

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 6, 2005

10:00 AM

Council Chambers

City Council

**ONE-HUNDRED
THIRTY-THIRD COUNCIL**

Gene Ricciardi, President

**Council Members: Len Bodack, Twanda Carlisle,
Dan Deasy, Jim Motznik, William Peduto, Luke Ravenstahl, Douglas Shields, Sala Udin**

Linda M. Johnson-Wasler, City Clerk

Mary Beth Doheny, Deputy City Clerk

ROLL CALL

Present: 9 - Mr. Bodack, Ms. Carlisle, Mr. Deasy, Mr. Motznik, Mr. Peduto, Mr. Shields, Mr. Ricciardi, Mr. Udin and Mr. Ravenstahl

PLEDGE OF ALLEGIANCE

RESIGNATION OF COUNCIL PRESIDENT

A motion was made to approve the resignation of Councilman Ricciardi as President of Council. The motion carried by the following vote:

Votes: Ayes: 8 - Mr. Bodack, Ms. Carlisle, Mr. Deasy, Mr. Motznik, Mr. Shields, Mr. Ricciardi, Mr. Udin and Mr. Ravenstahl
Noes: 0
Abstentions: 1 - Mr. Peduto

NOMINATION AND ELECTION OF A NEW COUNCIL PRESIDENT

Councilman Douglas Shields made a motion to nominate Luke Ravenstahl. Motion was seconded by Councilman Jim Motznik.

Councilman Len Bodack nominated Councilwoman Twanda Carlisle. The motioned was seconded by Councilman Sala Udin.

A motion was made to take a roll call vote on the nomination of Luke Ravenstahl. The motion carried by the following vote:

Votes: Ayes: 5 - Mr. Deasy, Mr. Motznik, Mr. Shields, Mr. Ricciardi and Mr. Ravenstahl
Noes: 2 - Ms. Carlisle and Mr. Peduto
Abstentions: 2 - Mr. Bodack and Mr. Udin

In accordance with law, a roll call vote on nominations is taken in the order in which they are made, until a majority vote is received.

APPOINTMENT OF COMMITTEE CHAIR:

Mr. Ravenstahl appointed Councilman Dan Deasy to serve as Chair of the Department of Public Works & Environmental Services.

PROCLAMATIONS

Bill No.

[2005-1976](#)

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh thanks the Make-A-Wish Foundation for its commitment to making special dreams come true for children and wishes them much success with the 2005 campaign.

BE IT FURTHER RESOLVED, that December 12 through 23, 2005 is declared "LIGHT UP A CHILD'S LIFE" days in the City of Pittsburgh.

SPONSOR(S): DAN DEASY

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

Bill No. [2005-1977](#) Now, therefore, be it resolved that the Council of the City of Pittsburgh mourns the loss of Monsignor Charles Owen Rice and honors his life and legacy on International Human Rights Day, December 10, 2005.

**SPONSOR(S): GENE RICCIARDI, JIM MOTZNIK, DAN DEASY,
DOUGLAS SHIELDS, WILLIAM PEDUTO AND LEN
BODACK**

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

Bill No. [2005-1978](#) NOW, THEREFORE, BE IT RESOVLED that the Mayor and the Council of the City of Pittsburgh hereby recognizes the South Point Breeze Organization to be a civic and/or service organization within the context of the Pennsylvania Small Games of Chance Act, as amended.

SPONSOR(S): TWANDA CARLISLE AND WILLIAM PEDUTO

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

PRESENTATION OF PAPERS

MS. CARLISLE PRESENTS COMMITTEE ON HOUSING, ECONOMIC DEVELOPMENT & PROMOTION

Bill No. [2005-1974](#) Resolution amending and supplementing Resolution No. 891, effective January 1, 2003, as amended, entitled: "Adopting and approving the 2003 Capital Budget and the 2003 Community Development Block Grant Program; and approving the 2003 through 2008 Capital Improvement Program, by adjusting various line items in conformance with City Council's 2003 Capital Budget amendments." by amending various line items in Council District 6.

SPONSOR(S): SALA UDIN

Read and referred to Housing, Economic Development & Promotion Committee

Bill No. [2005-1975](#) 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 amending various line items in Council District 6.

SPONSOR(S): SALA UDIN

Read and referred to Housing, Economic Development & Promotion Committee

MR. DEASY PRESENTS COMMITTEE ON PUBLIC WORKS & ENVIRONMENTAL SERVICES

Bill No. [2005-1964](#) Resolution providing for an Agreement or Agreements or for the use of existing Agreements with a Consultant or Consultants for the design of the McArdle Viaduct No. 1; also providing for a Reimbursement Agreement or Agreements with the Commonwealth of Pennsylvania, Department of Transportation; and further providing for the payment of the costs thereof, not to exceed \$600,000.

Read and referred to Public Works & Environmental Services Committee**MR. MOTZNIK PRESENTS COMMITTEE ON PARKS, RECREATION & YOUTH POLICY**

Bill No. Resolution declaring that City Property located between the Seventh and Ninth Street
[2005-1909](#) Bridges shall be dedicated for Public Park Purposes.

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

Read and referred to Parks, Recreation & Youth Policy Committee

Bill No. Resolution declaring that certain City property near Chartier's Creek shall be dedicated
[2005-1910](#) for public park purposes.

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

Read and referred to Parks, Recreation & Youth Policy Committee

Bill No. Resolution declaring that certain City property shall be dedicated to become part of
[2005-1911](#) Frick Park.

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

Read and referred to Parks, Recreation & Youth Policy Committee

Bill No. Resolution declaring that City property known as Junction Hollow shall be dedicated
[2005-1912](#) for public park purposes and shall further become part of Schenley Park.

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

Read and referred to Parks, Recreation & Youth Policy Committee

Bill No. Resolution declaring that certain city property in Lawrenceville shall be dedicated for
[2005-1913](#) public park purposes.

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

Read and referred to Parks, Recreation & Youth Policy Committee

Bill No. Resolution declaring that City property known as Allegheny Riverfront Park (lower
[2005-1914](#) level) shall be dedicated for public park purposes.

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

Read and referred to Parks, Recreation & Youth Policy Committee

Bill No. Resolution authorizing the Mayor, the Director of the Department of Parks and Recreation and the Director of the Department of Public Works to enter into an Agreement or Agreements with the Mt. Washington Community Development Corporation ("MWCDC") to assist in stewardship and planning for the planned Grandview Scenic Byway Park.

[2005-1965](#)

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

Read and referred to Parks, Recreation & Youth Policy Committee

Bill No. Resolution declaring that certain City property shall be combined to create a new City park named the "Grandview Scenic Byway Park."

[2005-1966](#)

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

Read and referred to Parks, Recreation & Youth Policy Committee

Bill No. Resolution declaring that certain City property in Washington's Landing shall be dedicated for public park purposes.

[2005-1967](#)

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

Read and referred to Parks, Recreation & Youth Policy Committee

Bill No. Resolution declaring that certain City property in the South Side Works Plan of Lots, No. 4, shall be dedicated for public park purposes.

[2005-1968](#)

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

Read and referred to Parks, Recreation & Youth Policy Committee

MR. SHIELDS PRESENTS COMMITTEE ON FINANCE & BUDGET

Bill No. 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 for [2005] 2006.

[2005-1954](#)

Read and referred to Finance & Budget Committee

Bill No. 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 for [2005] 2006.

[2005-1955](#)

Read and referred to Finance & Budget Committee

Bill No. Resolution providing for the issuance of a warrant in favor of KDKA-TV, in the amount of \$9,300.00 for the taping and broadcasting of a commercial entitled "Beat Auto Theft" and providing for the payment thereof. (PRESENTED BY MR. BODACK)

[2005-1956](#)

Read and referred to Finance & Budget Committee

Bill No. Resolution transferring a total of \$4,176,500 from various accounts within the 2005
[2005-1957](#) Operating Budget. This transfer is necessary to meet expenditures for the remainder of 2005.

Read and referred to Finance & Budget Committee

Bill No. Resolution designating Banks and Lending Institutions to act as Depositories for the
[2005-1961](#) year 2006 in accordance with the Pittsburgh Code, Title Two, Fiscal, Article III, Depositories.

Read and referred to Finance & Budget Committee

Bill No. Resolution authorizing the assignment of the City's current lease with the Pittsburgh
[2005-1962](#) Center for the Arts to the entity created by the merger of the Pittsburgh Center for the Arts and Pittsburgh Filmmakers.

Read and referred to Finance & Budget Committee

Bill No. Resolution providing for the vacation of Waterfront Place and portions of 12th Street
[2005-1963](#) and 13th Street, in the Second Ward of the City of Pittsburgh, and providing further for approval of a Memorandum of Understanding and an Agreement or Agreements between the Buncher Company and the City of Pittsburgh pursuant to which Buncher will convey to the City easements for trail purposes and will make certain trail improvements, and further authorizing creation of a trust fund with the Pittsburgh Foundation for the benefit of City trails maintenance, development and construction.

Read and referred to Finance & Budget Committee

Bill No. Resolution making Appropriations to pay the expenses of conducting the Public
[2005-1969](#) Business of the City of Pittsburgh and for meeting the debt charges thereof for the Fiscal Year, beginning January 1, 2006.

Read and referred to Finance & Budget Committee

Bill No. Resolution fixing the number of officers and employees of the City of Pittsburgh, and
[2005-1970](#) the rate of compensation thereof, and setting minimum levels for designated positions.

Read and referred to Finance & Budget Committee

Bill No. Resolution adopting and approving the 2006 Capital Budget and the 2006 Community
[2005-1971](#) Development Block Grant Program; and approving the 2006 through 2011 Capital Improvement Program," by adjusting various line items in conformance with City Council's 2006 Capital Budget amendments.

Read and referred to Finance & Budget Committee

Bill No. Resolution providing for the issuance of a Warrant in favor of Municipal Code
[2005-1972](#) Corporation, in the amount of Six Thousand Five Hundred Eighty-Eight Dollars (\$6,588.00) in payment for Codification Services relative to semi-annual updates to the Zoning Code, chargeable to and payable from Account 525900, Sub Class 150, Org. 110000, Budget Year 2005.

SPONSOR(S): GENE RICCIARDI

Read and referred to Finance & Budget Committee

Bill No. Resolution further amending Resolution No. 121 of 2003, effective March 14, 2003
[2005-1973](#) 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 2003 Community Needs Program; and providing for the payment of the costs thereof," by amending various line items in Council District 6.

SPONSOR(S): SALA UDIN

Read and referred to Finance & Budget Committee

REPORTS OF COMMITTEE - FINAL ACTION

MR. SHIELDS PRESENTS COMMITTEE ON FINANCE & BUDGET

Bill No. Report of the Committee on Finance and Budget for November 30, 2005.

[2005-1949](#)

Read, Received and Filed

Bill No. Resolution authorizing the Mayor and the City Solicitor to enter into an agreement or
[2005-1860](#) agreements for the hiring of Towers Perrin to assist with labor negotiations at a cost not to exceed \$25,000.00 (Twenty-Five Thousand Dollars).

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution authorizing the Mayor and the City Solicitor to enter into an agreement or
[2005-1861](#) agreements for the hiring of Klett Rooney Lieber & Schorling at a cost not to exceed \$25,000.00 (Twenty-Five Thousand Dollars).

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution authorizing the Mayor and the City Solicitor to enter into an agreement or
[2005-1862](#) agreements for the hiring of LHV Financial Advisors (David Volpe) an expert witness to testify on behalf of the City of Pittsburgh in a lawsuit with the City Controller at a cost not to exceed \$50,000.00 (Fifty Thousand Dollars).

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution providing that the City of Pittsburgh enter into professional service
[2005-1900](#) Agreement(s) and/or Contract(s) with consultants and/or service providers for professional services in connection with Civil Service and MPOETC required assessment and evaluation of Police Officer Recruit candidates, and providing for payment of the cost thereof, not to exceed \$13,600.

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution providing that the City of Pittsburgh enter into professional service
[2005-1901](#) Agreement(s) and/or Contract(s) for the upgrade of the Department of Personnel and Civil Service Commission's existing automated applicant management system software. The upgrade will enable the City of Pittsburgh to employ an on-line application system for accepting and processing employment applications and requests

for job notifications and providing for payment of the cost thereof, not to exceed \$40,350.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2005-1902](#)

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 adding "Washburn Square Housing Development" \$50,000. Total amount of all projects not to exceed \$808,895.42.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2005-1903](#)

Resolution further amending Resolution No. 230, effective April 19, 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 4; and providing for the payment of the costs thereof," by adding "P.W.S.A. District 4 Projects" \$20,512.80 and by decreasing "Bon Air Playground" by \$3,994.39. Total of all projects is not to exceed \$970,000.00

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2005-1904](#)

Resolution amending Resolution No. 535, effective November 12, 2004, entitled "Providing for an agreement with Creative Information Management Concepts, Inc. to redesign the YP Connection Website" by changing the contractor to Pittsburgh Public Schools.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2005-1905](#)

Resolution authorizing the Mayor and the Director of the Department of Public Safety to enter into an agreement with the Pittsburgh Public Schools to provide prevention and intervention services to gang involved youth or youths who could potentially become involved with gangs. Cost not to exceed \$110,000.00.

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2005-1906](#)

Resolution authorizing the Mayor and the Director of the Department of City Planning, on behalf of the City of Pittsburgh, to enter into a Data Sharing Agreement with the Pittsburgh Partnership for Neighborhood Development ("PPND"), a non-profit corporation located at Regional Enterprise Tower, 425 Sixth Avenue, Suite 1740, Pittsburgh, PA 15219 for the sharing of certain proprietary information. (Presented by Mr. Shields and Mr. Peduto)

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2005-1917](#)

Resolution authorizing the City Controller to enter into a contract or contracts, agreement or agreements, or the use of existing contracts or agreements to purchase computer equipment at a cost not to exceed seven thousand dollars (\$7,000.00) and

providing for the payment of the cost thereof.

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 - Mr. Bodack, Ms. Carlisle, Mr. Deasy, Mr. Motznik, Mr. Peduto, Mr. Shields, Mr. Ricciardi, Mr. Udin and Mr. Ravenstahl

Noes: 0

Abstentions: 0

MR. DEASY PRESENTS COMMITTEE ON PUBLIC WORKS & ENVIRONMENTAL SERVICES

Bill No. Report of the Committee on Public Works and Environmental Services for November
[2005-1950](#) 30, 2005.

Read, Received and Filed

Bill No. Resolution vacating a portion of Tasso Street, Bristol Street, Chambers Way and
[2005-1907](#) Unnamed Ways in the 15th Ward, 5th Council District, of the City of Pittsburgh

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

Votes: Ayes: 9 - Mr. Bodack, Ms. Carlisle, Mr. Deasy, Mr. Motznik, Mr. Peduto, Mr. Shields, Mr. Ricciardi, Mr. Udin and Mr. Ravenstahl

Noes: 0

Abstentions: 0

MR. UDIN PRESENTS COMMITTEE ON PLANNING, ZONING & LAND USE

Bill No. Report of the Committee on Planning, Zoning and Land Use for November 30, 2005.
[2005-1951](#)

Read, Received and Filed

Bill No. Ordinance amending the Pittsburgh Code, Title Nine, Zoning Article III, Section
[2005-1827](#) 902.03 - Zoning Map by changing from UI / Urban Industrial to SP-3 / Specially Planed District #3: Public Safety Complex certain property located at 704 Second Ave, also known as lot 2-P-122 in the Allegheny Block and Lot system, 1st Ward, City of Pittsburgh.

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

Votes: Ayes: 9 - Mr. Bodack, Ms. Carlisle, Mr. Deasy, Mr. Motznik, Mr. Peduto, Mr. Shields, Mr. Ricciardi, Mr. Udin and Mr. Ravenstahl
Noes: 0
Abstentions: 0

MS. CARLISLE PRESENTS COMMITTEE ON HOUSING, ECONOMIC DEVELOPMENT & PROMOTION

Bill No. Report of the Committee on Housing, Economic Development and Promotion for
[2005-1952](#) November 30, 2005.

Read, Received and Filed

Bill No. Resolution amending Resolution No. 256, effective May 5, 2005, as entitled,
[2005-1908](#) Providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of HUD for a grant in connection with the 2005 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 reprogram funds in Public Works from “Southside Market House” (-75,000), “South Highland Avenue Bridge” (-200,000), “Neighborhood Street Improvement” (-200,000), “Bridge Inspection Program” (-175,000); “Traffic Signal Maintenance Program” (-150,000), and “Penn Avenue Design” (-120,000) to Public Safety “Fire Protection Equipment” (+ 920,000)

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

Votes: Ayes: 11 - Mr. Bodack, Ms. Carlisle, Mr. Deasy, Mr. Motznik, Mr. Peduto, Mr. Ravenstahl, Mr. Shields, Mr. Ricciardi, Mr. Udin, Mr. Ricciardi and Mr. Ravenstahl
Noes: 0
Abstentions: 0

MR. BODACK PRESENTS COMMITTEE ON PUBLIC SAFETY SERVICES

Bill No. Report of the Committee on Public Safety Services for November 30, 2005.
[2005-1953](#)

Read, Received and Filed

Bill No. Resolution providing for a Contract or Contracts, or the use of existing Contracts for
[2005-1916](#) the purchase of fire protection equipment (uniforms) and related accessories for the Fire Bureau at a cost not to exceed Nine Hundred and Twenty Thousand Dollars (\$920,000.00) and providing for the payment thereof.

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

Votes: Ayes: 9 - Mr. Bodack, Ms. Carlisle, Mr. Deasy, Mr. Motznik, Mr. Peduto, Mr. Shields, Mr. Ricciardi, Mr. Udin and Mr. Ravenstahl

Noes: 0

Abstentions: 0

Bill No.

[2005-1915](#)

Resolution authorizing the Mayor and the Chief of the Bureau of Police to enter into an agreement with Cover Your Assets, LLC, to provide computer-based products and services relating to scheduling management, cost not to exceed \$30,950.00.

A motion was made that this matter be RECOMMITTED to the Public Safety Services Committee. The motion carried.

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.