

# Allegheny County Council

*County of Allegheny  
436 Grant Street  
Pittsburgh, PA 15219  
Phone (412) 350-6495  
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## Agenda Synopsis

**Tuesday, July 1, 2008**

**5:00 PM**

**Regular Meeting, Fourth Floor, Gold Room**

## County Council

*Rich Fitzgerald, President; Chuck Martoni, Vice-President; Jim Burn, Joan Cleary, John DeFazio, Matt Drozd, Jim Ellenbogen, Mike Finnerty, Nick Futules, Vince Gastgeb, Amanda Green, Bob Macey, Chuck McCullough, Jan Rea, and William Russell Robinson - Members*

*Copies of all proposed legislation contained in this agenda can be viewed or obtained from the Chief Clerk, Office of County Council, Room 119, Courthouse, 436 Grant Street, Pittsburgh, PA 15219 Phone: 412-350-6495, or on Council's web site: [www.county.allegheny.pa.us/council](http://www.county.allegheny.pa.us/council).*

**I. Call To Order****II. Pledge of Allegiance****III. Silent Prayer or Reflection****IV. Roll Call**

**Roll Call:** Present: Council Member Burn, Council Member Cleary, Council Member Drozd, Council Member Ellenbogen, Council Member Finnerty, Council Member Futules, Council Member Gastgeb, Council Member Macey, Council Member Martoni, Council Member McCullough, Council Member Rea, Council Member Robinson and President Fitzgerald  
Absent: Council Member DeFazio and Green

**V. Proclamations/Certificates**

**4164-08** Proclamation honoring the Sisters of Divine Providence for their years of dedication to the children at Providence Child Care Center South.

**Presented**

**4165-08** Proclamation commending Alan Smith for being named the 2008 Veteran Small Business Champion of the Year at the Western Pennsylvania Small Business Network's 32nd Annual Small Business Awards.

**Presented**

**4167-08** Certificates of Achievement recognizing participants from the St. Thomas More School for their achievements at the 69th Annual Pittsburgh Regional Science and Engineering Fair.

**Presented**

**4168-08** Certificates of Achievement recognizing John Leffakis and Amber Ricci for winning the boys' and girls' 85th National Marbles Tournaments.

**Presented**

**4169-08** Certificate of Recognition congratulating Patrick and Elizabeth Shriane upon the occasion of their 50th wedding anniversary.

**Read**

**4170-08** Certificate of Achievement recognizing Mollie Stofan for winning the Award of Excellence at the 15th Annual Television and Video Teachers Festival.

**Read**

**4171-08** Certificate of Achievement recognizing Akshay Hari for being named a Carson Scholar at the Pittsburgh Carson Scholars 4th Annual Spring Awards Banquet.

Read

4172-08 Certificate of Recognition honoring the individuals involved in retrieving and restoring destroyed military markers at Chartiers Cemetery.

Read

4173-08 Certificate of Achievement recognizing Leanne Bennett for earning the status of valedictorian at Brentwood High School.

Read

4175-08 Proclamation honoring Judy Butch for her years of service to the Allegheny County Health Department.

Read

4176-08 Certificate of Recognition congratulating Vicenie Beer Distributor as they celebrate their 75th anniversary in business.

Read

4177-08 Certificate of Recognition celebrating the 100th birthday of Andrew Schade.

Read

4178-08 Proclamation recognizing Chief Chris Kelly for his years of service to the Baldwin Police Department

Read

## VI. Public Comment On Agenda Items

## VII. Approval of Minutes

4145-08 Motion to approve the Minutes of the Regular Meeting of Allegheny County Council held on June 3, 2008.

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

## VIII. Unfinished Business

### Committee on Appointment Review - Second Reading

3980-08 Appointment - Approving the reappointment of Mark C. Schneider to serve as a member of the Southwestern Pennsylvania Commission for a term to expire on December 31, 2011.

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

### Committee on Budget and Finance - Second Reading

**4134-08**

A Resolution of the County of Allegheny amending the Grants and Special Accounts Budget for 2008 (Submission #09-08).

**A motion was made that this matter be Passed for Chief Executive Signature. The motion carried by the following vote:**

**Votes:** Yes: 13 - Council Member Burn, Council Member Cleary, Council Member Drozd, Council Member Ellenbogen, Council Member Finnerty, Council Member Futules, Council Member Gastgeb, Council Member Macey, Council Member Martoni, Council Member McCullough, Council Member Rea, Council Member Robinson and President Fitzgerald

Absent: 2 - Council Member DeFazio and Green

**Committee on Economic Development & Housing - Second Reading****4133-08**

A Resolution approving a project for the benefit of Robert Morris University (the "University"), to be financed by the Allegheny County Higher Education Building Authority by the issuance of the Authority's tax-exempt or taxable bonds, to be issued in one or more series, in the aggregate principal amount not expected to exceed \$22,000,000, provided that the taxing power of the County of Allegheny, Pennsylvania, shall not be obligated in any way with respect to the Bonds (hereinafter defined), and determining that the purpose of the financing will be to benefit the health and welfare of the citizens of Allegheny County, Pennsylvania.

**A motion was made that this matter be Passed for Chief Executive Signature. The motion carried by the following vote:**

**Votes:** Yes: 12 - Council Member Burn, Council Member Cleary, Council Member Drozd, Council Member Ellenbogen, Council Member Finnerty, Council Member Futules, Council Member Gastgeb, Council Member Macey, Council Member Martoni, Council Member Rea, Council Member Robinson and President Fitzgerald

Noes: 1 - Council Member McCullough

Absent: 2 - Council Member DeFazio and Green

**4135-08**

A Resolution approving a project for the benefit of Jefferson Regional Medical Center (the "Corporation"), to be financed by the Allegheny County Hospital Development Authority (the "Authority") by the issuance of the Authority's tax-exempt or taxable bonds, to be issued in one or more series, in the aggregate principal amount not expected to exceed \$15,000,000, provided that the taxing power of the County of Allegheny, Pennsylvania (the "County"), shall not be obligated in any way with respect to the Bonds (hereinafter defined), and determining that the purpose of the financing will be to benefit the health and welfare of the citizens of Allegheny County, Pennsylvania.

**A motion was made that this matter be Passed for Chief Executive Signature. The motion carried by the following vote:**

**Votes:** Yes: 12 - Council Member Burn, Council Member Cleary, Council Member Drozd, Council Member Ellenbogen, Council Member Finnerty, Council Member Futules, Council Member Gastgeb, Council Member Macey, Council Member Martoni, Council Member Rea, Council Member Robinson and President Fitzgerald

Abstentions: 1 - Council Member McCullough

Absent: 2 - Council Member DeFazio and Green

**Committee on Public Works - Second Reading**

**3964-08** An Ordinance authorizing the County of Allegheny to clear the right-of-way for, and to acquire by condemnation certain parcels of land for this project, and to take such further action as may be necessary under applicable law, including the Eminent Domain Code of 1964, as amended.

**A motion was made that this matter be Passed for Chief Executive Signature. The motion carried by the following vote:**

**Votes:** Yes: 13 - Council Member Burn, Council Member Cleary, Council Member Drozd, Council Member Ellenbogen, Council Member Finnerty, Council Member Futules, Council Member Gastgeb, Council Member Macey, Council Member Martoni, Council Member McCullough, Council Member Rea, Council Member Robinson and President Fitzgerald  
Absent: 2 - Council Member DeFazio and Green

**Committee on Health & Human Services - Second Reading**

**4033-08** An Ordinance of the Council of the County of Allegheny ratifying amendments to Allegheny County Health Department Rules and Regulations pursuant to Section 12011 of the Local Health Administration Law, 16 P.S. §12001 et seq.

**A motion was made that this matter be Passed for Chief Executive Signature. The motion carried by the following vote:**

**Votes:** Yes: 13 - Council Member Burn, Council Member Cleary, Council Member Drozd, Council Member Ellenbogen, Council Member Finnerty, Council Member Futules, Council Member Gastgeb, Council Member Macey, Council Member Martoni, Council Member McCullough, Council Member Rea, Council Member Robinson and President Fitzgerald  
Absent: 2 - Council Member DeFazio and Green

**4132-08** A Ordinance of the Council of the County of Allegheny ratifying amendments to Allegheny County Health Department Rules and Regulations, "School Health Immunization", pursuant to Section 12011 of the Local Health Administration Law, 16 P.S. §12001 et seq.

**A motion was made that this matter be Passed for Chief Executive Signature. The motion carried by the following vote:**

**Votes:** Yes: 11 - Council Member Burn, Council Member Cleary, Council Member Drozd, Council Member Ellenbogen, Council Member Finnerty, Council Member Futules, Council Member Gastgeb, Council Member Macey, Council Member Martoni, Council Member Robinson and President Fitzgerald  
Noes: 1 - Council Member McCullough  
Abstentions: 1 - Council Member Rea  
Absent: 2 - Council Member DeFazio and Green

**Committee on Public Safety - Second Reading**

**4070-08** A Resolution authorizing the Allegheny County District Attorney's Office to apply for and to accept a grant from the Municipal Police Officers' Education and Training Commission (MPOETC) and agreeing to adhere to all rules, regulations and training standards established by MPOETC.

**A motion was made that this matter be Passed for Chief Executive Signature. The motion carried by the following vote:**

**Votes:** Yes: 13 - Council Member Burn, Council Member Cleary, Council Member Drozd, Council Member Ellenbogen, Council Member Finnerty, Council Member Futules, Council Member Gastgeb, Council Member Macey, Council Member Martoni, Council Member McCullough, Council Member Rea, Council Member Robinson and President Fitzgerald  
Absent: 2 - Council Member DeFazio and Green

## IX. Liaison Reports

## X. New Business - Ordinances & Resolutions

**4147-08** An Ordinance authorizing the County of Allegheny to acquire right-of-way for widening Browns Hill Road, developing Parkview Boulevard and relocating Old Browns Hill Road, and conveying any portions thereof for Parkview Boulevard and Old Browns Hill Road to the City of Pittsburgh.

**Referred to the Committee on Public Works**

**4148-08** An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, permitting the use of County property by FUNDS FOR CHARITIES, INC for the sponsorship of a haunted house in SOUTH PARK known as 100 ACRES MANOR.

**Referred to the Committee on Parks**

**4159-08** An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, suspending the collection of the taxes authorized by Ordinances Number 54-07-OR and 55-07-OR, effective in thirty days, and pending the execution of a new collective bargaining agreement between the Port Authority and its represented employees that satisfies the conditions of Executive Order 2007-1, governing distribution of revenue derived from Act 44 of 2007.

**Referred to the Committee on Government Reform**

**4161-08** An Ordinance amending and supplementing the Allegheny County Code of Ordinances, Division 2, entitled "County Government Operations," through the creation of a new Chapter 290, entitled "County Lobbying Activities," in order to provide a uniform policy for lobbying activities undertaken by the County's agencies, departments, authorities, boards and commissions.

**Referred to the Committee on Government Reform**

**4162-08** An Ordinance amending and supplementing the Allegheny County Code of Ordinances, Division 1, entitled "Administrative Code," Article 203, entitled "County Authorities," through the creation of a new Section 5-203.10 governing lobbying activities by the County's authorities.

**Referred to the Committee on Government Reform**

**4163-08** An Ordinance amending the Allegheny County Code of Ordinances, Division 1, entitled "Administrative Code," Article 808.B, "Rental Vehicle Taxation," in

order to provide an exemption from the County tax on the rental of certain motor vehicles within the County to school districts which rent vehicles.

**Referred to the Committee on Government Reform**

**4166-08**

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, directing that two referendum questions regarding tax limitations found in Article II of the Home Rule Charter of Allegheny County, entitled "Tax Limitations," be placed on the November 4, 2008 General Election ballot.

**Amended and Referred to the Committee on Government Reform**

**4174-08**

An Ordinance amending and supplementing the Allegheny County Code of Ordinances, Division 2, entitled "County Government Operations," through the creation of a new Chapter 280, entitled "Group Home Registration Program," in order to provide a uniform mechanism for establishing compliance of group home service providers with applicable local ordinances.

**Referred to the Committee on Public Safety**

**4179-08**

A Resolution of the County of Allegheny authorizing the Allegheny County Controller to study the feasibility of combining functions between the City of Pittsburgh and Allegheny County in advance of structural consolidation of the two governments.

**Referred to the Committee on Government Reform**

**4180-08**

A Resolution of the Council of Allegheny County, Pennsylvania, requesting that the Allegheny County Controller perform an update to his 2004 and 2006 "Review of Allegheny County Office of Property Assessments Policies and Procedures Related to the Assessments, Appeals and Valuation Processes for Residential Parcels" with all deliberate speed, and authorizing the Controller to undertake such an update.

**Referred by Chair to the Committee on Government Reform**

**4181-08**

A Resolution of the Council of Allegheny County, Pennsylvania, requesting that the Allegheny County Controller perform audits of the Sports and Exhibition Authority of Pittsburgh and Allegheny County, Port Authority of Allegheny County, Allegheny County Airport Authority and Allegheny County Sanitary Authority with all deliberate speed, and authorizing the Controller to undertake such audits.

**Referred to the Committee on Government Reform**

**4182-08**

A Resolution of the County of Allegheny directing the Redevelopment Authority of Allegheny County ("RAAC") to remit \$6.6 million in revenue received from the Pennsylvania Gaming Economic Development and Tourism Fund in 2008, and all future receipts from the Pennsylvania Gaming Economic Development and Tourism Fund to the County of Allegheny, and authorizing the acceptance of

such funds for the restricted purpose of constructing and maintaining community development infrastructure projects throughout Allegheny County.

**Referred to the Committee on Economic Development & Housing**

**4183-08** A Resolution of the County of Allegheny directing the port Authority of Allegheny County to take certain actions pertaining to proposed or in-force lobbying contracts.

**Referred to the Committee on Government Reform**

## **XI. New Business - Motions**

**4184-08** Motion Expressing the Sense of Council of Allegheny County , urging the General Assembly and Governor of the Commonwealth of Pennsylvania to establish and adopt a “Buy American” procurement policy to stimulate the economy of the Commonwealth and promote the general welfare of its people, as well as the economy and general welfare of the people of the United States.

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

## **XII. Notification of Contracts**

**4146-08** Communication from County Manager Jim Flynn submitting a summary of Executive Actions relating to contracts for the months of April and May, 2008.

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

## **XIII. Public Comment on General Items**

## **XIV. Addresses and Presentations**

Representative from the Pennsylvania Department of Transportation will provide Council with an update on the status of the Birmingham Bridge.

*Presented*

## **XV. Adjournment**