

# **Allegheny County Council**

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

**Tuesday, October 10, 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**

*All Members present*

**V. Proclamations/Certificates****2806-06**

Proclamation thanking the Physician Assistants in Allegheny County for the medical care they provide throughout the year, and proclaiming the week of October 6-12, 2006 as "Physician Assistant Week" in Allegheny County.

**Presented**

**2807-06**

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

*This will be presented at a later date*

**Held**

**2808-06**

Certificates of Achievement awarded to Greg Botta, Jake Cappa, Dan Marchitello, Randy Rovesti, Kirk Semler, Deanna Seruga, Mort Stanfield, and the late Clarence Wargo and Nick Davis for their induction into the Pennsylvania Sports Hall of Fame East Boro Chapter on October 12, 2006 at the Edgewood Country Club.

**Read**

**2809-06**

Proclamation celebrating the 60th Anniversary of Dorothy's Candies in White Oak, Pennsylvania on October 7, 2006.

**Read**

**VI. Public Comment On Agenda Items****VII. Approval of Minutes****2794-06**

Motion approving the Minutes of the Regular Meeting of County Council held on September 12, 2006.

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

**VIII. Unfinished Business**

**Committee on Budget and Finance - Second Reading****2601-06**

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, establishing County policy on funding the use of private homes or businesses as polling places in order to assure compliance with the requirements of Act 45 of 2006, the Voter Accessibility Act.

*A Motion to amend the bill passed but the Motion to pass the bill as amended failed.*

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

**Votes:** Yes: 7 - Council Member Caldwell, Council Member Drozd, Council Member Fawcett, Council Member Gastgeb, Council Member Martoni, Council Member Rea and Council Member Robinson

Noes: 8 - Council Member Burn, Council Member Cleary, Council Member DeFazio, Council Member Finnerty, Council Member Frazier, Council Member Macey, Council Member Nerone and President Fitzgerald

**2722-06**

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, to amend the Code of the County of Allegheny, Division 1, entitled Administrative Code, to amend existing Articles and add a new Article requiring that all County authorities, agencies, boards and commissions cooperate with the County Controller in engaging an independent auditor for the purpose of conducting the annual financial audit of the authority, agency, board or commission, and requiring that the County Controller oversee such annual financial audits.

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

**Votes:** Yes: 15 - 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 Nerone, Council Member Rea, Council Member Robinson and President Fitzgerald

**Enactment No: 26-06-OR**

**2780-06**

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, authorizing the transfer of Ownership of a County Police Horse back to the original donors.

**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 Nerone, Council Member Robinson and President Fitzgerald  
Not present: 1 - Council Member Rea

**Enactment No: 27-06-OR**

**IX. Liaison Reports**

*Council Member Cleary provided Council with an update on the State's bill regarding mandatory*

*overtime for Health Care Workers*

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

### **2813-06**

A Resolution of the County of Allegheny, Commonwealth of Pennsylvania, urging the Allegheny County Chief Executive to make all possible efforts to secure voting machines in accordance with the requirements of the Help America Vote Act, 42 U.S.C. §15301 et. seq., that allow for the creation of voter verified paper records (VVPRs) for each voter, and supporting House Bill 2000 and Senate Bill 977, each of which is currently pending in the Pennsylvania General Assembly.

*Not on original agenda. Motion passed to place the bill on the agenda and another Motion passed to waive the second reading on the bill.*

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

**Votes:** Yes: 15 - 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 Nerone, Council Member Rea, Council Member Robinson and President Fitzgerald

**Enactment No: 38-06-RE**

### **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.

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

**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.

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

**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.

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

**2798-06**

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

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

**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."

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

**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.

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

**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.

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

**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.

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

**2811-06**

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**

**2803-06**

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

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

**2810-06**

A Resolution of the Council of the County of Allegheny, Commonwealth of Pennsylvania, inviting the Board of Directors of the National Association of Counties (NACo) to select Allegheny County as the host for NaCo's 2010 or 2011 Annual Conference and Exposition

*Second reading waived*

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

**Votes:** Yes: 15 - 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 Nerone, Council Member Rea, Council Member Robinson and President Fitzgerald

**Enactment No: 37-06-RE**

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

**2804-06**

Motion of the Council of Allegheny County authorizing the Budget & Finance Committee to conduct public hearings, pursuant to § 801.05 of the Administrative Code on Wednesday, November 1, Thursday, November 2, and Friday, November 3, beginning each day at 4 p.m. in the Gold Room of the Allegheny County Courthouse. Budget & Finance Chair William Russell Robinson will serve as the presiding officer.

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

**2805-06**

Motion of the Council of Allegheny County urging health insurance carriers to offer health insurance premiums at a discount because, as a result of Allegheny County's smoking ban, the overall health and well-being of residents in Allegheny County will greatly improve, and encouraging employers to choose those health insurance carriers that provide discounted rates.

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

**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 Held. The motion carried unanimously.

**XII. Public Comment on General Items**

**XIII. Adjournment**