

City of Pittsburgh

*510 City-County Building
414 Grant Street
Pittsburgh, PA 15219*



MEETING MINUTES

Proceedings of the Council of the City of Pittsburgh

Monday, August 8, 2005

10:00 AM

Council Chambers

City Council

**ONE-HUNDRED
THIRTY-THIRD COUNCIL**

Gene Ricciardi, President

**Council Members: Len Bodack, Twanda Carlisle,
Dan Deasy, Jim Motznik, William Peduto, Luke Ravenstahl, Douglas Shields, Sala Udin**

**Linda M. Johnson-Wasler, City Clerk
Mary Beth Doheny, Deputy City Clerk**

ROLL CALL

Present: 8 - Ms. Carlisle, Mr. Deasy, Mr. Motznik, Mr. Peduto, Mr. Ravenstahl, Mr. Shields, Mr. Udin and Mr. Ricciardi
Absent: 1 - Mr. Bodack

PLEDGE OF ALLEGIANCE

*Led by Michael Warren, 12 years old from Rodgers School of Performing Arts.
(Ricciardi Dist #3)*

PROCLAMATIONS

Bill No.

2005-1626

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh congratulates the West Pittsburgh Partnership on their 20 years of dedication and service to the western neighborhoods of the City of Pittsburgh and commends all involved in making the South Main Street facelift a reality.

BE IT FURTHER RESOLVED, that Friday, August 12, 2005, be declared "FIRST LIGHTS GALA DAY" In the West End.

SPONSOR(S): DAN DEASY

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

Bill No.

2005-1627

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh CONGRATULATES and COMMENDS the Super Colt team, Coaches and the Washington Heights Athletic Association on a TREMENDOUS season.

BE IT FURTHER RESOLVED that Monday, August 8th, 2005 is declared "WHAA SUPER COLTS DAY" in the City of Pittsburgh.

SPONSOR(S): DAN DEASY

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

Bill No.

2005-1628

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh, does hereby recognize and acknowledge Delta Sigma Theta Sorority, Inc. for the vessel it provides to health research, education, and improving the quality of life locally and internationally.

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh, declares August 11th through August 14th, 2005, "Delta Sigma Theta Sorority, Inc." Days in the City of Pittsburgh, wishing you much success in your endeavors.

SPONSOR(S): TWANDA CARLISLE

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

PRESENTATION OF PAPERS

None

REPORTS OF COMMITTEE - FINAL ACTION

MR. SHIELDS PRESENTS COMMITTEE ON FINANCE & BUDGET

Bill No. Report of the Committee on Finance and Budget for August 3, 2005.

[2005-1622](#)

Read, Received and Filed

Bill No. Resolution providing for an Agreement Of Sale with Thomas Williams and Michelle Williams, his wife, for acquisition by the City of Pittsburgh of property located at 637 Corfu Street, 20th Ward, City of Pittsburgh, and providing further for certain payments not to exceed \$353,000.

A motion was made that this matter be RECOMMITTED to the Finance & Budget Committee, due back on August 31, 2005. The motion carried.

Bill No. Resolution further amending Resolution No. 121 of 2003, effective March 14, 2003 entitled, "Resolution 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 City Council's 2003 Community Needs Program; and providing for the payment of the costs thereof," by adding Grandview Park Tree Pruning 10,269.35, eliminating Monongehalia Parking (\$8,000) and by reducing line items Tree Planting, Duquesne Light Frontage on Sarah Street and Henry Kaufmann Center/Arlington Gym Sidewalk Repairs to reflect actual expenditures in Council District 3.

SPONSOR(S): GENE RICCIARDI

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

Bill No. Resolution authorizing and directing the City Controller to create a special Trust Fund, to be designated as the "Clean Pittsburgh Trust Fund", for the deposit of cash and contributions and authorizing the use of the funds deposited therein by the Department of Public Works for any and all expenses associated with the operation and implementation of projects related to community clean-ups and clean-neighborhood projects.

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

Votes: Ayes: 6 - Ms. Carlisle, Mr. Deasy, Mr. Peduto, Mr. Ravenstahl, Mr. Shields and Mr. Ricciardi
Noes: 2 - Mr. Motznik and Mr. Udin
Abstentions: 0
Absent: 1 - Mr. Bodack

Bill No. Resolution of the City Council of the City of Pittsburgh (the "City") determining to incur lease rental debt in an aggregate principal amount not to exceed four million four hundred and fifty thousand dollars (\$4,450,000) by entering into a supporting agreement (the "2005 supporting agreement") with the Sports & Exhibition Authority

of Pittsburgh and Allegheny County (the “authority”) and the County of Allegheny (“County”); determining that such lease rental debt shall be Evidenced by the 2005 supporting agreement by which the city agrees to pay one-half of the debt service on the Sports & Exhibition Authority of Pittsburgh and Allegheny County Auditorium Bonds, refunding series a of 2005 to be issued by the Authority in an aggregate principal amount of up to eight million, nine hundred thousand dollars (\$8,900,000); authorizing and directing the proper officers of the city (a) to prepare, to certify and to file the debt statement and borrowing base certificate required by section 8110 of the Pennsylvania local government unit debt act; and (b) to execute, to attest and to deliver, as appropriate, the 2005 supporting agreement among the city, the county and said authority; approving the form of said 2005 supporting agreement; specifying the maximum amounts of the supporting obligation of the City pursuant to said 2005 supporting agreement and the sources of payment of such supporting obligation and pledging the full faith, credit and taxing power of the City in support thereof; providing for proper officers of the City to take all other required, necessary or desirable related action in connection with said project and said 2005 supporting agreement; providing for the effectiveness of this resolution; providing for the severability of provisions of this resolution; and providing for repeal of all inconsistent ordinances or resolutions or parts of ordinances or resolutions.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2005-1579](#)

Ordinance amending the Pittsburgh Code, Title One-Administrative, Article IX-Boards, Commissions and Authorities, by adding a new section at Chapter 180 in order to create a Clean Pittsburgh Commission.

**SPONSOR(S): DOUGLAS SHIELDS, DAN DEASY, WILLIAM PEDUTO,
GENE RICCIARDI AND LUKE RAVENSTAHL**

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2005-1581](#)

Resolution providing that the City of Pittsburgh enter into a professional services contract or contracts with Employee Benefit Data Services, Inc. for the purpose of administering the City's COBRA program and Flexible Spending Account program and providing for the payment of the cost thereof. Cost not to exceed \$50,000.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2005-1582](#)

Resolution providing that the City of Pittsburgh enter into a professional services agreement or agreements for maintaining equipment necessary for the administration of Personnel and Civil Service Examinations and providing for the payment of the cost thereof. Cost not to exceed \$13,000.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2005-1583](#)

Resolution authorizing the City of Pittsburgh to issue a quit claim deed for part of City of Pittsburgh owned parcel 139-R-86 in the 32nd Ward, on Library Road to the Pennsylvania Department of Transportation for required right-of-way widening for State Route 88 Section A09.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2005-1584](#)

Resolution authorizing the City of Pittsburgh to issue a quit claim deed for property in the 4th Ward of the City of Pittsburgh to the Pennsylvania Department of Transportation for required right-of-way widening for State Route 885, Section A03, and State Route 2108, Section A05, on Forbes and Fifth Avenues and the Boulevard of the Allies. Being parcel 28-J-500 and parts of parcel 11-L-280 on Forbes Avenue and parcels 11-M-174, 180, 190, 191, 192 and 198 on Fifth Avenue. Also authorizing an aerial easement and a temporary construction easement for part of parcel 11-L-280.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2005-1585](#)

Resolution providing for an agreement with the Commonwealth of Pennsylvania Department of Transportation granting a permanent aerial easement over City of Pittsburgh property Block and Lot No. 25-B-15, 114 Railroad Street, in connection with improvements on the adjacent Thirty-First Street Bridge, SR02122, Section A03. The amount of \$3,700.00 is offered as just compensation for the effects, if any, for this aerial easement on the designated portion of City property upon certain terms and conditions.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2005-1587](#)

Resolution further amending and supplementing Resolution No. 229 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 5; and providing for the payment of the costs thereof," by adding "Pennsylvania Downtown Center Feasibility Study" \$1,500. Total cost of all projects is not to exceed \$990,128.49.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2005-1613](#)

Resolution further amending Resolution No. 231, 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 8; and providing for the payment of the costs thereof," by adding Friendship Community Master Plan \$50,000, Sq. Hill BP Association Forbes and Murray Improvement Plan \$22,000, Bloomfield Business Association Liberty Ave Improvement Plan \$20,000, Homewood Arts District \$2,500, Urban Ecological Collaborative \$5,000, District 8 Various Projects \$10,293.46 and by adjusting various line items to reflect actual expenditures in Council District 8. Total cost of all projects not to exceed \$914,429.00

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: 8 - Ms. Carlisle, Mr. Deasy, Mr. Motznik, Mr. Peduto, Mr. Ravenstahl, Mr. Shields, Mr. Udin and Mr. Ricciardi
Noes: 0
Abstentions: 0
Absent: 1 - Mr. Bodack

MR. RAVENSTAHL PRESENTS COMMITTEE ON PUBLIC WORKS & ENVIRONMENTAL SERVICES

Bill No. [Report of the Committee on Public Works and Environmental Services for August 3, 2005.](#)
[2005-1623](#)

Read, Received and Filed

Bill No. [Resolution authorizing the Mayor and the Director of the Department of Public Works to enter into an Agreement with Eastside Limited Partnership II \("Eastside"\) and the Urban Redevelopment Authority of Pittsburgh \("URA"\) and acceptance from the URA in connection with the construction of a new pedestrian bridge in the 7th Ward, 8th Council District.](#)
[2005-1589](#)

This Matter was Passed Finally on the Consent Agenda.

Bill No. [Resolution granting unto Eastside Limited Partnership II, 2425 Henry W. Oliver Bldg, 535 Smithfield Street, Pittsburgh, PA 15222, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, signs, canopies, flagpoles, sunshade and a balcony over the sidewalk areas at 5932-5956 Penn Circle South in the 7th Ward, 8th Council District of the City of Pittsburgh.](#)
[2005-1590](#)

This Matter was Passed Finally on the Consent Agenda.

Bill No. [Resolution granting unto The Berry Patch, 2757 East Carson Street, Pittsburgh, PA 15203, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a roof with attached business identification sign and lighting at 2757 East Carson Street in the 16th Ward, 3rd Council District of the City of Pittsburgh.](#)
[2005-1591](#)

This Matter was Passed Finally on the Consent Agenda.

Bill No. [Resolution amending Resolution No. 128, effective March 16, 2005, as amended entitled, "Authorizing and directing the Mayor, the Director of the Public Works Department and Chief of the Bureau of Building Inspection, to create six temporary \(6\) on-street vending permit areas on Thackeray Street, between Fifth Avenue and O'Hara Street, to provide space for legally permitted vendors to operate during construction of the Schenley Plaza", by further extending the time period through September 30, 2005.](#)
[2005-1607](#)

SPONSOR(S): WILLIAM PEDUTO

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: 8 - Ms. Carlisle, Mr. Deasy, Mr. Motznik, Mr. Peduto, Mr. Ravenstahl, Mr. Shields, Mr. Udin and Mr. Ricciardi
Noes: 0
Abstentions: 0
Absent: 1 - Mr. Bodack

MR. UDIN PRESENTS COMMITTEE ON PLANNING, ZONING & LAND USE

Bill No. Report of the Committee on Planning, Zoning and Land Use for August 3, 2005.

2005-1624

Read, Received and Filed

Bill No. Resolution approving a Conditional Use under the Pittsburgh Code, Title Nine - Zoning, Article V, Section 909.02.D.6(a)(1) to the Pittsburgh Board of Public Education or its designee for authorization to operate a Housing for the Elderly facility on property to be zoned RP / Residential Planned Unit Development bounded by Eureka St, Harwood St, Secane Ave and Ruth St and identified as Block and Lot #15-C-220 in Allegheny Block and Lot system, 18th Ward, City of Pittsburgh district.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Ordinance amending the Pittsburgh Code, Title Nine, Zoning Article III, Section 902.03 - Zoning Map by changing from RM-M / Residential Multi-Unit, Moderate Density to RP/Residential Planned Unit Development certain property bounded by Eureka St, Harwood St, Secane Ave and Ruth St and identified as Block and Lot #15-C-220 in Allegheny Block and Lot system, 18th Ward, City of Pittsburgh.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Ordinance amending the Pittsburgh Code, Title Nine, Zoning Article III, Section 902.03 - Zoning Map by changing from R1D-L / Residential Single-Unit Detached, Low Density and PO / Parks and Open Space to RP / Residential Planned Unit Development certain property fronting on Beechwood Blvd and identified as Block and Lot #88-D-100 in Allegheny Block and Lot system, 14th Ward, City of Pittsburgh.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Ordinance amending the Pittsburgh Zoning Code, Title Nine, Article One, Chapter 902 Section 902.03, Zoning District Map Nos. 8 and 13 by changing various zoning district classifications in the Mt. Oliver neighborhood in accord with Map Pittsburgh: Zoning for your Neighborhood, the city's zoning re-mapping project relative to the city's new Urban Zoning Code.

This Matter was Passed Finally on the Consent Agenda.

Bill No. [2005-1514](#) Ordinance amending the Pittsburgh Zoning Code, Title Nine, Article One, Chapter 902 Section 902.03, Zoning District Map No. 17 by changing various zoning district classifications in the Regent Square neighborhood in accord with Map Pittsburgh: Zoning for your Neighborhood, the city's zoning re-mapping project relative to the city's new Urban Zoning Code.

This Matter was Passed Finally on the Consent Agenda.

Bill No. [2005-1592](#) Resolution providing for an Agreement or Agreements with Miryam's and East End Cooperative Ministry for administrative, operating and/or renovation costs for the shelters under the State Emergency Shelter Grant Program, at a cost not to exceed \$190,000.00.

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: 8 - Ms. Carlisle, Mr. Deasy, Mr. Motznik, Mr. Peduto, Mr. Ravenstahl, Mr. Shields, Mr. Udin and Mr. Ricciardi
Noes: 0
Abstentions: 0
Absent: 1 - Mr. Bodack

MS. CARLISLE PRESENTS COMMITTEE ON HOUSING, ECONOMIC DEVELOPMENT & PROMOTION

Bill No. [2005-1625](#) Report of the Committee on Housing, Economic Development and Promotion for August 3, 2005.

Bill No. [2005-1605](#) Resolution amending and supplementing Resolution No. 891, effective January 1, 2003, as amended, entitled: "Adopting and approving the 2003 Capital Budget and the 2003 Community Development Block Grant Program; and approving the 2003 through 2008 Capital Improvement Program, by adjusting various line items in conformance with City Council's 2003 Capital Budget amendments." by adding Grandview Park Tree Pruning 10,269.35 and by reducing various other projects to reflect actual spending in Council District 3."

SPONSOR(S): GENE RICCIARDI

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

Bill No. [2005-1593](#) Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh in connection with URA's application for a \$500,000 Redevelopment Assistance Capital Program grant for the Armstrong Cork seawall project. (Council District No. 6)

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an
[2005-1594](#) Application to the Pennsylvania Office of the Budget for a Redevelopment Assistance Capital Program grant in the amount of \$500,000 for the Armstrong Cork seawall project. (Council District No. 6)

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution approving Execution of a Contract for Disposition by Sale of Land by and between the Urban Redevelopment Authority of Pittsburgh and the African American Cultural Center of Greater Pittsburgh for the Sale of Block 9N Lots 5, 8, 18, 19, 20, 21, 22, 23, 24 and 25, in the Second Ward of the City of Pittsburgh – 946-974 Liberty Avenue – Council District No. 6 – in Convention Center Project (construction of African American Cultural Center)

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution authorizing the Mayor and the Director of the Commission on Human Relations to enter into an agreement or agreements for the hiring of legal counsel to provide representation to complainants in fair housing cases who have elected to proceed through the Court of Common Pleas or require legal representation at public hearings before the commission. Cost not to exceed \$25,000.
[2005-1596](#)

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution providing for an agreement to enter into a contract with an individual attorney or law firm to provide legal representation as the Solicitor of the Commission on Human Relations, and providing for the payment of the costs thereof. Cost not to exceed \$20,000.
[2005-1597](#)

This Matter was Passed Finally on the Consent Agenda.

Bill No. 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 Friendship Community Master Plan \$50,000, Sq. Hill BP Association Forbes and Murray Improvement Plan \$22,000, Bloomfield Business Association Liberty Ave Improvement Plan \$20,000, Homewood Arts District \$2,500, Urban Ecological Collaborative \$5,000, District 8 Various Projects \$10,293.46 and by making various reductions to reflect actual expenditures in Council District 8.
[2005-1606](#)

SPONSOR(S): WILLIAM PEDUTO

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: 8 - Ms. Carlisle, Mr. Deasy, Mr. Motznik, Mr. Peduto, Mr. Ravenstahl, Mr. Shields, Mr. Udin and Mr. Ricciardi

Noes: 0

Abstentions: 0

Absent: 1 - Mr. Bodack

MOTIONS AND RESOLUTIONS

CARLISLE: Congratulations to Ora Lee Carroll, Representative Joseph Preston & Mr. Uku relative to the Blue Print Initiatives.

DEASY: Annoucing the Main Street Light Gala Celebration (West End).

Thanks to the Dept. of Parks & Recreation for Movies in the Park new location (West End).

PEDUTO: Commends ELDC & community based organizations along w/developers for various projects in Centre Ave/Baum Corridor.

Recognizing the League of Independent Voters Convention held in Pittsburgh.

Annoucing Shadyside Art Festivals @ Walnut St. & Ellsworth Ave/local artists & music.

Welcome to Fr. John Delano to St Joseph Church located in the Bloomfield community.

EXCUSE ABSENT MEMBERS

A motion was made to excuse the absent member(s) Mr. Bodack. 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.