

City of Pittsburgh



City Council

Regular Meeting Agenda

Tuesday, March 25, 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****PROCLAMATIONS****PUBLIC COMMENTS****PRESENTATION OF PAPERS****MRS. HARRIS, CHAIRPERSON OF THE COMMITTEE ON PUBLIC WORKS AND ENVIRONMENTAL SERVICES, PRESENTS**

Bill No. Resolution vacating a portion of Milton Street at Henrietta Street in the 14th Ward, 5th
[2008-0218](#) Council District, of the City of Pittsburgh.

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

Bill No. Resolution authorizing and directing the Mayor to issue and the City Controller to
[2008-0235](#) countersign a warrant in the amount of One Hundred and Thirty-two Thousand, Two Hundred and Forty-seven Dollars and Forty-two Cents (\$132,247.42) to the Commonwealth of Pennsylvania representing payment required for unclaimed funds for the year 2002, pursuant to the provisions of Deposition of Abandoned and Unclaimed Property Act, Act of August 9, 1971 P.L. 74.

Bill No. Resolution providing that the City of Pittsburgh enter into a professional services
[2008-0236](#) agreement or agreements for maintaining equipment necessary for the processing and administration of Personnel and Civil Service applications for employment and written examinations and providing for the payment of the cost thereof. Cost not to exceed Sixteen Thousand, Three Hundred Dollars, (\$16,300.00).

UNFINISHED BUSINESS**REPORTS OF COMMITTEE - FINAL ACTION****MR. PEDUTO PRESENTS COMMITTEE ON FINANCE, LAW AND PURCHASING**

Bill No. Report of the Committee on Finance, Law and Purchasing for March 19, 2008 with an
[2008-0229](#) Affirmative Recommendation.

Bill No. ORDINANCE AMENDING THE PITTSBURGH CITY CODE PURSUANT TO
[2008-0154](#) ORDINANCE
NO. 10 OF 2004, ENACTED BY CITY COUNCIL ON JUNE 29, 2004, ADOPTING THE ACT 47 FINANCIAL RECOVERY PLAN FOR THE CITY OF PITTSBURGH DATED JUNE 11, 2004, PURSUANT TO THE MUNICIPALITIES FINANCIAL RECOVERY ACT, ACT OF JULY 10, 1987, P.L. 246, NO. 47., SECTION 101 et seq., AS AMENDED, 53 P.S. SECTION 11701.11 et seq.
SPONSOR(S): REVEREND RICKY V. BURGESS

Legislative History

2/26/08	City Council	Read and referred	
3/5/08	Finance, Law and Purchasing Committee	AMENDED BY SUBSTITUTE	Passed
3/5/08	Finance, Law and Purchasing Committee	Held for Post Agenda	Passed
3/19/08	Finance, Law and Purchasing Committee	AMENDED BY SUBSTITUTE	Passed
3/19/08	Finance, Law and Purchasing Committee	Affirmatively Recommended as Amended	Passed

Bill No.

[2008-0190](#)

Resolution providing for the issuance of a \$8,548.00 warrant in favor of Howard and Beverly Filtz, 5508 Darlington Road, Pittsburgh, PA 15217, in settlement of a claim for sewer line damage due to City tree roots on March 28, 2007.

Legislative History

3/11/08	City Council	Read and referred	
3/19/08	Finance, Law and Purchasing Committee	Affirmatively Recommended	Passed

Bill No.

[2008-0191](#)

Resolution authorizing cooperation agreement or agreements, providing for the transfer of funds not to exceed Nine Million One Hundred Thousand (\$9,100,000) 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

3/11/08	City Council	Read and referred	
3/19/08	Finance, Law and Purchasing Committee	Affirmatively Recommended	Passed

Bill No.

[2008-0192](#)

Resolution providing for an Agreement of Sale with Bud Holmes and Deborah Cunningham for acquisition by the City of Pittsburgh of property located at 18 Queen Street, 24th Ward, Block and Lot 24-A-213, City of Pittsburgh, and providing further for certain payments not to exceed \$16,000.00.

Legislative History

3/11/08	City Council	Read and referred	
3/19/08	Finance, Law and Purchasing Committee	Affirmatively Recommended	Passed

Bill No.

[2008-0200](#)

Further amending Resolution No. 654, effective October 25, 2001, 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 2001 Neighborhood Needs Supplement Program; and providing for the payment of the costs thereof," " by deleting "KDKA Beat Auto theft", \$2,000 and by reducing "Refurbish Quarry Field" by \$14,416.25 and by adding \$14,416.25 to "District 3 DPW Projects", \$1,500 to "Urban Mountain Gathering Place" and \$500 to "PA Resource Council" in Council District 3.

SPONSOR(S): BRUCE A. KRAUS**Legislative History**

3/11/08	City Council	Read and referred	
3/19/08	Finance, Law and Purchasing Committee	Affirmatively Recommended	Passed

Bill No.

[2008-0202](#)

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 \$4,500 to "District 2 DPW Projects" and \$6,603.74 to "District 3 DPW Projects" and by making adjustments to various other projects in Council Districts 2, 3 and 6.

SPONSOR(S): DAN DEASY, BRUCE A. KRAUS AND TONYA D. PAYNE**Legislative History**

3/11/08	City Council	Read and referred	
3/19/08	Finance, Law and Purchasing Committee	Affirmatively Recommended	Passed

Bill No.

[2008-0221](#)

Ordinance Amending the Pittsburgh Code, Title One: Administrative, Article XI - Personnel, Chapter 181 General Provisions, by replacing Section 181.06, "Allowance for Use of Private Vehicles" with new language.

SPONSOR(S): REVEREND RICKY V. BURGESS**Legislative History**

3/18/08	City Council	Waived under Rule 8	Passed
3/18/08	City Council	Read and referred	
3/19/08	Finance, Law and Purchasing Committee	AMENDED	Passed
3/19/08	Finance, Law and Purchasing Committee	Affirmatively Recommended as Amended	Passed

MRS. HARRIS PRESENTS COMMITTEE ON PUBLIC WORKS & ENVIRONMENTAL SERVICES

Bill No.

[2008-0230](#)

Report of the Committee on Public Works and Environmental Services for March 19, 2008 with an Affirmative Recommendation.

Bill No.

[2008-0171](#)

Resolution granting unto Bay Valley Foods, 1080 River Avenue, Pittsburgh, PA 15212, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, a private waterline and private electrical conduit at River Avenue and the North Shore Trail in the 23rd Ward, 1st Council District of the City of Pittsburgh.

Legislative History

3/4/08	City Council	Read and referred	
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3/12/08	Public Works & Environmental Services Committee	Held in Committee	Passed
3/19/08	Public Works & Environmental Services Committee	Affirmatively Recommended	Passed

Bill No. [2008-0193](#) 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 in CDBG areas throughout the City of Pittsburgh, and providing for the payment of the cost thereof, at a cost not to exceed \$540,000.00.

Legislative History

3/11/08	City Council	Read and referred	
3/19/08	Public Works & Environmental Services Committee	Affirmatively Recommended	Passed

MR. MOTZNIK PRESENTS COMMITTEE ON ENGINEERING, FLEET AND FORESTRY

Bill No. [2008-0231](#) Report of the Committee on Engineering, Fleet and Forestry for March 19, 2008 with an Affirmative Recommendation.

Bill No. [2008-0194](#) Resolution providing for securing a right-of-way in connection with the rehabilitation of the McArdle Viaduct No. 1; also providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Dept of Transportation; and further providing for the payment of the costs thereof. Cost not to exceed \$50,000.00.

Legislative History

3/11/08	City Council	Read and referred	
3/19/08	Engineering, Fleet and Forestry Committee	Affirmatively Recommended	Passed

Bill No. [2008-0204](#) Resolution repealing resolution 878 effective 12-16-2003 entitled; "Resolution providing for an agreement or agreements or contract or contracts by and between the City of Pittsburgh and a Consultant or Consultants, Contractor or Contractors for the purpose of implementing the Freedom Corner Capital Improvement project for the benefit of the residents of the City of Pittsburgh at a cost not to exceed \$56,500.00" by repealing it in its entirety.

SPONSOR(S): TONYA D. PAYNE

Legislative History

3/11/08	City Council	Read and referred	
3/19/08	Engineering, Fleet and Forestry Committee	Affirmatively Recommended	Passed

REV. BURGESS PRESENTS COMMITTEE ON PLANNING, ZONING AND LAND USE

Bill No. Report of the Committee on Planning, Zoning and Land Use for March 19, 2008 with
[2008-0232](#) an Affirmative Recommendation.

Bill No. Resolution providing for the designation as a Historic Structure under Title 11 of the
[2008-0102](#) Code of Ordinances that certain structure known as the former Garden Theater, located at 12 West North Avenue, block and lot number 0023-L-00083, in the 22nd Ward, City of Pittsburgh. (PUBLIC HEARING HELD MARCH 18, 2008)

Legislative History

2/5/08	City Council	Read and referred	
2/13/08	Planning, Zoning & Land Use Committee	Held for Public Hearing	Passed
3/18/08	Hearings Committee	Public Hearing Held	Passed
3/19/08	Planning, Zoning & Land Use Committee	Affirmatively Recommended	Passed

Bill No. Resolution authorizing the Mayor and the Director of City Planning to enter into a
[2008-0197](#) grant agreement with the State of Pennsylvania's Department of Community and Economic Development to receive monies to support sector planning in the City of Pittsburgh, and further providing for legitimate expenditures for payments and agreement or agreements, or contract or contracts for any services required in connection with the execution of said grant agreement. Said agreement or agreements, contract or contracts or expenditures shall not exceed \$200,000.00.

Legislative History

3/11/08	City Council	Read and referred	
3/19/08	Planning, Zoning & Land Use Committee	Affirmatively Recommended	Passed

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

Bill No. Report of the Committee on Housing, Economic Development and Promotion for March
[2008-0233](#) 19, 2008 with an Affirmative Recommendation.

Bill No. Resolution accepting the dedication of Oakbrook Circle, a forty-foot right-of-way, in
[2008-0173](#) the 3rd Revised Oakbrook Plan of Lots in the 20th and 28th Wards of the City of Pittsburgh for public highway and utility purposes, accepting the grading, paving, lighting, sidewalks and curbing, and fixing the width and position of the roadway and sidewalk thereof. (Council District 2).

Legislative History

3/4/08	City Council	Read and referred	
3/12/08	Housing, Economic Development & Promotion Committee	Held in Committee	Passed
3/19/08	Housing, Economic Development & Promotion Committee	Affirmatively Recommended	Passed

Bill No. [2008-0174](#) Resolution amending Resolution No. 643, effective October 24, 2006, entitled “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 \$2,000,000 for the Children's Institute of Pittsburgh project” by increasing the grant to \$3,750,000. (Council District No. 5)

Legislative History

3/4/08	City Council	Read and referred	
3/12/08	Housing, Economic Development & Promotion Committee	Public Hearing Held	Passed
3/19/08	Housing, Economic Development & Promotion Committee	Affirmatively Recommended	Passed

Bill No. [2008-0175](#) Resolution amending Resolution No. 634, effective October 24, 2006, entitled “Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh in connection with URA's application for a \$2,000,000 Redevelopment Assistance Capital Program grant for the Children's Institute of Pittsburgh project” by increasing the amount of the grant to \$3,750,000. (Council District No. 5)

Legislative History

3/4/08	City Council	Read and referred	
3/12/08	Housing, Economic Development & Promotion Committee	Held in Committee	Passed
3/19/08	Housing, Economic Development & Promotion Committee	Affirmatively Recommended	Passed

Bill No. [2008-0201](#) Further Amending Resolution No. 424 of 2001, effective June 19, 2001, entitled “Further amending Resolution No. 976 effective January 1, 1996, as amended, Adopting and Approving the 1996 Capital Budget and the 1996 Community Development Block Grant by creating a new line item, City Clerk Office Modernization Project Grant # 2271000 for the purpose of augmenting neighborhood needs programs and/or the District Improvement Fund, and transferring \$1,128,892.00 from Grant/Liberty to City Clerk's Office Modernization” by deleting “KDKA Beat Auto theft”, \$2,000 and by reducing “Refurbish Quarry Field” by \$14,416.25 and by adding \$14,416.25 to “District 3 DPW Projects”, \$1,500 to “Urban Mountain Gathering Place” and \$500 to “PA Resource Council” in Council District 3.

SPONSOR(S): BRUCE A. KRAUS

Legislative History

3/11/08	City Council	Read and referred	
3/19/08	Housing, Economic Development & Promotion Committee	Affirmatively Recommended	Passed

Bill No. [2008-0203](#) 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 \$4,500 to "District 2 DPW Projects" and \$6,603.74 to "District 3 DPW Projects" and by making adjustments to various other projects in Council Districts 2, 3 and 6.

SPONSOR(S): DAN DEASY, BRUCE A. KRAUS AND TONYA D. PAYNE

Legislative History

3/11/08	City Council	Read and referred	
3/19/08	Housing, Economic Development & Promotion Committee	Affirmatively Recommended	Passed

MR. KRAUS PRESENTS COMMITTEE ON PUBLIC SAFETY SERVICES

Bill No. [2008-0234](#) Report of the Committee on Public Safety Services for March 19, 2008 with an Affirmative Recommendation.

Bill No. [2008-0177](#) Resolution providing for an agreement or agreements, contract or contracts, or for the use of existing agreements and/or contracts, for the purchase of software, camera equipment, maintenance, consulting fees, installation, licenses, warranties, accessories in conjunction with the Port Security Project Grant to enhance a digital video camera platform in and around the City of Pittsburgh for the Department of Public Safety, at a cost not to exceed three hundred thousand dollars (\$300,000) and providing for the cost thereof.

Legislative History

3/4/08	City Council	Read and referred	
3/12/08	Public Safety Services Committee	Held in Committee	Passed
3/19/08	Public Safety Services Committee	Affirmatively Recommended	Passed

MOTIONS AND RESOLUTIONS

EXCUSE ABSENT MEMBERS

APPROVAL OF MINUTES

ADJOURNMENT