

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 7, 2009

10:00 AM

Council Chambers

City Council

**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

Present: 9 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznik, Ms. Payne, Mr. Peduto, Mrs. Smith and Mr. Shields

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Bill No.

[2009-1610](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby join its people, the Lawrenceville Historical Society, and the Allegheny Cemetery Historical Association in recognizing the many accomplishments of Stephen Foster and his place of birth; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby declares Saturday, July 11, 2009 to be "Stephen Foster Doo Dah Day" in the City of Pittsburgh.

SPONSOR(S): PATRICK DOWD AND ALL MEMBERS

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

Bill No.

[2009-1611](#)

NOW THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh does hereby recognize Rev. Cash for his leadership and dedication to Wesley Church, and his outstanding contributions to the Hill District community; and

BE IT FURTHER RESOLVED that the Council declares Saturday July 11, 2009 "Reverend Calvin Cash Day" in the City of Pittsburgh and presents Rev. Cash with a key to the City.

SPONSOR(S): TONYA D. PAYNE AND ALL MEMBERS

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

Bill No.

[2009-1612](#)

THEREFORE BE IT RESOLVED, the Council of the City of Pittsburgh honors the Pennsylvania Federation of College Democrats for their dedication to community service, and to providing a voice for students in the Commonwealth of Pennsylvania; and

BE IT FURTHER RESOLVED, recognizing the impact of the work of The Pennsylvania Federation of College Democrats, the Council of the City of Pittsburgh proclaims that Tuesday, July 7th, 2009 be hereby declared as "College Democrats Day" in the City of Pittsburgh.

SPONSOR(S): JIM MOTZNIK, TONYA D. PAYNE AND ALL MEMBERS

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

PUBLIC COMMENTS

PRESENTATION OF PAPERS

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

Bill No. Resolution providing for the designation as an Historic Structure under Title 11 of the
[2009-1605](#) Code of Ordinances that certain structure known as the Old Stone Tavern, located at 434 Greentree Road, block and lot number 19-S-156, in the 20th Ward, City of Pittsburgh.

Read and referred to Land Use and Economic Development Committee

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

Bill No. Resolution amending Resolution No. 342, effective June 16, 2009, entitled
[2009-1601](#) “Resolution providing for a Contract or Contracts, or the use of existing Contracts, providing for an Agreement or Agreements, or the use of existing Agreements, and providing for the purchase of materials and supplies in connection with the design and construction of handicap ramps and sidewalks at various city-owned locations throughout the City of Pittsburgh; and further providing for the payment of the costs thereof, at a cost not to exceed \$75,000.00;” by increasing the project allocation by \$62,500.00, from \$75,000.00 to \$137,500.00.

Read and referred to Public Works Committee

Bill No. Resolution amending Resolution No. 341, effective June 16, 2009, entitled
[2009-1602](#) “Resolution providing for a Contract or Contracts, or the use of existing Contracts, providing for an Agreement or Agreements, or the use of existing Agreements, and providing for the purchase of materials and supplies in connection with Neighborhood Street Improvements; and further providing for the payment of the costs thereof, at a cost not to exceed \$70,000.00;” by increasing the project allocation by \$120,000.00, from \$70,000.00 to \$190,000.00.

Read and referred to Public Works Committee

Bill No. Resolution amending Resolution No. 340, effective June 16, 2009, entitled
[2009-1603](#) “Resolution providing for a Contract or Contracts, or the use of existing Contracts, providing for an Agreement or Agreements, or the use of existing Agreements, and providing for the purchase of materials and supplies in connection with the Bridge Repairs program; and further providing for the payment of the costs thereof, at a cost not to exceed \$1,130,000.00;” by increasing the project allocation by \$277,500.00, from \$1,130,000.00 to \$1,407,500.00.

Read and referred to Public Works Committee

Bill No. Resolution repealing Resolution No. 343, effective June 16, 2009, entitled “Resolution
[2009-1604](#) providing for a Contract or Contracts, or the use of existing Contracts; providing for an Agreement or Agreements, or 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, at a cost not to exceed \$460,000;” by repealing it in its entirety.

Read and referred to Public Works Committee

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

Bill No. [2009-1600](#) Resolution Authorizing the Director of Public Safety and/or the City Solicitor to issue reimbursements in connection to damages caused by the demolition of the Davis Avenue Bridge; at a cost not to exceed \$100,000, chargeable to and payable from the following account: Account 582200, Fund 1000, Organization 999200, Sub-Class 170, Budget Year 2009.

Read and referred to Public Safety Services Committee

Bill No. [2009-1608](#) 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 \$500 to Beltzhoover Concerned Citizens and by reducing the Citiparks line item by the same amount.

SPONSOR(S): BRUCE A. KRAUS

Read and referred to Finance and Law Committee

Bill No. [2009-1609](#) 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 \$500 to Beltzhoover Concerned Citizens and by reducing the Citiparks line item by the same amount.

SPONSOR(S): BRUCE A. KRAUS

Read and referred to Land Use and Economic Development Committee

MR. MOTZNIK, CHAIRPERSON OF THE COMMITTEE ON GENERAL AND GOVERNMENT SERVICES, PRESENTS

Bill No. [2009-1606](#) Resolution providing for the creation of the Verizon Franchise Trust Fund (VFTF) and setting conditions for the deposit and expenditure of such funds.

Read and referred to General and Government Services Committee

Bill No. [2009-1607](#) Resolution authorizing the City of Pittsburgh to enter into a cable television franchise agreement with Verizon Pennsylvania Inc.

Read and referred to General and Government Services Committee

UNFINISHED BUSINESS

Bill No. Resolution authorizing the appointment of Kelly Wawrezniak, 1367 Cordova Street, Pittsburgh, PA 15206, as a member of the Clean Pittsburgh Commission for a term to expire on February 28, 2011. Ms. Wawrezniak is replacing Kiva Fisher-Green.

[2009-1553](#)

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

Bill No. Resolution authorizing the reappointment of Mardi Isler, 5655 Darlington Avenue, Pittsburgh, PA 15217, as a member of the Shade Tree Commission for a term to expire on December 31, 2012.

[2009-1566](#)

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

Bill No. Resolution authorizing the reappointment of Lisa Kunst-Vavro, 227 Glen Caladh Street, Pittsburgh, PA 15207, as a member of the Shade Tree Commission for a term to expire on December 31, 2012.

[2009-1567](#)

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

Bill No. Resolution authorizing the reappointment of Dan Sentz, 822 Farragut Street, Pittsburgh, PA 15206, as a member of the Shade Tree Commission for a term to expire on December 31, 2012.

[2009-1568](#)

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

Bill No. Resolution authorizing the appointment of Molly Stephany, 268 Fisk Street, Pittsburgh, PA 15201, as a member of the Shade Tree Commission for a term to expire on December 31, 2012.

[2009-1570](#)

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

Bill No. Resolution authorizing the appointment of Lisa Ceoffe, 5715 McCandless Avenue, Pittsburgh, PA 15201, as a member of the Shade Tree Commission for a term to expire on December 31, 2012.

[2009-1587](#)

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

Bill No. Resolution authorizing the reappointment of Maribeth Hook, 511 S. Lang Avenue, Pittsburgh, PA 15208, as a member of the Shade Tree Commission for a term to expire on December 31, 2012.

[2009-1588](#)

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

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 1, 2009 with an Affirmative Recommendation.

[2009-1596](#)

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

Bill No. Resolution further amending and supplementing Resolution No. 675, effective January 1, 2009, as amended, entitled: "Adopting and approving the 2009 Capital Budget and the 2009 Community Development Block Grant Program; and approving the 2009 through 2013 Capital Improvement Program," by adjusting various line-items to reflect additional funding available under the Housing Opportunities for Persons with AIDS program.

[2009-1531](#)

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution authorizing the issuance of Warrants in the sum of \$20,590.77 to Willie E. Sims and Judith A. Sims, c/o Charles A. Merchant, Esquire, Merchant & Kay, LLC, 603 Washington Road, Ste. 500, Pittsburgh, PA 15228, in full and final settlement of an action filed at No. GD 08-013264, arising from the flooding incident that occurred on Frankella Avenue on or about August 9, 2007, and in the sum of \$909.23 to the Treasurer of the City of Pittsburgh for indebtedness to the City.

[2009-1532](#)

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

Noes: 0

Abstentions: 0

MR. KRAUS PRESENTS COMMITTEE ON PUBLIC SAFETY SERVICES

Bill No. Report of the Committee on Public Safety Services for July 1, 2009 with an Affirmative Recommendation.

[2009-1597](#)

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

Bill No. Resolution providing for a professional services agreement or agreements with The Three Rivers Youth Shelter for the purpose of on-going professional services related to the Youth Curfew Center and providing for the cost thereof. Cost not to exceed \$500,000.00.

[2009-1133](#)

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

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

Noes: 1 - Mr. Shields

Abstentions: 0

Bill No. 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

[2009-1533](#)

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 two hundred fifty thousand dollars (\$250,000) 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: 9 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznik, Ms. Payne, Mr. Peduto, Mrs. Smith and Mr. Shields

Noes: 0

Abstentions: 0

REV. BURGESS PRESENTS COMMITTEE ON LAND USE & ECONOMIC DEVELOPMENT

Bill No. [2009-1598](#) Report of the Committee on Land Use and Economic Development for July 1, 2009 with an Affirmative Recommendation.

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

Bill No. [2009-1537](#) Resolution providing for an Agreement or Agreements with the Jewish Healthcare Foundation to provide administration and operating expenses, housing and housing related supportive services to persons with HIV/AIDS and their families, at a total cost not to exceed \$676,967.

This Matter was Passed Finally on the Consent Agenda.

Bill No. [2009-1538](#) Resolution providing for an Agreement or Agreement(s) and to provide administrative/operating expenses, including but not limited to, rehabilitation, maintenance, operation, insurance, utilities, furnishings, homeless prevention and essential services and other miscellaneous expenses associated with the Emergency Shelter Grant funds, at a cost not to exceed \$734,232.

This Matter was Passed Finally on the Consent Agenda.

Bill No. [2009-1539](#) Resolution providing for an Agreement or Agreements or Contract or Contracts, or use of existing Agreements or Contracts, with a Consultant or Consultants, or Vendor or Vendors, for the purpose of preparing the Consolidated Plan, Performance Report and Financial Management Systems and related activities in support of the CDBG and Stimulus Programs at a cost not to exceed \$47,702.00.

This Matter was Passed Finally on the Consent Agenda.

Bill No. [2009-1540](#) Resolution providing for an Agreement(s) and Contract(s) with Consultant(s) and Vendor(s) to assist the City in improving its Citizen Participation Process and providing for the payment of the cost thereof, at a cost not to exceed \$200,000.00.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2009-1541](#)

Resolution providing for an Agreement or Agreements with Community Based Organizations for community and economic development planning assistance in various neighborhoods in the City and providing operating support for these groups in an amount not to exceed \$700,000.00.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution providing for an Agreement(s) and Contract(s) with Consultant(s) and Vendor(s) to assist the City in its Comprehensive Planning Process and providing for the payment of the cost thereof, at a cost not to exceed \$450,000.00.

[2009-1542](#)

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution providing for an Agreement or Agreements or Contract or Contracts, or use of existing Agreements or Contracts, with a Consultant or Consultants, or Vendor or Vendors, for the purpose of preparing a "CULTURAL HERITAGE PLAN" and related activities in support of such plan, at a cost not to exceed \$40,000.00.

[2009-1543](#)

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution providing for an Agreement or Agreements or Contract or Contracts, or use of existing Agreements or Contracts, with a Consultant or Consultants, or Vendor or Vendors, for the purpose of conducting planning and management studies, and related activities in support of such studies including the purchase of data and data analysis equipment at a cost not to exceed \$100,000.00.

[2009-1544](#)

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution providing for an Agreement or Agreements with the URBAN LEAGUE OF PGH., for the implementation/administration of the HOUSING COUNSELING PROGRAM, and related costs, in an amount not to exceed \$100,000.00

[2009-1545](#)

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

Noes: 0

Abstentions: 0

MR. DOWD PRESENTS COMMITTEE ON INTERGOVERNMENTAL AFFAIRS

Bill No. Report of the Committee on Intergovernmental Affairs for July 1, 2009 with an Affirmative Recommendation.

[2009-1599](#)

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

Bill No. 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 \$4,000,000 for the Bakery Square Parking Garage project. (Council District 9)

[2009-1515](#)

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

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

Bill No. Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an
[2009-1516](#) Application to the Pennsylvania Office of the Budget for a Redevelopment Assistance
Capital Program grant of up to \$4,000,000 for the Bakery Square Parking Garage
project. (Council District 9)

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

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

Bill No. Resolution amending Resolution No. 115, effective March 6, 2006, entitled
[2009-1511](#) "Resolution authorizing a Cooperation Agreement or Agreements with the Urban
Redevelopment Authority of Pittsburgh in connection with URA's application for a
\$1,400,000 Redevelopment Assistance Capital Program grant for the Lawrenceville
project" by increasing the amount of the grant to \$1,820,000. (Council District 7)

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution amending Resolution No. 120, effective March 6, 2006, entitled
[2009-1512](#) "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 \$1,400,000 for the Lawrenceville
project" by increasing the grant to \$1,820,000. (Council District 7)

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution authorizing a Cooperation Agreement with the Urban Redevelopment
[2009-1513](#) Authority of Pittsburgh designating URA as the City's agent for implementation of a
federal Economic Development Initiative - Special Projects Grant in the amount of
\$196,000 for the South Side Works project. (Council District 3)

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution authorizing the filing of an application for federal assistance with the U.S.
[2009-1514](#) Department of Housing and Urban Development for a \$196,000 Economic
Development Initiative (EDI) - Special Project Grant for the South Side Works
project. (Council District 3).

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution authorizing a Cooperation Agreement or Agreements with the Urban
[2009-1517](#) 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 East
Liberty Infrastructure project. (Council Districts 8 and 9)

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an
[2009-1518](#) Application to the Pennsylvania Office of the Budget for a Redevelopment Assistance
Capital Program grant of up to \$2,000,000 for the East Liberty Infrastructure project.
(Council Districts 8 and 9)

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: 9 - Rev. Burgess, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motzник, Ms. Payne, Mr. Peduto, Mrs. Smith and Mr. Shields

Noes: 0

Abstentions: 0

MOTIONS AND RESOLUTIONS

Bill No. NOW THEREFORE, BE IT RESOLVED that Council of the City of Pittsburgh, does
[2009-1613](#) hereby, support the efforts of the Erie City Council and the Mayor of Erie in their effort to pass mandatory reporting of lost and stolen handguns; and,

BE IT FURTHER RESOLVED that a copy of this resolution shall be transmitted to the Mayor of Erie and to all members of the Erie City Council.

SPONSOR(S): BRUCE A. KRAUS, PATRICK DOWD, DARLENE HARRIS, JIM MOTZNIK, TONYA D. PAYNE, WILLIAM PEDUTO, DOUGLAS SHIELDS AND THERESA SMITH

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

Votes: Ayes: 8 - Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motzник, Ms. Payne, Mr. Peduto, Mrs. Smith and Mr. Shields

Noes: 1 - Rev. Burgess

Abstentions: 0

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.