

# **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, December 4, 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. [2007-1996](#) NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh thanks Calliope for showcasing traditional and roots based music to Pittsburgh audiences and for providing learning opportunities to all age groups; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby declares, December 8th, 2007 "Calliope: The Folk Music Society of Pittsburgh 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. [2007-1997](#) NOW THEREFORE BE IT RESOLVED that the Council of the City of Pittsburgh recognizes the importance of the House of Infiniti Pittsburgh and the work it has done in the at-risk African-American and Latino Gay, Bisexual, Lesbian and Transgender youth community; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh declare Saturday December 1st 2007 to be House of Infiniti Pittsburgh Day in the City of Pittsburgh.

**SPONSOR(S): DOUGLAS SHIELDS AND ALL MEMBERS**

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

Bill No. [2007-1998](#) NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh does hereby acknowledge the 100 Year Centennial Anniversary of the official annexation of the City of Allegheny into the City of Pittsburgh, and encourages the thousands of residents who comprise the diverse neighborhoods of North Side, and all City residents, to remember the interesting past of the North Side and take part in the scheduled events; and

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare Friday, December 7th to be "City of Allegheny Day" in nostalgic remembrance of the rich history of the city's North Side.

**SPONSOR(S): DARLENE HARRIS, TONYA D. PAYNE AND ALL MEMBERS**

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

Bill No. [2007-1999](#) NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes the dedication of the Tartan Racing Team and commends them on their

outstanding first-place achievement in the 2007 Urban Challenge; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby declares, December 4th, 2007 "Tartan Racing Team 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.

[2007-2000](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby Amen Corner for its good work and for recognizing Joseph Massaro with the Fred E. Obley Award for his outstanding business leadership and excellence in the City of Pittsburgh; and,

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Thursday, November 29, 2007, to be "JOSEPH MASSARO DAY" in the City of Pittsburgh.

**SPONSOR(S): DOUGLAS SHIELDS AND ALL MEMBERS**

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

## **PUBLIC COMMENTS**

## **PRESENTATION OF PAPERS**

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

Bill No.

[2007-1982](#)

Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an 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).

**Read and referred to Housing, Economic Development & Promotion Committee**

Bill No.

[2007-1983](#)

Resolution authorizing a 2007-2008 Cooperation Agreement or Agreements with the 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).

**Read and referred to Housing, Economic Development & Promotion Committee**

Bill No.

[2007-1984](#)

Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an 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).

**Read and referred to Housing, Economic Development & Promotion Committee**

Bill No.  
[2007-1985](#) Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to submit an 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).

**Read and referred to Housing, Economic Development & Promotion Committee**

Bill No.  
[2007-1986](#) Resolution authorizing a Cooperation Agreement or Agreements with the 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 Technology/Enterprise Zone Program. (Council Districts: All).

**Read and referred to Housing, Economic Development & Promotion Committee**

Bill No.  
[2007-1987](#) Resolution authorizing the filing of an application for federal assistance with the U.S. 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).

**Read and referred to Housing, Economic Development & Promotion Committee**

Bill No.  
[2007-1988](#) 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 \$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).

**Read and referred to Housing, Economic Development & Promotion Committee**

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).

**Read and referred to Housing, Economic Development & Promotion Committee**

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).

**Read and referred to Housing, Economic Development & Promotion Committee**

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).

**Read and referred to Housing, Economic Development & Promotion Committee**

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).

**Read and referred to Housing, Economic Development & Promotion Committee****MR. DEASY, CHAIRPERSON OF THE COMMITTEE ON FINANCE, LAW AND PURCHASING, PRESENTS**

Bill No. 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.  
[2007-1975](#) ITEMS A through C. A: 1208 Fairdale; B: 31 Minooka; C: 456 Natchez.

**Read and referred to Finance, Law and Purchasing Committee**

Bill No. 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.  
[2007-1976](#)

**Read and referred to Finance, Law and Purchasing Committee**

Bill No. 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.  
[2007-1977](#) 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.

**Read and referred to Finance, Law and Purchasing Committee**

Bill No. 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.  
[2007-1978](#) ITEM A. A: 731 North St. Clair.

**Read and referred to Finance, Law and Purchasing Committee**

Bill No. Resolution making Appropriations to pay the expenses of conducting the Public Business of the City of Pittsburgh and for meeting the debt charges thereof for the Fiscal Year, beginning January 1, 2008.  
[2007-1993](#)

**Read and referred to Finance, Law and Purchasing Committee**

Bill No. Resolution fixing the number of officers and employees of the City of Pittsburgh, and the rate of compensation thereof, and setting minimum levels for designated positions.  
[2007-1994](#)

**Read and referred to Finance, Law and Purchasing Committee**

Bill No. Resolution "Adopting and approving the 2008 Capital Budget and the 2008 Community Development Block Grant Program; and approving the 2008 through 2012 Capital Improvement Program," by adjusting various line items in conformance with City Council's 2008 Capital Budget amendments.  
[2007-1995](#)

**Read and referred to Finance, Law and Purchasing Committee**

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

Bill No. Resolution amending Resolution No. 29, effective February 9, 2007, entitled  
[2007-1980](#) “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.

**Read and referred to Parks, Recreation & Youth Policy Committee**

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.

**Read and referred to Parks, Recreation & Youth Policy Committee**

**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.

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

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

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.

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

**Votes:** Ayes: 5 - Mr. Bodack, Mr. Deasy, Ms. Payne, Mr. Peduto and Mr. Shields  
Noes: 3 - Mrs. Harris, Mr. Koch and Mr. Motznik  
Abstentions: 0

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**

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

**Votes:** Ayes: 7 - Mr. Bodack, Mr. Deasy, Mrs. Harris, Mr. Koch, Mr. Motznik, Ms. Payne and Mr. Shields  
Noes: 1 - Mr. Peduto  
Abstentions: 0

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.

**This Matter was Passed Finally on the Consent Agenda.**

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.

**This Matter was Passed Finally on the Consent Agenda.**

Bill No.

[2007-1938](#)

Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article IX, Property Taxes, Chapter 263, Real Property Tax and Exemption, Section 263.01, Levy and Rate on Lands and Buildings, by fixing the rate of taxation.

**This Matter was Passed Finally on the Consent Agenda.**

Bill No.

[2007-1939](#)

Resolution realigning a total of \$2,278,550 between various accounts within the 2007 Operating Budget. This transfer is necessary for the 2007 closeout in order to meet expenditures for the remainder of the fiscal year.

**This Matter was Passed Finally on the Consent Agenda.**

Bill No. Resolution authorizing the City of Pittsburgh to enter into a professional service 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.

[2007-1940](#)

**This Matter was Passed Finally on the Consent Agenda.**

Bill No. Resolution providing for an agreement or agreements with a Mockenhaupt Benefits 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.

[2007-1941](#)

**This Matter was Passed Finally on the Consent Agenda.**

Bill No. Resolution providing for a professional services agreement or agreements with Maher 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.

[2007-1942](#)

**This Matter was Passed Finally on the Consent Agenda.**

Bill No. 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.

[2007-1964](#)

**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 November 28, 2007 with an Affirmative Recommendation.

[2007-1973](#)

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



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).

**This Matter was Passed Finally on the Consent Agenda.**

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

**This Matter was Passed Finally on the Consent Agenda.**

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).

**This Matter was Passed Finally on the Consent Agenda.**

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).

**This Matter was Passed Finally on the Consent Agenda.**

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).

**This Matter was Passed Finally on the Consent Agenda.**

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).

**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. [2007-1974](#) Report of the Committee on Public Safety Services for November 28, 2007 with an Affirmative Recommendation.

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

Bill No. [2007-1797](#) Amending the Pittsburgh City Code at Title 1, Article III Organization, 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**

**A motion was made that this matter be AMENDED. The motion carried.**

Bill No. [2007-1797](#) Amending the Pittsburgh City Code at Title 1, Article III Organization, 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

**A motion was made that this matter be Passed Finally, As Amended. 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.**