

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, July 8, 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: 9 - Mr. Deasy, Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznik, Ms. Payne, Mr. Peduto and Mr. Shields

NOTE: Councilman Motznik was available via speaker phone to register a vote under the Committee on Intergovernmental Affairs. While he was not in the room, he is marked as present for the purpose of voting.

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

PUBLIC COMMENTS

PRESENTATION OF PAPERS

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

Bill No. [2008-0575](#) Resolution approving an Amended Institutional Master Plan under the Pittsburgh Code, Title Nine, Zoning, Article II, Chapter 905, Section 905.03.D and Article VII, Chapter 922, Section 922.12.G for the University of Pittsburgh entitled "Proposed Institutional Master Plan Update" dated April 7, 2008 on property zoned EMI, Educational/Medical Institution District, 4th and 5th Wards.

A motion was made that this matter be Waived under Rule 8. The motion carried.

Read and referred to Land Use and Economic Development Committee

Bill No. [2008-0576](#) Ordinance amending the Pittsburgh Code, Title Nine, Zoning, Article I, Section 902.03 Zoning Map, by changing from RP, Residential Planned Unit Development District and P, Parks District to EMI, Educational/Medical Institution District, all that certain property identified as Block Number 11 - C, Lot Number 100 - 1 in the Allegheny County Block and Lot System, 5th Ward.

A motion was made that this matter be Waived under Rule 8. The motion carried.

Read and referred to Land Use and Economic Development Committee

Bill No. [2008-0578](#) Resolution approving a Conditional Use under the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 911, Section 911.04.A.64 to the Board of Public Education, School District of Pittsburgh for authorization to construct a three-story, 43,000 sq. ft. extension and interior renovations to Concord Elementary School located at 2350 Brownsville Rd. on property zoned R1D-L, Residential Single -Unit Detached Low Density District, 29th Ward.

A motion was made that this matter be Waived under Rule 8. The motion carried.

Read and referred to Land Use and Economic Development Committee

Bill No.
[2008-0577](#)

Resolution providing for the City of Pittsburgh's endorsement and support of the Planning Department's grant application for Preserve America funds to assist the completion of a Cultural Heritage Plan as a component to the City's Comprehensive Plan.

Read and referred to Land Use and Economic Development Committee

Bill No.
[2008-0579](#)

Resolution further amending and supplementing Resolution No. 256, effective April 26, 2000, as amended, 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 9; and providing for the payment of the costs thereof," by adding \$37,517.05 to the Poise Foundation-Hope Fund and by making various other adjustments in Council District 9. Total of all projects is not to exceed \$1,000,000.

SPONSOR(S): REVEREND RICKY V. BURGESS

Read and referred to Finance and Law Committee

Bill No.
[2008-0580](#)

Resolution 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 adding \$2,398.79 to the Poise Foundation- Hope Fund in Council District 9.

SPONSOR(S): REVEREND RICKY V. BURGESS

Read and referred to Finance and Law Committee

Bill No.
[2008-0581](#)

Resolution amending resolution No. 181, effective April 5, 2000, entitled "Providing for an Agreement or Agreements by and between the City of Pittsburgh and the Animal Rescue League of Western Pennsylvania to conduct a veterinary technician training program as part of the Neighborhood Needs Program in Council District 9 at a cost not to exceed \$68,000.00, and providing for the payment thereof" by reducing the pre-encumbrance by \$24,716.48 from \$68,000 to \$43,283.52.

SPONSOR(S): REVEREND RICKY V. BURGESS

Read and referred to Finance and Law Committee

Bill No.
[2008-0582](#)

Resolution 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 adding \$2,398.79 to the Poise Foundation-Hope Fund and by adjusting various projects in Council District 9.

SPONSOR(S): REVEREND RICKY V. BURGESS

Read and referred to Land Use and Economic Development Committee

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 adjusting various line items in conformance with City Council's 2000 Capital Budget amendments" by adding \$37,517.05 to the Poise Foundation-Hope Fund, and by making various other adjustments in Council District 9.

[2008-0583](#)

SPONSOR(S): REVEREND RICKY V. BURGESS

Read and referred to Land Use and Economic Development Committee

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

Bill No. Resolution granting unto Heartland Restaurant Group, LLC, 115 Federal Street, Suite 210, Pittsburgh, PA 15212 (Dunkin Donuts), their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, awnings, lighting and business identification signs over the sidewalk areas of 119 Forbes Avenue and Market Place in the 1st Ward, 6th Council District of the City of Pittsburgh.

[2008-0571](#)

Read and referred to Public Works Committee

Bill No. Resolution granting unto University of Pittsburgh, 124 Cathedral of Learning, Pittsburgh, PA 15260, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, an electric ductbank for telecom lines and steam line on the right-of-ways of Thackeray Avenue and O'Hara Street in the 4th Ward, 8th Council District of the City of Pittsburgh.

[2008-0572](#)

Read and referred to Public Works Committee

Bill No. Resolution granting unto Community Builders, Inc. 201 S. Highland Avenue, Suite 201 Pittsburgh, PA 15206, their successors and assigns, the privilege and license to construct, maintain and use at their own cost and expense, building façade additions for 5801 Penn Avenue in the 11th Ward, 3rd Council District of the City of Pittsburgh.

[2008-0573](#)

Read and referred to Public Works Committee

Bill No. Resolution vacating a portion of S. 29th Street between E. Carson Street and Carey Way in the 16th Ward, 3rd Council District, of the City of Pittsburgh.

[2008-0574](#)

Read and referred to Public Works Committee

Bill No. Resolution further amending and supplementing Resolution No. 258, effective April 26, 2000, as amended, 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 1; and providing for the payment of the costs thereof," by adjusting various projects in Council District 1. The total amount of all projects is not to exceed \$1,000,000.

[2008-0584](#)

SPONSOR(S): DARLENE HARRIS

Read and referred to Finance and Law Committee

Bill No. Resolution amending and supplementing Resolution No. 861, effective January 1, 2000, as amended, entitled: "Adopting and approving the 2000 Capital; and approving the 2000 through 2005 Capital Improvement Program, by adjusting various line items in conformance with City Council's 2000 Capital Budget amendments," by adding Observatory Hill Youth Association, \$5,000 and by reducing "District 1 Community Organizational Support" by the same amount and by adjusting various projects in Council District 1.

[2008-0585](#)

SPONSOR(S): DARLENE HARRIS

Read and referred to Land Use and Economic Development Committee**MR. PEDUTO, CHAIRPERSON OF THE COMMITTEE ON FINANCE AND LAW, PRESENTS**

Bill No. Ordinance amending and supplementing the Pittsburgh Code, Title Four, Public Places and Property, Article XIII Trees, Chapter 483 - Care and Maintenance, by adding a new section, § 483.05, entitled, "Hazardous Trees in Public Areas," and renumbering subsequent sections, and also amending Chapter 487 - Pittsburgh Shade Tree Commission, § 487.06 "Powers and Duties of Commission" by requiring additional information on the annual report.

[2008-0586](#)

SPONSOR(S): WILLIAM PEDUTO

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 July 2, 2008 with an Affirmative Recommendation.

[2008-0566](#)

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

Bill No. Resolution authorizing the City of Pittsburgh ("City") to Petition the Court of Common Pleas of Allegheny County to sell a certain lot ("Property"), now part of Highland Park, to Michael Gallagher and Angela Scolieri Gallagher, his wife ("Buyers"), for the sum of Fifteen Thousand Dollars (\$15,000.00), or upon such other terms and conditions as the Court may authorize and/or direct.

[2008-0525](#)

SPONSOR(S): PATRICK DOWD

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution providing that the City of Pittsburgh enter into a professional services agreement or agreements with Gentile-Meinert & Associates, Inc., a Professional Corporation for professional services in connection with the investigation of Complaints filed before the City of Pittsburgh Ethics Board, and providing for the payment of the cost thereof. Cost not to exceed \$10,000.

[2008-0535](#)

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 - Rev. Burgess, Mr. Deasy, Mr. Dowd, Mrs. Harris, Mr. Kraus, Ms. Payne, Mr. Peduto and Mr. Shields

Noes: 0

Abstentions: 0

Out of Room: 1 - Mr. Motznik

MR. KRAUS PRESENTS COMMITTEE ON PUBLIC SAFETY SERVICES

Bill No. Report of the Committee on Public Safety Services for July 2, 2008 with an
[2008-0567](#) Affirmative Recommendation.

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

Bill No. Resolution providing for an agreement or agreements, contract or contracts, or for the
[2008-0537](#) use of existing agreements and/or contracts, for the purchase of computer hardware, software and in-car video equipment, maintenance, installation, professional services, licenses, warranties, accessories and training in conjunction with the installation of enhancement or implementation of automated systems for the Department of Public Safety, Bureau of Police, at a cost not to exceed one hundred thirty five thousand dollars (\$135,000) and for the purchase of specialty vehicles at a cost not to exceed one hundred thousand dollars (\$100,000) and providing for the cost thereof.

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

Votes: Ayes: 8 - Rev. Burgess, Mr. Deasy, Mr. Dowd, Mrs. Harris, Mr. Kraus, Ms. Payne, Mr. Peduto and Mr. Shields

Noes: 0

Abstentions: 0

Out of Room: 1 - Mr. Motznik

REV. BURGESS PRESENTS COMMITTEE ON LAND USE & ECONOMIC DEVELOPMENT

Bill No. Report of the Committee on Land Use and Economic Development for July 2, 2008
[2008-0568](#) with an Affirmative Recommendation.

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

Bill No. Resolution further amending and supplementing Resolution No.759, effective
[2008-0522](#) December 18, 2006, as amended, entitled: "Adopting and approving the 2007 Capital

Budget and the 2007 Community Development Block Grant Program; and approving the 2007 through 2012 Capital Improvement Program," by adjusting various line-items to reflect additional funding available under the Emergency Shelter Grant program.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2008-0538](#)

Resolution amending Resolution No. 308, effective June 13, 2008, entitled: Resolution providing for an Agreement or Agreements with various community organizations for operational/administrative expenses, maintenance, purchase of equipment; and/or rehabilitation of neighborhood facilities; and for administrative/operational costs, maintenance, purchase of equipment, and/or rehabilitation of neighborhood facilities of various departmental programs/projects for the benefit of residents of the City of Pittsburgh, at a cost not to exceed \$555,000.00, so as to add the Mayor's Office ULO Projects and increase the amount to 800,000.00 (+245,000.00)

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2008-0539](#)

Resolution amending Resolution No. 313, effective June 13, 2008, entitled: 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 2008 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 add the Mayor's ULO projects.

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 - Rev. Burgess, Mr. Deasy, Mr. Dowd, Mrs. Harris, Mr. Kraus, Ms. Payne, Mr. Peduto and Mr. Shields
Noes: 0
Abstentions: 0
Out of Room: 1 - Mr. Motznik

MR. KRAUS, FOR MR. MOTZNIK , PRESENTS COMMITTEE ON GENERAL & GOVERNMENT SERVICE

Bill No.

[2008-0569](#)

Report of the Committee on General and Government Services for July 2, 2008 with an Affirmative Recommendation.

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

Bill No. Resolution providing for the creation of the Green Initiative Trust Fund (GITF) and
[2008-0540](#) setting conditions for the deposit and expenditure of such funds.

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

Votes: Ayes: 8 - Rev. Burgess, Mr. Deasy, Mr. Dowd, Mrs. Harris, Mr. Kraus, Ms. Payne, Mr. Peduto and Mr. Shields
Noes: 0
Abstentions: 0
Out of Room: 1 - Mr. Motznik

MR. DEASY PRESENTS COMMITTEE INTERGOVERNMENTAL AFFAIRS

Bill No. Report of the Committee on Intergovernmental Affairs for July 2, 2008 with an
[2008-0570](#) 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 Director of the Department of Public Works
[2008-0543](#) to execute on behalf of the City of Pittsburgh the first amendment to the Sewer Services Agreement dated June 1, 1971, which was entered into by and among City of Pittsburgh, the Allegheny County Sanitary Authority (ALCOSAN) and Robinson Township.

SPONSOR(S): JIM MOTZNIK

A motion was made that this matter be RECOMMENDED to the Intergovernmental Affairs Committee. The motion carried by the following vote:

Votes: Ayes: 6 - Rev. Burgess, Mrs. Harris, Mr. Kraus, Ms. Payne, Mr. Peduto and Mr. Shields
Noes: 3 - Mr. Deasy, Mr. Dowd and Mr. Motznik
Abstentions: 0

Bill No. Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an
[2008-0523](#) Application to the Pennsylvania Office of the Budget for a Redevelopment Assistance Capital Program grant of up to \$5,600,000 for the Market Square Place project. (Council District 6)

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution authorizing a Cooperation Agreement or Agreements with the Urban
[2008-0524](#) Redevelopment Authority of Pittsburgh in connection with URA's application for a Redevelopment Assistance Capital Program grant of up to \$5,600,000 for the Market Square Place project. (Council District 6)

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 - Rev. Burgess, Mr. Deasy, Mr. Dowd, Mrs. Harris, Mr. Kraus, Ms. Payne, Mr. Peduto and Mr. Shields

Noes: 0

Abstentions: 0

Out of Room: 1 - Mr. Motznik

MOTIONS AND RESOLUTIONS

APPROVAL OF MINUTES

ADJOURNMENT