

# **Allegheny County Council**

*County of Allegheny  
436 Grant Street  
Pittsburgh, PA 15219  
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## **Agenda Synopsis**

**Tuesday, October 24, 2006**

**5:00 PM**

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

## **County Council**

*Rich Fitzgerald, President; Chuck Martoni, Vice-President; Jim Burn, Susan Caldwell, Joan Cleary, John DeFazio, Matt Drozd, Dave Fawcett, Mike Finnerty, Brenda Frazier, Vince Gastgeb, Bob Macey, Rich Nerone, 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**

*14 Members present*

**V. Proclamations/Certificates**

**2820-06** Proclamation recognizing the Baldwin-Whitehall High School Marching Band for their participation in the nationally broadcast Macy's Day Parade in New York City this Thanksgiving.

**Presented**

**2830-06** Certificate of Recognition welcoming the County Commissioners Association of Pennsylvania and commending their accomplishments with Pennsylvania's sixty-seven counties.

**Presented**

**2821-06** Certificate of Achievement awarded to the North Park, South Park, Deer Lakes, Harrison Hills, White Oak, Boyce, Settler's Cabin, Hartwood, and Round Hill Council of Friends to the Park for their dedication and contributions to enhancing the quality of life for residents of Allegheny County.

**Presented**

**2822-06** Proclamation recognizing the Wounded Warrior Project and their contribution towards helping injured service members recover and transition into civilian life.

**Presented**

**2823-06** Proclamation recognizing the efforts of the University of Pittsburgh's Institute of Politics and celebrating the 10th Anniversary of the Annual Elected Officials Retreat.

**Presented**

**2824-06** Proclamation celebrating the 100th Anniversary of the Holy Trinity Serbian Orthodox Cathedral and recognizing November 3-5, 2006 as Serbian Orthodox Heritage Weekend in Pittsburgh.

**Presented**

**2825-06** Certificate of Achievement recognizing the Urban League of Pittsburgh's

National Achievers Society inductees for their achievements in school and the community.

**Read**

**2826-06**

Proclamation remembering the life and legacy of the late Dr. Curtis L. Walker, the first African-American Deputy Superintendent for the Pittsburgh Public Schools.

**Read**

**2827-06**

Proclamation celebrating the Fourth Annual Charity Fido Ball on October 21, 2006 to benefit the White Oak Animal Safe Haven.

**Read**

**2828-06**

Proclamation honoring the life and memory of the late Councilman Edward "Scratchy" Szalankiewicz for his devotion to the community of Port Vue.

**Read**

**2829-06**

Certificate of Achievement recognizing the Pittsburgh Chapter of the American Society for Industrial Security awardees for Law Enforcement Appreciation Night on October 11, 2006 at Heinz Field.

**Read**

## **VI. Public Comment On Agenda Items**

## **VII. Unfinished Business**

### **Committee on Budget and Finance - Second Reading**

**2795-06**

An Ordinance authorizing the incurring of nonelectoral debt by the issuance of adjustable rate demand general obligation bonds, Series C-58A and C-58B, in an aggregate principal amount not to exceed \$50,000,000. Ordinance of the County of Allegheny, Pennsylvania (the "County") (1) authorizing the incurring of nonelectoral debt in an aggregate principal amount not to exceed \$50,000,000 through the issuance of adjustable rate demand general obligation bonds, Series C-58A and adjustable rate demand general obligation bonds, Series C-58B, for the purpose of providing funds to pay a portion of the County's costs of various bridge and road projects approved in the Allegheny County capital budget and capitalized interest with respect thereto to the extent the County deems appropriate; (2) finding a private sale by negotiation to be in the best interest of the County; (3) approving a maximum interest rate and maximum maturity date for the bonds; (4) authorizing certain officials to accept a proposal for the purchase of bonds; (5) appointing a trustee, paying agent, remarketing agent, tender agent, registrar and sinking fund depository; (6) authorizing the execution of trust indentures, providing the terms of the bonds, provisions for the payment

and security therefore, including a sinking fund and other funds, and the form of bonds; (7) covenanting to pay debt service; (8) pledging full faith, credit and taxing power for the payment of the bonds; (9) establishing sinking funds; (10) appropriating the bond proceeds; (11) ratifying prior advertisement and directing further advertisement; (12) appointing various professionals; (13) authorizing the preparation, certification and filing of an application and debt statement with the department of community and economic development; (14) authorizing approval of preliminary official statements, if any, and final official statements; (15) providing for investment of funds; (16) authorizing the execution of agreements to provide a letters of credit to support payments on the bonds; (17) authorizing the taking of certain actions with respect to continuing disclosure; (18) authorizing and directing the preparation, execution and delivery of all other required documents and the taking of all other required action; and (19) repealing inconsistent ordinances or any parts thereof.

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

**Votes:** Yes: 12 - Council Member Burn, Council Member Caldwell, Council Member Cleary, Council Member DeFazio, Council Member Finnerty, Council Member Frazier, Council Member Gastgeb, Council Member Macey, Council Member Martoni, Council Member Rea, Council Member Robinson and President Fitzgerald  
Noes: 1 - Council Member Drozd  
Abstentions: 1 - Council Member Fawcett  
Absent: 1 - Council Member Nerone

#### **2803-06**

A Resolution of the County of Allegheny amending the Grants and Special Accounts Budget for 2006 (Submission #10-06).

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

**Votes:** Yes: 14 - Council Member Burn, Council Member Caldwell, Council Member Cleary, Council Member DeFazio, Council Member Drozd, Council Member Fawcett, Council Member Finnerty, Council Member Frazier, Council Member Gastgeb, Council Member Macey, Council Member Martoni, Council Member Rea, Council Member Robinson and President Fitzgerald  
Absent: 1 - Council Member Nerone

### **Committee on Economic Development & Housing - Second Reading**

#### **2796-06**

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, granting authority to the County of Allegheny to convey its interest in a parcel of property situated in Hampton in North Park.

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

**Votes:** Yes: 14 - Council Member Burn, Council Member Caldwell, Council Member Cleary, Council Member DeFazio, Council Member Drozd, Council Member Fawcett, Council Member Finnerty, Council Member Frazier, Council Member Gastgeb, Council Member Macey, Council Member Martoni, Council Member Rea, Council Member Robinson and President Fitzgerald  
Absent: 1 - Council Member Nerone

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

**2797-06**

An Ordinance amending Section 880-1, et seq., of the Allegheny County Code of Ordinances by deleting the restriction applicable to within fifteen feet of the entrance to any Enclosed Area where smoking is prohibited.

**A motion was made that this matter be Amended and Referred to the Committee on Health & Human Services. The motion carried by the following vote:**

**Votes:** Yes: 8 - Council Member Burn, Council Member Caldwell, Council Member Drozd, Council Member Fawcett, Council Member Frazier, Council Member Gastgeb, Council Member Rea and Council Member Robinson  
Noes: 6 - Council Member Cleary, Council Member DeFazio, Council Member Finnerty, Council Member Macey, Council Member Martoni and President Fitzgerald  
Absent: 1 - Council Member Nerone

**2798-06**

An Ordinance amending Section 880-1, et seq., of the Allegheny County Code of Ordinances by adding an exemption for "Drinking Establishments."

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

**Votes:** Yes: 9 - Council Member Burn, Council Member Cleary, Council Member DeFazio, Council Member Finnerty, Council Member Frazier, Council Member Macey, Council Member Martoni, Council Member Robinson and President Fitzgerald  
Noes: 5 - Council Member Caldwell, Council Member Drozd, Council Member Fawcett, Council Member Gastgeb and Council Member Rea  
Absent: 1 - Council Member Nerone

**2799-06**

An Ordinance amending Section 880-1, et seq., of the Allegheny County Code of Ordinances by modifying the Section to provide for "Volunteer Organizations."

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

**Votes:** Yes: 8 - Council Member Burn, Council Member Cleary, Council Member DeFazio, Council Member Finnerty, Council Member Gastgeb, Council Member Macey, Council Member Martoni and President Fitzgerald  
Noes: 6 - Council Member Caldwell, Council Member Drozd, Council Member Fawcett, Council Member Frazier, Council Member Rea and Council Member Robinson  
Absent: 1 - Council Member Nerone

**2800-06**

An Ordinance amending Section 880-1, et seq., of the Allegheny County Code of Ordinances by deleting the restriction applicable to certain properties adjacent to health care facilities.

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

**Votes:** Yes: 13 - Council Member Burn, Council Member Cleary, Council Member DeFazio, Council Member Drozd, Council Member Fawcett, Council Member Finnerty, Council Member Frazier, Council Member Gastgeb, Council Member Macey, Council Member Martoni, Council Member Rea, Council Member Robinson and President Fitzgerald  
Noes: 1 - Council Member Caldwell  
Absent: 1 - Council Member Nerone

**2801-06**

An Ordinance amending Section 880-1, et seq., of the Allegheny County Code of Ordinances by providing for a review and analysis of the economic impact of

Ordinance No. 23-06-OR after the one-year anniversary of the Ordinance's effective date.

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

**Votes:** Yes: 14 - Council Member Burn, Council Member Caldwell, Council Member Cleary, Council Member DeFazio, Council Member Drozd, Council Member Fawcett, Council Member Finnerty, Council Member Frazier, Council Member Gastgeb, Council Member Macey, Council Member Martoni, Council Member Rea, Council Member Robinson and President Fitzgerald  
Absent: 1 - Council Member Nerone

#### **2802-06**

An Ordinance amending Section 1 of Ordinance Number 23-06-OR, approved by Council on September 26, 2006 and signed by the Chief Executive on October 4, 2006, by placing additional information in the Legislative Findings.

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

**Votes:** Yes: 14 - Council Member Burn, Council Member Caldwell, Council Member Cleary, Council Member DeFazio, Council Member Drozd, Council Member Fawcett, Council Member Finnerty, Council Member Frazier, Council Member Gastgeb, Council Member Macey, Council Member Martoni, Council Member Rea, Council Member Robinson and President Fitzgerald  
Absent: 1 - Council Member Nerone

### **Unfinished Business - Motions**

#### **2812-06**

Motion of the Council of Allegheny County urging the Members of the Pennsylvania General Assembly to vote in favor of Senate Resolution 337, introduced by Senator Orie, and the companion House Resolution introduced by Representative Turzai limiting the Commonwealth's further expenditures on the North Shore Connector Project.

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

**Votes:** Yes: 10 - Council Member Burn, Council Member Caldwell, Council Member Cleary, Council Member Drozd, Council Member Fawcett, Council Member Frazier, Council Member Gastgeb, Council Member Rea, Council Member Robinson and President Fitzgerald  
Noes: 4 - Council Member DeFazio, Council Member Finnerty, Council Member Macey and Council Member Martoni  
Absent: 1 - Council Member Nerone

### **VIII. Liaison Reports**

*Council Member Fawcett presented a summary of the Board of Elections Meeting held on October 24, 2006.*

### **IX. New Business - Ordinances & Resolutions**

#### **2817-06**

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania authorizing the use of County owed real property by Voice Stream Pittsburgh for the purpose of placing a cellular antenna on top of the County Office Building.

**Referred to the Committee on Public Works**

**2831-06**

An Ordinance of the Allegheny County Council amending the Allegheny County Code of Ordinances, Division 8, entitled "Health Department Regulations," by amending Section 880-2, entitled "Smoking Prohibited," to require that steps be taken to protect the health of employees and the public when present in areas to which the provisions of the County smoke free legislation do not apply.

**Referred to the Committee on Health & Human Services**

**2832-06**

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing the County to acquire certain properties in fee simple absolute and certain easements situate in the County of Allegheny, Pennsylvania, located adjacent to the Ohio, Monongahela, Allegheny, and Youghiogheny Rivers for the purpose of creating a countywide riverfront park.

**Referred to the Special Committee on Riverfronts**

**2818-06**

A Resolution of the County of Allegheny amending the Operating Budget for 2006, as previously amended by other resolution(s) of County Council.

**Referred to the Committee on Budget and Finance**

**2819-06**

A Resolution of the County of Allegheny amending the Grants and Special Accounts Budget for 2006 (Submission #11-06).

**Referred to the Committee on Budget and Finance**

**X. New Business - Motions****XI. Notification of Contracts****2833-06**

Communication from County Manager Jim Flynn submitting a summary of Executive Actions relating to contracts for August and September, 2006.

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

**XII. Public Comment on General Items****XIII. Adjournment**