

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, October 28, 2008

10:00 AM

Council Chambers

City Council

**ONE-HUNDRED
THIRTY-FIFTH COUNCIL**

Douglas Shields, President

**Council Members: Reverend Ricky V. Burgess, Dan Deasy, Patrick Dowd, Darlene M. Harris,
Bruce A. Kraus, Jim Motznik, Tonya D. Payne, William Peduto**

Linda M. Johnson-Wasler, City Clerk

Mary Beth Doheny, Deputy City Clerk

ROLL CALL

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

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Bill No.

[2008-0874](#)

NOW, THEREFORE, BE IT RESOLVED THAT, the Council of the City of Pittsburgh commends PDEC's commitment to ending the genocide in Darfur; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby DECLARES NOVEMBER 7, 2008 "TENTS OF HOPE 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.

[2008-0875](#)

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby commends and thanks PUMP and congratulates the recipients of the 40 under 40 awards; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby declares November 7, 2008 "40 Under 40 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.

[2008-0876](#)

NOW THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh recognizes Bernie Komoroski, a truly unique individual and a notable presence in the City of Pittsburgh, as he retires and commends him for over 25 years of dedicated and professional service to the City of Pittsburgh.

BE IT FURTHER RESOLVED that the Council of the City of Pittsburgh does hereby declare Tuesday October 28th, 2008, to be "Bernie Komoroski Day" in the City of Pittsburgh.

SPONSOR(S): JIM MOTZNIK AND ALL MEMBERS

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

Bill No.

[2008-0877](#)

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh recognizes the contribution that the Italian Heritage Society of America makes to our community through the promotion and recognition of excellence in both the academic and professional world; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby declares October 25, 2008 "Italian Heritage Society of America Day" in the City of Pittsburgh.

SPONSOR(S): JIM MOTZNIK AND ALL MEMBERS

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

Bill No.

[2008-0878](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby recognize the crisis of hunger and poverty in our region and notes that Just Harvest makes a remarkable difference in the lives of our hungry neighbors through advocacy, education, empowerment and outreach ; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Tuesday, October 28, 2008, to be JUST HARVEST 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.

[2008-0879](#)

Now, Therefore, be it resolved that the Council of the City of Pittsburgh hereby recognizes Dawn Webb Turner for her many accomplishments, leading by example, and for her commitment to educating the community; and

Be It Further Resolved, that the Council of the City of Pittsburgh does hereby proclaim October 25, 2008, to be designated, "Annual Community Economics Awareness and Appreciation Benefit Day" in the City of Pittsburgh.

SPONSOR(S): REVEREND RICKY V. BURGESS AND ALL MEMBERS

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

Bill No.

[2008-0880](#)

NOW, THEREFORE BE IT RESOLVED, that the Council of the City of Pittsburgh does hereby congratulate Amen Corner for its 8th Annual Senator John Heinz Law Enforcement Awards Luncheon and recognizes Susan Wagner for her outstanding work in sculpture ; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh does hereby declare Wednesday, October 22, 2008, to be "SUSAN WAGNER" in the City of Pittsburgh.

SPONSOR(S): DOUGLAS SHIELDS

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

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

Bill No.

[2008-0859](#)

Resolution approving a Conditional Use exception under the Pittsburgh Code, Title Nine, Zoning, Article V, Chapter 911, Section 911.04.A.94 to the North Shore Community Alliance, owner, for authorization to occupy an existing two-story structure located at 1439 North Franklin Avenue as a Custodial Care Facility for nonviolent female offenders with children, on property zoned "R2-H", Residential Two-Unit High Density District, 21st Ward.

Read and referred to Land Use and Economic Development Committee

Bill No. Resolution approving a Conditional Use exception under the Pittsburgh Code, Title
[2008-0860](#) Nine, Zoning, Article V, Chapter 911, Section 911.04.A.94 to Goodwill of Southwestern Pennsylvania, owner, for authorization to occupy an existing structure located at 2400 East Carson Street as an expanded Custodial Care Facility for a maximum of 49 adult males, on property zoned "LNC", Local Neighborhood Commercial District, 16th Ward.

Read and referred to Land Use and Economic Development Committee**MR. DEASY, CHAIRPERSON OF THE COMMITTEE ON INTERGOVERNMENT AFFAIRS, PRESENTS**

Bill No. Resolution providing for the execution of a Cooperation Agreement or Agreements
[2008-0862](#) with the Urban Redevelopment Authority of Pittsburgh for the performance of certain work in connection with the conversion of the property located at 830 Warrington Avenue in the 18th Ward into the Zone 3 police station and providing for the conveyance of the property to the City for no consideration. (Council District 3).

Read and referred to Intergovernmental Affairs Committee

Bill No. Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to pursue a
[2008-0863](#) tax increment financing proposal for portions of the East Liberty Gateway Redevelopment Area (Pending Certification) - East Liberty Neighborhood. (Council District 9)

Read and referred to Intergovernmental Affairs Committee

Bill No. Resolution authorizing the Urban Redevelopment Authority of Pittsburgh to acquire
[2008-0864](#) all of the City's Right, Title and Interest, if any, in and to the Publicly-Owned Properties in the 3rd Ward of the City of Pittsburgh Designated in the Deed Registry Office of Allegheny County as Block 11-A, Lots 190, 191, 191A, 192, 192A, 193, 194, 196, 198, 200, 202 and Block 11-E, Lots 245, 248, 249, 250, 254, 255, 257, 258, 268, 270, 271, 283, 288, 296 (Council District No. 6 - Site Assemblage for Residential Development - 261½, 263, 261, 265, 259, 257, 253, 258, 200, 206, 208, 210, 218, 220, 224, 226, 246, 252, 251, 227, 217, 201 Dinwiddie Street, 265 Kearney Way, and 267 and 252 Wick Street).

Read and referred to Intergovernmental Affairs Committee

Bill No. Resolution amending Resolution No. 479, effective September 9, 2008 entitled:
[2008-0867](#) providing for an Agreement or Agreements with various community organizations for operational/administrative expenses, maintenance, purchase of equipment and/or rehabilitation of neighborhood facilities and the benefit of residents of the City of Pittsburgh; and further, authorizing various City Departments to enter into contract or contracts or use existing contract or contracts for street paving, the purchase of equipment and/or furniture and other related costs at a costs not to exceed 800,000.00, so as to reprogram funds in City Council from "District 2-Equipment" (-500) to the "ONALA Club" (+500).

SPONSOR(S): DAN DEASY

Read and referred to Land Use and Economic Development Committee

Bill No.

[2008-0868](#)

Resolution Amending Resolution No. 487, effective September 9, 2008 entitled: by providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 2007 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 City Council from "District #2" (-500) to the "ONALA Club" (+500).

SPONSOR(S): DAN DEASY**Read and referred to Land Use and Economic Development Committee**

Bill No.

[2008-0869](#)

Resolution amending Resolution No. 304, effective June 13, 2008 entitle "Resolution providing for an Agreement or Agreements with various community organizations for operational/administrative expenses, maintenance, purchase of equipment and/or rehabilitation of neighborhood facilities and the benefit of residents of the City of Pittsburgh; and further, authorizing various City Departments to enter into contact or contracts or use existing contract or contracts for street paving, the purchase of equipment and/or furniture and other related costs at a costs not to exceed 800,000.00", so as to reprogram funds in City Council from "District #2-Equipment" (-5,500) to the Windgap -Chartiers Athletic Assoc" (+4,000); and to the "Onala Club" (+1,500).

SPONSOR(S): DAN DEASY**Read and referred to Land Use and Economic Development Committee**

Bill No.

[2008-0870](#)

Resolution Amending Resolution No. 470, effective August 27, 2008, entitled: Resolution providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 2008 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 City Council from "District #2-Equipment" (-5,500) to the Windgap Chartiers Athletic Assoc." (+4,000); and to the "Onala Club" (+1,500).

SPONSOR(S): DAN DEASY**Read and referred to Land Use and Economic Development Committee**

Bill No.

[2008-0871](#)

Resolution amending Resolution No. 252, effective May 21, 2008 entitled: "Resolution providing for an Agreement or Agreements with various community organizations for operational/administrative expenses, maintenance, purchase of equipment and/or rehabilitation of neighborhood facilities and the benefit of residents of the City of Pittsburgh; and further, authorizing various City Departments to enter

into contract or contracts or use existing contract or contracts for street paving, the purchase of equipment and/or furniture and other related costs at a costs not to exceed 950,000.00” so as to reprogram funds from City Council: “District 2 Equipment” (-8,900) to “West End - Elliott Citizens Corp.” (+4,000); and to “Sheraden Community Council” (+4,000); and to the “Onala Club” (+900).

SPONSOR(S): DAN DEASY

Read and referred to Land Use and Economic Development Committee

Bill No.

[2008-0872](#)

Resolution amending Resolution No. 469 effective August 27, 2008, entitled: “Resolution providing for the filing of a Community Development statement by the City of Pittsburgh with the U.S. Department of Housing and Urban Development for a grant in connection with the 2006 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 from City Council from District #2” (-8,900) to West End/Elliott Citizens Corp.” (+4,000); and to “Sheraden Community Council” (+4,000); and to the Onala Club” (+900).

SPONSOR(S): DAN DEASY

Read and referred to Land Use and Economic Development Committee

**MR. DOWD, CHAIRPERSON OF THE COMMITTEE ON URBAN RECREATION,
PRESENTS**

Bill No.

[2008-0861](#)

Resolution authorizing the issuance of a warrant in favor of the Richard S. Caliguiri Amyloidosis Foundation in an amount not to exceed twelve thousand three hundred and three dollars (\$12,303.00), in connection with the 2008 Great Race in the Department of Parks and Recreation, without previous authority of law; and providing for the payment thereof.

Read and referred to Finance and Law Committee

Bill No.

[2008-0873](#)

Resolution authorizing the Mayor, on behalf of the City of Pittsburgh, to enter into an agreement with the Urban Redevelopment Authority of Pittsburgh, whereby the City and the Authority will set forth a single, uniform and readily administered set of requirements concerning the Authority's retention and use of the Urban Development Action Grant (UDAG) Loan repayment proceeds.

SPONSOR(S): PATRICK DOWD

Read and referred to Land Use and Economic Development Committee

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

Bill No.

[2008-0858](#)

Resolution providing for a Contract or Contracts or for the use of existing Contracts, providing for an Agreement or Agreements or for the use of existing Agreements, providing for the purchase of materials and supplies in connection with the renovations and maintenance of various public buildings, and further providing for the

payment of the costs thereof. Cost not to exceed \$750,000.00.

Read and referred to Public Works Committee

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

Bill No. Resolution amending Resolution No. 86, effective March 18, 2004 by providing for the continued designation of an Oakland Business Improvement District.

[2008-0866](#)

SPONSOR(S): BRUCE A. KRAUS, TONYA D. PAYNE AND WILLIAM PEDUTO

Read and referred to Finance and Law Committee

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

Bill No. Resolution providing for the issuance of a Twenty Three Thousand Two Hundred Eighty Nine Dollars (\$23,289.00) warrant in favor of The Port Authority of Allegheny County c/o Colin Meneely, Esquire, Heinz 57 Center, 3rd Floor, 345 Sixth Avenue, Pittsburgh, PA 15222-2527 in settlement of GD 06-005762 for property damages arising from a motor vehicle collision on or about October 12, 2005, involving a EMS vehicle owned by the City of Pittsburgh.

[2008-0856](#)

Read and referred to Finance and Law Committee

Bill No. Resolution providing for the issuance of a Two Hundred and Ninety Thousand Dollar (\$290,000.00) warrant in favor of Ellen B. Pagnotta, Administratrix of the Estate of J. Thomas Bruecken, deceased and her attorneys Raymond J. Conlon, Esquire, and Conlon Tarker, P.C., 108 East Diamond Street, Butler, PA 16001, in settlement of GD 06-005762 for personal injuries and damages arising from a motor vehicle collision on or about October 12, 2005, involving a EMS vehicle owned by the City of Pittsburgh.

[2008-0857](#)

Read and referred to Finance and Law Committee

MR. SHEILDS, CHAIRPERSON OF THE COMMITTEE ON HEARINGS, PRESENTS

Bill No. Resolution authorizing the appointment of Kevin O'Brien, as a member of the Board of the Propel Pittsburgh Commission for a term to expire on August 1, 2010. Mr. O'Brien is replacing Michael Sriprasert

[2008-0865](#)

A motion was made that this matter be Held, Pending Interview to the Hearings Committee. The motion carried.

UNFINISHED BUSINESS

Bill No. Resolution authorizing the appointment of Amanda Rubio, as a member of the Board of the Commission on Human Relations for a term to expire on April 1, 2010. Ms. Rubio is replacing Jennifer Andrade.

[2008-0819](#)

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

Bill No. Resolution authorizing the appointment of Maggie Sullivan, as a member of the Board of the Propel Pittsburgh Commission for a term to expire on August 1, 2010. Ms. Sullivan is replacing Jillian Chisnell.

[2008-0822](#)

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

Bill No. Resolution authorizing the appointment of Joseph Day, as a member of the Board of the Propel Pittsburgh Commission for a term to expire on August 1, 2010. Mr. Day is replacing Donina Lunardi.

[2008-0823](#)

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 October 22, 2008 with an Affirmative Recommendation.

[2008-0853](#)

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

Bill No. Resolution authorizing the City of Pittsburgh to issue a quit claim deed for City of Pittsburgh owned parcels in the 23rd and 24th Ward to the Pennsylvania Department of Transportation for right-of-way expansion and improvement to State Route 28, Section A-09.

[2008-0707](#)

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution authorizing the City of Pittsburgh to issue a quit claim deed for City of Pittsburgh owned parcels in the 24th Ward to the Pennsylvania Department of Transportation for right-of-way expansion and improvement to State Route 28, Section A-10.

[2008-0708](#)

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution Further amending Resolution No. 121 of 2003, effective March 14, 2003 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 adding "Sarah Heinz Wayfinder Signs", \$2,812 and by reducing "District 1 Neighborhood Needs" by the same amount in Council District 1.

[2008-0828](#)

SPONSOR(S): DARLENE HARRIS

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. Deasy, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznic, Ms. Payne, Mr. Peduto and Mr. Shields

Noes: 0

Abstentions: 0

MRS. HARRIS PRESENTS COMMITTEE ON PUBLIC WORKS

Bill No. [2008-0854](#) Report of the Committee on Public Works for October 22, 2008 with an Affirmative Recommendation.

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

Bill No. [2008-0830](#) Amending and supplementing the Pittsburgh Code of Ordinances, Title Six: Conduct; Article I: Regulated Rights and Actions; Chapter 619: Refuse Collection and Recycling, by adding a new Section 619.13 Responsibilities of Landlord and Tenant, requiring the Landlord to inform the Tenant of City requirements for storage, disposal, and recycling of refuse; Re-numbering subsequent Sections; and Amending the new Section 619.15 Violation and Penalty, by increasing the fine for an initial offense from \$15.00 to \$50.00.

SPONSOR(S): BRUCE A. KRAUS, DARLENE HARRIS AND TONYA D. PAYNE

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

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

Votes: Ayes: 8 - Rev. Burgess, Mr. Deasy, Mrs. Harris, Mr. Kraus, Mr. Motznic, Ms. Payne, Mr. Peduto and Mr. Shields

Noes: 1 - Mr. Dowd

Abstentions: 0

REV. BURGESS PRESENTS COMMITTEE ON LAND USE & ECONOMIC DEVELOPMENT

Bill No. [2008-0855](#) Report of the Committee on Land Use and Economic Development for October 22, 2008 with an Affirmative Recommendation.

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

Bill No. [2008-0829](#) 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 adding "Sarah Heinz Wayfinder Signs", \$2,812 and by reducing "District 1 Neighborhood Needs" by the same amount in Council District 1.

SPONSOR(S): DARLENE HARRIS

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 Mr. Shields
Noes: 0
Abstentions: 0
Out of Room: 1 - Mr. Deasy

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.