

City of Pittsburgh



City Council

Regular Meeting Agenda

Monday, December 21, 2009

10:00 AM

**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**PLEDGE OF ALLEGIANCE****PROCLAMATIONS****PUBLIC COMMENTS****PRESENTATION OF PAPERS****MR. PEDUTO, CHAIRPERSON OF THE COMMITTEE ON FINANCE AND LAW, PRESENTS**

Bill No. Resolution Authorizing the issuance of Warrants in the total sum of \$3,775,000.00, payable as follows: in the sum of \$963,333.33 in favor of Thomas Doswell and Neufeld Scheck & Brustin, LLP, Attention: Peter J. Neufeld, Esquire, 99 Hudson Street, New York, NY 10013; and \$295,000.00 to Liberty Life Assurance Company of Boston, c/o of the same address, for the year 2010, the first year of three years of payments. The three years of payments are in full and final settlement of an action filed in the United States District Court for the Western District of Pennsylvania, at No. 07-cv-0761 for an incident in March 1986. Authorizing Warrants in the sum of \$503,333.33 to Neufeld Scheck & Brustin, LLP; and \$755,000.00 to Liberty Life Assurance Company of Boston, for year 2011, the second year of three years. Authorizing Warrants in the sum of \$503,333.33 to Neufeld Scheck & Brustin, LLP; and \$755,000.00 to Liberty Life Assurance Company of Boston, for year 2012, the final year of three years.

[2009-2092](#)

Bill No. Resolution providing for an issuance of a warrant in favor of Pittsburgh Demolition Inc. in the amount of \$3,300.00 for the investigation of the explosion at 845 Lovette Way.

[2009-2093](#)**UNFINISHED BUSINESS****APPOINTMENTS INFORMING - MOTION TO RECEIVE AND FILE**

Bill No. Resolution informing City Council of the reappointment of Linda Judson, 5501 Fair Oaks Street, Pittsburgh, PA 15217, as a member of the Pittsburgh Parking Authority with a term to expire April 30, 2014.

[2009-2013](#)**Legislative History**

12/1/09	City Council	Held, Pending Interview	Passed
12/16/09	Hearings Committee	Interview Held	Passed

Bill No. Resolution informing City Council of the appointment of John Jackson, III, 2596 Magnet Street, Pittsburgh, PA 15214, as a member of the Stadium Authority with a term to expire December 31, 2014.

[2009-2051](#)**Legislative History**

12/8/09	City Council	Held, Pending Interview	Passed
12/16/09	Hearings Committee	Interview Held	Passed

Bill No. 2009-2052	Resolution informing City Council of the appointment of Kristen Baginski, 915 Ivy Street, Pittsburgh, PA 15232 , as a member of the Carnegie Library Board of Trustees with a term to expire December 31, 2013.			
	<u>Legislative History</u>			
	12/8/09	City Council	Held, Pending Interview	Passed
	12/16/09	Hearings Committee	Interview Held	Passed

APPOINTMENTS AUTHORIZING - REQUIRE CONFIRMATION/VOTE

Bill No. 2009-2017	Resolution authorizing the appointment of Isobel Storch, 1105 DeVictor Place, Pittsburgh, PA 15206, as a member of the Ethics Hearing Board for a term to expire on August 1, 2011.			
	<u>Legislative History</u>			
	12/1/09	City Council	Held, Pending Interview	
	12/16/09	Hearings Committee	Interview Held	Passed

Bill No. 2009-2056	Resolution authorizing the appointment of Sylvia Rohr Samaniego, 317 S. Graham Street, Pittsburgh, PA 15232, as a member of the Art Commission for a term to expire on December 31, 2013.			
	<u>Legislative History</u>			
	12/8/09	City Council	Held, Pending Interview	Passed
	12/16/09	Hearings Committee	Interview Held	Passed

Bill No. 2009-2057	Resolution authorizing the appointment of Arthur Sheffield, 1524 Lowrie Street, Pittsburgh, PA 15212, as a member of the Historic Review Commission for a term to expire on February 28, 2011. Mr. Sheffield is replacing Earle Onque.			
	<u>Legislative History</u>			
	12/8/09	City Council	Held, Pending Interview	Passed
	12/16/09	Hearings Committee	Interview Held	Passed

Bill No. 2009-2077	Resolution authorizing the appointment of Judy Hill Finegan to serve as the Director of the Department of Personnel and Civil Service Commission. Said appointment shall be effective as of the date of confirmation by City Council			
	<u>Legislative History</u>			
	12/15/09	City Council	Held, Pending Interview	
	12/16/09	Hearings Committee	Interview Held	Passed

Bill No. 2009-2078	Resolution authorizing the appointment of Robert W. Kaczorowski to serve as the Director of the Department of Public Works. Said appointment shall be effective as of the date of confirmation by City Council			
	<u>Legislative History</u>			
	12/15/09	City Council	Held, Pending Interview	
	12/16/09	Hearings Committee	Interview Held	Passed

REPORTS OF COMMITTEE - FINAL ACTION

MR. PEDUTO PRESENTS COMMITTEE ON FINANCE AND LAW

Bill No. 2009-2087	Report of the Committee on Finance and Law for December 16, 2009 with an Affirmative Recommendation.			
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Bill No. [2009-1967](#) Ordinance amending and supplementing the Pittsburgh Code, Title I-Administrative, Article VII, Procedures, Chapter 161-Contracts, to require contractors who provide building service and food services to the City of Pittsburgh to pay prevailing wages to employees employed pursuant to such contracts, and to require that building service, food service, grocery, and hotel employees employed on projects receiving City subsidies be paid prevailing wages.

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

Legislative History

	11/17/09	City Council	Read and referred	
1	11/23/09	Finance and Law Committee	Held for Public Hearing	Passed
1	11/23/09	Finance and Law Committee	Held for Post Agenda	Passed
	12/10/09	Hearings Committee	Public Hearing Held	Passed
1	12/16/09	Finance and Law Committee	Affirmatively Recommended	Passed

Bill No. [2009-1997](#) 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 or Lands and Buildings by fixing the rate of taxation effective as of January 1, 2010.

Legislative History

	12/1/09	City Council	Read and referred	
1	12/9/09	Finance and Law Committee	Held in Committee	Passed
1	12/16/09	Finance and Law Committee	Affirmatively Recommended	Passed

Bill No. [2009-1998](#) Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business Related Taxes, Chapter 245, Earned Income Tax, by fixing the rate of interest on certain delinquent Earned Income Tax for [2009] 2010.

Legislative History

	12/1/09	City Council	Read and referred	
1	12/9/09	Finance and Law Committee	Held in Committee	Passed
1	12/16/09	Finance and Law Committee	Affirmatively Recommended	Passed

Bill No. [2009-2028](#) Resolution designating Banks and Lending Institutions to act as Depositories for the year 2010 in accordance with the Pittsburgh Code, Title Two, Fiscal, Article III, Depositories.

Legislative History

	12/8/09	City Council	Read and referred	
1	12/16/09	Finance and Law Committee	Affirmatively Recommended	Passed

Bill No. [2009-2029](#) Resolution authorizing the Department of Finance to enter into an agreement or agreements for professional services with First Data Government Solutions to provide on-going system maintenance services to the City of Pittsburgh for the operation of the ISAT data system for a period of two (2) years at a cost not to exceed Thirty-five

Thousand Dollars (\$35,000.00) per year, subject to annual budget appropriation.

Legislative History

	12/8/09	City Council	Read and referred	
1	12/16/09	Finance and Law Committee	Affirmatively Recommended	Passed

Bill No.

2009-2030

Resolution authorizing the City of Pittsburgh to grant the Pennsylvania American Water Company a permanent utility easement and the privilege and license to install, use, operate, maintain, repair, renew and finally remove a water line easement across City of Pittsburgh property designated as Block 134-A, Lot No. 148 located near Hillburn Street in the 31st Ward.

Legislative History

	12/8/09	City Council	Read and referred	
1	12/16/09	Finance and Law Committee	Affirmatively Recommended	Passed

Bill No.

2009-2031

Resolution authorizing the Mayor and the Director of Finance, on behalf of the City of Pittsburgh, to issue Deeds in the form approved by the City Solicitor for property in the 19th Ward of the City of Pittsburgh designated as part of parcel 34-P-1 for expansion of rear yards that have extended into the Moore Greenway by four (4) property owners on Dunster Street in the Brookline section of the City of Pittsburgh.

Legislative History

	12/8/09	City Council	Read and referred	
1	12/16/09	Finance and Law Committee	Affirmatively Recommended	Passed

Bill No.

2009-2032

Resolution repealing items in Resolutions approved on various dates, authorizing the sale of properties in various wards of the City of Pittsburgh, in accordance with Act No. 171 of 1984, "Second Class City Treasurer Sale and Collection Act", effective December 11, 1984. Items A through E: A: 6821 & 6823 McPherson; B: 1906 Shamokin; C: 2649 Brighton; D: Timberland Plan Lot 16; E: 1426 Sandusky.

Legislative History

	12/8/09	City Council	Read and referred	
1	12/16/09	Finance and Law Committee	Affirmatively Recommended	Passed

Bill No.

2009-2033

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 C. A: 540 N. Atlantic; B: 1344 Goettman; C: 1403 Hodgkiss.

Legislative History

	12/8/09	City Council	Read and referred	
1	12/16/09	Finance and Law Committee	Affirmatively Recommended	Passed

Bill No.

2009-2034

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 through F. A: 425 S. Bouquet; B: 203 Roup; C: 1220 Muriel;
D: 307 & 309 Taft; E: 720 Fargo; F: 2327 Los Angeles.

Legislative History

	12/8/09	City Council	Read and referred	
1	12/16/09	Finance and Law Committee	Affirmatively Recommended	Passed

Bill No.

2009-2035

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 through E.

A: 169 38th; B: 4823 Kincaid; C: 4925 Kincaid; D: 5106 Dearborn; E: 5132 Broad.

Legislative History

	12/8/09	City Council	Read and referred	
1	12/16/09	Finance and Law Committee	Affirmatively Recommended	Passed

Bill No.

2009-2048

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, 2010

Legislative History

	12/8/09	City Council	Waived under Rule 8	Passed
	12/8/09	City Council	Read and referred	
1	12/9/09	Finance and Law Committee	Held in Committee	Passed
1	12/16/09	Finance and Law Committee	AMENDED	Passed
1	12/16/09	Finance and Law Committee	Affirmatively Recommended as Amended	Passed

Bill No.

2009-2049

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, for Budget Year 2010.

Legislative History

	12/8/09	City Council	Waived under Rule 8	Passed
	12/8/09	City Council	Read and referred	
1	12/9/09	Finance and Law Committee	Held in Committee	Passed
1	12/16/09	Finance and Law Committee	AMENDED	Passed
	12/16/09	Finance and Law Committee	Affirmatively Recommended as Amended	Passed

Bill No.

2009-2050

Resolution adopting and approving the 2010 Capital Budget and the 2010 Community Development Block Grant Program; and approving the 2010 through 2014 Capital Improvement Program, by adjusting various line items in conformance with City Council's 2010 Capital Budget amendments.

Legislative History

	12/8/09	City Council	Waived under Rule 8	Passed
	12/8/09	City Council	Read and referred	

	12/9/09	Finance and Law Committee	Held in Committee	Passed
1	12/16/09	Finance and Law Committee	AMENDED	Passed
1	12/16/09	Finance and Law Committee	Affirmatively Recommended as Amended	Passed

Bill No. [2009-2072](#) Ordinance amending the Pittsburgh Code, Title Two, Fiscal, Article VII, Business Related Taxes, Chapter 246, Home Rule Tax, by fixing the rate of interest on certain delinquent Earned Income and Home Rule Taxes for [2009] 2010.

Legislative History

	12/15/09	City Council	Waived under Rule 8	Passed
	12/15/09	City Council	Read and referred	
1	12/16/09	Finance and Law Committee	Affirmatively Recommended	Passed

Bill No. [2009-2080](#) Resolution Further amending and supplementing Resolution No. 180, effective April 5, 2000, 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 3", by adding \$2,000 to "Southside Chamber of Commerce Decorative Lights". Total cost is not to exceed \$1,000,000.

SPONSOR(S): BRUCE A. KRAUS

Legislative History

	12/15/09	City Council	Waived under Rule 8	Passed
	12/15/09	City Council	Read and referred	
1	12/16/09	Finance and Law Committee	Affirmatively Recommended	Passed

MR. KRAUS PRESENTS COMMITTEE ON PUBLIC SAFETY SERVICES

Bill No. [2009-2088](#) Report of the Committee on Public Safety Services for December 16, 2009 with an Affirmative Recommendation.

Bill No. [2009-1828](#) Ordinance amending the Pittsburgh Code of Ordinances, Title Six: Conduct; Article I: Regulated Rights and Actions; Chapter 601: Public Order; Section 601.08: Alcohol or Liquor Consumption on Streets or Sidewalks, by changing the language in Section 601.08 to clarify fines for violations.

SPONSOR(S): BRUCE A. KRAUS

Legislative History

	10/6/09	City Council	Read and referred	
1	10/14/09	Public Safety Services Committee	Held in Committee	Passed
	10/21/09	Public Safety Services Committee	Held in Committee	Passed
1	11/5/09	Public Safety Services Committee	Held in Committee	Passed
	11/18/09	Public Safety Services Committee	Held in Committee	Passed

1	12/2/09	Public Safety Services Committee	Held in Committee	Passed
1	12/9/09	Public Safety Services Committee	Held in Committee	Passed
1	12/16/09	Public Safety Services Committee	AMENDED	Passed
1	12/16/09	Public Safety Services Committee	Affirmatively Recommended as Amended	Passed

Bill No. [2009-2079](#) Resolution providing for a contract or contracts or the use of existing contract or contracts; or agreement or agreements for the implementation of a Spay and Neuter program for the Bureau of Animal Control at a cost not to exceed Fifty Thousand Dollars (\$50,000) and providing for the payment thereof.

SPONSOR(S): DARLENE HARRIS

Legislative History

	12/15/09	City Council	Waived under Rule 8	Passed
	12/15/09	City Council	Read and referred	
1	12/16/09	Public Safety Services Committee	Affirmatively Recommended	Passed

MRS. HARRIS PRESENTS COMMITTEE ON PUBLIC WORKS

Bill No. [2009-2089](#) Report of the Committee on Public Works for December 16, 2009 with an Affirmative Recommendation.

Bill No. [2009-2036](#) Resolution authorizing the Mayor and the Director of the Department of Public Works to enter into a Professional Services Agreement with the Southwestern Pennsylvania Corporation to complete signal retiming along various corridors in the City of Pittsburgh.

Legislative History

	12/8/09	City Council	Read and referred	
1	12/16/09	Public Works Committee	Affirmatively Recommended	Passed

Bill No. [2009-2037](#) Resolution authorizing the Mayor and the Director of the Department of Public Works and the Department of Parks and Recreation to enter into a License, Maintenance and Cooperation Agreement with the Pittsburgh Parks Conservancy to provide capital improvements/renovations and assist with maintenance/management for Mellon Square Park.

Legislative History

	12/8/09	City Council	Read and referred	
1	12/16/09	Public Works Committee	Affirmatively Recommended	Passed

Bill No. [2009-2075](#) Resolution Authorizing the execution of a Temporary Easement and Dedication Agreement between the Housing Authority of the City of Pittsburgh, a public body corporate and politic organized and existing under the Housing Authorities Law of the Commonwealth of Pennsylvania, and the City of Pittsburgh, a municipal corporation of the Commonwealth of Pennsylvania, for real property in the Hill District.

SPONSOR(S): DARLENE HARRIS

Legislative History

	12/15/09	City Council	Waived under Rule 8	Passed
	12/15/09	City Council	Read and referred	
1	12/16/09	Public Works Committee	Affirmatively Recommended	Passed

Bill No. Resolution vacating a 20' Unnamed Way, also know as Paul Place, northward from
[2009-2076](#) Capital Avenue in the 19th Ward, 4th Council District of the City of Pittsburgh.

Legislative History

	12/15/09	City Council	Waived under Rule 8	Passed
	12/15/09	City Council	Read and referred	
1	12/16/09	Public Works Committee	Affirmatively Recommended	Passed

REV. BURGESS PRESENTS COMMITTEE ON LAND USE & ECONOMIC DEVELOPMENT

Bill No. Report of the Committee on Land Use and Economic Development for December 16,
[2009-2090](#) 2009 with an Affirmative Recommendation.

Bill No. Resolution authorizing the Mayor to enter into a grant agreement with the Pennsylvania
[2009-2040](#) Department of Community and Economic Development to receive monies to support the Taking Care of Business Districts Program, a City-wide Business Districts Improvement Program, 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.

Legislative History

	12/8/09	City Council	Read and referred	
1	12/16/09	Land Use and Economic Development Committee	Affirmatively Recommended	Passed

Bill No. Resolution authorizing the Mayor to enter into a grant agreement with the Pennsylvania
[2009-2041](#) Department of Community and Economic Development to receive monies to support the Taking Care of Business Districts Program, a City-wide Business Districts Improvement Program, 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 \$150,000.

Legislative History

	12/8/09	City Council	Read and referred	
1	12/16/09	Land Use and Economic Development Committee	Affirmatively Recommended	Passed

Bill No. Resolution Amending and supplementing Resolution No. 861, effective January 1,
[2009-2081](#) 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 \$2,000 to "Southside Chamber of Commerce Decorative Lights" and by adjusting amounts in various other projects in Council District 3.

SPONSOR(S): BRUCE A. KRAUS

Legislative History

	12/15/09	City Council	Waived under Rule 8	Passed
	12/15/09	City Council	Read and referred	
1	12/16/09	Land Use and Economic Development Committee	Affirmatively Recommended	Passed

MR. DOWD PRESENTS COMMITTEE ON INTERGOVERNMENTAL AFFAIRS

Bill No. [2009-2091](#) Report of the Committee on Intergovernmental Affairs for December 16, 2009 with an Affirmative Recommendation.

Bill No. [2009-2042](#) Resolution establishing a Special Parking District and Authorizing the Public Parking Authority of Pittsburgh to establish parking rates at Technology Drive equal to or greater than the rates of the Urban Redevelopment Authority's Garage at 401 Technology Drive (Council District 6)

Legislative History

	12/8/09	City Council	Read and referred	
1	12/16/09	Intergovernmental Affairs Committee	Affirmatively Recommended	Passed

Bill No. [2009-2043](#) Resolution further amending Resolution No. 683, effective November 16, 2006, entitled "Resolution authorizing a Cooperation Agreement or Agreements with the Urban Redevelopment Authority of Pittsburgh in connection with URA's application for a \$1,125,000 Redevelopment Assistance Capital Program grant for the National Aviary project" by increasing the amount of the grant to \$2,625,000. (Council District 6)

Legislative History

	12/8/09	City Council	Read and referred	
1	12/16/09	Intergovernmental Affairs Committee	Affirmatively Recommended	Passed

Bill No. [2009-2044](#) Resolution further amending Resolution No. 685, effective November 16, 2006, entitled "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 \$1,125,000 for the National Aviary project" by increasing the grant to \$2,625,000. (Council District 6)

Legislative History

	12/8/09	City Council	Read and referred	
1	12/16/09	Intergovernmental Affairs Committee	Affirmatively Recommended	Passed

Bill No. [2009-2045](#) 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 \$250,000 for the Sarah

Heinz House project. (Council District 1)

Legislative History

	12/8/09	City Council	Read and referred	
1	12/16/09	Intergovernmental Affairs Committee	Affirmatively Recommended	Passed

Bill No.

2009-2046

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 of up to \$250,000 for the Sarah Heinz House project. (Council District 1)

Legislative History

	12/8/09	City Council	Read and referred	
1	12/16/09	Intergovernmental Affairs Committee	Affirmatively Recommended	Passed

Bill No.

2009-2047

Resolution approving execution of a Contract for Disposition by Sale of Land by and between the Urban Redevelopment Authority of Pittsburgh and 29th Street Associates, L.P. for the sale of Block 29-N, Lot 152, in the 16th Ward of the City of Pittsburgh, in Redevelopment Area No.55 -East Carson Street at vacated 29th Street --Council District No.3 (office building construction).

Legislative History

	12/8/09	City Council	Read and referred	
1	12/16/09	Intergovernmental Affairs Committee	Affirmatively Recommended	Passed

MOTIONS AND RESOLUTIONS

EXCUSE ABSENT MEMBERS

APPROVAL OF MINUTES

ADJOURNMENT