

# Allegheny County Council

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

**Tuesday, April 21, 2009**

**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**
- V. Proclamations/Certificates**

[4788-09](#) Proclamations from Allegheny County Council and the City of Pittsburgh honoring members of Allegheny County child abuse investigation units.

**Sponsors:** Jim Burn, Rich Fitzgerald, Chuck Martoni, Matt Drozd, Nick Futules, Amanda Green, Joan Cleary, William Russell Robinson, Michael Finnerty, Bob Macey and Jim Ellenbogen

[4789-09](#) Certificates of Achievement honoring CCAC professors for receiving 2009 National Institute for Staff and Organizational Development Excellence Awards.

**Sponsors:** Chuck Martoni and William Russell Robinson

[4790-09](#) Certificates of Achievement honoring the Mt. Lebanon High School Varsity Girls Basketball team for winning the Class AAAA WPIAL and PIAA Championships.

**Sponsors:** Vince Gastgeb

[4791-09](#) Certificate of Achievement honoring Natalie Ferraro for receiving the Gold Award from the Girl Scouts.

**Sponsors:** Bob Macey

[4792-09](#) Proclamation honoring Lanny Frattare's career in sports broadcasting.

**Sponsors:** Rich Fitzgerald

[4793-09](#) Certificate of Achievement recognizing Thomas Stephen Waruszewski for reaching the Eagle Scout ranking.

**Sponsors:** Matt Drozd

*To be entered into the Record*

[4794-09](#) Certificates of Achievement recognizing six boy scouts of Troop 184 for reaching the Eagle Scout ranking.

**Sponsors:** Chuck Martoni

*To be entered into the Record*

[4795-09](#) Certificate of Recognition honoring Brentwood Cares for their efforts to send care packages to soldiers serving overseas.

**Sponsors:** Joan Cleary

*To be entered into the Record*

4796-09

Certificate of Achievement honoring South Allegheny Middle School for receiving the "Schools to Watch" Award.

Sponsors: Bob Macey

*To be entered into the Record*

4797-09

Certificate of Recognition honoring William Trimbath of Pleasant Hills for being named the 2009 Councilman of the Year by the Pennsylvania Borough Councils Association.

Sponsors: Joan Cleary

*To be entered into the Record*

4798-09

Certificates of Achievement recognizing the Sewickley Academy boys basketball team for winning the WPIAL Class A championship.

Sponsors: Matt Drozd

*To be entered into the Record*

4799-09

Certificate of Recognition honoring Lee Barth's 100th birthday.

Sponsors: Michael Finnerty

*To be entered into the Record*

4800-09

Certificate of Achievement honoring wrestler Zack DeLuca of Penn Hills for capturing the Pennsylvania Junior Championship.

Sponsors: Nick Futules

*To be entered into the Record*

4801-09

Certificate of Recognition honoring broadcaster Steve Blass' 50th anniversary with the Pittsburgh Pirates.

Sponsors: Bob Macey

*To be entered into the Record*

4802-09

Certificate of Recognition honoring the 50th wedding anniversary of Mr. and Mrs. Kass.

Sponsors: Bob Macey

*To be entered into the Record*

4803-09

Certificate of Achievement honoring Vince Provenza for reaching the rank of Eagle Scout.

Sponsors: Nick Futules

*To be entered into the Record*

[4804-09](#) Certificate of Recognition honoring John Tarka and Jack O'Malley for receiving distinctive awards from the Allegheny County Labor Council.

Sponsors: Joan Cleary, Amanda Green, Nick Futules, William Russell Robinson, Chuck Martoni, Bob Macey, Michael Finnerty, John DeFazio, Jim Ellenbogen and Rich Fitzgerald

*To be entered into the Record*

[4805-09](#) Proclamation recognizing Allegheny County's 911 Communications Department during National Public Safety Telecommunications Week and honoring them for their services to our community.

Sponsors: Jim Burn, Amanda Green, William Russell Robinson, Chuck Martoni, Matt Drozd, Bob Macey, Michael Finnerty, Joan Cleary, Nick Futules and Jim Ellenbogen

*To be entered into the Record*

[4810-09](#) Certificate of Recognition honoring Bridget Byrne for being named 2009 Ms. Smiling Irish Eyes.

Sponsors: Amanda Green and Michael Finnerty

*To be entered into the Record*

[4813-09](#) Proclamation declaring April 28, 2009 as "Workers Memorial Day" in Allegheny County.

Sponsors: John DeFazio

*To be entered into the Record*

[4814-09](#) Proclamation declaring April 24, 2009 as "Workers Memorial Day" in the Philadelphia area.

Sponsors: John DeFazio

*To be entered into the Record*

[4815-09](#) Proclamation declaring May 1, 2009 as "Workers Memorial Day" in Johnstown.

Sponsors: John DeFazio

*To be entered into the Record*

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

## **VII. Approval of Minutes**

[4806-09](#) Motion to approve the Minutes of the Regular Meeting of Allegheny County Council held on March 3, 2009.

[4807-09](#) Motion to approve the Minutes of the Regular Meeting of Allegheny County Council held on March 17, 2009.

## **VIII. Unfinished Business**

### **Committee on Appointment Review - Second Reading**

[4692-09](#)

Appointment - Approving the reappointment of Victor H. Diaz to serve as a member of the following Authorities: Allegheny County Industrial Development Authority, Allegheny County Hospital Development Authority, Allegheny Higher Education Building Authority and the Residential Finance Authority for a term to expire on December 31, 2013.

Sponsors: Chief Executive

Legislative History

3/17/09	County Council	Referred
4/15/09	Committee on Appointment Review	Affirmatively Recommended

[4694-09](#)

Appointment - Approving the reappointment of Louis A. Naugle to serve as a member of the Air Pollution Control Advisory Committee for a term to expire on December 31, 2009.

Sponsors: Chief Executive

Legislative History

3/17/09	County Council	Referred
4/15/09	Committee on Appointment Review	Affirmatively Recommended

[4702-09](#)

Appointment - Approving the reappointment of Chester R. Babst, III to serve as a member of the Air Pollution Control Advisory Committee for a term to expire on December 31, 2009.

Sponsors: Chief Executive

Legislative History

3/17/09	County Council	Referred
4/15/09	Committee on Appointment Review	Affirmatively Recommended

[4706-09](#)

Appointment - Approving the reappointment of Peter Czuczman to serve as a member of the Authority for Improvements in Municipalities for a term to expire on December 31, 2013.

Sponsors: Chief Executive

Legislative History

3/17/09	County Council	Referred
4/15/09	Committee on Appointment Review	Affirmatively Recommended

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

[4698-09](#) A Resolution of the County of Allegheny amending the 2009 Capital Budget for Allegheny County.

**Sponsors:** Chief Executive

**Legislative History**

3/17/09	County Council	Referred
4/14/09	Committee on Budget and Finance	Affirmatively Recommended

[4746-09](#) A Resolution of the County of Allegheny amending the Grants and Special Accounts Budget for 2009 (Submission #06-09).

**Sponsors:** Chief Executive

**Legislative History**

4/7/09	County Council	Referred
4/14/09	Committee on Budget and Finance	Affirmatively Recommended

**Committee on Government Reform - Second Reading**

[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.

**Sponsors:** Matt Drozd and Vince Gastgeb

**Legislative History**

7/1/08	County Council	Referred
3/26/09	Committee on Government Reform	Released from the Committee
4/7/09	County Council	Held

[4695-09](#) An Ordinance of the County of Allegheny authorizing the County to enter into an intergovernmental cooperation agreement with the City of Pittsburgh under which the County will provide purchasing and procurement services on behalf of the City.

**Sponsors:** Chief Executive

**Legislative History**

3/17/09	County Council	Referred
3/26/09	Committee on Government Reform	Held in Committee
4/2/09	Committee on Government Reform	Affirmatively Recommended
4/7/09	County Council	Referred
4/14/09	Committee on Government Reform	Affirmatively Recommended

[4726-09](#)

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending the Allegheny County Code of Ordinances, §5-905.04, entitled "Allegheny County Professional Services Review Committee Reporting Obligations," to clarify the ongoing reporting obligation of the Professional Services Review Committee.

**Sponsors:** William Russell Robinson, Chuck McCullough, Amanda Green, Michael Finnerty and Nick Futules

**Legislative History**

3/17/09	County Council	Referred
4/2/09	Committee on Government Reform	Held in Committee
4/14/09	Committee on Government Reform	Affirmatively Recommended

[4727-09](#)

An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending and supplementing the Allegheny County Code of Ordinances, Chapter 435, entitled "Minority Business Enterprise Program," through the creation of a new §435-13, entitled "Allegheny County Contract Reporting Obligations," in order to establish a requirement for reporting the M/W/DBE status of parties to contracts with Allegheny County.

**Sponsors:** William Russell Robinson, Chuck McCullough and Amanda Green

**Legislative History**

3/17/09	County Council	Referred
4/2/09	Committee on Government Reform	Held in Committee
4/14/09	Committee on Government Reform	Affirmatively Recommended

[4753-09](#)

An Ordinance of the Council of the County of Allegheny approving the M/W/DBE participation policy of the Port Authority of Allegheny County.

**Sponsors:** Chuck Martoni, Michael Finnerty, Bob Macey, William Russell Robinson, Amanda Green, Matt Drozd, Jim Ellenbogen, Rich Fitzgerald and Nick Futules

**Legislative History**

4/7/09	County Council	Referred
4/14/09	Committee on Government Reform	Affirmatively Recommended

**Committee on Public Works - Second Reading**

[4740-09](#)

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.

**Sponsors:** Chief Executive

**Legislative History**

4/7/09	County Council	Referred
4/16/09	Committee on Public Works	Affirmatively Recommended

[4741-09](#)

An Ordinance authorizing the County of Allegheny to sell a 4.23 acre parcel of excess land for the amount of \$461,070.00, plus a \$1000.00 administrative fee, to Parkway Park Associates, and refund to the Pennsylvania Department of Transportation the sum of \$461,070.00 representing the Bayer Corporation approved donation credit for construction of Settler's Cabin Interchange.

Sponsors: Chief Executive

Legislative History

4/7/09	County Council	Referred
4/16/09	Committee on Public Works	Affirmatively Recommended

[4742-09](#)

An Ordinance authorizing the County of Allegheny to convey real property interests to the City of Pittsburgh.

Sponsors: Chief Executive

Legislative History

4/7/09	County Council	Referred
4/16/09	Committee on Public Works	Affirmatively Recommended

[4743-09](#)

An Ordinance authorizing the County of Allegheny to sell a  $0.787\pm$  acre parcel of excess land at the intersection of Hulton Road (SR 2082 and SR 2058) and Coxcomb Road (SR 2083, formerly LR 677) in Plum Borough, to T. D. Holdings, LLC. for consideration in the amount of \$5,000.00, upon approval by Pennsylvania Department of Transportation.

Sponsors: Chief Executive

Legislative History

4/7/09	County Council	Referred
4/16/09	Committee on Public Works	Affirmatively Recommended

[4744-09](#)

An Ordinance authorizing the County of Allegheny to sell excess rights-of-way and easements to Pennsylvania Department of Transportation, for Mt. Nebo Road in Ohio Township and for Greensburg Pike in North Versailles Borough.

Sponsors: Chief Executive

Legislative History

4/7/09	County Council	Referred
4/16/09	Committee on Public Works	Affirmatively Recommended

## IX. Liaison Reports

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

4808-09 An Ordinance of the County of Allegheny, Commonwealth of Pennsylvania, amending and supplementing the Allegheny County Code of Ordinances, through the creation of a new Chapter 575, entitled "Elder Care," in order to create protections for the County's vulnerable elderly residents living in nursing home and other assisted living environments.

Sponsors: Rich Fitzgerald, District Attorney and Jim Ellenbogen

4809-09 An Ordinance amending and supplementing the Allegheny County Code of Ordinances through the creation of a new Chapter 720, entitled "Energy Resources," in order to establish County policy for the use of energy resources derived from property owned by Allegheny County.

Sponsors: Rich Fitzgerald

4811-09 A Resolution of the County of Allegheny amending the Grants and Special Accounts Budget for 2009 (Submission #06-09).

Sponsors: Chief Executive

**XI. New Business - Motions**

4812-09 Motion of the Council of Allegheny County urging the General Assembly and Governor of the Commonwealth of Pennsylvania, as well as the United States Congress, to establish federal and state programs of tax relief for industries adjudged to be endangered within the United States and Commonwealth of Pennsylvania.

Sponsors: Matt Drozd

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