

City of Pittsburgh

*510 City-County Building
414 Grant Street
Pittsburgh, PA 15219*



MEETING MINUTES

Proceedings of the Council of the City of Pittsburgh

Monday, August 18, 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. [2008-0688](#) Now, Therefore, be it resolved that the Council of the City of Pittsburgh does hereby recognize and commend The Preservation and Cynthia and Oscar Jones for benefits to the youth of our community.

Be It Further Resolved, that the Council of the City of Pittsburgh does hereby proclaim Wednesday, August 20, 2008 as "Youth Recognition Celebration 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. [2008-0689](#) NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends and thanks Chuck Frazier for his many years of dedicated service to the 13th Ward, the City of Pittsburgh and Allegheny County; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby declares August 16, 2008, "Chuck Frazier 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. [2008-0690](#) NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby congratulates the Elliott Brewers on such a wonderful season and commends them for all of their accomplishments.

SPONSOR(S): DAN DEASY AND ALL MEMBERS

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

Bill No. [2008-0691](#) NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh hereby congratulates the Westwood Pony Team on winning the Mayor's Cup Championship and commends them for their determination and ending their season on such a positive note.

SPONSOR(S): DAN DEASY AND ALL MEMBERS

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

Bill No. [2008-0692](#) NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Pittsburgh recognizes the unique accomplishments and promising future of this native Pittsburgher, and does hereby declare Wednesday, August 27, 2008, to be Jerome C. "Jero" White, Jr., Day in the City of Pittsburgh.

SPONSOR(S): DARLENE HARRIS AND ALL MEMBERS

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

Bill No.

[2008-0693](#)

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Pittsburgh commends and thanks the 600 classmates from the graduating classes from Taylor Allderdice High School, January 1958, June 1958 and January 1959, for their years of commitment and enthusiasm to the City of Pittsburgh; and

BE IT FURTHER RESOLVED, that the Council of the City of Pittsburgh hereby declares August 30, 2008, "Taylor Allderdice High School 50th Reunion Day" in the City of Pittsburgh.

SPONSOR(S): WILLIAM PEDUTO, DOUGLAS SHIELDS AND ALL MEMBERS

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

PUBLIC COMMENTS

PRESENTATION OF PAPERS

MS. PAYNE, CHAIRPERSON OF THE COMMITTEE ON HUMAN RESOURCES, PRESENTS

Bill No.

[2008-0686](#)

Resolution providing for a contract and/or contracts or agreement and/or agreements for professional services related to the completion of a Gender Race Wage Disparity Study, and further providing for an agreement with the Women and Girls Foundation to reimburse the City for a portion of the study cost.

SPONSOR(S): REVEREND RICKY V. BURGESS

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

Read and referred to Human Resources Committee

MR. SHIELDS, CHAIRPERSON OF THE COMMITTEE ON HEARINGS

Bill No.

[2008-0687](#)

Communication from Linda M. Johnson-Wasler, City Clerk, submitting at the order of City Council, a call for a Special Meeting of Council to be held Monday, August 18, 2008, in accordance with the Pittsburgh Code, Title 1, Article V, Chapter 151, Section 151.01 - Regular and Special Meetings.

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

UNFINISHED BUSINESS

REPORTS OF COMMITTEE - FINAL ACTION

MR. PEDUTO PRESENTS COMMITTEE ON FINANCE AND LAW

Bill No. Report of the Committee on Finance and Law for August 13, 2008 with an
[2008-0683](#) Affirmative Recommendation.

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

Bill No. TO AUTHORIZE AND DIRECT THE INCURRING OF NON-ELECTORAL DEBT
[2008-0623](#) THROUGH THE ISSUANCE OF A SERIES OF GENERAL OBLIGATION BONDS OF THE CITY OF PITTSBURGH, PENNSYLVANIA (THE "LOCAL GOVERNMENT UNIT") IN THE AGGREGATE PRINCIPAL AMOUNT OF SIXTY SIX MILLION SEVEN HUNDRED SEVENTY FIVE THOUSAND DOLLARS (\$66,775,000) FOR THE PURPOSE OF PROVIDING FUNDS TO REFUND

A motion was made that this matter be RECOMMENDED to the Finance and Law Committee. The motion carried.

Bill No. Resolution Further amending Resolution No. 121 of 2003, effective March 14, 2003
[2008-0662](#) 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 \$27,205.60 to "McGunnegle Field" and by reducing "WPP West End - Elliott Park Building Equip." by the same amount in Council District 2.

SPONSOR(S): DAN DEASY

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution further amending Resolution No. 654, effective October 25, 2001, entitled,
[2008-0663](#) "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 2001 Neighborhood Needs Supplement Program; and providing for the payment of the costs thereof," by adding 2,794.40 to McGunnegle Field in Council District 2.

SPONSOR(S): DAN DEASY

This Matter was Passed Finally on the Consent Agenda.

Bill No. Resolution realigning a total of \$910,000 between accounts within the 2008 Operating
[2008-0675](#) Budget. This transfer is necessary to provide sufficient funding to prevent any service interruptions to the City's fueling stations for the motor vehicle fleet as well as to continue operations of the Police Quartermaster.

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. Motznik, Ms. Payne, Mr. Peduto and Mr. Shields
Noes: 0
Abstentions: 0

MRS. HARRIS PRESENTS COMMITTEE ON PUBLIC WORKS

Bill No. Report of the Committee on Public Works for August 13, 2008 with an Affirmative Recommendation.
[2008-0684](#)

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 Four, Public Places and Property, Article XIII Trees, Chapter 483 - Care and Maintenance, by adding a new section, § 483.05, entitled, "Hazardous Trees in Public Areas," and renumbering subsequent sections, and also amending Chapter 487 - Pittsburgh Shade Tree Commission, § 487.06 "Powers and Duties of Commission" by requiring additional information on the annual report.
[2008-0586](#)

SPONSOR(S): WILLIAM PEDUTO

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: 9 - Rev. Burgess, Mr. Deasy, Mr. Dowd, Mrs. Harris, Mr. Kraus, Mr. Motznik, Ms. Payne, Mr. Peduto and Mr. Shields
Noes: 0
Abstentions: 0

Bill No. Resolution authorizing the execution of an Easement Agreement and Temporary Construction License between the City of Pittsburgh, Three PNC Commercial, LLC, Three PNC Garage, LLC and Urban Redevelopment Authority of Pittsburgh in connection with the reconstruction of sidewalks on Fifth Avenue and Market Street in the 2nd Ward. (Council District 6).
[2008-0659](#)

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. Motznik, Ms. Payne, Mr. Peduto and Mr. Shields
Noes: 0
Abstentions: 0

REV. BURGESS PRESENTS COMMITTEE ON LAND USE & ECONOMIC DEVELOPMENT

Bill No. [2008-0685](#) Report of the Committee on Land Use and Economic Development for August 13, 2008 with an Affirmative Recommendation.

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

Bill No. [2008-0660](#) Resolution authorizing the Mayor to enter into a grant agreement with the Pennsylvania Department of Community and Economic Development to receive monies to support the City's Business District 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 \$625,000.00.

This Matter was Passed Finally on the Consent Agenda.

Bill No. [2008-0661](#) Resolution authorizing the Department of City Planning to submit an Application for Financial Assistance in the amount of \$300,000 to the Commonwealth of Pennsylvania Department of Community and Economic Development's Land Use Technical Assistance Program.

SPONSOR(S): REVEREND RICKY V. BURGESS

This Matter was Passed Finally on the Consent Agenda.

Bill No. [2008-0664](#) 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 \$27,205.60 to "McGunnegle Field" and by reducing "WPP West End - Elliott Park Building Equip." by the same amount in Council District 2.

SPONSOR(S): DAN DEASY

This Matter was Passed Finally on the Consent Agenda.

Bill No. [2008-0665](#) Resolution further Amending Resolution No. 424 of 2001, effective June 19, 2001, entitled "Further amending Resolution No. 976 effective January 1, 1996, as amended, Adopting and Approving the 1996 Capital Budget and the 1996 Community Development Block Grant by creating a new line item, City Clerk Office Modernization Project Grant # 2271000 for the purpose of augmenting neighborhood needs programs and/or the District Improvement Fund, and transferring \$1,128,892.00 from Grant/Liberty to City Clerk's Office Modernization" by adding \$2,794.40 to McGunnegle Field and by adjusting various projects in Council District 2.

SPONSOR(S): DAN DEASY

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2008-0676](#)

Resolution amending Resolution No. 371, effective July 11, 2008 entitled: 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" (-13,000) and transfer these funds to the "Washington Heights Athletic Assoc." (+3,000); and to the Western PA Police Athletic League" (+5,000); and to the Elliott-West End Athletic Assoc." (+3,000) and to the "Trinity A.M.E. Zion Church" (+2,000); and further from "District #5 Tree Planting" (-6,000) to the "St. Rosalia Food Bank" (+1,000); and to the "Hazelwood Initiative" (+2,000); and further to the "Heart of Gold Foundation for Sarcoidosis" (+3,000); and further from District #6" (-5,000); Community Initiatives" to the Northside Leadership Conference" (+500); and to the Hill District Dodgers Baseball League" (+1,000); and to the Hill District New Business Assoc." (+2,500); and to the Landslide Community Farm" (+1,000)

SPONSOR(S): DOUGLAS SHIELDS, DAN DEASY AND TONYA D. PAYNE

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2008-0677](#)

Resolution amending Resolution No. 374, effective July 11, 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 #5" (-6,000) to "St. Rosalia Food Bank" (+1,000); and to Hazelwood Initiative" (+2,000); and to Heart of Gold Foundation for Sarcoidosis" (+3,000); and to the Trinity A.M.E. Zion Church (+2,000) and from "District #2 Equipment (-11,000) to the Washington Heights Athletic Association" (+3,000); and to the "Western PA Police Athletic League" (+5,000) and to the Elliott-West End Athletic Assoc." (+3,000); and further from "District #6 Community Initiatives" (-5,000) to the Northside Leadership Conference" (+500) and to the Hill District Dodgers Baseball League" (+1,000) and to the "Landslide Community Farm" (+1,000) and to the Hill District New Business Association" (+2,500).

SPONSOR(S): DOUGLAS SHIELDS, DAN DEASY AND TONYA D. PAYNE

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2008-0678](#)

Resolution amending Resolution No. 290, effective June 9, 2008, entitled: "Providing for an Agreement or Agreements, with various community organizations for operational/administrative expenses, maintenance, purchase of equipment and/or rehabilitation of neighborhood facilities for the benefit of residents of the City of

Pittsburgh and further, authorizing various departments to enter into contract or contracts or use existing contract or contracts for the purchase of equipment and/or furniture at a cost not to exceed \$1,440,896.62” so as to transfer funds in City Council from “District #5 Equipment” (-5,000) to “Hazelwood Initiative” (+5,000).

SPONSOR(S): DOUGLAS SHIELDS

This Matter was Passed Finally on the Consent Agenda.

Bill No.

[2008-0679](#)

Resolution amending Resolution No. 297, effective June 9, 2008, as entitled, “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 2000 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 5 - Equipment” (-5,000) to the “Hazelwood Initiative” (+5,000).

SPONSOR(S): DOUGLAS SHIELDS

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. Motznik, Ms. Payne, Mr. Peduto and Mr. Shields

Noes: 0

Abstentions: 0

MOTIONS AND RESOLUTIONS

RECESS

A motion was made to recess the meeting August 18, 2008. The motion carried.

RECONVENED

A motion was made. The motion carried.

REPORTS OF COMMITTEE - FINAL ACTION

MR. PEDUTO PRESENTS COMMITTEE ON FINANCE AND LAW

Bill No.

[2008-0694](#)

Report of the Committee on Finance and Law for August 18, 2008 with an Affirmative Recommendation.

Bill No.

[2008-0623](#)

TO AUTHORIZE AND DIRECT THE INCURRING OF NON-ELECTORAL DEBT THROUGH THE ISSUANCE OF A SERIES OF GENERAL OBLIGATION BONDS OF THE CITY OF PITTSBURGH, PENNSYLVANIA (THE “LOCAL

GOVERNMENT UNIT”) IN THE AGGREGATE PRINCIPAL AMOUNT OF SIXTY SIX MILLION SEVEN HUNDRED SEVENTY FIVE THOUSAND DOLLARS (\$66,775,000) FOR THE PURPOSE OF PROVIDING FUNDS TO REFUND

A motion was made that this matter be Passed Finally. 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

MS. PAYNE PRESENTS COMMITTEE ON HUMAN RESOURCES

Bill No. [2008-0695](#) Report of the Committee on Human Resources for August 18, 2008 with an Affirmative Recommendation.

Bill No. [2008-0686](#) Resolution providing for a contract and/or contracts or agreement and/or agreements for professional services related to the completion of a Gender Race Wage Disparity Study, and further providing for an agreement with the Women and Girls Foundation to reimburse the City for a portion of the study cost.

SPONSOR(S): REVEREND RICKY V. BURGESS

A motion was made that this matter be Passed Finally. 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

APPROVE

A motion was made to approve the minutes The motion carried.

ADJOURN

A motion was made to adjourn the meeting The motion carried.