

City of Pittsburgh



City Council

Regular Meeting Agenda

Tuesday, December 4, 2007

10:00 AM

**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**PLEDGE OF ALLEGIANCE****PROCLAMATIONS****PUBLIC COMMENTS****PRESENTATION OF PAPERS****MR. SHIELDS PRESENTS THE COMMITTEE ON HOUSING, ECONOMIC DEVELOPMENT AND PROMOTION**

Bill No. Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an
[2007-1982](#) Application for Financial Assistance in the amount of up to \$6,800,000 to the Commonwealth of Pennsylvania Department of Community and Economic Development for the operation and administration of certain programs in FY 2007-2008. (Council Districts: All).

Bill No. Resolution authorizing a 2007-2008 Cooperation Agreement or Agreements with the
[2007-1983](#) Urban Redevelopment Authority of Pittsburgh providing for the designation of the local matching share for a grant applied for in a Single Application for Assistance filed with the Pennsylvania Department of Community and Economic Development under the Housing and Redevelopment Assistance Program. (Council Districts: All).

Bill No. Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an
[2007-1984](#) Application for Financial Assistance in the amount of \$500,000 to Pennsylvania Department of Community and Economic Development for the Main Street component of the New Communities Program. (Council Districts: 1, 2, 3, 5, 6, 7, 8 and 9).

Bill No. Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an
[2007-1985](#) Application for Financial Assistance in the amount of \$150,000 to Pennsylvania Department of Community and Economic Development for the Technology/Enterprise Zone Program. (Council Districts: All).

Bill No. Resolution authorizing a Cooperation Agreement or Agreements with the Urban
[2007-1986](#) Redevelopment Authority of Pittsburgh providing for the designation of the local matching share for a grant applied for in a Single Application for Assistance filed with the Pennsylvania Department of Community and Economic Development under the Technology/Enterprise Zone Program. (Council Districts: All).

Bill No. Resolution authorizing the filing of an application for federal assistance with the U.S.
[2007-1987](#) Department of Housing and Urban Development for a \$2,000,000 Brownfields Economic Development Initiative grant for the East Liberty Portal project. (Council Districts 8 and 9).

Bill No. Resolution authorizing the submission of an application to the U.S. Department of
[2007-1988](#) Housing and Urban Development for a Section 108 loan of up to \$10,000,000 to be used for acquisition, demolition, remediation, site preparation and/or infrastructure improvements in the East Liberty Portal project. (Council Districts 8 and 9).

- Bill No. [2007-1989](#) Resolution authorizing a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh designating URA as the City's agent for implementation of a federal Brownfields Economic Development Initiative grant for the East Liberty Portal project. (Council Districts 8 and 9).
- Bill No. [2007-1990](#) Resolution authorizing the filing of an application for federal assistance with the U.S. Department of Housing and Urban Development for a \$1,000,000 Brownfields Economic Development Initiative grant for the SouthSide Works Infrastructure project. (Council District 3).
- Bill No. [2007-1991](#) Resolution authorizing the submission of an application to the U.S. Department of Housing and Urban Development for a Section 108 loan of up to \$4,000,000 to be used for the construction of roadways and related improvements in the SouthSide Works Infrastructure project. (Council District No. 3).
- Bill No. [2007-1992](#) Resolution authorizing a Cooperation Agreement with the Urban Redevelopment Authority of Pittsburgh designating URA as the City's agent for implementation of a federal Brownfields Economic Development Initiative grant for the SouthSide Works Infrastructure project. (Council District 3).

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

- Bill No. [2007-1975](#) Resolution providing for conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.
ITEMS A through C. A: 1208 Fairdale; B: 31 Minooka; C: 456 Natchez.
- Bill No. [2007-1976](#) Resolution providing for the conveyance by the City of Pittsburgh of certain property, under Act No. 171 of 1984, entitled, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984; having been placed for sale to adjoining property owners in conjunction with the City of Pittsburgh/City Source Associates Sideyard Program. ITEMS A through B. A: 6635 Premo; B: 91 McCandless.
- Bill No. [2007-1977](#) Resolution providing for the filing of petitions for the sale of certain properties, acquired at tax sales in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.
ITEMS A thru K. A: 2700 Sumner; B: 92 Pasadena; C: 27 Perry;
D: 1232 Shadycrest; E: 621 Tripoli; F: Villanova; G: 1007 Winterton;
H: 718 Mercer; I: 2929 Zephyr; J: 1810 Leolyn; K: 47 Welsh.
- Bill No. [2007-1978](#) Resolution providing for the filing of petitions for the sale of certain properties, acquired at tax sales, in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984.
ITEM A. A: 731 North St. Clair.

MR. MOTZNIK, CHAIRPERSON OF THE COMMITTEE ON PARKS, RECREATION & YOUTH POLICY, PRESENTS

- Bill No. [2007-1980](#) Resolution amending Resolution No. 29, effective February 9, 2007, entitled "Providing for a contract or contracts, agreements or agreements, lease or leases, or the

use of existing contracts, leases or agreements and other approved expenditures for the payment of supplies, equipment, materials, salaries, rentals, and other services required to provide center services for the Senior Community Program in an amount not to exceed \$700,000.00 for the Department of Parks and Recreation.” by increasing the not exceed amount by \$119,000 for a total not to exceed \$819,000.00 in the Department of Parks and Recreation.

Bill No. Resolution authorizing the Department of Parks and Recreation to enter into a contract
[2007-1981](#) or contracts, agreement or agreements, or the use of existing contracts or agreements and other approved expenditures to provide for the maintenance and enhancement of City recreation centers in an amount not to exceed \$99,500.00 for the Department of Parks and Recreation.

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

Bill No. Resolution authorizing the Mayor and the Director of City Planning to enter into a
[2007-1979](#) grant agreement with The Richard King Mellon Foundation to receive monies to support a Bike Pedestrian Coordinator for a period of two (2) years and further providing for legitimate expenditures for payments of salary and fringe benefits in connection with the execution of said grant agreement. Said expenditures shall not exceed \$125,000.

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 28, 2007 with
[2007-1972](#) an Affirmative Recommendation.

Bill No. Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business
[2007-1935](#) 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.

Legislative History

11/19/07	City Council	Read and referred	
11/28/07	Finance, Law and Purchasing Committee	Affirmatively Recommended	Passed

Bill No. Ordinance amending and supplementing the Pittsburgh Code, Title Two, Fiscal; Article
[2007-1936](#) 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.

Legislative History

11/19/07	City Council	Read and referred	
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11/28/07	Finance, Law and Purchasing Committee	Affirmatively Recommended	Passed
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Bill No. Ordinance amending and supplementing the Pittsburgh Code, Title Two, Fiscal; Article
[2007-1937](#) 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.

Legislative History

11/19/07	City Council	Read and referred	
11/28/07	Finance, Law and Purchasing Committee	Affirmatively Recommended	Passed

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.

Legislative History

11/19/07	City Council	Read and referred	
11/28/07	Finance, Law and Purchasing Committee	Affirmatively Recommended	Passed

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.

Legislative History

11/19/07	City Council	Read and referred	
11/28/07	Finance, Law and Purchasing Committee	Affirmatively Recommended	Passed

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.

Legislative History

11/19/07	City Council	Read and referred	
11/28/07	Finance, Law and Purchasing Committee	Affirmatively Recommended	Passed

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.

Legislative History

11/19/07	City Council	Read and referred	
11/28/07	Finance, Law and Purchasing Committee	Affirmatively Recommended	Passed

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.

Legislative History

11/19/07	City Council	Read and referred	
11/28/07	Finance, Law and Purchasing Committee	Affirmatively Recommended	Passed

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**

Legislative History

11/19/07	City Council	Read and referred	
11/28/07	Finance, Law and Purchasing Committee	Affirmatively Recommended	Passed

Bill No.

2007-1964

Resolution authorizing the City of Pittsburgh to lease to the South Pittsburgh Development Corporation property in the 32nd Ward, at the corner of Jacob and Whited Street, for a period of ninety-nine (99) years, at a rental of \$1.00 per year, and upon such other terms and conditions as may be approved by the Mayor and City Solicitor.

Legislative History

11/27/07	City Council	Waived under Rule 8	Passed
11/27/07	City Council	Read and referred	
11/28/07	Finance, Law and Purchasing Committee	AMENDED	Passed
11/28/07	Finance, Law and Purchasing Committee	Affirmatively Recommended as Amended	Passed

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

Bill No.

2007-1973

Report of the Committee on Housing, Economic Development and Promotion for November 28, 2007 with an Affirmative Recommendation.

Bill No.

2007-1905

Resolution approving Execution of a Contract For Disposition of Land By and 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).

Legislative History

11/5/07	City Council	Read and referred	
11/14/07	Housing, Economic Development & Promotion Committee	Affirmatively Recommended	Passed
11/19/07	City Council	RECOMMITTED	Passed
11/19/07	Housing, Economic Development & Promotion Committee	Held in Committee	Passed
11/28/07	Housing, Economic Development & Promotion Committee	Affirmatively Recommended	Passed

Bill No. Resolution dissolving the Baum/Millvale Tax Increment Financing District. (Council District 8).

[2007-1943](#)

Legislative History

11/19/07	City Council	Read and referred	
11/28/07	Housing, Economic Development & Promotion Committee	Affirmatively Recommended	Passed

Bill No. 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).

[2007-1945](#)

Legislative History

11/19/07	City Council	Read and referred	
11/28/07	Housing, Economic Development & Promotion Committee	Affirmatively Recommended	Passed

Bill No. 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 Block 7-B, Lot No. 123, in the 21st Ward of the City of Pittsburgh - Council District No. 6 - 911 Manhattan Street (commercial development).

[2007-1946](#)

Legislative History

11/19/07	City Council	Read and referred	
11/28/07	Housing, Economic Development & Promotion Committee	Affirmatively Recommended	Passed

Bill No. 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).

[2007-1947](#)

Legislative History

11/19/07	City Council	Read and referred	
11/28/07	Housing, Economic Development & Promotion Committee	Affirmatively Recommended	Passed

Bill No. Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire all
[2007-1948](#) 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).

Legislative History

11/19/07	City Council	Read and referred	
11/28/07	Housing, Economic Development & Promotion Committee	Affirmatively Recommended	Passed

MR. BODACK PRESENTS COMMITTEE ON PUBLIC SAFETY SERVICES

Bill No. Report of the Committee on Public Safety Services for November 28, 2007 with an
[2007-1974](#) Affirmative Recommendation.

Bill No. Ordinance amending the Pittsburgh City Code at Title 1, Article III Organization,
[2007-1797](#) Chapter 116: Department of Public Safety, 116.02 Powers and Duties of Bureau Chiefs
and Director of Public Safety, by adding a new section at 116.02, (III) DOMESTIC
ABUSE POLICY FOR THE BUREAU OF POLICE

SPONSOR(S): DOUGLAS SHIELDS

Legislative History

9/25/07	City Council	Read and referred	
10/3/07	Public Safety Services Committee	Held for Public Hearing	Passed
10/11/07	Hearings Committee	Public Hearing Scheduled	Passed
10/18/07	Hearings Committee	Public Hearing Held	Passed
10/24/07	Public Safety Services Committee	Held in Committee	Passed
10/31/07	Public Safety Services Committee	AMENDED	Passed
10/31/07	Public Safety Services Committee	Held in Committee	Passed
11/14/07	Public Safety Services Committee	Held in Committee	Passed
11/19/07	Public Safety Services Committee	Held in Committee	Passed
11/28/07	Public Safety Services Committee	AMENDED BY SUBSTITUTE	Passed
11/28/07	Public Safety Services Committee	Affirmatively Recommended as Amended	Passed

MOTIONS AND RESOLUTIONS

EXCUSE ABSENT MEMBERS

APPROVAL OF MINUTES

ADJOURNMENT