

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, November 19, 2007

10:00 AM

Council Chambers

City Council

**ONE-HUNDRED
THIRTY-FOURTH COUNCIL**

**Douglas Shields, President
Council Members: Len Bodack,**

Dan Deasy, Darlene M. Harris, Jeffrey S. Koch, Jim Motznik, Tonya D. Payne, William Peduto

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

ROLL CALL

Present: 8 - Mr. Bodack, Mr. Deasy, Mrs. Harris, Mr. Koch, Mr. Motznik, Ms. Payne, Mr. Peduto and Mr. Shields

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Bill No. [2007-1951](#) NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh honors Dr. Randy Pausch for his contributions to the computer science field and Carnegie Mellon University and thanks him for sharing his "Last Lecture" with the Pittsburgh community and the world; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby declares November 19th, 2007 "Randy Pausch Day" in the City of Pittsburgh.

SPONSOR(S): WILLIAM PEDUTO AND ALL MEMBERS

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

Bill No. [2007-1952](#) NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh warmly welcomes Bishop David Zubik back home, thanks him for accepting the commitment to lead the Roman Catholic Church and looks forward to working with him for many years to come.

SPONSOR(S): DAN DEASY AND ALL MEMBERS

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

PUBLIC COMMENTS

PRESENTATION OF PAPERS

Mr. SHIELDS PRESENTS COMMITTEE ON HOUSING, ECONOMIC DEVELOPMENT AND PROMOTION

Bill No. [2007-1943](#) Resolution dissolving the Baum/Millvale Tax Increment Financing District. (Council District 8).

Read and referred to Housing, Economic Development & Promotion Committee

Bill No. [2007-1944](#) Resolution approving Execution of a Contract for Disposition by Sale of Land by and between the Urban Redevelopment Authority of Pittsburgh and Carnegie Library of Pittsburgh, for the Sale of Disposition Parcel 16 in Redevelopment Area No. 51, in the 22nd Ward of the City of Pittsburgh - Council District No.6 (Library construction).

Read and referred to Housing, Economic Development & Promotion Committee

Bill No. [2007-1945](#) Resolution approving Execution of a Contract for Disposition by Sale of Land by and between the Urban Redevelopment Authority of Pittsburgh and Jaclyn M. Yunker for the Sale of Block 22-P, Lot 187, in the 21st Ward of the City of Pittsburgh - Redevelopment Area No. 27 - Council District No. 6 (1426 Stedman Street -

Sideyard).

Read and referred to Housing, Economic Development & Promotion Committee

Bill No.

[2007-1946](#)

Resolution approving execution of a Contract for Disposition by Sale of Land by and between the Urban Redevelopment Authority of Pittsburgh and Western Avenue Associates, for the sale of Block7-B, Lot No.123 , in the 21st Ward of the City of Pittsburgh - Council District No. 6 - 911 Manhattan Street (commercial development).

Read and referred to Housing, Economic Development & Promotion Committee

Bill No.

[2007-1947](#)

Resolution approving execution of a Contract for Disposition by Sale of Land by and between the Urban Redevelopment Authority of Pittsburgh and UPMC Presbyterian Shadyside for the sale of Block 125-G, Lots 14 and 15, in the 12th Ward of the City of Pittsburgh - Council District No. 9 - 6724-6726 Kelly Street (parking).

Read and referred to Housing, Economic Development & Promotion Committee

Bill No.

[2007-1948](#)

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 12th Ward of the City of Pittsburgh, designated in the Deed Registry Office of Allegheny County as Block 125-G, Lots 14 and 15, under the Industrial Land Reserve Fund - 6724-6726 Kelly Street - (Council District No. 9).

Read and referred to Housing, Economic Development & Promotion Committee

Bill No.

[2007-1949](#)

Resolution Petitioning the Pennsylvania Secretary of the Department of community and Economic Development, pursuant to Act 47, Section 253 Termination of Status , subsection (b) Determination upon petition by a municipality , to make a determination that the condition which led to the designation as a distressed municipality are no longer present.

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

Read and referred to Finance, Law and Purchasing Committee

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

Bill No.

[2007-1935](#)

Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business Related Taxes, Chapter 241, Amusement Tax, Section 241.04, Amusement Tax Computation, by reducing the rate of tax for certain Non-Profit Performing Arts, from one and one-quarter (1.25) percent in 2007 to zero (0) percent in 2008.

Read and referred to Finance, Law and Purchasing Committee

Bill No.

[2007-1936](#)

Ordinance amending and supplementing the Pittsburgh Code, Title Two, Fiscal; Article VII, Business Related Taxes; Chapter 252, Emergency and Municipal Services Tax, by changing the title of Chapter 252 from, "EMERGENCY AND MUNICIPAL SERVICES TAX" to "LOCAL SERVICES TAX", and by otherwise changing the provisions of Chapter 252 so as to comply with the statutory requirements of Act 7 of 2007 in regard to exemptions, dates of payments and withholding.

Read and referred to Finance, Law and Purchasing Committee

Bill No. Ordinance amending and supplementing the Pittsburgh Code, Title Two, Fiscal;
[2007-1937](#) Article VII, Business Related Taxes; Chapter 253, Parking Tax, Section 253.02, Tax Levy and Rate, by decreasing the rate of the tax from 45% to 40% effective January 1, 2008.

Read and referred to Finance, Law and Purchasing Committee

Bill No. Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article IX, Property
[2007-1938](#) Taxes, Chapter 263, Real Property Tax and Exemption, Section 263.01, Levy and Rate on Lands and Buildings, by fixing the rate of taxation.

Read and referred to Finance, Law and Purchasing Committee

Bill No. Resolution realigning a total of \$2,278,550 between various accounts within the 2007
[2007-1939](#) Operating Budget. This transfer is necessary for the 2007 closeout in order to meet expenditures for the remainder of the fiscal year.

Read and referred to Finance, Law and Purchasing Committee

Bill No. Resolution authorizing the City of Pittsburgh to enter into a professional service
[2007-1940](#) contract with Dr. Michael Weir, LLC, for the purpose of preparing revenue forecasts, at a total cost not to exceed Twenty-Five Thousand Dollars (\$25,000.00) per year, subject to annual budget appropriation.

Read and referred to Finance, Law and Purchasing Committee

Bill No. Resolution providing for an agreement or agreements with a Mockenhaupt Benefits
[2007-1941](#) Group to provide actuarial services for the CITY of Pittsburgh for a period of two years, for the years 2007 through 2008, at a cost not to exceed One Hundred Thousand Dollars (\$100,000) per year and providing for the cost thereof.

Read and referred to Finance, Law and Purchasing Committee

Bill No. Resolution providing for a professional services agreement or agreements with Maher
[2007-1942](#) Duessel for the performance of the City's Financial Statement including Single Audit for the years ending December 31, 2007 and December 31, 2008, at a total cost not to exceed Four Hundred Sixty Thousand Seven Hundred Fifty Eight Dollars (\$460,758.00) over two years, chargeable to and payable from the Department of Finance Miscellaneous Services Account, Budget Years 2008 and 2009.

Read and referred to Finance, Law and Purchasing Committee**MR. PEDUTO, CHAIR OF FACILITIES, TECHNOLOGY AND THE ARTS,
PRESENTS**

Bill No. Ordinance Supplementing the Pittsburgh Code, Title Nine, Zoning, by adding a new
[2007-1950](#) sub section 915.06, entitled, "Sustainable Development for Publicly Financed Buildings."

SPONSOR(S): WILLIAM PEDUTO

Read and referred to Planning, Zoning & Land Use Committee

UNFINISHED BUSINESS

REPORTS OF COMMITTEE - FINAL ACTION

MR. DEASY PRESENTS COMMITTEE ON FINANCE, LAW AND PURCHASING

Bill No. Report of the Committee on Finance, Law and Purchasing for November 14, 2007
[2007-1930](#) with an Affirmative Recommendation.

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

Bill No. Resolution authorizing the Mayor to accept on behalf of the City of Pittsburgh, a grant
[2007-1899](#) from the Department of Justice in the amount of \$200,000, 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.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution authorizing the Mayor to accept on behalf of the City of Pittsburgh, a grant
[2007-1900](#) from the Department of Justice in the amount of \$175,000, 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.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution authorizing the Mayor to accept on behalf of the City of Pittsburgh, a grant
[2007-1901](#) from the Department of Justice in the amount of \$200,000, 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 East Liberty, Garfield, and Larimer.

This Matter was Passed Finally on the Consent Agenda.

Bill No. [2007-1915](#) Resolution amending Resolution No. 154, effective April 5, 2006, 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 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 the purchase of equipment and/or furniture at a cost not to exceed \$1,440,896.62" so as to transfer funds from City Council, "District 5 Equipment" (-2,000) and Uptown Community Action Group" (-2,960) to "St. Clair Athletic Assoc. (+2,000) and "Pittsburgh Leadership Program-Schoolhouse Teachers/YES Program (+2,960).

SPONSOR(S): TONYA D. PAYNE AND DOUGLAS SHIELDS

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 - Mr. Bodack, Mr. Deasy, Mrs. Harris, Mr. Koch, Mr. Motznik, Ms. Payne, Mr. Peduto and Mr. Shields

Noes: 0

Abstentions: 0

MRS. HARRIS PRESENTS COMMITTEE ON ENGINEERING, FLEET AND FORESTRY

Bill No. [2007-1931](#) Report of the Committee on Engineering, Fleet and Forestry for November 14, 2007 with an Affirmative Recommendation.

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

Bill No. [2007-1884](#) Resolution further amending Resolution No. 833, effective January 1, 2002, as amended, entitled "Adopting and approving the 2002 Capital Budget and the 2002 Community Development Block Grant Program; and approving the 2002 through 2007 Capital Improvement Program," by decreasing the "Inspection Services" line item in the amount of \$88,051.65, from \$200,000.00 to \$111,948.35 and increasing the "Wall, Step & Fence" line item in the amount of \$88,051.65, from \$700,000.00 to \$788,051.65.

This Matter was Passed Finally on the Consent Agenda.

Bill No. [2007-1885](#) 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 on-going maintenance, rehabilitation and new construction of City-owned walls, steps and fences; and further providing for the payment of the costs thereof. Cost not to exceed \$88,051.65.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution providing for a Contract or Contracts, or the use of existing Contracts for the purchase of one (1) Wood Chipper, for the Department of Public Works, Bureau of Operations, Forestry Division, and provide for the payment thereof, and/or transfer of funding to the Equipment Leasing Authority, at a cost not to exceed \$32,000.00.

[2007-1902](#)

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution providing for a Contract or Contracts or for the use of existing Contracts, providing for the purchase of materials and supplies in connection with the construction of a Concession Stand at Ammon (Josh Gibson) Field, and further providing for the payment of the costs thereof. Cost not to exceed \$50,000.00.

[2007-1903](#)

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 - Mr. Bodack, Mr. Deasy, Mrs. Harris, Mr. Koch, Mr. Motznik, Ms. Payne, Mr. Peduto and Mr. Shields

Noes: 0

Abstentions: 0

MS. PAYNE PRESENTS COMMITTEE ON PLANNING, ZONING AND LAND USE

Bill No. Report of the Committee on Planning, Zoning and Land Use for November 14, 2007 with an Affirmative Recommendation.

[2007-1932](#)

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

Bill No. Supplementing the Pittsburgh Code, Title Nine, Zoning, by adding a new sub section 915.04, entitled, "Sustainable Development Bonuses."

[2006-0540](#)

SPONSOR(S): WILLIAM PEDUTO, DOUGLAS SHIELDS AND LEN BODACK

This Matter was Passed Finally on the Consent Agenda.

Bill No. Ordinance amending and supplementing the Pittsburgh Code, Title 9, Zoning; Article III, Overlay Zoning District, Chapter 907: Development Overlay Districts, subsection 907.02.H from IPOD-3 Baum-Centre Corridor to BCCOD Baum-Centre Corridor Overlay District and making various changes.
(PUBLIC HEARING HELD OCTOBER 31, 2007)

[2007-1453](#)

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 - Mr. Bodack, Mr. Deasy, Mrs. Harris, Mr. Koch, Mr. Motznik, Ms. Payne, Mr. Peduto and Mr. Shields

Noes: 0

Abstentions: 0

MR. SHIELDS PRESENTS COMMITTEE ON HOUSING, ECONOMIC DEVELOPMENT AND PROMOTION

Bill No. Report of the Committee on Housing, Economic Development and Promotion for
[2007-1933](#) November 14, 2007 with an Affirmative Recommendation.

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

Bill No. Resolution approving Execution of a Contract For Disposition of Land By and
[2007-1905](#) Between the Urban Redevelopment Authority of Pittsburgh and Trammel Crow Investments Inc., for the sale of Parcel E1b (Block 29-J, Lot 200) and the lease of Parcel E1f (Block 29-N, Lot 316) in the Sixteenth Ward of the City of Pittsburgh in Redevelopment Area No. 55, Hot Metal and Sidney Streets, Council District No. 3 (construction of office building and parking lot).

A motion was made that this matter be RECOMMENDED to the Housing, Economic Development & Promotion Committee. The motion carried.

Bill No. Resolution amending Resolution No. 479, effective August 21, 2007 entitled: by
[2007-1904](#) 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 "Change the name of a project in the Public Safety Department.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution amending Resolution No. 451, effective August 16, 2007, as entitled,
[2007-1916](#) "Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of HUD for a grant in connection with the 2000 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 5 Equipment" (-2,000); and from "Uptown Community Action Group" (-2,960) and transfer these funds to "St. Clair Athletic Assoc." (+2,000) and to "Pittsburgh

Leadership Program-Schoolhouse

SPONSOR(S): TONYA D. PAYNE AND DOUGLAS SHIELDS

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 - Mr. Bodack, Mr. Deasy, Mrs. Harris, Mr. Koch, Mr. Motznik, Ms. Payne, Mr. Peduto and Mr. Shields

Noes: 0

Abstentions: 0

MR. BODACK PRESENTS COMMITTEE ON PUBLIC SAFETY SERVICES

Bill No. Report of the Committee on Public Safety Services for November 14, 2007 with an
[2007-1934](#) Affirmative Recommendation.

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

Bill No. Resolution providing for a Contract or Contracts, or the use of existing Contracts for
[2007-1906](#) the purchase of protective clothing and equipment for the Fire Bureau at a cost not to exceed One Hundred Thousand dollars (\$100,000.00) and providing for the payment thereof.

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

Votes: Ayes: 8 - Mr. Bodack, Mr. Deasy, Mrs. Harris, Mr. Koch, Mr. Motznik, Ms. Payne, Mr. Peduto and Mr. Shields

Noes: 0

Abstentions: 0

MOTIONS AND RESOLUTIONS

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.