill No. [2009-1045](#) Resolution vacating a 10' Unnamed Way between Simona Drive and Woodbine Street in the 10th Ward, 7th Council District of the City of Pittsburgh.

Legislative History

1/22/09	City Council	Read and referred	Passed
1/28/09	Public Works Committee	Held for Public Hearing	Passed
3/17/09	Hearings Committee	Public Hearing Held	Passed
3/18/09	Public Works Committee	Affirmatively Recommended	Passed

Bill No. [2009-1135](#) Resolution providing for an Agreement or Agreements or for the use of existing Agreements, providing for a Contract or Contracts or for the use of existing Contracts, and providing for the purchase of materials, supplies and equipment in connection with the rehabilitation and reconstruction of various park facilities; and further providing for the payment of the costs thereof. Cost not to exceed \$300,000.00.

Legislative History

3/10/09	City Council	Read and referred	
3/18/09	Public Works Committee	Affirmatively Recommended	Passed

Bill No. [2009-1136](#) 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 repairs, maintenance, improvements, emergencies and/or the purchase of

equipment, materials and supplies in connection with the Rehabilitation and repairs of various swimming pools; and further providing for the payment of the costs thereof. Cost not to exceed \$100,000.00.

Legislative History

3/10/09	City Council	Read and referred	
3/18/09	Public Works Committee	Affirmatively Recommended	Passed

Bill No.

2009-1137

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 repairs, maintenance, improvements, emergencies and/or the purchase of materials, equipment and supplies in connection with Ballfield Lighting Replacement; and further providing for the payment of the costs thereof. Cost not to exceed \$150,000.00.

Legislative History

3/10/09	City Council	Read and referred	
3/18/09	Public Works Committee	Affirmatively Recommended	Passed

Bill No.

2009-1138

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, equipment and supplies in connection with the renovation of various play areas; and further providing for the payment of the costs thereof. Cost not to exceed \$200,000.00.

Legislative History

3/10/09	City Council	Read and referred	
3/18/09	Public Works Committee	Affirmatively Recommended	Passed

Bill No.

2009-1171

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 Tree Maintenance Program throughout the City of Pittsburgh, and further providing for the payment of the costs thereof. Cost not to exceed \$100,000.00.

Legislative History

3/10/09	City Council	Read and referred	
3/18/09	Public Works Committee	Affirmatively Recommended	Passed

Bill No.

2009-1172

Resolution providing for a Contract or Contracts, or for the use of existing Contracts, for the installation and maintenance of traffic signal hardware throughout the City; and providing for the payment of the costs thereof. Cost not to exceed \$50,000.00.

Legislative History

3/10/09	City Council	Read and referred	
3/18/09	Public Works Committee	Affirmatively Recommended	Passed

REV. BURGESS PRESENTS COMMITTEE ON LAND USE & ECONOMIC DEVELOPMENT

Bill No. Report of the Committee on Land Use and Economic Development for March 18, 2009
[2009-1216](#) with an Affirmative Recommendation.

Bill No. Resolution amending Resolution No. 436, effective August 15, 2008, entitled:
[2009-1174](#) Providing for an Agreement or Agreements with various community organizations for operational/administrative expenses, maintenance, purchase of equipment and/or rehabilitation of neighborhood facilities for the benefit of residents of the City of Pittsburgh and further, authorizing various departments to enter into contract or contracts or use existing contract or contracts for street paving and other related costs the purchase of equipment and/or furniture at a cost not to exceed \$972,000.00; so as to reprogram funds from "Oakland Planning & Development/Center Craig Plan"(-5,000) to the "Oakland Community Council" (+5,000).

Legislative History

3/10/09	City Council	Read and referred	
3/18/09	Land Use and Economic Development Committee	Affirmatively Recommended	Passed

Bill No. Resolution amending Resolution No. 437 effective August 15, 2008, entitled:
[2009-1175](#) 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 from City Council - "Oakland Planning & Development/Center Craig Plan"(-5,000) to the "Oakland Community Council" (+5,000) and transfer funds in the Department Engineering & Construction from "Braddock/Penn intersection Improvements" (-50,000) to the "Traffic Signals Hardware Upgrade" (+50,000).

Legislative History

3/10/09	City Council	Read and referred	
3/18/09	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 Governmental Services for March 18, 2009
[2009-1212](#) with an Affirmative Recommendation.

Bill No. Resolution authorizing the Mayor and the Director of City Information Systems to
[2009-1176](#) enter into a grant agreement with the Commonwealth of Pennsylvania, Department of Community and Economic Development, to receive \$127,500 in funding to support the City's Energy & Utilities Manager position and programs in connection with the execution of said grant agreement.

Legislative History

3/10/09	City Council	Read and referred	
3/18/09	General and Government Services Committee	Affirmatively Recommended	Passed

MR. DOWD PRESENTS COMMITTEE ON INTERGOVERNMENTAL AFFAIRS

Bill No. [2009-1217](#) Report of the Committee on Intergovernmental Affairs for March 18, 2009 with an Affirmative Recommendation.

Bill No. [2009-1177](#) Resolution authorizing cooperation agreement or agreements, providing for the transfer of funds not to exceed Five Million One Hundred Thousand (\$5,100,000) dollars to the City of Pittsburgh Equipment Leasing Authority for the purchase of vehicles, radios and equipment for use by the City of Pittsburgh Departments and Authorities.

Legislative History

3/10/09	City Council	Read and referred	
3/18/09	Intergovernmental Affairs Committee	Affirmatively Recommended	Passed

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